in foreign shipyards, or for or against changes in subsidy policies, or for or against the giveaway of the Panama Canal and the prompt and immediate jacking of tolls by the Republic of Panama—if she could take over the canal—to provide further riches for the favored few families there—whatever side a witness takes on legislation, he owes us facts in testifying before us.

Sometimes the facts we want and ask for may be a bit embarrassing to the witness' own position; he may feel we are asking him to testify, in effect, against himself—in violation of the spirit, at least, of the fifth amendment. But, personally, as well as in my capacity as a legislator, I admire a person who will stand up and argue his point of view with all of his might, but still be forthright and honest in answering questions which can help the Congress make honest and informed decisions on legislation. We are not infallible; sometimes we may even sound somewhat stupid in the questions we ask. But we feel deeply an obligation to try to act responsibly, based on facts and not on hunches, so we need all of the truth, not just the part which serves a firm's own interest. It is in this spirit that we are going into these hearings on our merchant marine.

Most of us are rather partisan to American-flag shipping to begin with; for instance, we feel strongly that the 50–50 cargo preference law is basically a national defense policy, and the shipping crisis over Vietnam certainly bears us out. When we increase our dependence upon foreign shipping for Government cargoes in peacetime, we later find ourselves confronted with the unhappy fact that we don't have the ships we need, and some of our fair-weather foreign-flag carrier friends who were so glad to get Government cargoes suddenly pull the rug out from under us by saying thank you very much but we aren't interested in taking any of your cargoes to Saigon right now—as recently happened.

As a result, we have a lot of our best shipping tied up off Saigon—all the way to the Philippines, according to one witness—waiting to unload, and undergoing the most exasperating and maddening delays which I hope the Longshoremen's President and other experienced consultants we have sent over there can help unravel, if only their recommendations are given a chance to work. There are good, fast ships as well as the "old rustbuckets" tied up for many weeks over there, and I wonder—and we want to know—what is happening on the commercial routes they were taken away from. Are we losing that business by default, possibly for good and, if so, what do we do about it?

Along those lines, we are very curious about the repeated claim that cargoes sent by American ships are more expensive than using foreign ships. We all know that the rates are set by conference agreements, and they are supposed to be the same for all ships participating in the agreements. This raises the question: Is there widespread cheating on conference rates by some foreign-flag lines—perhaps in the form of kickbacks? We want to know about that, too.

Speaking of the Vietnam delays, I saw a report from Capt. H. G. Beck, master of the *SS Louise Lykes* out of this port, on the first 2 weeks of his attempts to unload his cargo at Damang, Vietnam. It sounds bad enough to make strong men cry, in trying to match barges with labor and both with the necessary clearance papers and anchorages. The payoff was an episode the day after Christmas—there they were, stuck out there—and finally when everything was lined up for them to unload some of their rice, with the barges in place and the necessary labor on hand, the unloading was abruptly called off after 15 minutes because one Vietnamese official had failed to obtain a permit from another Vietnamese official permitting discharge into lighters. The next day, after this formality was straightened out and some unloading began, the master protested bitterly about the silly and expensive delay, but a self-important local individual pulled himself up to his full 5 feet, and pompously explained that the previous day was a Sunday and "they" didn't work on Saturday or Sunday.

As I got the story, your neighbor replied—and good for him—that he not only worked Saturday and Sunday but day and night, every day, and so did everyone else—the crew, the AID people there, the people loading the ship at home, in fact everyone, and one sure thing, the Vietcong were working, too.

Well, he got some of his cargo off, but the next day he was still hung up there with six empty barges alongside and no labor on the barges to land and stow the rice, or to check it on to the barge and none of his military cargo had yet been touched and he was sadly reporting to the company that if only things could be straightened out there he could unload in a few days, but, he wrote:

"Either there is no labor, or no checkers, or no barges, or the tide is wrong or too strong or even the lack of a piece of paper which nullifies all efforts."

In our committee we are deeply concerned over the shipping tieup in Vietnam, because we don't have the ships to spare for this wasteful use, and if we did, we don't have the trained crews—which is another of my great complaints I'd be glad to talk about for hours some day, going back again to the hearings we held on towboats on our inland waters. But that's another story.

We are now at a critical point of decision on our ocean shipping policies for the future, as we were in 1936, and there is no certainty which way we will go this time. In 1936 we made the right turn. But for some years now, we have been drifting in a calm in ship construction and in American flag operation. Foreign ships have taken over not only most of our commercial cargo, but our passenger business too. Recently we learned once again from the *Yarmouth Castle* disaster that the American flag should have a most important significance to the tourist—in the most fundamental thing of all, safety at sea. So the same American shipping lines which used to protest bitterly over the added costs of conforming to Coast Guard safety requirements, now find it excellent public relations and promotion practice to advertise such conformance. I hope we can now recapture a good deal of the tourist business, and that we will resume the construction of fine new ships to make travel by American-flag passenger vessels even more attractive.

But as to cargo ships, those who may think that the American Flag should—or has to—gradually disappear from the shipping lanes of the world, because it is perhaps an expensive luxury we cannot afford, have either forgotten, or are much too young to know about the recurring crises in recent history when defense needs suddenly made us dependent upon our own ships. I do not feel we should place the main reliance for so much of our vital commerce—vital to our survival—on foreign ships which owe us nothing whatsoever and whose owners are glad to have our business when it is convenient or profitable, but not when it entails any sacrifice. For sacrifice, we know—we've always known—we can depend only on our own. Thank you.

SENATE

FRIDAY, MARCH 4, 1966

The Senate met at 12 o'clock meridian, and was called to order by the Acting President pro tempore (Mr. METCALF).

Bishop W. Earl Ledden, Wesley Theological Seminary, Washington, D.C., offered the following prayer:

Almighty God, Father of us all, we stand in reverence before Thee to acknowledge our common need of Thee in this demanding hour.

Again we invoke Thy blessing upon the burdened Members of this honored body that they may be strengthened to do that which is right in Thy sight this day.

And we remember before Thee all those who are in the gallery, for they too have their duty to perform. In this land of liberty they too are among "those in authority." Grant them wisdom to distinguish what is right and courage to pursue it.

May they and the democratic society of which they are a part give strong support to every effort put forth on the floor of this Chamber for the establishment of that righteousness which exalts the Nation and makes straight a highway for our God.

So may we all acknowledge Thee this day and, together with men of good will throughout the earth, be privileged to establish in the world a habitation fit for Thy human family for whom Christ died.

In His name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, March 2, 1966, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on March 3, 1966, the President had approved and signed the act (S. 9) to provide readjustment assistance to veterans who serve in the Armed Forces during the induction period.

REPORT ON ACTIVITIES UNDER COMMUNICATIONS SATELLITE ACT OF 1962—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 400)

The ACTING PRESIDENT pro tempore 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 Commerce:

To the Congress of the United States:

A new communications era has begun.

The first commercial satellite is in orbit over the Atlantic Ocean, in an unchanging location linking millions of people, thousands of miles apart, in reliable telecommunications between North America and Europe.

The flights of our astronauts, the Olympic games, international policy discussions, and other occasions of broad

interest and major importance have been transmitted throughout the world by way of communications satellites. Today information is made available for improving health, warning against major storms, and increasing agricultural output.

This historic space bridge will be enlarged. Satellites scheduled to be launched later this year are to span the Pacific and expand coverage over the Atlantic.

The commercial satellite service will advance to provide this new and unique telecommunications capability to other areas of the world.

In the foreseeable future, entire newspapers and service from the world's greatest libraries will be able to enter the homes of all those eager for knowledge.

This dramatic effort follows from the Communications Satellite Act of 1962, which called for the establishment of a worldwide commercial communications system as soon as practicable.

With the Communications Satellite Corp. as the U.S. representative designated by the act, an international consortium of participants in this global venture continues to grow. Forty-eight countries are now engaged in this joint venture, with the corporation acting as manager on behalf of all participants under the international agreements.

In the forward movement of the communications satellite program, all agencies of the Government and the committees of the Congress have assisted in carrying out the objectives and purposes of the act.

Under section 404(a) of the act, I am transmitting to the Congress a report on this national program, which is successfully advancing communications satellite technology to the benefit of the people of the United States and the world.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *March 3, 1966.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 1, Public Law 372, 84th Congress, as amended, the Speaker had appointed Mr. KUPFERMAN, of New York, as a member of the Franklin Delano Roosevelt Memorial Commission, to fill an existing vacancy thereon.

The message announced that the House had passed the bill (S. 2614) to provide for U.S. participation in the 1967 statewide celebration of the centennial of the Alaska Purchase, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 1666) to provide for the appointment of additional circuit and district judges, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a bill (H.R. 12322) to enable cottongrowers to establish, finance, and carry out a coordinated program of research and promotion to improve the competitive position of, and to expand markets for, cotton, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 12563) to provide for the participation of the United States in the Asian Development Bank.

HOUSE BILL REFERRED

The bill (H.R. 12322) to enable cottongrowers to establish, finance, and carry out a coordinated program of research and promotion to improve the competitive position of, and to expand markets for, cotton, was read twice by its title and referred to the Committee on Agriculture and Forestry.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

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

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Agriculture and Forestry was authorized to meet during the session of the Senate today.

On request of Mr. LONG of Louisiana, and by unanimous consent, the Aviation Subcommittee of the Committee on Commerce was authorized to meet during the session of the Senate today.

VFW SELECTS SENATOR EVERETT M. DIRKSEN FOR ITS 1966 CONGRESSIONAL AWARD

Mr. MANSFIELD. Mr. President, for the past 3 years, the Veterans of Foreign Wars of the United States has nominated a Member of the Congress to be the recipient of a special award. The choice of a recipient is made with great care and on a nonpolitical basis. The VFW chooses the recipient for the leadership he has shown during his membership in the Congress—either in this Senate or in the House of Representatives.

The VFW Congressional Award is as high an honor as that organization confers. Upon the plaque, the following words are inscribed: "For outstanding service to the Nation." Simple words they are, but towering words.

As I understand it, the VFW hopes that by making this annual award they will dramatize for their membership of 1,300,000 and for the entire Nation, the importance of a freely elected legislature in serving the ends and needs of our great Republic. The VFW also hopes to emphasize for all Americans that the tasks of the Congress include the fostering of patriotism, of Americanism. Finally, the organization seeks to stress that the Congress is a defender of the Nation and of the institutions of American freedom for all citizens.

Mr. President, I list the six criteria the Veterans of Foreign Wars uses in its guidelines in presenting this distinguished award:

First. Dedication to the preservation and perpetuation of the ideas upon which the American system of Government is based;

Second. Recognition by his colleagues of his service, whether that service is one of quiet dedication and hard work or one which achieves wide publicity in the best and highest interest of the Nation;

Third. Exemplification of the principles of civic duty shared by the VFW, which emphasizes the individual, the community, the State, and the Nation;

Fourth. Unswerving loyalty to, and active performance in, the defense and security of the Nation against its foes, whoever and wherever they may be;

Fifth. Compassionate, practical attention to the needs of those men and women who have selflessly given of themselves to the service of America, not only in its wars, but in peaceful pursuits as well; and

Sixth. Dedication to his legislative responsibilities over a period of years, continuous growth in legislative responsibility and experience, not only in fields of special interest to any particular group in American life but in his overall stewardship.

The first of the VFW awards was made on March 10, 1964, and the recipient was the distinguished President pro tempore of the U.S. Senate, the Honorable CARL HAYDEN, of Arizona. The second recipient of the VFW Congressional Award was the distinguished Speaker of the other body, the House of Representatives, the Honorable JOHN W. MCCORMACK, of Massachusetts.

Mr. President, I know that my Senate colleagues and all Americans applaud the choice of the 1966 Congressional Award by the VFW. Many of you already know that choice. It is EVERETT MCKINLEY DIRKSEN, of Illinois.

It could not have gone to a more deserving, more capable, more honorable legislator. I cannot think of a more qualified Member of this entire legislative body. For 30 years Senator DIRKSEN has served his constituents and his Nation with high idealism and dedication. He has served in both Houses of the Congress.

EVERETT MCKINLEY DIRKSEN has carried the flag of this Nation in many ways. He fought in France during World War I. He has fought here in the Senate, time and again, for the principles upon which the Nation was founded. EVERETT MCKINLEY DIRKSEN has been a champion of freedom for all men. He has carried the battle standard of his principles with courage and conviction.

Mr. President, I know that my colleagues join me in heartfelt congratulations to our colleague for the honor which has come to him. I wish, even more, to congratulate the Veterans of Foreign Wars which has had the wisdom to select him for this award. I know the

U.S. Senate will be overwhelmingly represented at the ceremonies when it is conferred, Tuesday, March 8, at the Sheraton-Park Hotel.

Mr. KUCHEL. Mr. President, this is a fitting and appropriate tribute by one great American to another. Surely every U.S. Senator shares in the honor that comes now to the leader of the minority for all the valor and courage which has marked his labors over the years for the benefit of the public, and the success they have achieved.

So I rise to associate myself with my able friend, the leader of the majority, as he pays tribute to a great American, the minority leader.

Mr. MANSFIELD. I am sure I spoke also for 97 other Senators.

Mr. YOUNG of North Dakota. I, too, wish to join in the tribute to this great American. He has distinguished himself in every field of endeavor he has undertaken, and has endeared himself, I think, to all Americans. This is an award well deserved. I salute my friend [Mr. DIRKSEN], on this well-deserved recognition.

Mr. DOMINICK. Mr. President, EVERETT MCKINLEY DIRKSEN has become synonomous to all of us with the highest form of verbal felicity, the best in traditional eloquence which stirs the heart and soul of every American citizen, and, most importantly, with the viable, vital spirit of the Republican Party and our Nation's heritage. Our minority leader has earned every plaudit, every accolade, and every appellation he has received, and it is indeed a privilege to join with all the Members of this body in singing his praises.

Today's tributes should be accompanied with bouquets of marigolds. Our flowing words cannot match the flowering oratory of the distinguished junior Senator from Illinois. Our remarks cannot begin to catch the indomitable humor expressed so often by the "pulsating lover" of the play, "A Thousand Years Ago." We are unequal to the task of describing the good will, the loyalty to country, and the high statesmanship of "the man from Pekin" who has made his mark not just here in the Senate but throughout the Nation and the world.

Like so many of my colleagues, I have found the guidance and support of Senator DIRKSEN invaluable. Without his consummate skill in the use of the parliamentary tactics of this body, I am sure many of us would have long ago foundered in the complexities of the Senate rules. Through apt use of word and action, the minority leader of the Senate has demonstrated time and again his ability to pull together opposing forces, consolidate strength, and achieve victories where defeats were all but certain.

The "incandescent fulminations" of the man from Pekin will remain with us as guideposts for greatness. As long as there is a Republican Party, EVERETT MCKINLEY DIRKSEN will stand with Abraham Lincoln, Teddy Roosevelt, Robert Taft, and Dwight David Eisenhower as a symbol of integrity, honesty, and capable leadership for our party, our Nation, and the world.

The tributes we pay today are repeated every day in the capitols of every nation of the world. The minority leader's name is praised by every man on the street, including those who belong to opposing organizations and political parties. His strength comes not from our words of commendation, but from his intimate knowledge of how we, the American people, think and respond to the issues of the day. His strength has buoyed up the Republican Party in its darkest days and will lead the Republican Party into brighter days of the future. His strength will, in the decades to come, abash those who aspire to evil manipulations of this democratic system and hearten those who patriotically serve the United States of America.

My hat is off to the junior Senator from Illinois and my hand, holding gold and burnished marigolds, is extended in sincere admiration for his skill in playwriting, acting, speaking, but most of all, for his statesmanship and courage.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business, for action on nominations.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

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

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. MCINTYRE, from the Committee on Armed Services:

Charles F. Baird, of New York, to be an Assistant Secretary of the Navy.

By Mr. RUSSELL of Georgia, from the Committee on Armed Services:

Maj. Gen. Lewis W. Walt, U.S. Marine Corps, for commands and other duties determined by the President, for appointment to the grade of lieutenant general while so serving.

Mr. BYRD of Virginia. Mr. President, from the Committee on Armed Services I report favorably the nominations of four general officers in the Marine Corps Reserve and ask that these names be printed on the Executive Calendar.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations, ordered to be printed on the Executive Calendar, are as follows:

Charles F. Duchein and Sidney S. McMath, officers of the Marine Corps Reserve, for temporary appointment to the grade of major general; and

Leland W. Smith and Arthur B. Hanson, officers of the Marine Corps Reserve, for temporary appointment to the grade of brigadier general.

Mr. BYRD of Virginia. Mr. President, in addition, I report favorably 1,134 nominations in the Army in the grade of captain and below; 15,763 nominations in the Navy in the grade of captain and below; and 2,728 nominations in the Marine Corps in the grade of lieutenant colonel and below.

Since these names have already been printed in the CONGRESSIONAL RECORD, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Robert F. Comeau, and sundry other persons, for appointment in the Regular Army;

Wade V. Mallard, and sundry other distinguished military students, for appointment in the Regular Army of the United States;

Robert E. Bass, and sundry other officers, for promotion in the U.S. Navy; and

Elaine T. Carville, and sundry other officers, for promotion in the Marine Corps.

The ACTING PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

FEDERAL RESERVE SYSTEM

The legislative clerk read the nomination of Andrew F. Brimmer, of Pennsylvania, to be a member of the Board of Governors of the Federal Reserve System for a term of 14 years.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

FEDERAL DEPOSIT INSURANCE CORPORATION

The legislative clerk read the nomination of William W. Sherrill, of Texas, to be a member of the Board of Directors of the Federal Deposit Insurance Corporation for a term of 6 years.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

COMPTROLLER GENERAL

The legislative clerk read the nomination of Elmer Boyd Staats, of Kansas, to be Comptroller General of the United States for a term of 15 years.

Mr. MCCLELLAN. Mr. President, I would like the RECORD to show that the members of the Committee on Government Operations were unanimous in their endorsement of Mr. Elmer Boyd Staats for the position of Comptroller General of the United States.

This action takes on added significance in view of the particular interest the Congress has in this position because it was established as an office of the legislative branch of the Government.

The office was designed to function as a watchdog over all Federal expenditures, and in this day of burgeoning

budgets, the American people have a continuing need for the services of highly capable and experienced men in that job. We have been particularly fortunate in that regard in the past and I know that Mr. Staats will carry forward this fine tradition. He is eminently qualified for the task.

Mr. Staats has had a long and distinguished career with the Bureau of the Budget—spanning more than 20 years. He has served as Deputy Director of the Bureau of the Budget under four Presidents, a tribute to his ability and ample evidence of his dedication to public service.

Over the years, the Committee on Government Operations has had a close and highly successful working relationship with the General Accounting Office and I am certain that this fruitful arrangement will be continued under the leadership of Mr. Staats.

I commend President Johnson for his selection of Mr. Staats for the position of Comptroller General of the United States.

I ask unanimous consent that a staff memorandum in connection with Mr. Staats' qualifications for this important and high office be printed at this point in the RECORD.

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

STAFF MEMORANDUM NO. 89–2–6, SENATE COMMITTEE ON GOVERNMENT OPERATIONS, FEBRUARY 23, 1966

Subject: The nomination of Elmer Boyd Staats, of Kansas, to be Comptroller General of the United States for a term of 15 years.

I. BIOGRAPHY OF ELMER B. STAATS

Elmer B. Staats has been Deputy Director of the Bureau of the Budget under four Presidents. Prior to his appointment by President Kennedy in January 1961, he had held this position under President Eisenhower from March 1959 to January 1961, and under President Truman from April 1950 until January 1953.

Mr. Staats first joined the Bureau of the Budget in 1939, and served in various capacities until 1953, including the positions of Assistant Director for Legislative Reference, and Executive Assistant Director. During World War II he was in charge of the Bureau's budget estimates work covering the major war agencies.

He left Government service early in 1953 to serve for approximately a year as research director for Marshall Field & Co. in Chicago. He returned to Washington as Executive Officer of the newly established Operations Coordinating Board under the National Security Council. He held this post until September 1958 when he returned to the Bureau of the Budget as an Assistant Director, becoming Deputy Director in March 1959. Before coming to the Bureau in 1939, he was with the Kansas Legislative Council in Topeka, Kans., and the Public Administration Service in Chicago.

Mr. Staats has been a member of the National Council of the American Society for Public Administration since 1957 and was national president of the society in 1961–62. He was chairman of the Conference on the Public Service in 1959–60. He is also a member of the advisory committee of the University of Wisconsin's Center for Advanced Study in Government Administration, and a member of the advisory council of the Brookings Institution's Conference on Public Affairs.

He received an A.B. degree from McPherson College, McPherson, Kans.; an M.A. degree from the University of Kansas; and a Ph. D. degree from the University of Minnesota. He was a fellow of the Brookings Institution from 1938 to 1939. He is a member of Phi Beta Kappa and was a recipient of the Rockefeller Public Service Award in 1961.

He was born in Richfield, Kans., on June 6, 1914. He is married and has three children.

II. THE OFFICE OF COMPTROLLER GENERAL

The Comptroller General is the principal officer of the General Accounting Office, which was created as an arm or agent of the Congress. The Comptroller General is thus directly responsible to the Congress.

The Comptroller General and the Assistant Comptroller General are appointed by the President with the advice and consent of the Senate. The law provides that these officers shall hold office for 15 years, and shall be subject to removal only by joint resolution of the Congress for specified causes or by impeachment. The Comptroller General is not eligible for reappointment.

III. THE GENERAL ACCOUNTING OFFICE

The General Accounting Office is under the direction and control of the Comptroller General of the United States.

The GAO is a nonpolitical, nonpartisan agency in the legislative branch of the Government created by the Congress to act in its behalf in examining the manner in which Government agencies discharge their financial responsibilities with regard to public funds appropriated or otherwise made available to them by the Congress and to make recommendations looking to greater economy and efficiency in public expenditures.

The Office was created by the Budget and Accounting Act, 1921, and placed under the direction and control of the Comptroller General of the United States, which Office also was established by the 1921 act. The act transferred audit responsibility from the Treasury Department in the executive branch to the General Accounting Office, which was declared by the act to be independent of the executive departments. The General Accounting Office was vested with all the powers and duties formerly prescribed by the Dockery Act of July 31, 1894, for the six auditors and the Comptroller of the Treasury and by other statutes extending back to the creation of the Treasury Department by the act of September 2, 1789.

In addition, the 1921 act broadened the scope and objectives of the audit work. It requires the Comptroller General to investigate all matters relating to the receipt, disbursement, and application of public funds and to make recommendations looking to greater economy or efficiency in public expenditures; to make such investigations and reports as shall be ordered by either House of Congress or by a committee of either House having jurisdiction over revenue, appropriations, or expenditures; and, at the request of any such committee, to direct assistants from the General Accounting Office to furnish the committee such aid and information as it may request.

One of the purposes of the 1921 act was to provide for an independent audit of Government accounts. The need for an audit to be made by "an establishment of the Government independent of the executive departments," the term applied to the General Accounting Office in the 1921 act, is clearly expressed in the following excerpts from the legislative history of the act:

"The creation of an independent auditing department will produce a wonderful change. The officers and employees of this department will at all times be going into the separate departments in the examination of their accounts. They will discover the very facts that Congress ought to be in possession of and can fearlessly and without fear of removal present these facts to Congress and its committees. The independent audit will, therefore * * * serve to inform Congress at all times as to the actual conditions surrounding the expenditure of public funds in every department of the Government.

"It was the intention of the committee that the Comptroller General should be something more than a bookkeeper or accountant; that he should be a real critic, and at all times should come to Congress, no matter what the political complexion of Congress or the Executive might be, and point out inefficiency.

"The bill then provides for the appointment of an official termed the Comptroller General, whose duty it is to follow every appropriation made by Congress and see that the money is properly spent. This will be of invaluable service to Congress, as this official, being entirely independent of every other branch of the Government, is directly responsible to Congress."

The Comptroller General and the General Accounting Office were declared to be part of the legislative branch of the Government by the Reorganization Act of 1945, 59 Stat. 616, and the Reorganization Act of 1949, 5 U.S.C. 133–5. The Comptroller General was specifically designated an agent of the Congress by the Accounting and Auditing Act of 1950, 31 U.S.C. 65.

Authority and responsibility is also placed on the Office by many laws in addition to the 1921 act, such as the Government Corporation Control Act of 1945, the Legislative Reorganization Act of 1946, the Federal Property and Administrative Services Act of 1949, the Post Office Department Financial Control Act of 1950, and the Accounting and Auditing Act of 1950.

Liaison with the Congress

Members of the staff of the Office of Legislative Liaison of the General Accounting Office are in constant contact with the committees of Congress and their staffs and with the Members of the Congress to confer with them and to supply such information as they may require in connection with the several hundred audit, investigative, and legislative reports submitted by the Comptroller General each year to the Congress or to its committees, Members, and officers.

This staff also arranges for furnishing the various types of special assistance requested by the committees or Members of Congress. This includes arranging with the responsible operating divisions and offices for special audits, surveys, and investigations; for the assignment of personnel to assist congressional committees; and for the appearance of witnesses to testify before congressional committees on the subject matter of the audit and investigative reports, on legislative recommendations contained in the reports, or on bills before the committees for consideration.

Purpose

As an agency in the legislative branch, the General Accounting Office was created to assist the Congress in providing legislative control over the receipt, disbursement, and application of public funds. Its principal functions are in the fields of auditing, accounting, claims settlement, legal decisions, special assistance to the Congress, and records management and services.

Auditing

The General Accounting Office performs an independent audit of receipts, expenditures, and use of public funds by departments and agencies of the Federal Government, and audits the records of certain Government contractors and their subcontractors and of certain recipients of Federal financial assistance such as loans, advances, grants, or contributions.

The primary purpose of audits by the General Accounting Office is to make for the Congress independent examinations of the manner in which Government agencies are discharging their financial responsibilities. Financial responsibilities of Government agencies are construed as including the administration of funds and the utilization of property and personnel only for authorized programs, activities, or purposes, and the conduct of programs or activities in an effective, efficient, and economical manner.

To carry out these functions, the Comptroller General or his authorized representatives are authorized by law to have access to and examine any books, documents, papers, or records—except those pertaining to certain funds for purpose of intercourse or treaty with foreign nations—of any department or establishment.

Implicit in the audit responsibilities is a responsibility to report to the Congress information obtained in the audits. In addition, section 312(a) of the 1921 act requires the Comptroller General to submit to the Congress an annual report of the work of the General Accounting Office. In this report, or in special reports to the Congress, he is to make recommendations looking to greater economy or efficiency in public expenditures.

Accounting: The Comptroller General is responsible for prescribing principles, standards, and related requirements for accounting by the executive agencies. The agencies are responsible for establishing and maintaining the accounting systems, but these are to conform with the prescribed principles, standards, and related requirements.

The General Accounting Office cooperates with the agencies in the development of their accounting systems, reviews the systems from time to time, and approves them when deemed to be adequate and in conformity with the requirements of the Comptroller General.

Also, the Comptroller General, the Secretary of the Treasury, and the Director of the Bureau of the Budget conduct a continuous program for the improvement of accounting and financial reporting. The other Government agencies also participate in this joint financial management improvement program.

Settlement of accounts and claims: The General Accounting Office has responsibility for settling the accounts of disbursing and collecting officers who are accountable for public funds and for making settlements with certifying officers when there are improper certifications on vouchers. The Office also settles claims (1) against the United States as required by law or where doubt of legal entitlement exists, (2) by the United States where efforts by the responsible agencies have not been successful. GAO also reviews private cases where individuals may be dissatisfied with rulings or decisions of the executive departments or agencies. Such reviews may be obtained on the individual's own initial without the use of legal counsel.

The balances certified by the Comptroller General are final and conclusive upon the executive branch. However, the Comptroller General may review any settled account or claim either on his own motion or at the request of an interested party.

Debt collection: The responsibility for collecting debts stems from the provision in 31 U.S.C. 71 that all claims and demands by the Government of the United States shall be settled and adjusted in the General Accounting Office and from 31 U.S.C. 93 which provides that the General Accounting Office shall superintend the recovery of all debts finally certified by it to be due to the United States.

Decisions of the Comptroller General: The Comptroller General is required by law to render decisions as to the legality of expenditures of public funds to heads of executive departments or independent agencies, or disbursing or certifying officers, who are authorized to apply for a decision upon any question involving a payment to be made by or under them or pursuant to their certification. In addition, many legal questions arise in the audit and settlement work of the General Accounting Office which require determination.

Under certain circumstances, contracting officers may request advance decisions on questions involving the awarding of a contract. Also, any bidder may request a decision on the legality of a proposed or actual award of a contract adversely affecting him.

By law, the decisions of the Comptroller General are final and conclusive on the executive branch of the Government and establish the validity of the individual payments and, in some instances, the legality of entire programs.

Special assistance to the Congress: In addition to the work which it initiates, the General Accounting Office makes many special audits, surveys, and investigations at the specific request of congressional committees, as required by law. Special audits, surveys, and investigations are also made and information, often relating to the legality of specific transactions or to their conformance with existing regulations, is furnished at the request of Members of Congress.

General Accounting Office representatives may be assigned to assist specified committees at their request and are called upon frequently to testify before congressional committees on various matters. Another service to the Congress consists of furnishing comments on proposed legislation.

Rules, regulations, and decisions: The Comptroller General makes such rules and regulations as deemed necessary for carrying on the work of the General Accounting Office, including those for the admission of attorneys to practice before it. Under the seal of the Office, he furnishes copies of records from books and proceedings thereof, for use as evidence in accordance with the act of June 25, 1948 (62 Stat. 946; 28 U.S.C. 1733).

The General Accounting Office "Policy and Procedures Manual for Guidance of Federal Agencies" is the official medium through which the Comptroller General promulgates (1) principles, standards, and related requirements for accounting to be observed by the Federal departments and agencies, (2) uniform procedures for use by the Federal agencies, and (3) regulations governing the relationship of the General Accounting Office with other Federal agencies and with individuals and private concerns doing business with the Government.

IV

Following is a summary of the activities of the General Accounting Office which appears in its most recent annual report to the Congress (covering fiscal year ending June 30, 1964):

"During the year our staff carried out its work at 2,782 locations throughout the world, including 41 foreign countries in which we carried out assignments at some 340 various locations.

"Refunds, collections, measurable savings, and other financial benefits resulting from the work of the General Accounting Office amounted to $321,489,000. This amounted to a return of over $7 for every dollar spent by the General Accounting Office for the year. Actual refunds and collections made by or through our efforts during the year amounted to $27,166,000.

"We made 480 examinations and audits at 273 plants and offices of contractors and subcontractors holding contracts with the Armed Forces, and at 127 plants and offices of contractors and subcontractors holding contracts with civil departments and agencies of the Government.

"In the civil departments and agencies, we made 980 reviews of selected activities and programs at 1,460 locations within the United States, including 275 non-Federal locations, such as State and local governments, public works sites, and various other recipients of Federal grants, loans and funds.

"We made 856 reviews of selected defense activities and programs and 94 reviews of selected international activities and programs at 780 military installations and 142 nonmilitary locations, including 31 agencies of foreign governments and 108 other locations in foreign countries.

"During the year we audited 4.8 million bills of lading covering freight shipments and 2.5 million transportation requests for passenger travel, and issued 73,251 claims against the carriers for overcharges totaling $11.4 million. We also settled 22,673 claims from carriers against the Government totaling $19.1 million for $15 million, or $4.1 million less than claimed. In addition to these direct settlements, we furnished assistance to the Department of Justice in some 134 legal actions involving claims against the Government for $5.3 million which were settled for $4.1 million, or $1.2 million less than claimed.

"In our legal work, we handled 5,330 decisions and related legal matters. Included in the total were 788 legislative and legal reports submitted to committees and Members of the Congress on information of interest to them and 86 reports to the Director of the Bureau of the Budget on proposed, pending, or enrolled bills and on other legal matters.

"We settled and disposed of a total of 7,450 general claims against the United States, consisting of 615 claims involving Government contracts, 3,236 claims involving military personnel, and 3,599 claims involving civilian personnel and other public creditors of the United States. In the settlement and disposition of these claims we certified the sum of $33,879,969.13 for payment. We also adjusted and settled 43,267 claims by the United States and collected $6,410,067.98. At the end of the fiscal year 1964 we had 14,052 claims under collection representing accounts receivable in the total amount of $6,304,874.85. During the year we reported 3,842 claims to the Department of Justice for collection by suit, if appropriate, and at the end of the year the accounts receivable for claims pending with that Department totaled $3,422,258.35.

"During fiscal year 1964, we issued 1,010 audit reports, an increase of 192 over the previous fiscal year. We submitted 293 reports on audits or investigations to the Congress and 197 reports to congressional committees, officers of the Congress, or individual Members of Congress on audits or investigations made at their request. Of the 490 congressional reports, 229 related to activities of the civil departments and agencies of the Government, 225 pertained to activities in the Department of Defense and the three military departments, 34 related to international activities including military and economic assistance to foreign countries, and 2 related to Government-wide activities. In addition, we issued 520 reports to officials of the various departments and agencies and furnished copies in many cases to the congressional committees or interested Members of the Congress.

"As a consequence of our reports and other work, our representatives testified before congressional committees on 23 occasions and on a variety of subjects during the fiscal year. Ninety-eight General Accounting Office attorneys, accountants, auditors, and investigators were assigned to the staffs of 21 congressional committees or subcommittees during the 1964 fiscal year. Over 9,200 man-days of technical assistance were provided for work directly with and under the control of the congressional committees.

"Our operating expenses for the year amounted to $43,713,000, approximately $2 million less than appropriated. Our staff

at the yearend totaled 4,350, as compared with 4,659 at June 30, 1963, a net decrease of 309. During the past 10 years, our staff has been reduced by 1,563, or approximately 26 percent."

JAMES R. CALLOWAY,
Chief Clerk and Staff Director.

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

Mr. McCLELLAN. I yield to the Senator from California.

Mr. KUCHEL. I am delighted to join my friend from Arkansas in the comments he has just made concerning the Comptroller General. I share his feelings. I have known Elmer Staats and have had occasion to work with him from time to time in his capacity in the Budget Bureau. I simply congratulate the American people for having this kind of public servant in this new field of responsibility.

Mr. COOPER. Mr. President, the nomination of Elmer B. Staats to be Comptroller General of the United States merits the highest praise. I have had the privilege of knowing and working with Mr. Staats over a period of many years, since I first came to the Senate in 1947.

As a public official, Mr. Staats has served as Deputy Director of the Bureau of the Budget under each of the last four Presidents. His Government career began in 1939, and although he did spend several years as an executive in private industry, he has given the greater part of his career to high public service.

I know that others have spoken of his achievements and accomplishments, but I would like to say that he also has shown himself to be a man of patience, thoughtfulness, and fairness in his consideration of problems that come before him. Each year, the Members of Congress from Kentucky have met with him and his staff as an official group—to present their views on budget items affecting Kentucky—and he always heard us with careful attention and acted objectively.

His qualities and his experience will stand the Congress in good stead, and I am pleased that the Senate will confirm his nomination today.

The ACTING PRESIDENT pro tempore. The question is, Will the Senate advise and consent to the nomination?

The nomination is confirmed.

FOREIGN CLAIMS SETTLEMENT COMMISSION

The legislative clerk read the nomination of Theodore Jaffe, of Rhode Island, to be a member of the Foreign Claims Settlement Commission for a term of 3 years.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF JUSTICE

The legislative clerk proceeded to read sundry nominations in the Department of Justice.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

REPORT OF U.S. ADVISORY COMMISSION ON INFORMATION

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the Chairman, U.S. Advisory Commission on Information, Washington, D.C., transmitting, pursuant to law, a report of that Commission, dated February 1966, which, with the accompanying report, was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

S. 2540. A bill to authorize the conclusion of an agreement for the joint construction by the United States and Mexico of an international flood control project for the Tijuana River in accordance with the provisions of the treaty of February 3, 1944, with Mexico, and for other purposes (Rept. No. 1049); and

S. Con. Res. 71. Concurrent resolution to approve selecting of the U.S. Olympic Committee and to support its recommendations that the State of Utah be designated as the site for the 1972 winter Olympic games (Rept. No. 1059).

By Mr. SCOTT, from the Committee on the Judiciary, without amendment:

S. 2266. A bill to authorize the Attorney General to transfer to the Smithsonian Institution title to certain objects of art (Rept. No. 1048).

Mr. DIRKSEN subsequently said: Mr. President, I ask unanimous consent that the names of the Senator from New York [Mr. JAVITS] and the Senator from Pennsylvania [Mr. SCOTT] be added as cosponsors of S. 2266, to authorize the Attorney General to transfer to the Smithsonian Institution title to certain objects of art.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

By Mr. PROXMIRE, from the Committee on Banking and Currency, with amendments:

S. 2729. A bill to amend section 4(c) of the Small Business Act (Rept. No. 1057).

REPORT ENTITLED "THE FEDERAL JUDICIAL SYSTEM"—REPORT OF A COMMITTEE (S. REPT. NO. 1050)

Mr. DIRKSEN. Mr. President, on behalf of the Senator from Maryland [Mr. TYDINGS], from the Committee on the Judiciary, I ask unanimous consent to submit a report entitled "The Federal Judicial System," pursuant to Senate Resolution 45, 89th Congress, and ask that it be printed.

The ACTING PRESIDENT pro tempore. The report will be received and printed.

REPORT ENTITLED "TRADING WITH THE ENEMY ACT"—REPORT OF A COMMITTEE (S. REPT. NO. 1051)

Mr. DIRKSEN. Mr. President, on behalf of the Senator from Arkansas [Mr. MCCLELLAN], from the Committee on the Judiciary, I ask unanimous consent to submit the annual report on the Trading With the Enemy Act and War Claims Act of 1948, pursuant to Senate Resolution 51, 89th Congress.

The ACTING PRESIDENT pro tempore. The report will be received and printed.

REPORT ENTITLED "IMMIGRATION AND NATURALIZATION"—REPORT OF A COMMITTEE (S. REPT. NO. 1052)

Mr. DIRKSEN. Mr. President, on behalf of the Senator from Mississippi [Mr. EASTLAND], from the Committee on the Judiciary, I submit a report entitled "Immigration and Naturalization," pursuant to Senate Resolution 44, 89th Congress, and ask that it be printed.

The ACTING PRESIDENT pro tempore. The report will be received and printed.

REPORT ENTITLED "ADMINISTRATIVE PRACTICE AND PROCEDURE"—REPORT OF A COMMITTEE (S. REPT. NO. 1053)

Mr. DIRKSEN. Mr. President, on behalf of the Senator from Missouri [Mr. LONG], from the Committee on the Judiciary, I submit the annual report on administrative practice and procedure, pursuant to Senate Resolution 39, 89th Congress, and ask that it be printed.

The ACTING PRESIDENT pro tempore. The report will be received and printed.

REPORT ENTITLED "REVISION AND CODIFICATION"—REPORT OF A COMMITTEE (S. REPT. NO. 1054)

Mr. DIRKSEN. Mr. President, on behalf of the Senator from North Carolina [Mr. ERVIN], from the Committee on the Judiciary, I submit the annual report on "Revision and Codification," pursuant to Senate Resolution 50, 89th Congress, and ask that it be printed.

The ACTING PRESIDENT pro tempore. The report will be received and printed.

AMENDMENT OF COAL MINE SAFETY ACT—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 1055)

Mr. MCNAMARA. Mr. President, on behalf of the Senator from Oregon [Mr. MORSE], from the Committee on Labor

and Public Welfare, I report favorably without amendment, the bill (H.R. 3584) to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines, and I submit a report thereon, together with individual views. I ask that the report be printed, with individual views. I ask unanimous consent that the individual views may be filed any time before midnight tonight.

The ACTING PRESIDENT pro tempore. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Michigan.

AMENDMENT OF SMALL BUSINESS ACT—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT. NO. 1056)

Mr. PROXMIRE. Mr. President, from the Committee on Banking and Currency, I report favorably, with an amendment, the bill (S. 2499) 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, and I submit a report thereon, together with the minority views of Senators BENNETT, TOWER, THURMOND, and HICKENLOOPER. I ask unanimous consent that the report, together with the minority views, be printed.

The ACTING PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Wisconsin.

REPORT ENTITLED "REFUGEE PROBLEMS IN SOUTH VIETNAM"—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 1058)

Mr. KENNEDY of Massachusetts. Mr. President, from the Committee on the Judiciary, I ask unanimous consent to submit a report entitled "Refugee Problems in South Vietnam," pursuant to Senate Resolution 49, 89th Congress, together with the individual views of the junior Senator from Massachusetts [Mr. KENNEDY].

I ask unanimous consent that the report together with the individual views be printed.

The ACTING PRESIDENT pro tempore. The report will be received and printed, as requested by the Senator from Massachusetts.

BILLS INTRODUCED

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

By Mr. DIRKSEN (by request):

S. 3013. A bill for the relief of Lt. Col. Rollin F. Allyne, Army of the United States (retired); to the Committee on the Judiciary.

By Mr. SCOTT:

S. 3014. A bill to amend the Internal Revenue Code of 1954 to allow an income tax credit for contributions made by individuals to the National and State committees of political parties; to the Committee on Finance.

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

By Mr. RUSSELL of Georgia:

S. 3015. A bill to provide that the Crisp County Power Commission, Cordele, Ga., shall be eligible for financial assistance under the provisions of the Public Works and Economic Development Act of 1965; to the Committee on Public Works.

By Mr. HOLLAND:

S. 3016. A bill for the relief of Dr. Hector Jesus Sanchez-Hernandez; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 3017. A bill to amend the Communications Act of 1934 to authorize the Federal Communications Commission to issue rules and regulations with respect to community antenna systems, and for other purposes; to the Committee on Commerce.

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

By Mr. MONTOYA:

S. 3018. A bill for the relief of Jose Luis Pombo Martinez; to the Committee on the Judiciary.

By Mr. SYMINGTON:

S. 3019. A bill to authorize the disposal of aluminum from the national stockpile;

S. 3020. A bill to authorize the disposal of fused crude aluminum oxide from the national stockpile and the supplemental stockpile;

S. 3021. A bill to authorize the disposal of bismuth from the national stockpile and the supplemental stockpile;

S. 3022. A bill to authorize the disposal of metallurgical grade chromite from the national stockpile and the supplemental stockpile;

S. 3023. A bill to authorize the disposal of industrial diamond stones from the national stockpile and the supplemental stockpile;

S. 3024. A bill to authorize the disposal of acid grade fluorspar from the national stockpile and the supplemental stockpile;

S. 3025. A bill to authorize the disposal of muscovite mica from the national stockpile and the supplemental stockpile;

S. 3026. A bill to authorize the disposal of phlogopite mica from the national stockpile and the supplemental stockpile;

S. 3027. A bill to authorize the disposal of molybdenum from the national stockpile; and

S. 3028. A bill to authorize the disposal of crude silicon carbide from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

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

By Mr. HILL:

S. 3029. A bill for the relief of Gustavo Eugenio Gomez; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

ESTABLISHMENT OF A JOINT COMMITTEE ON THE ECONOMIC OPPORTUNITY ACT OF 1964

Mr. DIRKSEN submitted a concurrent resolution (S. Con. Res. 78) establishing a Joint Committee on the Economic Opportunity Act of 1964 to make a full and complete study and investigation of the administration of the Economic Opportunity Act of 1964 and to submit to the Senate and House a report of its study and investigation together with any recommendations for amendments on or before August 1, 1966, which was referred to the Committee on Labor and Public Welfare.

(See the above concurrent resolution printed in full when submitted by Mr. DIRKSEN, which appears under a separate heading.)

RESOLUTIONS

TO PRINT A REPORT ON "A STUDY OF POLLUTION—AIR"

Mr. McNAMARA submitted the following resolution (S. Res. 232); which, under the rule, was referred to the Committee on Rules and Administration:

Resolved, That there be printed for the use of the Committee on Public Works, three thousand additional copies of the staff report, "A Study of Pollution—Air", prepared by the Committee on Public Works, during the Eighty-eighth Congress, first session.

TO PRINT AS A SENATE DOCUMENT THE THIRD ANNUAL REPORT OF THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE ON AIR POLLUTION

Mr. McNAMARA submitted the following resolution (S. Res. 233); which, under the rule, was referred to the Committee on Rules and Administration:

Resolved, That there be printed as a Senate Document for the use of the Committee on Public Works, two thousand five hundred copies of the third semiannual report of the Secretary of Health, Education, and Welfare, on the problem of air pollution caused by motor vehicles and measures taken toward its alleviation, dated December 17th, 1965, in compliance with Public Law 88–206, the Clean Air Act.

INCOME TAX CREDIT FOR POLITICAL CONTRIBUTIONS

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 to allow an income tax credit for political contributions. My bill would permit one-half of the total contribution as a credit, up to a maximum credit of $100 per year. Contributions could be made to the national committee or the State committee—as designated by the national committee—of a political party whose candidates for President and Vice President get on the ballot in at least 10 States.

Political parties in this era of modern electronic communications media and of high-speed travel require large sums of money to wage effective election campaigns. It is important, therefore, to tap all sources of potential support.

Unfortunately, with the exception of my own party in 1964, political parties have been unable to persuade large numbers of people to contribute small sums of money to their cause. As a consequence, they have been compelled to rely on large contributions from wealthy individuals. There certainly is nothing inherently wrong in this practice, but since widespread citizen participation is the keystone of the effective functioning of our democratic political system, it would be far more healthy if political parties

could broaden the base of their financial support. In this way, they could more readily meet the high costs of campaigning without becoming unduly dependent upon wealthy contributors.

My bill meets only a part of the problem inherent in the growing financial burden experienced by our political parties. In this connection, I want to call attention to another bill which I introduced last year, S. 1287, and which is designed to encourage broadcasters to grant more free time to candidates, thereby reducing the staggering costs of securing time on the airwaves. I hope that both measures can receive serious consideration in this Congress.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The bill will be received and appropriately referred.

The bill (S. 3014) to amend the Internal Revenue Code of 1954 to allow an income tax credit for contributions made by individuals to the National and State committees of political parties, introduced by Mr. SCOTT, was received, read twice by its title, and referred to the Committee on Finance.

REGULATION OF COMMUNITY ANTENNA TELEVISION SYSTEMS

Mr. MAGNUSON. Mr. President, in recent days a great deal has been said about the regulation of community antenna television systems.

On February 15, 1966, the Federal Communications Commission indicated that it would submit specific proposals to Congress designed to express basic national policies in the CATV field.

By request, I introduce for appropriate reference, a bill to amend the Communications Act of 1934, as amended, to give the FCC authority to issue rules and regulations with respect to CATV systems.

I ask unanimous consent that a letter from the Chairman of the FCC requesting the proposed legislation, together with the explanation of the proposed legislation, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter and explanation will be printed in the RECORD.

The bill (S. 3017) to amend the Communications Act of 1934 to authorize the Federal Communications Commission to issue rules and regulations with respect to community antenna systems, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and explanation presented by Mr. MAGNUSON are as follows:

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., March 3, 1966.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The Commission, at its meeting yesterday, reached agreement on suggested CATV legislation to recommend to the Congress. I am enclosing a copy of that proposal and explanation for your information. The dissenting statement of Commissioner Bartley and the separate statement of Commissioner Loevinger are attached.

Because of urgent time factors, the Commission's proposal has not been presented to the Bureau of the Budget for advice as to its relationship to the program of the President. However, a copy is being sent to that Bureau forthwith.

Yours sincerely,
E. WILLIAM HENRY, *Chairman.*

EXPLANATION OF PROPOSED AMENDMENTS TO THE COMMUNICATIONS ACT OF 1934, AS AMENDED, CONCERNING REGULATION OF COMMUNITY ANTENNA SYSTEMS

These proposals for amendments to the Communications Act are submitted pursuant to the Commission's determination, announced in its public notice of February 15, 1966, that it would make the following recommendations for legislation to the Congress:

(a) Clarification and confirmation of FCC jurisdiction over CATV systems generally, along with such specific provisions as are deemed appropriate.

(b) Prohibition of the origination of program or other material by a CATV system with such limitations or exceptions, if any, as are deemed appropriate.

(c) Consideration of whether, to what extent, and under what circumstances CATV systems should be required to obtain the consent of the originating broadcast station for the retransmission of the signal by the CATV system.

(d) Consideration of whether CATV systems should or should not be deemed public utilities. In this connection, Congress will be asked to consider the appropriate relationship of Federal to State-local jurisdiction in the CATV field, with particular reference to initial franchising, rate regulation, and extension of service.

The Commission has determined that it has jurisdiction over all CATV systems, and it has asserted that jurisdiction to the extent necessary to carry out the announced regulatory program. However, given the importance of CATV, we believe it highly desirable that Congress amend the Communications Act to confirm that jurisdiction and to establish such basic national policy as it deems appropriate.

The proposed new subsection 3(h) of the Communications Act broadly defines a "community antenna system" to include any facility which receives broadcast signals [1] over the air [2] and distributes them by means of wire or cable to subscribing members of the public. While the definition is all-inclusive, we believe it is unnecessary to impose regulations on all systems. Therefore, the proposed new section 331(a)(2) would empower the Commission to exempt from regulation, by general rule, systems, which, because of their size or nature, need not be encompassed within the regulatory scheme. For example, the Commission's present regulations exempt systems serving fewer than 50 subscribers or which serve only one or more apartment houses under common ownership, control or management. (See, for example, 47 CFR 21.710(a).)

Of prime importance is the proposed new section 331(a)(1) of the act, which would expressly confer upon the Commission, in broad and comprehensive terms, authority to regulate community antenna systems in the public interest. This authority is to be exercised only to the extent necessary to carry out the purposes of the Communications Act, particularly the establishment and maintenance of broadcast services and the provision of multiple reception services. There is thus a congressional recognition of the public service rendered by the broadcast and CATV industries and a directive to promote the orderly growth of both industries.

We recommend the broad approach along the lines of proposed section 331(a)(1) because of the dynamic and relatively new nature of the CATV field. We believe that it would be difficult and indeed impracticable to attempt to delineate precisely in a statute all of the possible areas in which the public interest may in the future require Commission action. Had legislation been drawn to deal specifically with the problems posed by CATV in the fifties, it would have been inadequate as to such present problems as those raised by CATV entry into the major markets.

Today, for example, because there is so little program origination or alteration or deletion of broadcast signals being carried, there would appear to be few, if any, problems concerning the carriage over CATV systems of political broadcasts or of appropriate identification announcements with respect to sponsored material, including programs involving controversial issues. But there could be future problems in these respects, requiring regulation along the lines of sections 315 or 317.

The broad regulatory approach we urge is similar to that adopted by the Congress for regulation of radio, and the following quotation from the landmark Supreme Court case construing the Communications Act is equally pertinent to the dynamic and new field of CATV:

"Congress was acting in a field of regulation which was both new and dynamic * * *. While Congress did not give the Commission unfettered discretion to regulate all phases of the radio industry, it did not frustrate the purpose for which the Communications Act of 1934 was brought into being by attempting an itemized catalog of the specific manifestations of the general problems for the solution of which it was establishing a regulatory agency. That would have stereotyped the powers of the Commission to specific details in regulating a field of enterprise the dominant characteristic of which was the rapid pace of its unfolding. And so Congress did what experience had taught it in similar attempts at regulation, even in fields far less fluid and dynamic than radio. The essence of that experience was to define broad areas for regulation and to establish standards for judgment adequately related in their application to the problems to be solved." (*NBC* v. *U.S.*, 319 U.S. 190, 218–219).

There is one area which we believe that Congress may wish to consider specifically at this time, rather than leaving to subsequent regulatory decision under the proposed section 331(a)(1)—namely, whether community antenna systems should be required to obtain the consent of the originating broadcast station before retransmitting the station's signal over the system. It has been urged that such a requirement would obviate the need for much, if not all, of the Commission's present regulations in this field.

The Commission is not now in a position to state whether a so-called section 325(a) approach would be effective or fully consistent with the public interest. The matter is one of such a nature that we believe it should be more appropriately considered by the Congress. In this way, there could be congressional hearings on how such a retransmission-consent provision would function as a practical matter, whether there

[1] Both radio and television signals are included. While we are aware of no community antenna system which now distributes only radio signals, some systems do distribute signals from both radio and television broadcast stations.

[2] This would include signals received directly off the air from a broadcast station, as well as those broadcast and then relayed by means of a microwave relay system.

should be special provisions for the CATV systems operating in a small community, and whether and to what extent there should be "grandfathering" of existing systems. The statute finally enacted could then reflect the congressional judgment on this important aspect.

The proposed new section 331(b) of the Communications Act deals with the question of possible program origination by community antenna systems. We believe it would be inequitable to allow unlimited program origination, since this would permit community antenna systems to use the distribution of free television broadcast signals as a base for engaging in pay-TV operations.[3] Moreover, the Commission, and indeed the Congress, has had a continuing concern with the possible impact of subscription television service on the free television broadcast service.

The Commission currently has before it a petition requesting the institution of rulemaking proceedings to provide for subscription television service on a permanent and carefully regulated basis throughout the country utilizing the facilities of television broadcast stations. Because of the foregoing considerations, the proposed section 331(b) would bar any general pay-TV operation by a community antenna system.

While convinced that community antenna systems should not be permitted unlimited program origination, we are not recommending that Congress impose a complete ban on program origination. There would appear to be various possible exceptions (e.g., the fairly common time and weathercasting channels on CATV systems; see also par. 57 of our "Notice of Inquiry" and "Notice of Proposed Rulemaking," Docket No. 15971, 1 FCC 2d 453, 474–475). The scope of such possible exceptions to the ban could only be determined after appropriate proceedings. Because of the importance of the matter, we would suggest that Congress, upon the basis of its hearings, resolve this question and enact specific statutory guidelines.

Absent such congressional guidelines, the Commission recommends that Congress follow the approach set out in the new section 331(b). The proposed section 331(b) in addition to barring program origination by community antenna systems, would permit the Commission to grant exceptions subject to several limitations. An express finding would have to be made, after appropriate proceedings, that an exception would serve the public interest; it could be granted only by general rule; and no additional charge to subscribers would be permitted under any exception granted.

Finally, the Commission believes that congressional consideration should also be given to the appropriate relationship of Federal to State-local jurisdiction over community antenna systems, particularly with regard to initial franchising, rate regulation, and related matters. The Commission generally has not proposed to exercise any jurisdiction with respect to these matters. (See par. 32, "Notice of Inquiry" and "Notice of Proposed Rulemaking," Docket No. 15971, 1 FCC 2d 453, 466). Rather, it has recognized that many local governmental bodies, usually in connection with the grant of franchises, have asserted some jurisdiction with respect to rates charged subscribers and similar matters. At least three States (Connecticut, New Jersey, and Rhode Island) have held that CATV systems are public utilities.

[3] Specific charges to subscribers for programs originated by a community antenna system could, of course, be barred, but it might be difficult to insure that monthly rates charged to subscribers were not being set at a level which would take into account programs originated by the system, particularly in the case of a new system.

In our opinion, the public interest will best be protected by permitting State and local regulation to continue with regard to those matters not regulated by the Commission. We are, therefore, recommending legislation along the lines of the proposed section 331(c). That section provides that there would be no Federal preemption except to the extent of direct conflict with the provisions of the Communications Act or regulations enacted by the Commission. This would permit State and local action, but would not foreclose Federal action to carry out the purposes of the act and to promote the "public interest in the larger and more effective use of radio" (sec. 303(g)), where such action becomes necessary.

Adopted: March 2, 1966.

Attachments: Dissenting statement of Commissioner Robert T. Bartley. Separate statement of Commissioner Lee Loevinger.

DISSENTING STATEMENT OF COMMISSIONER ROBERT T. BARTLEY

I believe that telling the public it cannot receive broadcasts it wants and is willing to pay for via CATV is unsound public policy.

People willing to pay extra should be allowed to bring in broadcasts which they would not otherwise receive as well or not at all.

Conditions which the Commission would impose on CATV as to carriage, nonduplication, and procedural impediments to development in the top 100 markets appear to be for the economic protection of television stations. Experience indicates that economic protection begets more regulation.

The heart of concern over CATV is its possible evolution into pay television. Fear has been expressed that the community antenna systems will be built and made viable by using free broadcasts from television stations; then, after the systems have acquired a sufficient number of subscribers, they could afford to originate their own programs, and pay television would result.

Consideration need be given to the existing types of systems, (1) community antenna systems which receive, and distribute to subscribers, transmissions of broadcast stations, and (2) closed-circuit systems which originate their own special programing and distribute it by wire or cable to theaters, business establishments, or homes of subscribers.

I believe we should not discourage closed-circuit systems built and made viable by distributing their own programs.

It is the mixing of the two types of systems which would give rise to an unfair competitive advantage. It would be inequitable to allow program origination since this would permit community antenna systems to use the distribution of free television broadcast signals as a base for engaging in pay television operations.

Accordingly, at the present time, I would recommend the following legislation, limited to prohibiting program origination by community antenna systems:

Section 3(hh) [Definition]: Community antenna system means a facility which receives any programs transmitted by a broadcast station and distributes such programs by wire or cable to customers paying for the service.

Section 331: No community antenna system shall distribute programs other than those received from transmissions by broadcast stations.

SEPARATE STATEMENT OF COMMISSIONER LEE LOEVINGER REGARDING PROPOSED CATV LEGISLATION

I believe it is necessary for Congress to legislate on the subject of community antenna television and that the draft of proposed legislation submitted herewith by the FCC is the best compromise that can now be agreed upon. It is my opinion that under present statutes the Commission does not have the jurisdiction which it claims over CATV's. See my separate opinion at 4 RR2d 1679, 1712. If the Commission is to act in this field, legislative authorization is, therefore, necessary.

In general I agree with the views expressed by Commissioner Bartley in his dissenting statement. However, those views are more relevant to consideration of the regulations that may be promulgated by the Commission under the proposed legislation than to the bill now proposed. The legislation proposed is basically a broad authorization to the FCC to act in this field, with a specific declaration that congressional action shall not be construed as Federal preemption.

It would be desirable for Congress to establish more specific standards for administrative action than are contained in the proposed bill. But it is appropriate for Congress to delegate broad authority for the Commission to act under whatever standards Congress may see fit to establish.

Accordingly I join in recommending that Congress consider the proposed bill submitted herewith and enact legislation in such form as may best express the congressional view of the proper way to deal with the problems involving FCC jurisdiction to regulate CATV systems, the operation of CATV systems, the relations of CATV systems to conventional broadcasting stations, and the relation between Federal and State jurisdiction in this field.

PROPOSED LEGISLATION TO AUTHORIZE CERTAIN DISPOSALS FROM THE NATIONAL STOCKPILE AND THE SUPPLEMENTAL STOCKPILE

Mr. SYMINGTON. Mr. President, I introduce, for appropriate reference, 10 bills to authorize disposals from the national stockpile and the supplemental stockpile.

I ask unanimous consent that the letters of transmittal requesting introduction of these legislative items and explaining their purposes be printed in the RECORD immediately following the listing of the bills.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the letters of transmittal accompanying the bills will be printed in the RECORD.

The bills, introduced by Mr. SYMINGTON, were received, read twice by their titles, and referred to the Committee on Armed Services, as follows:

S. 3019. A bill to authorize the disposal of aluminum from the national stockpile.

The letter accompanying Senate bill 3019 is as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., January 22, 1966.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft bill to authorize the disposal of aluminum from the national stockpile.

This proposal is a part of the legislative program of the General Services Administration for 1966.

The proposed bill would authorize the disposal of approximately 820,000 short tons of aluminum from the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h). Approximately 679,000 short tons

of this quantity are in excess of the present stockpile objective.

Disposal of the remaining quantity covered by the bill, approximately 241,000 short tons, is proposed because, for reasons of quality and storage location, an equal quantity of aluminum in the inventory maintained under Defense Production Act of 1950, as amended (50 U.S.C. App. 2061–2166), is better suited for retention to meet stockpile requirements. In this connection the disposal authority in the bill is made subject specifically to the limitation that the aggregate quantity of aluminum in the national stockpile and the Defense Production Act inventory may not be reduced, through the exercise of such authority, below the present aluminum stockpile objective of 450,000 tons.

A copy of the disposal plan, which provides additional information concerning the proposed disposition, is enclosed. As of this date, individual sales contracts have been executed with six U.S. primary producers of aluminum in accordance with paragraph 2 of the disposal plan. The disposal of DPA aluminum has been commenced under the authority of the Defense Production Act; the disposal of aluminum from the national stockpile is, of course, contingent upon legislative authorization such as would be provided by the proposed bill.

GSA recommends prompt and favorable consideration of this draft bill.

The enactment of the bill would not require the expenditure of additional Federal funds.

The Bureau of the Budget has advised that there is no objection to the submission of this legislative proposal to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,

LAWSON B. KNOTT, Jr.,
Administrator.

S. 3020. A bill to authorize the disposal of fused crude aluminum oxide from the national stockpile and the supplemental stockpile.

The letter accompanying Senate bill 3020 is as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., January 19, 1966.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft bill "To authorize the disposal of fused crude aluminum oxide from the national stockpile and the supplemental stockpile."

This proposal is a part of the legislative program of the General Services Administration for 1966.

The proposed bill would authorize the disposal of approximately 130,000 short tons of fused, crude aluminum oxide from the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954 as amended (7 U.S.C. 1704(b)). The Director of the Office of Emergency Planning has determined that this quantity is excess to stockpile needs.

In addition to providing the approval by the Congress of the proposed disposition, the bill would waive the procedural requirements of section 3 of the Stock Piling Act, 50 U.S.C. 98b, with respect to publication and transmittal of notice and the 6-month waiting period. The bill would, however, preserve the substantive requirements of section 3 with respect to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

A copy of the disposal plan, which provides additional information concerning the proposed disposition, is enclosed.

GSA recommends prompt and favorable consideration of this draft bill.

The enactment of the bill would not require the expenditure of additional Federal funds.

The Bureau of the Budget has advised that there is no objection to the submission of the proposed legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,

LAWSON B. KNOTT, Jr.,
Administrator.

S. 3021. A bill to authorize the disposal of bismuth from the national stockpile and the supplemental stockpile;

The letter accompanying Senate bill 3021 is as follows:

GENERAL SERVCES ADMINISTRATION,
Washington, D.C., January 19, 1966.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft bill to authorize the disposal of bismuth from the national stockpile and the supplemental stockpile.

This proposal is a part of the legislative program of the General Services Administration for 1966.

The proposed bill would authorize the disposal of approximately 212,300 pounds of bismuth from the national stockpile and the supplemental stockpile. The Director of the Office of Emergency Planning has determined that this quantity is excess to stockpile needs.

In addition to providing the approval by the Congress of the proposed disposition, the bill would waive the procedural requirements of section 3 of the Strategic and Critical Materials Stock Piling Act, 50 U.S.C. 98b, with respect to publication and transmittal of notice and the 6-month waiting period. The bill would, however, preserve the substantive requirements of section 3 with respect to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

A copy of the disposal plan, which provides additional information concerning the proposed disposition, is enclosed.

GSA recommends prompt and favorable consideration of this draft bill.

The enactment of the bill would not require the expenditure of additional Federal funds.

The Bureau of the Budget has advised that there is no objection to the submission of the proposed legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,

LAWSON B. KNOTT, Jr.,
Administrator.

S. 3022. A bill to authorize the disposal of metallurgical grade chromite from the national stockpile and the supplemental stockpile.

The letter accompanying Senate bill 3022 is as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., February 3, 1966.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft bill to authorize the disposal of metallurgical grade chromite from the national stockpile and the supplemental stockpile.

This proposal is a part of the legislative program of the General Services Administration for 1966.

The proposed bill would authorize the disposal of approximately 2.3 million short dry tons of metallurgical grade chromite (chromite ore equivalent) from the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h), and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). The Director of the Office of Emergency Planning has determined that this quantity is excess to stockpile needs.

In addition to providing the approval by the Congress of the proposed disposition, the bill would waive the procedural requirements of section 3 of the Stock Piling Act, 50 U.S.C. 98b, with respect to publication and transmittal of notice and the 6-month waiting period. The bill would, however, preserve the substantive requirements of section 3 with respect to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

A copy of the disposal plan, which provides additional information concerning the proposed disposition, is enclosed.

GSA recommends prompt and favorable consideration of this draft bill.

The enactment of the bill would not require the expenditure of additional Federal funds.

The Bureau of the Budget has advised that there is no objection to the submission of the proposed legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,

LAWSON B. KNOTT, Jr.,
Administrator.

S. 3023. A bill to authorize the disposal of industrial diamond stones from the national stockpile and the supplemental stockpile.

The letter accompanying Senate bill 3023 is as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., January 19, 1966.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft bill to authorize the disposal of industrial diamond stones from the national stockpile and the supplemental stockpile.

This proposal is a part of the legislative program of the General Services Administration for 1966.

The proposed bill would authorize the disposal of approximately 8.2 million carats of industrial diamond stones from the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). The Director of the Office of Emergency Planning has determined that this quantity is excess to stockpile needs.

In addition to providing the approval by the Congress of the proposed disposition, the bill would waive the procedural requirements of section 3 of the Stock Piling Act, 50 U.S.C. 98b, with respect to publication and transmittal of notice and the 6-month waiting period. The bill would, however, preserve the substantive requirements of section 3 with respect to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

A copy of the disposal plan, which provides additional information concerning the proposed disposition, is enclosed.

GSA recommends prompt and favorable consideration of this draft bill.

The enactment of the bill would not require the expenditure of additional Federal funds.

The Bureau of the Budget has advised that there is no objection to the submission of the proposed legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,

LAWSON B. KNOTT, Jr.,
Administrator.

S. 3024. A bill to authorize the disposal of acid grade fluorspar from the national stockpile and the supplemental stockpile.

The letter accompanying Senate bill 3024 is as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., January 19, 1966.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft bill to authorize the disposal of acid grade fluorspar from the national stockpile and the supplemental stockpile.

This proposal is a part of the legislative program of the General Services Administration for 1966.

The proposed bill would authorize the disposal of approximately 236,773 short dry tons of acid grade fluorspar from the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h), and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). The Director of the Office of Emergency Planning has determined that this quantity is excess to stockpile needs.

In addition to providing the approval by the Congress of the proposed disposition, the bill would waive the procedural requirements of section 3 of the Stock Piling Act, 50 U.S.C. 98b, with respect to publication and transmittal of notice and the 6-month waiting period. The bill would, however, preserve the substantive requirements of section 3 with respect to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

A copy of the disposal plan, which provides additional information concerning the proposed disposition, is enclosed.

GSA recommends prompt and favorable consideration of this draft bill.

The enactment of the bill would not require the expenditure of additional Federal funds.

The Bureau of the Budget has advised that there is no objection to the submission of the proposed legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,

LAWSON B. KNOTT, Jr.,
Administrator.

S. 3025. A bill to authorize the disposal of muscovite mica from the national stockpile and the supplemental stockpile.

The letter accompanying Senate bill 3025 is as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., January 19, 1966.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft bill to authorize the disposal of muscovite mica from the national stockpile and the supplemental stockpile.

This proposal is a part of the legislative program of the General Services Administration for 1966.

The proposed bill would authorize the disposal of approximately 6,772,000 pounds of muscovite block mica, approximately 528,000 pounds of muscovite film mica, and approximately 22,666,000 pounds of muscovite mica splittings from the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h), and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). The Director of the Office of Emergency Planning has determined that these quantities are excess to stockpile needs.

In addition to providing the approval by the Congress of the proposed disposition, the bill would waive the procedural requirements of section 3 of the Stock Piling Act, 50 U.S.C. 98b, with respect to publication and transmittal of notice and the 6-month waiting period. The bill would, however, preserve the substantive requirements of section 3 with respect to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

A copy of the disposal plan, which provides additional information concerning the proposed disposition, is enclosed.

GSA recommends prompt and favorable consideration of this draft bill.

The enactment of the bill would not require the expenditure of additional Federal funds.

The Bureau of the Budget has advised that there is no objection to the submission of the proposed legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,

LAWSON B. KNOTT, Jr.,
Administrator.

S. 3026. A bill to authorize the disposal of phlogopite mica from the national stockpile and the supplemental stockpile.

The letter accompanying Senate bill 3026 is as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., January 19, 1966.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft bill to authorize the disposal of phlogopite mica from the national stockpile and the supplemental stockpile.

This proposal is a part of the legislative program of the General Services Administration for 1966.

The proposed bill would authorize the disposal of approximately 3,765,000 pounds of phlogopite mica splittings and approximately 205,640 pounds of phlogopite block mica now held in the national stockpile established pursuant to the Strategic and Critical Material Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile established pursuant to section 104(b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)). The Director of the Office of Emergency Planning has determined that these quantities are excess to stockpile needs.

In addition to providing the approval by the Congress of the proposed disposition, the bill would waive the procedural requirements of section 3 of the Stock Piling Act, 50 U.S.C. 98b, with respect to publication and transmittal of notice and the 6-month waiting period. The bill would, however, preserve the substantive requirements of section 3 with respect to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

A copy of the disposal plan, which provides additional information concerning the proposed disposition, is enclosed.

GSA recommends prompt and favorable consideration of this draft bill.

The enactment of the bill would not require the expenditure of additional Federal funds.

The Bureau of the Budget has advised that there is no objection to the submission of the proposed legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,

LAWSON B. KNOTT, Jr.,
Administrator.

S. 3027. A bill to authorize the disposal of molybdenum from the national stockpile.

The letter accompanying Senate bill 3027 is as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., January 19, 1966.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington. D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft bill to authorize the disposal of molybdenum from the national stockpile.

This proposal is a part of the legislative program of the General Services Administration for 1966.

The proposed bill would authorize the disposal of approximately 1,034,300 pounds of molybdenum from the national stockpile. The Director of the Office of Emergency Planning has determined that this quantity is excess to stockpile needs.

In addition to providing the approval by the Congress of the proposed disposition, the bill would waive the procedural requirements of section 3 of the Strategic and Critical Materials Stock Piling Act, 50 U.S.C. 98b, with respect to publication and transmittal of notice and the 6-month waiting period. The bill would, however, preserve the substantive requirements of section 3 with respect to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

A copy of the disposal plan, which provides additional information concerning the proposed disposition, is enclosed.

GSA recommends prompt and favorable consideration of this draft bill.

The enactment of the bill would not require the expenditure of additional Federal funds.

The Bureau of the Budget has advised that there is no objection to the submission of the proposed bill to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,

LAWSON B. KNOTT, Jr.,
Administrator.

S. 3028. A bill to authorize the disposal of crude silicon carbide from the national stockpile and the supplemental stockpile.

The letter accompanying Senate bill 3028 is as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., January 19, 1966.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft bill "To authorize the disposal of crude silicon carbide from the national stockpile and the supplemental stockpile."

This proposal is a part of the legislative program of the General Services Administration for 1966.

The proposed bill would authorize the disposal of approximately 166,500 short tons of crude silicon carbide from the national stockpile and the supplemental stockpile. The Director of the Office of Emergency Planning has determined that this quantity is excess to stockpile needs.

In addition to providing the approval by the Congress of the proposed disposition, the bill would waive the procedural requirements of section 3 of the Stock Piling Act, 50 U.S.C. 98b, with respect to publication and transmittal of notice and the 6-month waiting period. The bill would, however, preserve the substantive requirements of section 3 with respect to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

A copy of the disposal plan, which provides additional information concerning the proposed disposition, is enclosed.

GSA recommends prompt and favorable consideration of this draft bill.

The enactment of the bill would not require the expenditure of additional Federal funds.

The Bureau of the Budget has advised that there is no objection to the submission of the proposed legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely yours,

LAWSON B. KNOTT, Jr.,
Administrator.

JOINT COMMITTEE TO INVESTIGATE THE OFFICE OF ECONOMIC OPPORTUNITY AND THE SO-CALLED ANTIPOVERTY PROGRAM

Mr. DIRKSEN. Mr. President, I submit, for appropriate reference, a concurrent resolution to create a joint committee for the investigation of the Office of Economic Opportunity and the so-called antipoverty program.

So much has been said, so much has been written, so many reports have been compiled that it was felt this step to be a desirable undertaking.

Therefore, to that end, it suggests the creating of such a joint committee. I ask unanimous consent that this be allowed to lie on the desk for the next 6 calendar days.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred; and, without objection, the concurrent resolution will lie on the desk, as requested by the Senator from Illinois.

The concurrent resolution (S. Con. Res. 78) was referred to the Committee on Labor and Public Welfare, as follows:

S. CON. RES. 78

Resolved by the Senate (the House of Representatives concurring, That there is hereby established a Joint Committee on the Economic Opportunity Act of 1964 (hereinafter referred to as the committee) to be composed of six Members of the Senate (not more than three of whom shall be members of the majority party) to be appointed by the President of the Senate, and six Members of the House of Representatives (not more than three of whom shall be members of the majority party) to be appointed by the Speaker of the House of Representatives. The committee shall select a chairman and a vice chairman from among its members. A majority of the members of the committee shall constitute a quorum thereof for the transaction of business, except that the committee may fix a lesser number as a quorum for the purpose of taking sworn testimony.

SEC. 2. (a) The committee shall make a full and complete study and investigation of the administration of the Economic Opportunity Act of 1964.

(b) On or before August 1, 1966, the committee shall submit to the Senate and the House a report of its study and investigation together with its recommendations for any amendments to the Economic Opportunity Act for 1964 or any other action which it considers to be necessary or desirable. Thirty days after making such report the committee shall cease to exist.

SEC. 3. (a) The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Eighty-ninth Congress, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures, as it deems advisable.

(b) The committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable.

(c) With the prior consent of the department or agency concerned, the committee may (1) utilize the services, information, and facilities of the General Accounting Office or any department or agency in the executive branch of the Government, and (2) employ on a reimbursable basis or otherwise the services of such personnel of any such department or agency as it deems advisable. With the consent of any other committee of the Senate or the House, or any subcommittee thereof, the committee may utilize the facilities and the services of the staff of such other committee or subcommittee whenever the chairman of the committee provided for herein determines that such action is necessary and appropriate.

(d) Subpenas may be issued by the committee over the signature of the chairman or any other member designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

(e) The expenses of the committee, which shall not exceed $400,000.00 shall be paid from the contingent fund of the Senate upon vouchers signed by the chairman.

LEGISLATIVE REAPPORTIONMENT—AUTHORITY TO FILE INDIVIDUAL VIEWS

Mr. DIRKSEN. Mr. President, on September 8, last year, the Committee on the Judiciary ordered reported the joint resolution on legislative reapportionment. The intervening time was provided for preparation and filing of minority reports. They have all been filed.

On Wednesday of this week, the committee then took further action to send all of these reports to the Senate.

I ask unanimous consent that members of the Committee on the Judiciary be authorized to file individual views on Senate Joint Resolution 103, commonly referred to as the reapportionment amendment.

All this has been fully agreed to on both sides of the aisle.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT TO FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED—AMENDMENT

AMENDMENT NO. 497

Mr. KENNEDY of Massachusetts submitted an amendment, intended to be proposed by him, to the bill (H.R. 12169) to amend the Foreign Assistance Act of 1961, as amended, which was ordered to lie on the table and to be printed.

AMENDMENT TO THE VIETNAM SUPPLEMENTARY ASSISTANCE ACT

AMENDMENT NO. 498

Mr. McGOVERN. Mr. President, I ask unanimous consent that I may be permitted to proceed for an additional 3 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Dakota? The Chair hears none, and it is so ordered.

Mr. McGOVERN. Mr. President, on Tuesday, the Senate passed by an overwhelming margin a supplemental military authorization bill for Vietnam. A number of us in the Senate voted for that measure only after making it clear that we were opposed to many of the policies that our Government has followed in recent years which have involved us so deeply in the Vietnamese war. As I said on Tuesday before the vote on the military authorization bill:

> My vote reflects my conviction that we must protect men we have sent into battle no matter how we might question the policy that sent them to that battlefield.

I did consider joining with a number of like-minded Senators in offering an amendment that would make it clear that the vote for military equipment should not be interpreted as an endorsement of past policy or future policy in the Vietnamese hostilities but simply an effort to protect our soldiers. I was persuaded not to offer such a resolution when the chairman of the Armed Service Committee, the Senator from Georgia [Mr. RUSSELL], who presented the bill on the floor, stated unequivocally that the bill "could not properly be considered as determining foreign policy, as ratifying decisions made in the past, or as endorsing new commitments."

The Senator from Georgia [Mr. RUSSELL] further said:

> Under the division of legislative labor that Congress has prescribed for itself, the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs are the instrumentalities specializing in foreign relations. Accordingly, I think it is important to emphasize that it would be inappropriate for this—Armed Services Committee—authorization to be used as a poll of congressional opinion on whether our foreign policy is sound.

Mr. President, because of these considerations, I decided that the appropriate place to offer an amendment to legislation affecting our Vietnam involvement would be on the assistance legislation now pending before the Senate Committee on Foreign Relations. I have drafted an amendment which I think makes clear that Members of the Senate who vote to sustain our men and our

assistance programs in Vietnam do not necessarily indicate by such votes that they approve of the policies that have involved us in hostilities in southeast Asia. I believe that a considerable number of Senators have grave misgivings about past decisions with reference to Vietnam and that such Senators are deeply concerned less this limited war take on dangerously enlarged proportions.

I strongly believe that the most urgent task in the U.S. foreign policy field today is to find an honorable way for ending the war in Vietnam on terms and improving relations between our country and the people of Asia in general. I believe that is the goal of our President and that he is courageously resisting pressures from those who would push our forces into a major conflict.

Mr. President, toward that end, I offer an amendment to the bill authorizing additional economic assistance for Vietnam, H.R. 12169, and send the amendment to the desk and ask that it be printed and referred to the Committee on Foreign Relations.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 498) was referred to the Committee on Foreign Relations.

Mr. McGOVERN. Mr. President, I also ask unanimous consent to have the amendment printed in the RECORD.

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

At the end of the bill add the following new section:

"SEC. 4. (a) The Congress hereby declares that its action in authorizing the additional assistance for Vietnam provided by this Act—

"(1) shall not be construed as a ratification of any policy decision heretofore made with respect to hostilities in Vietnam, or as an endorsement of any future commitment with respect to such hostilities; and

"(2) is taken with the hope that such additional assistance will contribute to an early cessation, rather than a widening, of such hostilities.

"(b) Recognizing the desire of the President to limit the scope of hostilities and to reach an honorable settlement of the conflict and cognizant of the desirability of improved relations between the people of the United States and the people of Asia, it is the sense of the Congress that United States foreign policy in Asia should seek to minimize the risks of military involvement and to promote orderly economic and social development."

ADDITIONAL COSPONSORS OF BILLS, JOINT RESOLUTION, AND AMENDMENT

Mr. BREWSTER. Mr. President, at its next printing, I ask unanimous consent that the name of my colleague, the junior Senator from Maryland [Mr. TYDINGS] be added as a cosponsor of the bill (S. 2987) to provide a program of pollution control and abatement in selected river basins of the United States through comprehensive planning and financial assistance, to amend the Federal Water Pollution Control Act, as amended, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, although yesterday was the last day set aside for cosponsors for the special school milk bill, S. 2921, I ask unanimous consent that the names of the Senator from Nevada [Mr. CANNON] and the Senator from Nebraska [Mr. HRUSKA] be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. METCALF. Mr. President, I ask unanimous consent that my name be added as a cosponsor of S. 2962, a bill relating to the Redwood National Park introduced by the distinguished Senator from California [Mr. KUCHEL].

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. METCALF. Mr. President, I am not completely in favor of this bill. I have submitted an amendment, No. 487, to enlarge the park, but I want to applaud and commend the distinguished Senator from California for introducing the administration's bill, a bill supported by President Johnson and the Secretary of the Interior.

I would rather have half a loaf than nothing at all. If my amendment fails, I intend to support the bill introduced by the Senator from California.

When the matter comes up for discussion in the committee, the Senator and I both being on the committee, we will try to work out some reasonable settlement, but I wanted to indicate my approval of the action of the Secretary of the Interior in sending the bill to Congress and the action of the Senator from California in introducing the bill. I would add my name as a cosponsor of it, reserving the right to call my amendment up.

On February 28, 1966, the Washington Post published an excellent editorial pertaining to the proposed Redwood National Park in northern California. The editorial questions the adequacy of S. 2962 and points out the park value of the Redwood Creek area which would be incorporated within the proposed Redwood National Park under amendment No. 487 to S. 2962. I introduced amendment No. 487 on February 23, along with 15 cosponsors. The cosponsors of the amendment are listed on page 3823 of the February 23, 1966, CONGRESSIONAL RECORD and now have been augmented by the Senator from Alaska [Mr. BARTLETT], the Senator from Texas [Mr. YARBOROUGH], and the Senator from New Jersey [Mr. WILLIAMS].

Mr. President, I ask unanimous consent to insert in the RECORD the Washington Post editorial and also the February 26 letter to Members of the Senate from William F. Ragan, counsel for the Stimson Lumber Co., which operates in the area which would be included in the Redwood National Park under the proposed S. 2962.

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

[From the Washington (D.C.) Post, Feb. 28, 1966]

LOSING THE REDWOODS

The enthusiasm generated by President Johnson's forthright endorsement of a Redwood National Park in northern California is dampened by examination of the details of his proposal. Critics offer two major complaints. Many conservationists, including David Brewer, executive director of the Sierra Club, think that the proposed park is located in the wrong place. The other widespread complaint is that it would not be big enough to accomplish the purpose of saving a reasonable portion of the virgin redwoods endangered by the lumbermen's saws.

What the President has recommended is a linking together of the Jedediah Smith and Del Norte State Parks near Crescent City, with a substantial expansion of the area to include the Mill Creek watershed. The park would also take in an attractive coastal strip running as far south as the Klamath River. Its total area would be about 43,600 acres, including some 13,000 acres in the existing State parks. Much of the new land to be added is no longer covered with virgin redwoods.

Under the plan originally favored by the National Park Service and many conservation groups, part of this area would have been saved under a grants-in-aid system. The Redwood National Park would have been located about 25 miles farther south by linking the existing Prairie Creek State Park to a superb area of virgin growth on the Redwood Creek watershed. Within this 53,600-acre area are the tallest, second tallest, and sixth tallest trees in the world.

Acceptance of the original plan would give the country two magnificent redwood parks with the possibility of a scenic linkage along the ocean front. It would also have the advantage of saving a much larger number of the incomparable *sequoia sempervirens*, some of which are 2,200 years old. The administration plan makes one concession to the experts' preference for the Redwood Creek area. About 1,400 acres would be acquired so as to save the tallest trees, and this would become a separate unit of the national park.

Herein lies the chief disappointment. Under the original proposal the tall-trees section and the charming valley of Redwood Creek would be the center of a national park ranking with the finest in the world. If only 1,400 acres of this wonderland are preserved, it will be but a token of a heritage that has been lost.

Especially ironical is the fact that the very magnificence of this area may spell its doom. Land prices in the redwood country are reckoned on the basis of the board feet of standing timber per acre. The larger the trees, the larger the potential harvest. So some of this land has been selling for more than $5,000 per acre. Conservation of 40,000 acres at that price would mean an outlay of $200 million. Undoubtedly this is one reason why the administration turned to the Mill Creek watershed where the land is somewhat less expensive.

But can the country afford to let this unique and irreplaceable recreation area be mutilated because the cost is high? If the President's plan is to be carried out, the least that can be done, in our view, is to expand the proposed tall-tree enclave into a park of manageable size. Congress needs to consider not only the cost of this rescue operation but also the greater cost of not doing it.

RAGAN & MASON,
Washington, D.C., February 26, 1966.

We are writing this letter to you as counsel for the Stimson Lumber Co., owners of the Miller Lumber Co. located in Del Norte County, Calif.

It is the purpose of this letter to request, for the reasons set forth below, that you withhold your support of S. 2962, a proposal for the establishment of a Redwood Park in northern California, until the matter has been fully aired.

The Redwood Park, as proposed by the administration, would be located in Del Norte County and would destroy the single industry in the county, namely the lumber industry. We ask you merely at this time to withhold your support of the administration's proposal until the facts have been fully considered. We sincerely feel that the hearings and other disclosures will indicate to you that the location of this park in Del Norte County would be a serious mistake. We feel this way for the following reasons:

1. Del Norte County is already a depressed area with a 4.6-percent unemployment ratio. It is accepted that the establishment of the park will increase this unemployment ratio to over 11 percent.

2. There are already two State parks in the county which are now indicating a decline in visitors.

3. The establishment of the park cannot displace the economic chaos that will be caused by the destruction of the sole industry in the area.

4. Until November 22, 1965, and for the previous 3 to 4 years the administration and the Department of Interior considered Del Norte County to be an undesirable location for the park and preferred the park to be in that area presently considered in the bill introduced by Senator METCALF as amendment No. 487 to S. 2962, which area is within reasonable distance to the population centers of the State of California, an area incidentally which must be passed through in order to reach Del Norte County.

Without any logical reason disclosed to date, on November 22, 1965, the Department of Interior reversed itself and decided the park should be located in the Del Norte County area.

5. The administration's bill was introduced on February 23, 1966. Yet, the Department of Interior in December 1965 hired Arthur D. Little & Co. to do a study as to the economic plausibility and feasibility of establishing a park in Del Norte County. The study is not scheduled for completion until the end of March 1966. It is inconceivable that the administration would introduce the bill before they had the results of a study for which they are paying and which we fully expect to be negative.

6. As was noted by Senator METCALF, virtually all interested groups, running from the Sierra Club to the lumbermen's industry groups do not favor the park in Del Norte County.

7. The administration has indicated the park in Del Norte County would cost approximately $45 to $55 million. An evaluation by outside objective sources for the privately owned land alone has been placed between $70 and $100 million.

8. It is beyond understanding why the administration would pick admittedly the most undesirable site for the park at a cost of what must exceed over $100 million when, in the very same budget, the funds for milk for schoolchildren have been cut by $79 million, the entire defense educational program has been deleted, and the assistance to impacted areas has been cut by 50 percent.

For these reasons we most respectfully request that until the matter is fully aired in hearings and otherwise, you withhold your final determination on the administration's proposal.

For your information, enclosed herewith is a copy of an editorial from the New York Times of February 24, 1966, which substantiates what has been stated above.

Very truly yours,

RAGAN & MASON,
WILLIAM F. RAGAN.

Mr. KUCHEL. I thank the Senator for his comments.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that the names of Senators BYRD, of Virginia, HICKENLOOPER, and SCOTT be added as cosponsors of the joint resolution (S.J. Res. 130) to establish May 8–14, 1966, as National School Safety Patrol Week.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. METCALF. Mr. President, I ask unanimous consent that at the next printing of amendment No. 487 to Senate bill 2962 the names of the Senator from Alaska [Mr. BARTLETT], the Senator from Texas [Mr. YARBOROUGH], and the Senator from New Jersey [Mr. WILLIAMS] be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bills:

Authority of February 10, 1966:

S. 2921. A bill to provide a special milk program for children: Mr. AIKEN, Mr. ALLOTT, Mr. BARTLETT, Mr. BASS, Mr. BIBLE, Mr. BOGGS, Mr. BREWSTER, Mr. BURDICK, Mr. BYRD of West Virginia, Mr. CARLSON, Mr. CHURCH, Mr. CLARK, Mr. COOPER, Mr. COTTON, Mr. CURTIS, Mr. DOMINICK, Mr. DOUGLAS, Mr. EASTLAND, Mr. FONG, Mr. GRUENING, Mr. HARRIS, Mr. HART, Mr. HRUSKA, Mr. INOUYE, Mr. JACKSON, Mr. JAVITS, Mr. JORDAN of Idaho, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of New York, Mr. LONG of Missouri, Mr. MAGNUSON, Mr. MCCARTHY, Mr. MCGEE, Mr. MCINTYRE, Mr. METCALF, Mr. MILLER, Mr. MONDALE, Mr. MONRONEY, Mr. MONTOYA, Mr. MORSE, Mr. MOSS, Mr. MUNDT, Mr. MURPHY, Mr. NELSON, Mrs. NEUBERGER, Mr. PEARSON, Mr. PROUTY, Mr. RANDOLPH, Mr. RUSSELL of South Carolina, Mr. SCOTT, Mr. SIMPSON, Mr. SMATHERS, Mr. SPARKMAN, Mr. SYMINGTON, Mr. TALMADGE, Mr. THURMOND, Mr. TOWER, Mr. Young of North Dakota, and Mr. YOUNG of Ohio.

Authority of February 23, 1966:

S. 2962. A bill to authorize the establishment of the Redwood National Park in the State of California, to provide economic assistance to local governmental bodies affected thereby, and for other purposes: Mr. ANDERSON, Mr. CHURCH, Mr. COOPER, Mr. JAVITS, Mr. KENNEDY of Massachusetts, Mr. LONG of Missouri, Mr. MCGOVERN, Mr. MOSS, and Mr. SCOTT.

HEARINGS ON CHINA POLICY

Mr. FULBRIGHT. Mr. President, I wish to announce that the Committee on Foreign Relations will begin hearings on U.S. policy with respect to mainland China. The hearings will be open and are expected to continue for several weeks.

The first witness will be Prof. Doak Barnett, professor of government and member of the faculty of the East Asian Institute at Columbia University, New York City. The hearing will be held in room 4221, New Senate Office Building, at 10 a.m. on Tuesday, March 8.

The second hearing in this series will be with Prof. John K. Fairbank, professor of history and director of the East Asian Research Center at Harvard University. This hearing will be held at 10 a.m. on Thursday, March 10, in room 4221.

ANNOUNCEMENT OF HEARINGS ON ATLANTIC UNION RESOLUTIONS

Mr. CHURCH. Mr. President, as chairman of the Subcommittee on International Organization Affairs, I wish to announce that the subcommittee has scheduled hearings on March 23 and 24 on related Atlantic Union resolutions. I ask unanimous consent that a press release of this announcement be printed at this point in the RECORD.

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

U.S. SENATE COMMITTEE ON FOREIGN RELATIONS

Senator FRANK CHURCH, Democrat, of Idaho, chairman of the Subcommittee on International Organization Affairs, today announced plans to hold public hearings on related Atlantic Union resolutions pending before the Committee on Foreign Relations, on March 23 and 24, 1966.

These resolutions are Senate Resolution 128, introduced by Senator CHURCH (for himself and Senators CARLSON, CASE, CLARK, COOPER, DODD, and MCCARTHY), which would establish a Commission for a Stronger Atlantic Union; and Senate Concurrent Resolution 64, introduced by Senator MCCARTHY (for himself and Senators CARLSON, METCALF, BARTLETT, BASS, DODD, FANNIN, FONG, GRUENING, HARTKE, INOUYE, JAVITS, LAUSCHE, MOSS, PROUTY, PELL, and WILLIAMS of New Jersey), which would establish an Atlantic Union delegation.

Members of the subcommittee in addition to Senator CHURCH are Senators CLARK, CARLSON, WILLIAMS of Delaware, and CASE.

All persons wishing to testify on these resolutions are requested to communicate with the chief clerk of the Committee on Foreign Relations, Mr. Arthur M. Kuhl, as soon as possible.

Mr. CHURCH. Mr. President, even while our attention of recent days has been focused very much on the situation across the Pacific, witnesses before the Committee on Foreign Relations have reminded us of the importance of Europe and of the need to reexamine our commitments there. With the approaching opportunity in 1966 for members to denounce the North Atlantic Treaty, it is important that the concept and organization of the Atlantic community be studied at the highest level.

It is my hope that the hearings which I have just announced will bring forth the best testimony possible on our relationship to the Atlantic community.

WAR ON HUNGER

Mr. MCGOVERN. Mr. President, Mr. Herschel Newsom, master of the National Grange and president of the International Federation of Agricultural Producers, made a statement this morning before the Committee on Agriculture and

Forestry on the problems of world hunger and appropriate U.S. response.

Since Mr. Newsom is one of the Nation's most respected agricultural spokesmen, I ask unanimous consent to have the statement printed in the RECORD.

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

FOOD FOR FREEDOM

(By Herschel D. Newsom, master of the National Grange, president of the International Federation of Agricultural Producers, before the Committee on Agriculture and Forestry of the U.S. Senate, Mar. 4, 1966)

It is a privilege to appear before this distinguished committee as master of the National Grange and as president of the International Federation of Agricultural Producers.

Both of these important organizations have a record of concern for the developing programs in the field of world food needs, international trade, and agricultural development.

I will indicate at the proper time in my testimony where and how the program of the International Federation of Agricultural Producers relates to the legislation before this committee.

We live today in a world of strange and baffling paradoxes. We know more about how to produce and prepare high-quality food for maximum nutritional value than at any time in history; yet we have the bleak prospect that many people will starve to death this year, and the prospects for adequate diet for the rapidly expanding population will become increasingly dim.

In our Western civilization, we have developed the highest and best techniques of distribution of food products in all of history, yet a substantial part of the world is hungry simply because there exists no marketing and transportation organization adequate to move foodstuffs into the food-deficit areas.

We know more about nutrition for both humans and animals than ever before, yet two-thirds of the world suffers from malnutrition, and in some parts of the world, over half the babies born die before they reach school age because of inadequate and improper diet.

We know how to protect our growing crops by the use of herbicides for weed control, yet much of the productive land of the world is unusable because of the rank growth of vegetation choking our food crops.

We know much about protecting our growing and stored food from insects, yet the food productive capacity of the developing world is severely limited by plagues of food-destroying worms and insects.

We know how to protect our stored grain from damage due to weather and atmospheric conditions, yet the lack of storage capacity which can accomplish these same objectives in the food-deficit areas is a major factor in the lack of food where it is needed.

We know how to protect this stored food from rodents, and we have effective rodenticides, yet we read with dismay that in the hungriest nation of the world, namely, India, half of the food grown is either destroyed or made unfit for human consumption by losses due to rodents.

We have reduced infant mortality without reducing the population growth rate. We have reduced the death rate of the adult population and increased the lifespan without providing for the food that is required. In short, we have increased the potential of population growth without increasing the potential of the food supply.

Due to the technological advancement in the agricultural production of the United States, the British Commonwealth countries, Western Europe, and parts of South America, we are now able to produce food far beyond the ability of any normal market arrangement to absorb and distribute. Therefore, while the world suffers from a lack of available productive land in the food-deficit areas, the United States has some 50 million acres in land reserves. The developed world and some of the developing countries, including those in grave danger of mass starvation, are spending billions for military purposes, but they cannot afford the capital necessary to provide food and fiber for a needy world.

We know how to educate, but the world is illiterate.

We know how to control population, but population continues to expand at an explosive rate.

We know how to control disease, but disease is rampant.

In short, we know how to feed the world, and we probably have enough resources in the world, if properly harnessed, to provide an adequate diet for the present and projected population, but we have not demonstrated the willingness to provide the food necessary from our American productive capacity to prevent starvation and upgrade diets and to insist that the rest of the developed countries of the world share the burden with us.

Meanwhile the "Four Horsemen of the Apocalypse"—pestilence, war, famine, and death—continue to stalk the world. Although they may emerge at different times from different doors, the fact remains that they come from the same barn.

There was a time when the Western World and our Christian civilization thought about the conquest of these carriers of suffering and death as the desired result of a world evangelization program for Christianity. Today, the impending disaster threatening us has changed our attitude toward the "Four Horsemen" from one of a theologically desirable goal to one of social, moral, and political imperatives. The United States cannot forever exist in alliance with its friendly and affluent international neighbors as an island of abundance in a sea of despair. The very survival of our much heralded and highly valued Western civilization and the validity of the professions of our Christian culture are dependent upon our ability to successfully meet the challenge of world hunger.

We have seen two great nations, with civilizations and histories as old as recorded time, with a longtime history of surplus production in agricultural commodities, slip behind the Iron and Bamboo Curtains and for the foreseeable future become food-deficit areas. The block over which they stumbled was agriculture. Today, the great subcontinent of India is in political distress and threatens to be pushed into the Communist orbit along with all of southeast Asia because of the political problems that come from hungry people.

Thus, the truth of the statement of the prophet Isaiah is verified when he said: "And it shall come to pass that, when they shall be hungry, they shall fret themselves, and curse their king and their God."—Isaiah 8: 21.

The story of the food-for-peace program which has operated for the past decade does not need to be retold in this testimony. The program has been an expression of American good will and concern for the peoples of the world in the most practical terms imaginable and in quantities never before duplicated.

One hundred-forty million tons of foodstuffs under concessional and direct relief programs, distributed to hungry people of many nations, have been the difference between hunger and starvation, between peace and war, between stability and instability, between economic growth and economic disaster for these needy nations. America need not be ashamed of its contribution to international welfare during this time.

The period of agricultural adjustment creating the initial opportunity for these programs has drawn almost to a close. Our experience in the administration of these programs, with the inevitable mistakes that were the result of pioneering in entirely new areas, and with the substantial successes accumulated to our credit, place us in a more favorable position to develop and administer new programs to alleviate the hunger of the world.

The necessity of this kind of program, and the situation both in our American agricultural economy and that of the developing nations, is more complicated than a decade ago. For instance, what appears to be a very simple problem with a simple solution, upon examination becomes extremely complicated and presents the Congress and the people of the United States with some challenging and perplexing questions.

1. How can the limited productive capacity of North America, Western Europe, and Australia-New Zealand, the only surplus food producing areas in the world, comprising less than one-fourth of the world's population, expect to meet the food deficit of an exploding population in three-fourths of the world? Even if we took all 50 million acres out of the present U.S. land reserve, we would produce an additional 40 million tons of grain. This would allow us to triple our shipments overseas, but would still leave a food deficit in the early 1980's of an additional 50 to 60 million tons.

2. Obviously, if there is to be any solution to the problem of population versus production, much of the solution rests with the developing countries. Several of these countries do not have any physical frontier left to expand the acreage available for production. Therefore, how can we stimulate a takeoff in production per acre in the developing countries in the face of limits on available land and capital and in the face of unbelievable illiteracy, as well as institutional inertias, such as religious taboos, social customs, etc.?

3. In view of the slow movement toward a technological revolution in agriculture, can we expect, and if so how quickly, the less developed countries to make the transition from area-expanding methods of increasing food output to the yield-raising methods which will obviously be necessary?

4. How can we continually increase our production for nonmarket demands without destroying the integrity of the capital invested in Western Europe, North America, Australia, and New Zealand, in view of the fact that the existence of a surplus which is not marketable in its regular sense tends to destroy or depress the existing commercial markets?

We are pleased to note that the Council of Economic Advisers in its annual report to the Congress for 1966 has taken cognizance of the problems involved. They note the need for additional capital, even though the developing countries are financing more than three-fourths of their economic growth. I refer to the following statement made in the report:

"Private foreign investment also makes a crucial contribution to the less developed countries. It provides not only capital but associated technical and managerial skills."

"Food aid must not be allowed to impede the development of agriculture, since in many countries, agriculture may be the most rapid route to general economic growth. Moreover, such progress in agriculture is essential to the long-run solution to foreign food shortages. If the gap between the food needs and production in the less developed countries continues to widen at the rate of the past few years, even the United States with its vast food-producing capabilities will not be able to fill it."

In discussing human resources, the economic advisers note the problems of illiter-

acy, the necessity of improving health conditions, the imperatives of adequate child nutrition programs to erase the results of malnutrition, and population growth control and techniques.

In the section concerning improving trade prospects, they state that "both the advanced and emerging nations must give greater attention to policies to accelerate the growth of the export earnings of the less developed countries." By way of illustration, the report continues as follows:

"For individual primary commoditions, and primary exporters, the major source of instability has been the wide erratic movement of prices. The less developed countries need greater insurance that the development programs will not be vitiated by unpredictable declines in export earnings that are beyond their control. International agreements for some commodities, such as coffee, represent one technique for dealing with this program.

"Financial arrangements to help offset short falls is another technique.

"Liberal commercial policies by the developed countries will contribute to world economic development."

These brief statements from the report indicate the grasp that the council has on this situation and, because of the importance of this one particular document, we would like to refer you to chapter 6, page 140, of the report, dealing with "The International Economy."

To meet these problems and help solve these dilemmas, the Committee on the World Food Crisis was formed in early December. It has been actively engaged in soliciting the best brains and resources in America to suggest the kind of answers most promising to reach the desired objectives and least damaging to the various interest related thereto.

In general, the Food for Peace Program has been administered along the lines suggested by the National Grange and consequently has had our strong support and endorsement.

In this connection, the International Federation of Agricultural Producers at Rotorua, New Zealand, in the policies they adopted, stated that food aid should be "a joint responsibility, and one that must be increasingly fulfilled, of all countries, both exporting and importing." This policy was reaffirmed in the European meetings in Oslo last May, in Rome in November, and in the North American Regional Meeting concluded on March 2 in Mexico City.

Thus, we see that the producers of international agricultural commodities are becoming increasingly aware of the need for some kind of international coordination and participation in meeting the problems of world hunger.

Speaking as president of the IFAP, we believe that the time is at hand when it must be recognized that the piecemeal and uncoordinated application of the productive resources of the developed world is not sufficient to meet the commitments of resources which will be required for the solution of the problems we are considering here today. With all due respect for the pronouncements of the Secretary General of the United Nations, the appeals of Pope Paul, the statements of the World Council of Churches, and other international bodies, including the FAO and the world food program, the fact remains that we simply are not marshalling our forces in any unified way to solve these tremendous problems.

As we interpret the existing and proposed legislation, it appears to be an adequate vehicle to effect the widest possible combination of U.S. unilateral approaches to the food and nutrition needs of the world, and at the same time, stimulates the development of the agricultural economies of the developing countries.

The committee, in our judgment, should make it crystal clear that it is intended we shall open the way to the accomplishments of both these purposes by this legislation.

All of us are proud to be Americans. We are proud of the manner in which our Government and the private sectors have responded to the humanitarian needs of many peoples in many lands, as well as to the need for assistance to stimulate the industrial and agricultural development of impoverished and developing countries. We are proud of the ability of the United States to lead in the direction of peace and the improvement of opportunities for all people.

But if we are to take and maintain the lead in this important area, then we must be alert to every opportunity to inspire, motivate, and activate as great a participation by the other nations of the world as is needed in order that they might accept their proportionate responsibilities with equal eagerness and comparable dedication of their economic, technical, and material resources for this task. We believe that this should be clearly stated as the intent of this legislation, which we assume is going to be approved by the 89th Congress of the United States.

The legislation before this committee is a distinct improvement over that currently on the books. It gives wider latitude, increased resources, and greater administrative authority for the waging of a "war on hunger." We would like to consider this legislation and evaluate it on the basis of some guidelines which we are proposing now, with the hope that it may influence the thinking of the committee to the point where it may be written into the legislation or, at least, into the legislative history of the bill.

Food relief and production problems are so vast that the United States should not presume to meet these obligations alone. We could not meet them if we tried, and we should not if we could—although we might temporarily by the release of the present acreage reserves and by increased price levels through governmental purchasing for the products grown on these now idle acres. Such a course of action would be only to furnish an opiate to the developing countries and erroneously indicate that an inexhaustible supply of free food was available for them to be drawn upon at will.

The fact that they would become permanent objects of our charity is not so disturbing as the fact that their failure to develop their own agriculture and, consequently, their own economy during the few critical years ahead, before the food crisis strikes with its full impact, would involve the loss of invaluable time and would preclude the successful solution of these problems.

Furthermore, in this regard, it should be emphasized that all of the evidence points to the fact that the food demands of the world will become so great that even though we released all of our land to production of necessary foodstuffs, and gave it the necessary guidance to direct its production toward the foods needed, by the end of another two decades there probably would be a world food gap of 40 to 50 million tons. To imply that we would then be able to continue to feed the peoples of the world would be an act of political insanity. The organizations that this witness represents view with considerable alarm the irresponsible statements being made to the effect that it is the duty of the United States to feed the world and, as a result of some miracle yet undefined, that we will be able to bring increased prosperity to American agriculture by this method.

To this concept, we enter a vigorous dissent. The prosperity of American agriculture does not, and must not, depend on the expansion of relief markets, but rather on the development of commercial markets in the rest of the world. Programs to remove the restraints on our production and to transfer the costs of the agricultural programs to relief programs would serve only to reduce the income of American farmers, and to seriously impair the opportunities which may be developing in the emerging nations for their agriculture to become a viable part of a growing and prosperous economy—a development which is imperative, in our judgment.

A benevolent program of food distribution is becoming to us, as a nation whose heritage is based on Christian concepts, if this program is used to meet the imminent emergency relief needs of the world. But it is not to our credit to pursue such a policy if it places us in the position of being a permanent source of relief and most nations of the world in the position of beggars at our door.

The design and administration of these programs must be carried out in such a way that the hard-won increases in farm income in the United States are not destroyed. It should be noted that our rate of economic growth and the problems associated with the agricultural depression in the past years had a proportional relationship. Our present national prosperity has been stimulated during the last few years by rapidly increasing farm income and farm purchasing power. The economic demands upon America at the present time are such that we cannot risk the possibility of having our own economic growth and prosperity impaired.

The levels of farm income attained in the United States are in large part the result of the well-designed farm programs created and passed by this Congress. The heart of these programs is the base-surplus pricing concept, having its origin in the National Grange over 40 years ago. The marketing order concept in milk was designed to use this marketing principle, a program which, unfortunately, was barred by the development of blend pricing. The action of the Congress in permitting the use of a base-surplus pricing system for milk sold in Federal market orders, using a marketwide pool, we believe, will be the basis for a substantial improvement in the pricing situation as it relates to dairy.

Certainly, the program available to the U.S. wheat producers guarantees, to the farmer who participates, a parity price for that part of his production which enters into the domestic market for food. The ability to develop and expand our markets in competition with other agricultural producing countries—especially wheat-producing countries—within the limits of our responsibility under previously negotiated international agreements, is directly related to this concept of a base-surplus pricing system.

Indeed, without this concept, any dream of a substantial contribution by the American people to the agricultural and food needs of a hungry world would be economically impossible and politically unwise. Therefore, the National Grange has vigorously supported this program. We wish respectfully to point out to this distinguished committee, that the path you have chosen by the adoption of this program is proving to be wise and prudent; and that the future success of American agriculture depends not upon the abandonment of programs such as this, but upon the extension of them to commodities depending upon their foreign exports, if depressed world market prices make it impossible to earn a decent return for these products in the American marketplace.

In this connection, it should be noted that the return received by farmers for the wheat going into what we choose to term our secondary markets is a few cents above that they would receive if the price were determined by competition alone. Indeed, if we were to return to such a pricing mechanism at the present time, despite the temporary demands for relief wheat in India, the price

would probably be even lower than at present, and might hover around the 90 cent figure, with the possibility of it dropping even to 80 cents.

The basic concept of the National Grange and of the Congress in adopting the present farm program is that the part of production consumed by the domestic market for food should receive a parity price; that part going into the world market should receive a price determined either by competition or international agreement with our competitive friends and the importing countries. As much as we desire a higher income for our wheat producers, we believe it is imprudent and unwise at the present time to tinker with this formula.

Although the temptation may be great to embark upon a competitive price-cutting war with the rest of the nations of the world, and although the destruction of opportunities for the profitable production of farm products in other areas might be economically enticing, the necessity of rapidly developing the agricultural productive capacity of the food-deficit areas, especially of the developing nations, makes these temptations fraught with too much danger, the stakes too high and the odds too great against us winning in the long pull, simply to make such a program unthinkable and unworthy of the high ideals of the American people and the Government of the United States.

If the foreign policy of the United States were the conquest of territory and the application of the mercantile theory, based upon a desire to accumulate and monopolize the purchasing power of the world, it could be justified on those political grounds. Since this is not the case, any kind of policy based upon concepts of economic aggression against helpless people of smaller nations by the greatest and most powerful country in the world certainly does not become us as a people or as a nation.

We propose instead, that the basic structure of the Agricultural Act of 1965 be retained and expanded, and that the market stabilizing features not be weakened, but strengthened wherever possible.

In this framework, therefore, let us wage war on hunger. In planning for this worthwhile campaign, we would point out that, just as in a military campaign, the desirable must be balanced against the obtainable, and the long-term political consequences must be balanced against the short-term economic goals. Our humanitarian instincts and goals must be measured against our productive economic capacity; our desires for the improvement of the welfare of other lands must be weighed against the necessity for improving health, nutrition, educational attainments and economic prosperity of those who live in some degree of poverty within the United States; and the amount of supplies to be produced necessary to wage this war on hunger must be determined to some extent by our ability to deliver the goods to the field of battle.

If we are really serious in our determination to successfully fight this war, then we must give it the kind of priority given to military campaigns. Not only must we establish the pre-eminent priority of the necessity for winning the war on hunger, by the use of food for freedom, but we must establish the priorities within the program in such a way that the chances of victory are enhanced instead of diminished.

Since our objective is a peaceful and prosperous world in which there is security for political systems and persons, where the differentiation between the hungry and the well-fed is eliminated, where the fear of pestilence and death is removed from the weak and strong alike, where famine stalks his prey with devastating effects no more, indeed, when the lion and the lamb shall lie down together and men shall beat their swords into plowshares and their spears into pruning hooks—then we must mobilize the total productive resources of the developing and food-deficit areas of the world simultaneously with an expansion of the productive capacity of the United States.

Experience has demonstrated that this is not only moral and good politics; it is also good economics. Where we have taken positive steps to upgrade the diets of food-deficit areas of the world, we have developed markets for American agricultural products. This includes the modernization of agricultural technology among some of our friendly allies, the most outstanding example being Japan; but also with Greece and Taiwan as other examples. We have literally cast our bread upon the waters, and it has returned to us a hundredfold.

Our first priority is to prevent as far as possible any mass starvation in any country of the world. We say this only after a great deal of thought, but it is unconscionable that we should permit starvation when it is within our power to prevent it. If food fought for freedom in the last war, and indeed it did; and if food fights for peace today, as indeed it does; then a policy of limiting food relief programs to help only our best friends is hardly based on a realistic appraisal of the political facts of life of a modern and complicated world. There are ways of doing this within the structure of the international organizations without the U.S. Government having to approve of political systems with which we disagree.

Though some may disagree with the view which we have just expressed, there should be no room for disagreement that we should not sit idly by and permit mass starvation among our friendly allies. Therefore, we must commit and deliver, as far as possible, our reserves and resources on an emergency basis to meet the minimum food demands in the hungry part of the free world, and we must be prepared to increase our production, if necessary, to accomplish these ends. We do not believe, however, that the time is at hand when the latter suggestion must be implemented to any significant degree by additional legislative or administrative action. The former, of course, is necessary, especially in the case of India, and no arguments can relieve us of the moral and political responsibility of doing everything we can to alleviate the distress among these unfortunate people.

Another priority must be in the development of commercial markets. In this connection, it is in our view imperative that no action be taken which would remove or weaken those provisions of the Agricultural Trade Development and Assistance Act which authorize foreign market development activities for U.S. agricultural products through commodity groups, in cooperation with the Department of Agriculture, or the sale of U.S. agricultural commodities for dollars on long-term credit through the private trade.

A third priority must be the development of the agricultural production in the less-developed countries, for use by such countries. The methods of doing this are covered in the statement of the Committee on the World Food Crisis. At this point in the testimony, we would only add that, in our judgment, a major opportunity for multilateral action is offered in the development and administration of programs to improve nutrition for children, reduce illiteracy, improve per-acre production of essential crops, provide for long-term credit and low-interest loans, finance and staff regional research facilities, develop transportation, storage and marketing facilities, etc.

The scientific and technical know-how of the developed countries must be fully utilized in these programs and, in the meantime, the necessary dietary supplements and additional food supplies should be made available. Highly accelerated programs to raise nutritional levels to those of the developed countries seem unrealistic, if we think that these may be accomplished in a very few years.

For the attainment of our ultimate objective, we must advance all of our forces for victory on a total front. Great salients of unresolved areas cannot be permitted to remain, if the overall goals of food production and nutrition are to be accomplished.

The problem causing the greatest concern, as we try to accomplish the objectives outlined in this testimony, is how to protect and improve farm income while expanding production for noncommercial market needs. The fact that U.S. farmers have achieved a technological breakthrough in production, and that we have attained the production miracle making us the envy of the world, is directly related to the other fact that we have had some kind of income incentives making it profitable, or desirable, for farmers to make the investment of capital, education and experience necessary for the attainment of the production breakthroughs creating this tremendous productivity of American farms.

The greatest threat to the productivity of the U.S. farmer is inadequate return. The technological advancements available for American farmers at the present time are even greater than those we have had in the past and depend, to a large extent, upon the ability of the farmer to increase his capital investment to take advantage of scientific know-how already developed. The same is true for the farmers in developing nations. If they are to increase their production on any substantial basis, the financial incentives must be present to permit them to do this. One of the discouraging factors about the difficulty of increasing production in some of these areas is that, once the producer has increased his production, there is no place for him to dispose of that surplus he has produced.

In regard to the legislation before this committee in the form of bills introduced by the chairman, Senator McGovern, and Senator Mondale, the Grange would like to express its appreciation to these distinguished Senators for the great interest they have shown in this problem. It was particularly appropriate and meaningful that Senator McGovern, former director of the food-for-peace program, should have introduced the legislation and publicly led the fight to acquaint the Nation with the perils before us.

We believe, however, that S. 2933, introduced by Senator Ellender, comes nearest to meeting the needs of the programs, as we envision them. The National Grange, therefore, with all due respect to the other two distinguished Senators introducing legislation covering this subject, does prefer the approach of S. 2933.

The provisions of title II, covering famine and relief requirements and the food aid programs, would strengthen the programs already authorized and meet the policy objectives of the Grange.

Title III sets forth the terms and conditions by which the Secretary may acquire nonconvertible currencies and the uses to which they may be placed. We believe that as drafted this title does not give adequate priority to the use of the foreign currencies which accrue to help develop new markets and expand existing markets for U.S. agricultural commodities. We, therefore, urge that the bill be amended so as to retain the priority for foreign market development by the inclusion of a provision similar to that contained in subsection (a) of section 104 of the Agricultural Trade Development and Assistance Act. This is essential if we are to remain in a position to achieve what has been considered to be a basic objective of sales of our agricultural commodities for foreign currencies; namely, the development of future commercial markets for those commodities.

We also believe that it would be a serious mistake to retain section 310(a) in the bill,

which would eliminate after the close of this year the availability to the private trade of the provisions of title IV of the Agricultural Trade Development and Assistance Act to assist them in developing foreign markets, through dollar sales on long-term credit. It should be made clear that it is the policy of our Government to authorize this assistance wherever commercial dollar sales can be made, and that the availability of such assistance does not depend upon the existence of an international agreement.

We would especially urge that maximum emphasis be given to the development and support of regional scientific centers on a multilateral basis. We would suggest to the Congress that their instructions should include that the highest priority for this research should be given to food production.

Research projects are one of the most critical elements of these porgrams, since the development and staffing of these facilities will require a long-term commitment by the Congress and the executive branch of the Government. Research projects cannot be turned on and off by whim, nor can qualified research personnel be recruited for short-term projects.

We hope that the approval of this section of the bill, one of the most important in this proposal, will carry with it a commitment of support which will permit the development of meaningful and productive research programs. The Grange, therefore, urges this committee and the Senate to approve S. 2933.

S. 2932 authorizes the Commodity Credit Corporation to establish and maintain reserves of agricultural commodities to protect consumers, and for other purposes. We believe this is an act of prudence and one which the Grange has endorsed for a number of years. This proposed legislation, however, covers a subject beset by many pitfalls which must be carefully considered. Otherwise, the evils we create would be greater than those we destroy.

There is a direct relationship between the level of reserves and the level of production. Therefore, this particular bill should be considered in the light of proposed planning programs for those commodities under Government programs.

Although the stocks of wheat have been reduced by about 50 percent since this program went into effect, we do not concur in the belief that we have to have a major expansion of production at the present time. Our 150-million-bushel reduction in wheat stocks per year has not yet brought us to the verge of grave concern about the level of our strategic reserve. Indeed, the desired level for these reserves has not yet been established.

We would point out for the record that the witnesses for the National Grange appearing before this committee in the past few years have repeatedly urged the establishment of a strategic reserve at levels determined by the broadest kind of consultation among the responsible heads of this Government, including those representing national defense, national welfare, the Department of State, the Department of Commerce, as well as the Department of Agriculture.

We would also point out that at the present time, the strategic reserve consists not only of stocks on hand, but of a surplus capacity readily available when needed to further the domestic and foreign programs of the United States. Until such time as it is demonstrated that this kind of surplus capacity should be transformed into surplus stocks, we believe it is prudent to continue the present program at almost the present levels, bearing in mind that there are two wheat planting seasons in the United States, and opportunities to recover from unusual drains on our reserves are presented both at the fall and spring planting time. We would also bring to your attention that there is another harvest season available for the markets of the world, that being in the Southern Hemisphere.

Therefore, although we believe strongly in the concept of the strategic reserve, we believe also that the interests of American agriculture, the interests of international agriculture, the interests of the food-deficit areas of the world, and the interests of the farm policy objectives of the United States are best served by strategic reserves being maintained at minimum levels, so that their price-depressing effects do not hinder the profitable production of needed agricultural products by either American farmers or the farmers of the developing food-deficit areas of the world.

If these strategic reserves are to be considered in the context of the old ever-normal-granary program, then the National Grange could not support this proposal. The acquisition of stocks has the possibility of operating as a continuing price depressant on the markets for those commodities under Government programs. If the "in" and "out" provisions are geared directly to price, we would be putting ourselves in a position again of accumulating stocks on an open-end basis, and the reinstituting of programs that previous experience has proven to be almost disastrous to the American taxpayer and the American farmer.

On the other hand, if the withdrawals were tied only to a price basis, or pricing formula, then it would be possible for speculators in time of impending national or international crisis to remove these necessary reserves from the public domain at the very time when they would be most needed.

Our concept of the strategic reserve is that this should be a modest amount of storable food commodities primarily for our domestic food and feed needs, and provide assurance that adequate seed would be available for the new crop, with some provision for our international commitments. That part carried for our international trade and relief commitments might, and probably should, be acquired and disposed of under a price-formula basis, but that which would become the strategic reserve for purposes of national defense and national welfare should not be permitted either to be purchased or withdrawn, except on the basis of the quantity available from the market.

In our opinion, the Congress should write some very specific and rigid guidelines for the acquisition and disposal of these reserves. As far as possible, these reserves should be isolated from the market and made available to the market only on the basis of real need, and not on the basis of increasing prices.

As we have stated before, the surplus capacity of the American farms is of and by itself an ever-normal granary of vast and adequate proportions. It is not a strategic reserve, and the concept of the ever-normal granary should be carefully separated in either the language of this legislation or the legislative history, which shall be a part of the report of the committees.

With these final observations concerning the legislation before you, the Grange is happy to add its endorsement to the peace programs, which have been designed to meet the critical food needs of the world of today, and the world of tomorrow.

We would caution in closing that we need continually to keep in mind that the world food crisis of today is relatively isolated in a very few countries. These problems should be considered on an individual basis, and action taken such as the needs dictate.

The world food crisis of tomorrow that shall, on the basis of available predictions, become a haunting reality within the next two decades, is one for which we should develop long-term plans and administer them with persistence, foresight, and with all the wisdom which our experience has been able to develop.

The National Grange is not adverse to using the American productive capacity to meet the food needs of today and tomorrow. We are opposed to using the present crisis as a basis for dismantling the farm programs which have been so carefully developed by this Congress, and which are making such a major contribution to the economic welfare not only of the American farmers, but also to the welfare of the American public and of the food-consuming peoples of the world.

We do not envy your responsibility for making decisions which are so vast in their implication that the lives of millions of people literally depend upon what you do and say here. We do offer you the best of our counsel, the best of our good wishes, and our earnest prayers that the labors which you undertake in this distinguished committee shall in the days to come have proven so beneficial that there will be those of many tribes and tongues who shall rise up and call you blessed.

NORTH DAKOTA STATE SCHOOL OF SCIENCE SUPPORTS OUR EFFORTS IN VIETNAM

Mr. YOUNG of North Dakota. Mr. President, North Dakotans have always taken a serious-minded view of the problems facing our Nation. The war in Vietnam is no exception.

I have just received a petition signed by almost 600 students of the State School of Science at Wahpeton, N. Dak., expressing their support for the efforts of the American forces fighting in Vietnam. The State School of Science is a relatively small institution known for the high caliber of its vocational training program.

The spirit in which these young people signed this petition is indicative of their patriotism and loyalty to the Government of the United States. I feel that the student body of the school is to be congratulated for the responsible view they have taken of this most pressing of American problems.

Since statehood, North Dakotans have willingly answered to their responsibilities as citizens whenever their country stood in need of their services. This expression reaffirms that willingness and that knowledge of the responsibility we each have for making the American dream a reality.

Mr. President, I ask unanimous consent to have the petition, and the names of those who signed it, printed in the RECORD.

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

PETITION CIRCULATED AT NORTH DAKOTA STATE SCHOOL OF SCIENCE, WAHPETON, N. DAK.

We, the undersigned, join with thousands of other students on the campuses of the United States in support of the American forces in their efforts in Vietnam:

STUDENT CABINET

Dwight Paulson, President; James Gefroh, Vice President; Laura Utt, Treasurer; Greg Ruddy, Secretary; George Holt, Social Chairman; Rachel Henkenius, member; Mark Ruddy, member; Howard Vogel, member.

STUDENT CENTER ADVISORY BOARD

George Holt, Vice Chairman; Cheryl Lord, Secretary; Patricia Warrey, member; Michael Henkenius, member; Gary Krump, member.

Kenneth Manske, Bob Stein, John Dozak, Jerome Kruse, Clifford Wolf, Diane Severson, Cliff Gjellstad, Richard Sullivan, Kent Farley, Donna Sterna, Ardel Pelzl, Janet Lord, Marilyn Carlson, Sandy Kath, Gary Ottmar, Rodger Rieger, Margaret Thompson, Julie Zick, Danny Thompson, Doug Haberman, Gye Kallstrom, Matt Wellprecht, Doug Pederson, Karen Olson, Carolyn Jacobson, Harlow Pederson, Betty Jean Haugen, Kay Blouin, Linda Murray, Rosemary Elliott, Elouise Bragg, Donald Conely, Dwight Benson, John Otterson, Kent Carpenter, Frank Perleberg, Mark Lee, Ronald Ista, Larry Evenson, Peggy Oase, Bjorn B. Melsted, Douglas Snelling, Gloria J. Olson, Sheila Stillings, Melba Jordet, Jim Eberle, Philip Kubischta, Vernon Rorseim.

Dan Rasley, Julia Berg, Dennis Aasheim, Richard Veitch, Gary Vining, Rodger Matthews, Floyd Fischer, Steve Olson, Bart Capouch, Dean Nelsen, Michael Fredrickson, Ray Vutrzenke, Roger Finch, Ronald Dukand, David Gutsche, Donald Pesek, Rodney Halvorson, Gary Bimler, Bruce Hoefs, Ernie Gilbertson, Herbert H. Henninger, Ronald A. Wotzenrock, Beth A. Rider, Judy Hendrickson, Linda Mund, Chuck Abel, Lyn Bopp, Curtis Werre, Lyle A. Smith, Arnold Korynta, Gary Lepire, James Converse, Konley Wolla, Susanne Fust, Jean Nord, Delores Blazek, James Sahr, Bob Kjar, Doug Pearson, Kenneth Voltz, Bonnie Duncan, Margaret Burton, Patricia Reeck, William A. Merrill, Gail O. Zimmerman, Jerry L. Hatlestad, Roger J. Crowder, Neil Wusir.

Willis Schaible, Darrell Ringenberg, Glen Anseth, Joel Hansen, Wes Johnson, Ronald Thompson, Robert Bauer, Barry Moon, Larry Frigen, Curtis Vosberg, Gary L. Redlin, Larry Kensinger, Paul Althoff, Ray Carr, Mike Hahn, William Anderson, Glenn Halvorson, Richard Johnson, Kelly Olson, Delano Meyer, Sharon Hallis, Kermit G. Setterlund, Dennis Freitag, Gregory Morris, Sherry Lund, Bill Fust, Peter Nermoe, Darwin W. Schultz, Dean Muehlberg, Gerald Vander Beek, John Wettstein, Gordon W. Gunness, Warren Olson, Penny Landgrebe, Greg J. Eul, Joe Regon, Andrew Serr, Robert O. Halvorson, Raymond Berg, Gloria Young, Ann H. Engberg, Wayne Anderson, Rod Cole, Ellis Stewart, Connie Johnson, Joyce Rice, Bruce Johnson, Lonnie Huseby.

Mike Berg, Larry Fischer, Lavon Braaten, Bonnie Martin, James Edd, Curtis Erickson, David Demorais, Carroll Wentland, Carla Clark, Gary Craychee, Daryl Furry, Norman Brademeyer, Stanley Grev, Charles Hitchcock, Ardis Scherr, Myron Maas, Robert Jensen, Jerry Buchli, Franklin Krause, Dennis Kerrick, Lynn McDonnell, Ronald Volck, Jay Linnell, George Kauitscher, Jim Maxwell, Dennis Wiemann, Gary Fritz, Richard Verke, Linda Marsager, Richard W. Erb, Ralph Gast, Buel Sonderland, Jay Tegly, Frank Sopranski, Donald Ripplinger, Howard Blegen, Charles Paulson, Judie Axness, Charles Peterka, Murray Patterson, Kenneth Worthley, Harry D. Millard, Gary L. Skabo, D. J. Peden, Larry J. Lehrness, Gloria Ebertowski, Theodore V. Benstock.

Richard Haberman, Kenneth Haus, Dennis Schmidt, Thomas A. Leidy, David Fulske, Bill Mitchell, James A. Kirchen, Dale Bonebrake, Gary Korstad, John W. Blais, Dave Hohenstern, Lynn Strubbe, Edwin Okonen, Michael Sandaval, Ronald B. Nester, Roger Sorenson, Dean L. Hammer, Kathy Geritz, Marlys Henrikson, David F. Reisenweber, Anderson J. Warren, Arvin M. Bergstedt, James J. Goetz, Thomas F. Steen, Monte C. Grund, Franklin Hannesson, Eugene Boettger, Keith O. Axvig, Robert C. Raiter, Paul Sandbak, Virgil Greer, Galland Hervicksen, Terry N. Thompson, Daryl Hochhalter, Larry Schoff, Gary Peterson, Muriel Connolly, Larry Taylor, Jennings Kooda, Bob Vandulinde, Rita Shahane, Joan Kuchera, Donald Woolford, Mary Morris, Linda Gordon, Paul Wieser, Al Dawkins, Dee Sholts, James Jonasson, Terry Dalle, Timothy Paul, Dennis J. Sweep, Charles Miller.

Terry Ibach, Steve Vesledahl, John E. Gieutma, Steve Carlson, Fred Barrington, Irving Johnson, David Kuipers, Larry Windingland, Norval Gally, Ronnie Werner, Mike Anderson, Lyle Oelson, Ken Trana, Duane Hovland, Richard Henry Bond, Carroll Paulson, Jordell O. Brose, Kenneth Dickel, Virginia Carney, Tony D. Ackew, Russell Holte, Guy Sens, Stephen Colley, Jerry Rasmussen, Dianne Moore, Arden Espelien, Jo Ann Vedder, Beverly Berg, Jim Johnson, Gerald Hakanson, Bonnie David, Conrad Lossow, Dale Kelling, Mike Madsen, Linda Patterson, Kathy Worner, Kenneth Kussy, Dennis Mattson, Richard Heskin, William Jongbloed, Arvin Carlson, David Borchard, Charles Carbonneau, Keith Fleishchauer, Garry W. Kunz, Dennis L. Paulson, Richard Wakeford, Rod Goffrey, Howard Rude, Colleen Lesner, David Forness, Rolland Michaelson.

Dannie Houfeh, James Herman, Karen Paczkowski, Neil Wiltse, Vernon Waytessek, Glen R. Harris, Curtis Grenier, Vernon Mathiesen, Robert Carson, Diane Baker, Ronnie Folden, James Bakke, Wayne Olen, David C. Rogers, Gary Freund, David Toyske, Curtis Kjonaas, David M. Sletten, Richard Ralph, Roger Bourdean, Tom Licklides, Jr., John Knaus, Jerry Handran, Larry Deike, Wayne Kroetsch, Dennis A. Hawes, Roger A. Weinmann, Tom Schend, Bruce Jensen, Gary T. Rickow, Larry Collins, John Forslund, Roger Klemetsa, Donna Konkler, Cathy Hove, Robert Norbeck, James Kain, Dennis Hughes, Duane Arndt, Jeannette Griffith, Le Ann Erbes, Thomas Biby, Mary Fuka, Gaylen Salberg, Brooke Nesset, David Sundlie, Dave Hokenson, Jerry Luebke, Dave McLean.

Janet McLean, James Buchholz, Sondra Dahl, Wilbur Katz, Mike Bonell, Gordon J. Loraas, Jeff Jacobsen, Norman Gilfillan, Leonard Bishard, Tony Bulygo, Eugene W. Cross, Larry Anderson, Daniel Dockter, Kathlien Kimball, Jan Clapper, Lanny Eller, Bruce Speidel, Dennis Poppen, Terry Milas, Ron Merrigan, Joe Davidson, Dennis Dvorak, David Bird, Sheryl Hodgson, Linda Dahlen, Ronald Weinmann, Wayne Martinson, Herb Flakall, Gene M. Anderson, Bernadette Ann Welder, Susan Lenzen, Ken Biberdorf, Ina Hermunslie, Glen Evans, Kent C. Rukke, Paul S. Severin, Gary Russell, Ben Durger, Ordean Hanson, Jon Wilbur, Gayne Gaseel, Dennis Gaseel, Lee Hingst, Wayne Kolter, Mary Miller, Colleen Flados, Richard Alley, James Lysne, Roger Nelson, Jim P. Werner.

Richard Oksendahl, Michael O. Dobson, Myron Holthusen, Ronnie Jensen, Darrel Fagerland, Herbert Buchholtz, Leroy Kalls, Leroy Smelter, Larry N. Metzger, D.L. Shogren, Edna Hermes, Karen Chizek, Aldin Pritila, Clayton Brossnor, Shirley Kordovsky, Sharon Vanourny, Larry Ketterling, Dallas Neumiller, Lorenz K. Trittin, Donald L. Bill, N. Spears, Michael Gates, Dennis W. Saari, Lee Amundson, Ann Spickermeier, Juanita Schanandore, Dwight Hanson, Rosemarie Lewandowski, David Swartz, Betty Rickard, Mark C. Ackelson, Dave Maack, Don J. Anderson, Duane L. Solberg, Ralph Becking, Leon Hackburt, Tom Wieland, Richard Stevens, Larry Heick, D. D. Krueger, Wayne Hinrichs, Pat Larson, Richard Dolan, Myron Swanson, Linda Stark, John M. Senger, Ronald Hindt, Janet Zimbelman, Duane Formaneck, Mike McDonald.

Dennis Hilzendager, Marlys Heitkamp, Dennis Lochen, Rodney E. Paulsen, Ray E. Runay, Russell Hadler, Albert Wunder, Marc Benoit, David Hewitt, Leroy Johnson, Roy Slupe, Myron Dollison, Mary D. Rust, LaVonne Hultin, Blaine K. Wiltse, Geraldine Brosowske, Richard Ziemann, David Holen, Larry Hodgson, Stanley Strege, Marshall Bellin, Carl Blumhoff, Gregg Lebert, Floyd W. Estlick, William Liebig, Helga Adrian, Mark G. Nellum, Terry G. Brodehl, Douglas E. Johnson, Dennis B. Olson, Burt Quam, John Willman, Larry D. Larson, Gene Wichter, Frank L. Green, Jr., Juel N. Bautz, John Bittner, Richard Orsund, Larry Albright, Gordon Von Wald, Ronald Winter, Phyllis Nelson, Gordon H. Linnell, Jerry Waite, Tarry Jasmer, K. H. Tooking, Walter Paulson, Howard Hohmstron, Ross Schlabach, Gerald Clemens.

Steven R. Barbknecht, Dave Brenna, Ruth Paari, Bob Bowden, Linda Tisher, Lynnette Salgjeld, Judy Miller, Janice Nelson, Nita Tosa, Richard Koenig, Lloyd Rivers, Jim Aasness, Janet Oie, Reynold Amundson, Rosemary Sterm, Barbara Anderson, Donald R. Smith, Gary Theisen, John Roggerlich, Dallas I. Hanson, Jack S. Webster, Michael E. Pfister, Harold Tunge, Erroll Spelhaug, Arden Seisn, Gordon Parker, Thomas E. Belka, Roman J. Niedzielski, Deanna Delzer, Virginia Viestenz, Dick Raasch, Richard Behm, Dennis Wadeson, Jerald Liebig, Clark Adsem, Terry W. Stein, Linda Allan, Geraldine Baumann, Carolyn Jorissen, Gerald Pederson, Nancy Devick, Joyce Kadechka, Greg Thomte, Gary Christianson, Terry Urbach, D. J. Whitledge, Mike Giddings, Douglas Jensen, Perris Horner, Kathleen Althoff.

Gary Niekow, James Kangen, Donald Hillesland, Larry Forster, David McFarland, Larry Krenz, Randy Miller, Robert Schmidt, Connie Abrahamson, James Green, Duane Koep, Thomas Hall, Steve Graven, Leon Stensland, Jerry Willoughby, Curtis Graff, Charles E. Pelvit, Steve Youngquist, Bruce Solberg, Gerald Keller, Darrel Schrader, Jon Peterka, Ken Beauchamp, Ron Venjohse, Linda Roeder, Ron Fugere, William Galbreth, Kay Christensen, Jim Nelson, Bob Nysneen, Verna Kuehn, Jo Ann Pfeifle, Lloyd Adair, Jay Hannesson, Bernie Kring, Claude Cimbusa, Loren Fedorenko, Dale Johnson, Ellerd Boe, Mike Wangsness, Gary Schmidt, John Hoventen, Roxann Dalberg, Clifford Leegard, Gordon Meumiller, Robert E. Gerth, Vernon M. Hammer, Dan C. Hasslen, Elizabeth Canfield, Mrs. Kathy Braun.

David Braun, John Bakken, Wayne Bergeron, Kurt Ogden, Steve Mjolsness, Beverly Reynolds, Janice Loll, Ruth Peschel, Gary R. Carlson, June Nelson, Gail Erdmann, LeMoine Hartel, Robert B. Fay, Gary Kies, Dean Engen, Rollin D. Botts, John W. Westerberg, Marlowe Olson, Dewey Wallace, Bob Wykhoff, Delbert Kost, Darrel Kinsrud, Kenneth Zeller, Gary J. Hondrovec, Muriel Jensen, Susan Carlson, Marvin

Sbraham, Don Converse, Alvin Sick, George Lesmann, Jack Sveningson, Dennis Tang, Robert Hausken, Barry C. Fox, Dale Dustin, James Frerich, Douglas Berntson, Ellary Liebelt, Donald Gion, Steve Houge, Dianne Geisen, John Frankhousen, Bernice Enstad, Robert A. Koeller, Aaron S. Herzog, Mike Dudinsky, Donald Haugen, Richard Bergstad, Wes Allen, Norma J. Pederson, Roland Loney.

Kenny Fiskum, Jim Taylor, Jim Greutmon, William B. Flint, Eugene Klosterman, Jr., Lyle H. Bohn, James Poppen, David Oss, Hal Jordet, Paul Spilde, Gene Harne, Jim Theusch, Diana Hall, Rod Cole, Marcel Hoffmann, Jr., Michael J. Laney, Steven Olsen, Daryl Bertelsen, Ritchie Evanson, T. R. Wills, Galen Enerson, Tom Lundgren, Terry Manz, Donald Karpke, Dennis Wiemann, John W. Rausch, Tom Longe, Steven Koch, Paul Thompson, Donald Dethloff, Robert Bucholz, Ruth Ann Weber, Odo Longowski, Vernon R. Grant, Robert Satrom, Cletus Fruhwirth, Duane A. Gion, Jerome M. Johnson, Janice Mrozek, Paulette Haberman, Linda Oien, Carol Staltenow, Richard Martze, Walter Kackman, L. J. McMillan, Donald Trisby, LoAnn Vertin, Magnus Thorsteinson, Johnny W. Morrison, Kathleen L. Weber.

Jerry P. Jaeger, Rich Schumann, LaVerne Hoveskeland, William Aslakson, Gaylen Holmgren, Mary Kittle, David Speer, Pete Fredrickson, David Baumann, William Barg, Ronald Sveum, Gary Giffey, Elaine Kornelius, Frank L. Phillips, Albert S. Neidviecky, James E. Rauch, Jim Konkler, Delbert Henke, David McMohen, Neil Weight, Marshall Lindahl, Jim Manstrom, David Berg, Gary Gangle, Daniel Trapp, Wayne Stegman, Arnold Klein, Gary Mathurch, Tedd Steenback, Harold Zimmerman, Gary Larsen, Ernest Klepetka, Mike Stubstal, Terry Grotton, Tom Kohler, Bernell Renner, John Berger, Mark Christianson, Leon H. Gelinske, Tarry F. Anderson, W. A. Hermon, Gerald Larsen, Doug Travis, Nicholas Heger, David Thompson, Mark Jacobson, Don Schwartz, Joseph Schneider, Carl Melsness, Kent Kolden.

Larry Olson, Jerome Ahles, Dennis Browning, Paul Mahler, Doug Mahler, John Hauschild, John Klungtvedt, Wayne Jensen, Paul Koehler, Douglas Gourneau, Marlin Mathiason, Tom Bordeuyk, Duane Klein, Lonnie Fay, Gary Phelps, Tom Taylor, Brenda Schuster, Jim Brendel, Norman Bjornstad, William Rook, Robert O'Shaughnessy, Dennis Schiembeck, M. Edwardson, Floyd Halverson, Orlan Neumann, Don J. Starkey, Ron W. Lupivik, Harlan Strand, Philip Boyerslawski, Gary Gilbertson, Charles Horner, Patricia Jensvold, Gaye Storbakken, Ronald Drose, Noel Kjesbo, Mayo Bjornson, Gordon Lokken, Wayne Hinnichs, Lester Feland, Charles Leien, Robert Everson, Judy Anderson, Pat Muellenbach, Lorna Opp, Elmer Pederson, Arlene Rossow, Melanie Trapp, Thomas W. Achter, Ronald Ihmels.

Patricia Quiring, Paul Enders, Roger Steinent, Lynn Johnson, John Kartes, Bob Marshall, Jim Bohrer, Russell Overbye, Larry Robinson, Gary Knutson, Kenneth Trautman, Marlene Anderson, John Jacobson, Robert A. Joyce, Erwin Tschaekofske, Frank Einarson, Raymond J. Feist, Cheryl Roman, Duane Tietz, Wanda Mitbo, Judy Lehman, Sharon Jordheim, Amy Randall, Curtis Mahler, Linda Golliet, Alfred Prochnow, Neil L. Franks, Judi Trana, Nancy Zick, Ronald Osowski, Robert D. Koltes, Ronald Ehlert, Lewis Schaar, Gerald Schwartz, Robert Ulrich, Miles Chapman, David Cowell, Judy Woehrmann, Carol Mehlhoff, Odell Johnson, Ronald Albertson, Dawn Suckut, Harold L. McConnell, Gerald C. Lundquist, Harlow Hofer, Victor Brim, Tim Heinle, Charlene Cellmer, Sharon Farsdale, Darlene Ronholm.

Rod Cole, Ronald Stoltenow, Georgia Robideaux, Carol Bye, A. G. Lewis, Mike Bertsch, Vic Grad, Darlene Simonson, Richard Maddock, Rodney Sell, Pam Johanns, Patti Monson, Allen Klindt, Stephen Colby, Ronald Albertson, Larry L. Murie, Sister Mary Maurice, O.S.F., Sister Mary Lucy, O.S.F., Gordon Raymond Kruger, Yvonne Schildberger, Cheryl Qualley, Elaine Buffington, Sandi McLain, Judi Crain, Michael Biegelman, Nancy Lein, LaDonna Wick, Noreen Nohr, Tom Nichols, Denis Wanner, Les Nordnon, Richard Davis, Charles Haring, Mark Salseng, Mary Kay Chernak, David Kwete, Kathi Mozinski, Larry Johnson, Charley Reistad, T. Buck, Thomas Hardy, William N. Lynner, Phyllis Steffan, Margaret Stiles, Carol Kemper, Patricia Nelson, Rosemary L. Martin, Darlene LeNove, Leslie Welsh, Marilyn Brand.

Virginia Anderson, Audrey Bakken, Herbert Goldammer, Verlin Wirth, Robert Loken, John F. Ordal, Cheryl Kelm, Carol Rodne, Judi Ladendorf, Allen R. Jensen, Judy Lehman, Ann Klug, Larry Baumann, Kenney Backhaus, Ronald Sell, Jerome Wolff, Kenton W. Stanton, LeRoy W. Triese, Ralph W. Armstrong, Jr., Marvin Balbach, Dan Kramer, Wallace Skoglund, Jimmy Borgen, Ken Johnson, Gerald Argall, Ronald H. Dragen, Richard R. Schmidt, Lyle Springer, Roger Dibbert, Gerry Hedberg, Bruce Buckholtz, Cheryl Kinsterman, Bernie Trzsuc, James Brach, Jim Trana, Ralph Butterfield, Jerry Bick, Merle Meltlee, Greg Sorge, Eugene Belgarde, David Rossland, Larry N. Metzger, Philip Boll, Donald J. Sperling, Harry Holen, Dean Salzsieder, Rod Kirschman, Richard Kavli, Richard Elznic.

Noreen Olson, Edward J. Ride, Richard H. Cheatley, Galen Garrick, Frank Azure, Gaylyn Kjorsink, Galen Sile, Larry Cooven, Kenneth Krump, Allen Prochnow, Willie Rogness, Bob Silliman, Odin Stutrud, Jennifer Mueller, James Schuster, Lawrence N. Brunster, Roger E. Olson, Lyle Tschakert, Laurence Schagunn, Marlyn Gjestvang, Gary Schumacher, Wilton Ludwig, Jr., Wilbur Kutz, Gary Haug, Del Ray Landers, Reyburn Kautz, Randall Karstetter, Kenneth F. Suckert, John H. Miller, Pat Hagen, Dennis Quam, Darrell Michalenko, Norman Haagenstav, Sharon Lane, James A. Horton, James G. Aldrich, Lloyd A. Gilbertson, Gerald Schildberger, Roger Hartz, Eugene Miller, Bernard Nilles, Donna Weston, Jonathan Dietrich, Terry Kemmer, Myron Meyer, Thomas Eastley, Keith Mills, Clint Chamberlin.

Connie Millcer, Kareen Herman, Patty Lukes, Catherine Lee, Henry Nordby, Garnett Fraser, Leon Plantz, Gary Roseth, George Staigle, Jim Hogan, Roger Shoberg, Keith Flede, Alfred G. Byron, Jr., Curt Weiss, Clifford F. Schmidt, Roger W. Pearson, James A. Heupel, Dan Handron, Barney Hagerman, Terry Lucier, Vernon Melcher, Gary Dubuque, Larry Miller, Susanne Fust, Wanda Morlock, Jerry Knutson, Arden Holte, Wayne Erickson, Louise Houghton, Jim Ramstad, Joyce Rosenkranz, Rod Johnson, Darwin Lamb, Bill Tveit, Tony Brucker, Roger Gullickson, Jim O'Connor, Bob Nichols, William J. Mills, Amy Schmidt, Charles Warhawk, Myron Rovig, Cpl. Robert J. Schaefer, U.S. Marine Corps, Patricia Rath, Marlene Lingen, Richard Lugert, Harlan Hall, Ron Lewis, Diane Stein, Dennis Jelinek, Lester Schlepp.

Dennis Schlalesy, Kay Olson, Glenice Alderman, John S. Erickson, James Neany, Sandy Klundt, Larry Renner, Stephen Tompkins, Charles Califf, Torleif Haaland, Glen Hallard, Donald Biewer, Orlin Wick, John Meschke, Gary Gulsing, Raylene Suckut, Ron McKinley, Gene Pinkney, Orville C. Hoger, Mark Hughes, Gary Hultin, Allen Berg, Arvin Leabo, Pat Johnson, David Ness, Richard Englund, Glenn Lundgren, Robert Benke, Kathryn Benke, Kathryn Sullivan, Karen Graveen, William Nerhus, Wally Benharders, Derryl Moon, Loren A. Lehnhoff, Lonnie Schroeder, Jeff Lantis, Arnold Black, Denny Renville, Pam Broadland, Julie Brendefor, Robert Bailey, Dennis Johnson, John Klundt, Ernie Diede, David Miller, Dennis D. Brosz, Patricia McDonald.

Loyall Olson, Joel Lerlakken, Duane Barden, Larry Lien, Wayne Oberlander, Larry Carlson, Sylvia Jelinek, Milo Zimmerman, Marlin Hert, Jean Wiegand, Bonnie Lahren, Daird Bjelland, Del Hagen, Janice Jardisch, Linda Klaman, Mary Ellen Kleinsasser, Lynne P. Nasey, Art McFalden, Kathy Hilgers, Mike Himmer, Noran Olson, Donald Stoner, Don Roloff, John Weber, Jerry Grev, Ronnie Gigle, Harvey L. Gabbert, John Rosko, Nick Rainsberry, Tim Lenertz, Alvin Settje, Johannes Oddsen, David Llewellyn, Michael Sines.

Mr. PROXMIRE. Mr. President, will the Senator from North Dakota yield?

Mr. YOUNG of North Dakota. I am happy to yield to the Senator from Wisconsin.

Mr. PROXMIRE. Let me say to the Senator from North Dakota that I made a brief speech at the University of North Dakota last year on the subject of Vietnam, and I was very much impressed with the student body.

The Senator from North Dakota has stated so well the position of the student body at the North Dakota State School of Science on Vietnam. I found this same strong support for our forces in Vietnam at the University of North Dakota.

I was also impressed by the probing attitude of the students there, by their curiosity and their interest, by their openmindedness, but especially on the position which the University of North Dakota has taken on the subject of free speech, inviting every possible expression of all kinds of viewpoints on the campus.

I emphasize that this University of North Dakota view on Vietnam was not reached without consideration and extended discussion. I was most impressed with the excellence of the State university at North Dakota.

Mr. YOUNG of North Dakota. I am sure that the students of the State school of science and our university will be happy to read the kind comments of the Senator from Wisconsin. Thank you so much.

WHAT A SCHOOL MILK TEST MEANS IN KANSAS CITY

Mr. PROXMIRE. Mr. President, there has been a great deal of speculation about the administration's proposal to slash the special milk program for schoolchildren by 80 percent and provide milk under the program only to the needy or those children attending schools that do not have a school lunch program.

On Wednesday, the Secretary of Agriculture, in an appearance before the Agriculture Subcommittee of the Senate Appropriations Committee, implied that there had been much loose talk about how need would be determined. Secretary Freeman, during a hearing on the fiscal 1967 Agriculture budget, stated that it was a simple matter to pinpoint the needy. Generally, in his opinion, it was a decision made by a homeroom teacher or a school nurse based on a working knowledge of the children's needs and backgrounds.

Let us look at the facts, Mr. President. I have here in my hand an application for lunch assistance used by the Kansas City school system. It is typical of the sort of application required in many of our *Nation's* larger cities—where great concentrations of needy children tend to be the rule rather than the exception.

First, the application asks for the names of children for whom reduced lunch or milk rates are requested. Presumably, a family could choose to have some, but not all of the children receive free milk. Next, there are spaces for the parents' names and the names of others in the home with their relationship to the child. Then there is a listing for total family income including source of income and where employed. How many fathers, Mr. President, would want to give their employer's name? How would this employer feel if he knew his employee's children were asking for a handout? A footnote indicates that income is to include social security and aid to dependent children of unemployed parents.

The reverse side of the sheet asks for "Expenses as actually paid by month." These expenses include rent or house payment, utilities, including phone, groceries, insurance, car payments, furniture payments, payments on loans, other credit payments and doctors or drug bills. The form goes on to ask for a description of any special conditions, such as sickness, temporary unemployment, or other unusual problems. Finally the parents are asked if they want their child to be given a chance to work for lunch, get a reduced rate lunch or get a free lunch and free milk.

If the school principal is not satisfied with the general information contained in this form he refers the matter to the home-school coordinator for further checking. The form is sent on to the office of the director of school food service only after the home-school coordinator is satisfied that everything is OK.

Mr. President, I am not criticizing this form, because I feel that it is the only way you can realistically determine need. But where, oh where, is the kindly old home room teacher Secretary Freeman talks about? Are we really prepared to say that any child who wants to receive milk without paying the entire cost should ask his or her parents to qualify in this way? Because the unpleasant fact is that only by such an objective test can we determine the needy.

I hope in the days ahead to show that this is not an isolated example of the procedure parents must go through to qualify their children for free lunches and milk breaks. I know from talking to school administrators that many large cities must use this technique.

Mr. President, let me add, in this connection, that we have just heard further testimony from a representative of the Department of Agriculture this morning before the Committee on Appropriations, and they indicate that only a fraction of needy children are going to be covered by the program, that the vast majority of needy children of families whose incomes are less than $3,000 will not qualify under the program which the administration is proposing to provide milk for needy children.

EXHIBIT OF WORKS OF ART BY 15 CALIFORNIA HOUSEWIVES

Mr. KUCHEL. Mr. President, art is important in our American way of life and I am delighted to know that a large number of our citizens find relaxation, express themselves, and delight others by engaging in painting.

In my office there is impressive evidence that such an outlet and diversion can be mutually rewarding.

I am privileged to have on the walls of my reception room an exhibit encompassing the excellent works of 15 California housewives from all walks of life who have taken up the brush and palette as a hobby. Through the encouragement and assistance given them by Famous Artists Schools of Westport, Conn., these women are enjoying both material and spiritual reward.

This group of housewive-artist residents of California has depicted striking scenes from their environment or travels, translated reactions to still life settings, and personified individuals through their talents at the easel. Much of their inspiration and guidance came from San Francisco-born Dong Kingman, himself an internationally respected artist and a faculty member of the Famous Artist Schools.

I invite all of my colleagues and members of their staffs to visit the Kuchel suite—315—in the Old Senate Office Building and view these lovely and exquisite works. For the information of the Senate, I ask unanimous consent to have appended to these remarks a list of the paintings and of the talented women whose works I am proud to display.

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

Mrs. Doris Akers, 9491 La Mar Street, Spring Valley, "Portrait of Oleida."

Mrs. Frances Barginski, 841 North Crescent Heights, Hollywood, "Evelyn."

Mrs. Iola Bayliss, 11638 Sunshine Terrace, Studio City, "Winter Scene."

Mrs. Dorothy Corbin, 615 East Olive, Oxnard, "Still Life With Lemons."

Mrs. Vina Cross, 2717 Chester Lane, Bakersfield, "Edge of the Woods."

Mrs. Carol Cunningham, 40 Castle Rock Drive, Mill Valley, "Still Life."

Mrs. Virginia Harding, 21740 Devonshire Street, Chatsworth, "Scotch Golfer."

Mrs. Frances Howe, 3646 De Sota Avenue, Santa Clara, "Backroad to Jolon."

Mrs. Vi Schultz, 401 Brookhaven Drive, Bakersfield, "Woman in a Flower Garden."

Miss Beth Stewart, Route 1, Box 187 (Seacrest), Fort Bragg, "Skillet and Vegetables."

Mrs. Virginia Wahlen, Post Office Box 781, Yucaipa, "Big Trees."

Mrs. Edith Weist, 2028 Howard Avenue, San Diego, "Woodland Stream."

Mrs. Mary Ann Willard, 208 Coral Street, Balboa Island, "Ghost Town."

Mrs. Cleo Wilsey, 1636 Lurline Street, Colusa, "Blue Plumbago."

Mrs. Virginia Zehm, Post Office Box 5026, Carmel, "Rocky Point."

CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consider measures on the calendar beginning with Calendar No. 986, Senate Joint Resolution 18, and the measures following, in sequence.

The PRESIDING OFFICER. Without objection, it is so ordered.

YOUTH TEMPERANCE EDUCATION WEEK

The joint resolution (S.J. Res. 18) to provide for the designation of the fourth week in April of each year as Youth Temperance Education Week was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. RES. 18

Whereas the National Youth Temperance Council was created to develop and promote programs and activities by our youth for our youth which will help them to achieve the best possible preparation for successful, useful living; and

Whereas these programs, which have been established throughout the United States, perform a vital service in the constructive development of our youth by offering them outstanding opportunities to acquire moral strength, physical fitness, and civil responsibility; and

Whereas many Governors and mayors have, over the past several years, issued proclamations giving official recognition to the annual observance of the fourth week in April as "Youth Temperance Week": Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to issue annually a proclamation designating the fourth week in April of each year as "Youth Temperance Education Week", and inviting the people of the United States to cooperate during such weeks with programs of temperance education.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1011), explaining the purposes of the bill.

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

PURPOSE

The purpose of the joint resolution is to designate the fourth week in April of each year as "Youth Temperance Education Week."

The National Youth Temperance Council was created to develop and promote programs

and activities by our youth for our youth to help them in achieving the best possible preparation for successful and useful living. These programs have been established throughout the United States and perform vital service in the constructive development of our youth by offering them outstanding opportunities to acquire moral strength, physical fitness, and civic responsibility. The dedication of the fourth week in April of each year as "Youth Temperance Education Week" will call the attention of our citizens to these programs which have proven of tremendous benefit to the upbringing of our younger citizens, and will stimulate greater interest in aiding our young citizens.

The committee is of the opinion that this resolution has a meritorious purpose, and, accordingly, recommends favorable consideration of Senate Joint Resolution 18, without amendment.

AMERICAN HISTORY MONTH

The Senate proceeded to consider the joint resolution (S.J. Res. 133) designating February of each year as American History Month.

Mr. COOPER. Mr. President, I am very pleased that the senior Senator from Montana, the distinguished majority leader [Mr. MANSFIELD] has asked to be included as a sponsor of Senate Joint Resolution 133, to designate February as American History Month, which I introduced on February 1. After the resolution had been referred to the Senate Committee on the Judiciary, I had also received a similar request from the Senator from Alaska [Mr. BARTLETT]. I ask unanimous consent that the Senator from Montana [Mr. MANSFIELD] and the Senator from Alaska [Mr. BARTLETT] be included among the sponsors of Senate Joint Resolution 133.

I wish at this time to express my thanks and appreciation to the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN] who has taken a special interest in the resolution, and who, in his capacity as chairman of the Subcommittee on Federal Charters, Holidays, and Celebrations, called up the resolution for consideration at the first meeting of the Senate Committee on the Judiciary following its referral to the committee on Lincoln's Birthday, and who has submitted to the Senate the favorable report of the committee, Senate Report No. 1012, of March 2, 1966.

I am very glad that the resolution has attracted interest and approval, and has received wide support. As nearly as I can determine, the idea of designating February as American History Month originated in Kentucky, among the Daughters of the American Revolution, in 1952. Since that time, it has spread until the Governors of nearly every State issue such a proclamation annually, and my resolution would ask the President to issue a similar proclamation recognizing February as American History Month. I point out also that former Senator Kenneth Keating, of New York, had taken an interest in this subject, and in fact a somewhat similar resolution which he cosponsored passed the Senate in 1961, but was never adopted by the House.

Mr. President, I ask unanimous consent that the text of the resolution, with the names of the 45 Senators who have joined with me in sponsoring it, together with a letter from Mr. Paul Ward, executive secretary of the American Historical Association, be printed at this point in the RECORD. Also, I wish to thank Mr. Bailey Guard, my administrative assistant, and Miss Gertrude D. Musson, of my office staff, for their research on this measure.

I hope very much that there will be favorable consideration of Senate Joint Resolution 133 by the House of Representatives as well as the Senate, and that it will stimulate wider interest in the history of our country.

There being no objection, the resolution, including names of sponsors, and the letter were ordered to be printed in the RECORD, as follows:

S.J. RES. 133

(Mr. COOPER (for himself, Mr. ALLOTT, Mr. BARTLETT, Mr. BAYH, Mr. BENNETT, Mr. BIBLE, Mr. BOGGS, Mr. BYRD of West Virginia, Mr. CARLSON, Mr. CASE, Mr. CHURCH, Mr. CURTIS, Mr. DOMINICK, Mr. DOUGLAS, Mr. ERVIN, Mr. FANNIN, Mr. FONG, Mr. GRUENING, Mr. HARRIS, Mr. HART, Mr. HARTKE, Mr. HRUSKA, Mr. INOUYE, Mr. JAVITS, Mr. JORDAN of Idaho, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of New York, Mr. KUCHEL, Mr. LAUSCHE, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MCCARTHY, Mr. MCGEE, Mr. METCALF, Mr. MONDALE, Mr. MORTON, Mr. MURPHY, Mr. PEARSON, Mr. PELL, Mr. PROUTY, Mr. RANDOLPH, Mr. SCOTT, Mr. SIMPSON, Mr. THURMOND, Mr. TOWER, and Mr. YOUNG of North Dakota) introduced the following joint resolution; which was read twice and referred to the Committee on the Judiciary:)

Joint resolution designating February of each year as American History Month

Whereas the study of history not only enlivens appreciation of the past but also illuminates the present and gives perspective to our hopes;

Whereas a knowledge of the growth and development of our free institutions and their human values strengthens our ability to utilize these institutions and apply these values to present needs and new problems;

Whereas Americans honor their debt to the creativity, wisdom, work, faith, and sacrifice of those who first secured our freedoms, and recognize their obligation to build upon this heritage so as to meet the challenge of the future; and

Whereas it is appropriate to encourage a deeper awareness of the great events which shaped America, and a renewed dedication to the ideals and principles we hold in trust: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That February of each year is hereby designated as American History Month, and the President of the United States is requested and authorized to issue annually a proclamation inviting the people of the United States to observe such month in schools and other suitable places with appropriate ceremonies and activities.

AMERICAN HISTORICAL ASSOCIATION,
Washington, D.C., February 8, 1966.

Hon. JOHN SHERMAN COOPER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR COOPER: Thank you for providing this office with a copy of Senate Joint Resolution 133. I hope you will find it drawing many cosponsors.

As I am sure you know, this association is an inclusive society of Americans interested in furthering the study of history, rather than a society specializing in American history, although American history receives at least half our energies and attention. So we particularly appreciate the wording of the preamble to the resolution, which proceeds from underlining the value of studying history generally to focusing particularly on the great events which have shaped our country.

Sincerely yours,

PAUL L. WARD.

Mr. CARLSON. Mr. President, in connection with this matter would the Senator permit me to associate myself as a cosponsor of the resolution?

Mr. COOPER. Mr. President, I ask unanimous consent that the name of the distinguished Senator from Kansas [Mr. CARLSON] be included as a cosponsor to the resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1012), explaining the purposes of the bill.

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

PURPOSE

The purpose of the joint resolution is to designate February of each year as American History Month, and to authorize and request the President of the United States to issue annually a proclamation inviting the people of the United States to observe such month at schools and other suitable places with appropriate ceremonies and activities.

STATEMENT

The month of February is a time, particularly for schoolchildren, of keen awareness of the birthday of the Father of our Country and of Lincoln's Birthday, for special recognition of the traditional values that our Nation cherishes, and a time to remember our great leaders as well as the common people who broke new ground.

February can also be a time of rededication to the legacy our forebears gave us of noble character, hard work, and practical wisdom.

Americans today live in an age when many of the events which touch the lives of all of our citizens require as never before a knowledge of geography and may be illuminated by an understanding of history. These two subjects, included now in what is known as social studies, are receiving greater attention and new emphasis in many schools. By designating February of each year as American History Month we encourage, at least in a small way, this development and provide an opportunity to attract the attention of schoolchildren and all of our citizens to what can always be fascinating and rewarding study.

The committee is of the opinion that this resolution has a meritorious purpose, and accordingly recommends favorable consideration of Senate Joint Resolution 133, without amendment.

The PRESIDING OFFICER. The joint resolution is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the joint resolution.

The joint resolution (S.J. Res. 133) was ordered to be engrossed for a third reading, was read the third time, and passed.

The preamble was agreed to.

AMENDMENT OF THE BANKRUPTCY ACT

The bill (S. 1923) to amend chapter XI of the Bankruptcy Act to give the

court supervisory power over all fees paid from whatever source was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1923

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 366 of the Bankruptcy Act (11 U.S.C. 766) is amended by adding a new clause to read as follows:

"(5) All payments made or promised by the debtor or by a corporation acquiring property under the arrangement, or by any other person, for services and for actual and necessary expenses in, or in connection with, the proceeding or in connection with the arrangement and incident thereto, have been fully disclosed to the court and are reasonable."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1013), explaining the purposes of the bill.

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

PURPOSE

The purpose of the bill is to amend chapter XI of the Bankruptcy Act to give the court supervisory power over all fees paid from whatever source.

STATEMENT

The bill has been recommended by the Administrative Office of the U.S. Courts and endorsed by the Judicial Conference of the United States.

In recommending the enactment of the proposed legislation the Administrative Office of the U.S. Courts has said:

"EXPLANATION OF PROPOSED BILL TO AMEND CHAPTER XI OF THE BANKRUPTCY ACT TO GIVE THE COURT SUPERVISORY POWER OVER ALL FEES PAID FROM WHATEVER SOURCE

"Judge Edward Weinfeld pointed out to the Bankruptcy Committee of the Judicial Conference at its March 1964 meeting a practice becoming prevalent in chapter XI proceedings in which the compensation of attorneys, accountants and others is paid or promised by third parties.

"It has been held that such payments are beyond the control of the court (*In re Star Brands Products and Pickle Company,* 96 F. Sup. 406, and *In re A. L. Ratner, Inc.,* 95 F. Sup. 137). It was the view of the Bankruptcy Committee that all such payments should be subject to the approval of the court in the same manner as payments made in proceedings under chapter X of the Bankruptcy Act.

The Judicial Conference, upon the recommendation of its Bankruptcy Committee, authorized the Administrative Office to study the need for remedial legislation and further authorized the Committee to recommend remedial legislation if it be deemed necessary. As a result, the Bankruptcy Division of the Administrative Office submitted the proposed bill to the Bankruptcy Committee of the Judicial Conference at its September 1964 meeting. Whereupon the Committee recommended the bill to the Judicial Conference, and the Conference approved the bill at its September 1964 meeting.

"The language of this proposed amendment has been adopted with appropriate modifications from section 221(4) of chapter X of the Bankruptcy Act. Omitted is reference to payments by a corporation "issuing securities" under the plan, since this is peculiarly applicable to corporate reorganizations. Also omitted is the last phrase of section 221(4)—'or, if to be fixed after confirmation of the plan, will be subject to the approval of the judge.' This is deemed to be inapplicable to chapter XI where all fees are fixed before confirmation and must be included in the deposit which is prerequisite to filing an application for confirmation (secs. 337(2) and 362(2)).

"Citing section 221(4), the Supreme Court said in *Woods* v. *City National Bank and Trust Company of Chicago,* 312 U.S. 362, 61 S. Ct. 493, 44 Am. B.R. (N.S.) 655: 'Under chapter X of the Chandler Act the bankruptcy court has plenary power to review all fees and expenses in connection with the reorganization, from whatever source they may be payable.'

"Again, in *Leiman* v. *Guttman,* 336 U.S. 1, 69 S. Ct. 371, the Supreme Court construed section 221(4):

" 'The control of the judge is not limited to fees and allowances payable out of the estate—section 221(4) places under his control "all payments made or promised" (1) by "the debtor" or (2) "by a corporation issuing securities or acquiring property under the plan" or (3) "by any other person" for services rendered "in connection with" the proceeding or "in connection with" the plan and "incident to" the reorganization.

* * * * *

" 'The air of the expanded controls over reorganization fees and expenses is clear. The practice had been to fix them by private arrangement outside of court. * * * This gave rise to serious abuses. There was the spectacle of fiduciaries fixing the worth of their own services and exacting fees which often had no relation to the value of services rendered.

* * * * *

" 'And section 221(4) is written in pervasive terms—it applies to "all payments" for services "in connection with" the proceeding or "in connection" with "the plan" and "incident to" reorganization, whoever pays them.' "

"With this construction of the statutory language of section 221(4), it is believed that the proposed amendment to section 366 would curb the abuse at which it is directed.

"The committee believes that the proposed legislation is meritorious and recommends it favorably.

DONALD I. ABBOTT

The Senate proceeded to consider the bill (S. 2177) for the relief of Donald I. Abbott which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 5, after the word "of", to strike out "$6,867.25" and insert "$5,466.84", and in line 7, after the word "from", to strike out "January 14" and insert "May 5"; so as to make the bill read:

S. 2177

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Donald I. Abbott, Captain, United States Army, retired, is hereby relieved of all liability to repay to the United States the sum of $5,466.84, representing overpayments of civilian compensation received by him for the period from May 5, 1963, through February 22, 1964, while he was employed by the Army Map Service, Corps of Engineers, in violation of section 2 of the Act of July 31, 1894, as amended (5 U.S.C. 62), which prohibited the employment of certain retired military officers in a civilian position, the said Donald I. Abbott having advised Government authorities of his retired status prior to his employment with the Army Map Service and been assured that such Act was not applicable to him. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Donald I. Abbott, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1014), explaining the purposes of the bill.

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

PURPOSE

The purpose of the bill, as amended, is to relieve the claimant of liability to repay to the United States the sum of $5,466.84, representing overpayments of civilian compensation received by him for the period from May 5, 1963, through February 22, 1964, while he was employed by the Army Map Service, Corps of Engineers, in violation of section 2 of the act of July 31, 1894, as amended (5 U.S.C. 62), which prohibited the employment of certain retired military officers in a civilian position, the claimant having advised Government authorities of his retired status prior to his employment with the Army Map Service and being assured that such act was not applicable to him, and also to pay to the claimant the sum of any amounts received or withheld from him on account of the overpayment.

STATEMENT

The facts in the case are set forth in a report from the Department of the Army, dated January 4, 1966, as follows:

"Official records disclose that Donald I. Abbott retired as a Regular Army officer in the grade of captain on November 1, 1962, and began drawing retired pay for 20 years of active service. Effective January 14, 1963, he accepted a temporary appointment not to exceed 700 hours as a supply-commodity management assistant (GS–2010–05) with the Army Map Service, Corps of Engineers. On May 5, 1963, he received a promotion to supply-commodity management officer (GS–2010–07), following a conversion of his appointment from temporary to career-conditional. On February 28, 1964, the U.S. Army Finance Center advised him that his employment under the career-conditional appointment was illegal under the act of July 31, 1894 (28 Stat. 205), which prohibits Regular Army officers retired for length of service from holding two Federal offices if the compensation of either office amounted to $2,500 per annum. The restrictions of that act did not apply to Captain Abbott's temporary appointment. His Army retired pay and the salary from his career-conditional appointment were both in excess of the amount specified in the act and resulted in illegal salary payments of $5,466.84 from May 5, 1963, through February 22, 1964. The difference in this amount and the amount specified in the bill represents payments legally made while Captain Abbott held a temporary appointment. Captain Abbott did not receive compensation for the last 2 weeks of his em-

ployment from February 23, 1964, through March 6, 1964. The Dual Compensation Act of 1964 (78 Stat. 484 (1964)) repeals the act of July 31, 1894, supra, but there are no retroactive provisions which will validate an appointment made prior to December 1, 1964, the effective date of the new act.

"The Department of the Army does not oppose a bill of this nature when a civilian employee has received in good faith and for services performed an erroneous payment made through administrative error. The erroneous payment resulted from the failure of administrative personnel of the Department to recognize that Captain Abbott's civilian employment was in violation of the act of July 31, 1894, supra. Department of the Army Civilian Personnel Regulations (CPR p. 26), which restricted the employment by Government agencies of individuals in receipt of retired pay from military service, placed upon the appointing officer in these agencies the responsibility for determining whether employment in a given situation was prohibited by the dual office act or by other applicable law and regulation. In his application for Federal employment, dated December 4, 1962, and in his appointment affidavits, dated January 14, 1963, Captain Abbott listed his retirement from the Army for 20 years of service. He received assurance by the personnel section of the Army Map Service that his retired status as a Regular Army officer would not prohibit his civilian employment. His employment was accepted without dispute and he apparently had no reason to suspect any irregularity until notification by the Finance Center on February 28, 1964.

"Captain Abbott rendered valuable service to the United States from May 5, 1963, through February 22, 1964, and to require repayment of the salary received by him during this period of time would be inequitable. In a statement submitted to this office, he explained that he is supporting his wife and four young children on a total income of $8,340.10, representing retired pay and earnings as a civilian. His tangible assets are modest. In 1964 his wife gave birth to their fourth child. This child was an open spine birth and requires considerably more care and treatment than a normal baby. In view of these equitable considerations, the Department of the Army has no objection to the bill which should be amended to show an overpayment of $5,466.84.

"The cost of this bill, if enacted as introduced, will be $6,867.25. If enacted as suggested in this report, the cost will be $5,466.84."

The committee has in the past granted relief by private legislation in similar situations where compensation was received in good faith for services performed and erroneous payment made through administrative error, and the committee believes that this is an appropriate case for such legislative relief.

The committee believes that the bill, as amended, is meritorious and recommends it favorably.

MATSUSUKE TENGAN

The bill (S. 153) for the relief of Matsusuke Tengan was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Matsusuke Tengan the sum of $2,013 in full satisfaction of all his claims against the United States as beneficiary of a life insurance policy (Numbered 1,650,373) of the Sun Life Assurance Company of Canada on the life of his son, Yoshio Tengan, a United States citizen, the proceeds of which were received by the Attorney General pursuant to Vesting Order Numbered 14,815, dated June 26, 1950, under the provisions of the Trading With the Enemy Act: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1015), explaining the purposes of the bill.

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

PURPOSE

The purpose of the bill is to direct the Secretary of the Treasury to pay to Matsusuke Tengan the sum of $2,013 which was vested by the Office of Alien Property as the proceeds of a life insurance policy issued by the Sun Life Assurance Co. of Canada on the life of his son, Yoshio Tengan, a U.S. citizen, who was killed in infantry combat in France during World War II.

STATEMENT

Matsusuke Tengan is a citizen of Japan and throughout World War II was a resident of Okinawa, which had been occupied by Japan. He is not eligible for a return of vested property under the Trading With the Enemy Act (50 U.S.C. App. 9 (2) and 32).

However, inasmuch as the owner of this policy was killed in combat while serving as a member of the Armed Forces of the United States, it would appear that special consideration might be given to this matter. The Department of Justice feels that this involves a question of legislative policy which should rest with the Congress.

The committee agrees under the circumstances it is desirable to carry out the wishes of the deceased and consequently recommends favorable consideration.

CAPT. REY D. BALDWIN

The bill (S. 1960) for the relief of Capt. Rey D. Baldwin was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1960

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Captain Rey D. Baldwin, United States Air Force, is hereby relieved of all liability for repayment to the United States of the sum of $905.84, representing the amount of overpayments of basic pay received by the said Captain Rey D. Baldwin, for the period from March 19, 1960, through December 31, 1963, such overpayments having been made as a result of his having been erroneously credited for pay purposes with military service previously performed by him in an enlisted grade. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Captain Rey D. Baldwin, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1016), explaining the purposes of the bill.

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

PURPOSE

The purpose of the bill is to relieve Capt. Rey D. Baldwin of liability to the United States for $905.84. This amount represents overpayments of basic pay received by Captain Baldwin during the period March 19, 1960, through December 31, 1963. The overpayments resulted from an erroneous credit for pay purposes for services performed as an enlisted member of the Air Force.

STATEMENT

The facts in the case are presented in the report from the Department of the Air Force, and are as follows:

"Air Force records show that Captain Baldwin (69051A) was enlisted in the Air Force on August 20, 1953. He was discharged on August 19, 1957, upon completing 4 years of active duty. He served as an enlisted member in the Air Force Reserve from August 20, 1957, until March 14, 1960. On March 15, 1960, he was commissioned a second lieutenant in the Air Force Reserve. He was ordered to extended active duty in the Air Force on March 19, 1960, in pay grade O–1. He has been on continuous active duty since that date.

"Section 203, title 37, United States Code, provides special pay rates for officers in pay grades O–1, O–2, and O–3 who have had over 4 years' active service as an enlisted member. These rates are greater than rates for officers who have had 4 years or less enlisted active service. When he was ordered to active duty, Captain Baldwin's pay was computed on the special rates referred to above. Early in 1964, Turner Air Force Base, where he was then stationed, reviewed Captain Baldwin's pay account. His records indicated he had exactly 4 years' active duty as an enlisted member. His entitlement to pay based on the rates authorized for officers with more than 4 years' enlisted active service was questioned. The Directorate of Administrative Services, Headquarters, USAF, advised that Captain Baldwin did not perform any active duty for training as an enlisted member of the Air Force Reserve from August 20, 1957, to March 14, 1960. This established he had exactly 4 years' active duty as an enlisted member. He was not entitled to the rates of pay authorized for 'commissioned officers credited with over 4 years of active service as an enlisted member.'

"A complete examination of Captain Baldwin's pay account was made. This showed that from March 19, 1960, until December 31, 1963, Captain Baldwin's pay had been erroneously computed. It had been based on the rates authorized for officers with more than 4 years' active service as an enlisted member. As a result, he received overpayments totaling $905.84. His pay was reduced effective January 1, 1964, to the proper rate. Collection from his active duty pay was initiated on April 1, 1964. The entire indebtedness has now been recouped.

"The Department of the Air Force does not have authority to waive Captain Baldwin's indebtedness. There is no evidence of lack of good faith on his part. The overpayments were the result of administrative error on the part of Air Force personnel. A study is currently in progress within the Department of Defense to reevaluate the criteria upon which we base recommendations to the Congress on private relief bills of this nature. The study is being conducted because we are particularly concerned that our position shall represent both due consideration for the interests of the taxpayers and

prevention of undue hardship for the individual. Unfortunately, the study is not yet completed and we realize that to postpone reporting on this bill until after our study has been completed might unduly delay consideration of it."

The Department of the Air Force has no objection to the favorable consideration of the bill. The committee is in agreement with the position of the Department of the Air Force and recommends that the bill be considered favorably.

BILL PASSED OVER

The bill (H.R. 3076) for the relief of the estate of Bart Briscoe Edgar, deceased, was announced as next in order.

Mr. MANSFIELD. Mr. President, over.

The PRESIDING OFFICER. The bill will be passed over.

ESTATE OF ROBERT A. ETHRIDGE

The bill (H.R. 5530) for the relief of the estate of Robert A. Ethridge was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1018), explaining the purposes of the bill.

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

PURPOSE

The purpose of the proposed legislation is to pay the estate of Robert A. Ethridge $2,064.07 in full settlement of its claims against the United States for postal money orders dated before 1944 and held by the decedent at the time of his death.

STATEMENT

The facts of the case are contained in House Report 800 and are as follows:

"The postal money orders which are referred to in the bill were found among the personal effects of Robert A. Ethridge who died on January 7, 1964. The evidence presented to the committee indicates that for several years prior to Mr. Ethridge's death he was secretive concerning his private affairs and appeared to be obsessed by concern over his son who has for many years been confined to a mental institution. The widow of Robert A. Ethridge, Sr., has stated to the committee in an affidavit that the condition of the son so preyed upon the mind of the father that he withdrew from any close contact with people and stayed at his optometry office from early morning until very late at night. The decedent hoarded money in a number of safety deposit boxes and also hoarded checks and postal money orders for many years under the mistaken impression that they were collectible at any time. The postal money orders, however, were not redeemed for the reason that the time limit in section 5103(d) of title 39 had expired when they were presented to the Post Office Department by the representative of the estate. These postal money orders remained in the possession of the executrix of the estate and the list of postal money orders are set out at the end of this report.

"The Post Office Department in reporting on this bill stated that payment of the postal money orders is now impossible due to the expiration of the 20-year period specified in section 5103(d) of title 39. Since the bill would authorize the payment, notwithstanding the expiration of that period, the Department has taken a position in opposition to legislative relief in this case. However, the committee feels that the facts of this case establish a firm basis for legislative relief. The committee has established the fact that these uncashed postal money orders are in the possession of the executrix of the estate. They were not cashed due to the confused state of mind of the decedent prior to his death and it is inequitable that the United States should refuse to pay the amounts evidenced by the postal money orders.

* * * * * *

"An attorney has rendered services in connection with this matter and therefore the attorney's fee limitation is contained in this bill. The limitation is fixed at 20 percent and the committee feels that under the circumstances this limitation should be imposed. However, since this is an estate matter it is pertinent to note that the payment of any attorney's fee from funds of the estate will require court approval."

In accordance with the views of the House, the committee recommends that the bill be considered favorably.

EDWIN F. HOWER

The bill (H.R. 5973) for the relief of Edwin F. Hower was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1019), explaining the purposes of the bill.

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

PURPOSE

The purpose of the bill is to relieve Edwin F. Hower, of College Park, Md., of liability to the United States in the amount of $1,221.44, based upon salary retention payments he was erroneously determined to have been entitled to receive as an employee of the Department of the Interior from May 10, 1961, to January 2, 1965. The bill would authorize refund of any amounts withheld because of the liability referred to in the bill.

STATEMENT

The Department of the Interior recommends enactment of the legislation. The facts of the case are contained in House Report 1068 of the 89th Congress, 1st session, and are as follows:

"Mr. Edwin F. Hower held the position of executive officer of the Missouri River Basin Field Committee of the Department of the Interior at Billings, Mont. This position was abolished in May of 1961, and Mr. Hower was transferred to the Bureau of Reclamation in Washington, D.C., as a civil engineer.

"After the Department of the Interior had decided to abolish the position at Billings, Mont., Mr. Hower was given until June 30, 1961, to locate other employment. At the time he was assured that if he required more time to locate another position, his employment at Billings would be extended. This assurance must be kept in mind in connection with this bill, for his entitlement to retained pay was determined to have been erroneous because he lacked 2 months' service in his former position. In order to retain his former salary, Mr. Hower would have to have completed 2 years' service in grade. The report of the Department of the Interior to the committee on the bill details the sequence of events which gave rise to the error in the following manner:

"'At the time of his transfer Mr. Hower was given until June 30, 1961, to locate other employment. He was also told that if he required additional time it would be allowed. He had earlier been told by the personnel office of the Bureau of Reclamation in Billings, Mont., that he would be entitled to retain his former salary as a GS–14 for 2 years. This advice proved to be incorrect since he had not had the necessary time in grade to retain his salary at GS–14. Had he known of this discrepancy he could easily have arranged to have stayed in Billings for the necessary time to complete his 2 years' service in grade. Because of an administrative error, in which he had no part, he was not so informed although the records of the Bureau showed that he was entitled to payment as a GS–14 until December 1964, when the discrepancy was discovered by audit.'

"The committee has carefully considered this matter to determine whether this case is a proper subject for legislative relief and has concluded that the equities existing in the case justify this relief. The Department of the Interior has noted that Mr. Hower was actually penalized for an error for which he was not responsible, with the further result that he is charged with liability which would not have been incurred had he known the actual facts concerning his entitlement to retained pay and timed his transfer so as to provide for the necessary period of service required for the payment of that pay. This committee recognizes that the dislocation and expense in connection with this transfer involved a degree of hardship and financial loss for this employee. However, this would be a necessary consequence of the Government action in abolishing his former position and the consequent requirement that he seek another position. However, superimposed upon this is the unnecessary liability referred to in this bill. Where the employee was misled by official action on the part of the Government and he relied upon the information supplied to him by the Government to his detriment, it is only just that he be relieved in the manner provided in this bill."

In agreement with the views expressed in the House report, the committee recommends favorable enactment.

DONALD F. FARRELL

The bill (H.R. 7667) for the relief of Donald F. Farrell was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I asked unanimous consent to have printed in the RECORD an excerpt from the report (No. 1020), explaining the purposes of the bill.

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

PURPOSE

The purpose of the proposed legislation is to pay $134.10 to Donald F. Farrell, of Stoughton, Mass., in settlement of his claim for reimbursement of the amount he paid to satisfy a judgment rendered against him on October 10, 1963, based upon an accident involving a Government car driven by him while performing his duties as an employee of the Department of the Interior.

STATEMENT

The facts in the case are set out in the report of the House committee, as follows:

"The Department of the Interior recommends the enactment of the bill.

"On January 30, 1961, Mr. Donald F. Farrell was operating a Government car in the course of his employment as an employee of the Geological Survey of the Department of the Interior when he was involved in an accident with a private vehicle. The report to the committee by the Department of the Interior on the bill certifies that he was engaged in the performance of his official duties at the time of the accident and further states that the vehicle he was driving was a General Services Administration motor

pool vehicle. Since Mr. Farrell was acting within the scope of his duties and, therefore, was an agent of the United States, the private driver could have asserted his claim against the United States in accordance with the codified provisions of the Federal Tort Claims Act. However, he chose instead to institute an action in a State court against the Government employee. This action was subsequently removed to the U.S. District Court of Massachusetts. In that court, a judgment in the amount of $134.10 was entered against Mr. Farrell on October 10, 1963.

"The report of the Department of the Interior refers to Public Law 87–258 which was enacted after the accident occurred. This law was enacted to relieve employees of personal liability in situations similar to that of Mr. Farrell's by substituting the United States as the sole defendant in such a case. Had the accident occurred after the effective date of that law, Mr. Farrell would not have been required to seek legislative relief. The Department of the Interior states that it considers that Mr. Farrell should be placed in no less favorable a position, due to the fact that the accident occurred prior to the effective date of Public Law 87–258. For this reason, that Department recommends that the bill be enacted."

The committee is in agreement with the House committee, and accordingly it is recommended that the bill be considered favorably.

JOSEPH B. STEVENS

The bill (H.R. 10338) for the relief of Joseph B. Stevens was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1021), explaining the purposes of the bill.

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

PURPOSE

The purpose of the proposed legislation is to relieve Joseph B. Stevens, of Warner Robins, Ga., of liability to pay to the United States the sum of $1,256.78, representing the amount of salary overpayment received by him from the Department of the Air Force in the years 1958 through 1962, due to administrative error and without fault on his part. The bill would authorize the refund of any amounts repaid or withheld because of this liability.

STATEMENT

The facts in the case are set out in the report of the House committee, as follows:

"The Department of the Air Force in its report to the committee on a similar bill, H.R. 10725, of the 88th Congress, indicates that it would have no objection to the enactment of the bill.

"The overpayment which is the subject of this bill resulted from a subsequently questioned interpretation of the Salary Retention Act of 1958. In this case, there was no question but what Mr. Joseph B. Stevens was entitled to the benefits of this act, nor was there any error in the computation of compensation paid him on the basis of the provisions of that act. The issue concerns retroactive application of the act. The committee is familiar with this problem and has previously been called upon to consider similar problems which were encountered as a result of the initial interpretation of the act. Stated simply, it merely is an interpretation, which applied the benefits of the act from the date of Mr. Stevens' reduction in grade, rather than the effective date of the act.

"The precise facts concerning Mr. Stevens date back to August 1959 when it was discovered that Mr. Stevens had not been given the benefit of the provision of the Salary Retention Act of August 23, 1958 (Public Law 85–737, 72 Stat. 830) which provides a 2-year period of salary retention for employees who are demoted through no fault of their own, provided certain conditions are met. In this case, Mr. Stevens was entitled to the "full" retained rate, i.e., the rate of basic compensation which he was receiving immediately prior to his demotion (including each increase provided by law in the rate of basic compensation) for 2 years from August 23, 1958. Mr. Stevens' rate of pay was correctly adjusted, but, through an administrative error, was made retroactive to February 23, 1958, the date of his demotion, instead of to August 23, 1958, the date of the Salary Retention Act.

"A second error occurred when Mr. Stevens' retained rate of pay was not terminated at the expiration of the 2-year period of eligibility and he continued to receive the retained rate of the higher grade.

"The errors were discovered by administrative officials on October 21, 1962, during an audit in connection with the application of new salary schedules. Mr. Stevens was notified of the errors and advised of the overpayment and his indebtedness to the Government. He agreed to repay the amount owed at the rate of $10 per pay period and is now doing so.

"The Department of the Air Force stated that it had no legal authority to waive collection of the payments made as outlined above. However, that report expressly noted that there are extenuating circumstances in Mr. Stevens' case. Mr. Stevens has been a Federal employee for 24 years. He is 62 years of age and at his age and after his service to the Government it would be normal for him to look forward to retirement. However, the amount to be refunded is a relatively large amount and it obviously imposes an extreme personal hardship upon him and his family."

The committee is in agreement with the House committee on this matter and accordingly has recommended that the bill be considered favorably.

SAMUEL C. NEIBURG

The Senate proceeded to consider the bill (S. 1661) for the relief of Samuel C. Neiburg which had been reported from the Committee on the Judiciary with an amendment, on page 1, line 6, after the word "of," where it appears the first time, to strike out "$4,757.28" and insert "$4,150.96"; so as to make the bill read:

S. 1661

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Samuel C. Neiburg, of Saint Albans, Vermont, the sum of $4,150.96, in full settlement of all his claims against the United States for compensation for the overtime hours he performed as a member of the customs patrol of the Department of the Treasury, during the period from September 28, 1931, through August 31, 1938, while he was serving as a United States customs inspector at the Alburg, Vermont, office: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1022), explaining the purposes of the bill.

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

PURPOSE OF AMENDMENT

The purpose of the amendment is to reduce the amount involved in accordance with the figures submitted by the Treasury Department.

PURPOSE

The purpose of this legislation, as amended, is to authorize and direct the Secretary of the Treasury to pay, out of any money in the Treasury not otherwise appropriated, to Samuel C. Neiburg, of St. Albans, Vt., the sum of $4,150.96, in full settlement of all his claims against the United States for compensation for the overtime hours he performed as a member of the customs patrol of the Department of the Treasury, during the period from September 28, 1931, through August 31, 1938, while he was serving as a U.S. customs inspector at the Alburg, Vt., office.

STATEMENT

This legislation is to pay the claimant moneys due him as a customs inspector of the United States for extra compensation for nighttime, Sunday, and holiday services performed by him from September 28, 1931, through August 31, 1938. The Comptroller General of the United States is opposed to the enactment of the legislation, as is the General Counsel of the Treasury, as shown by the reports, on S. 1158 of the 88th Congress, of those agencies attached hereto and made a part hereof.

There does not appear to be any question but that the claimant did perform the overtime services, but lapse of time in filing the claim has precluded him from a collection thereof.

As set forth in affidavit by Mr. Neiburg, which is contained in the files of the committee, it is stated that the claimant was never notified that he had a right to file a claim for overtime within a 10-year period after leaving his position. His affidavit further indicates that he was advised by one of his superiors when he found that he could file a claim that he not do so unless he wished to be transferred to some out-of-the-way port.

There is no question but what the Government received the benefit of the claimant's services for which the claimant has not been paid. The report of the Treasury Department states that during the 86th Congress the claim for overtime by an employee was the subject of H.R. 7263, for the relief of Edward Ketchum. That Department opposed the passage of the Ketchum claim. However, the Congress enacted the bill and it became Private Law 86–455. The facts in this case are similar to the facts in the present case.

Inasmuch as the claim of Mr. Neiburg is, to all intents and purposes, the same as that in the Ketchum claim, the committee is disposed to consider this claim favorably and recommends that the bill, S. 1661, as amended, be considered favorably.

RAYMOND J. GRACHEK

The Senate proceeded to consider the bill (S. 2356) for the relief of Raymond

J. Grachek which had been reported from the Committee on the Judiciary, with amendments, on page 2, line 2, after the word "enacted", to strike out "August 18, 1964" and insert "August 14, 1964", and in line 3, after the word "to", to strike out "the date of his promotion" and insert "July 1, 1964,"; so as to make the bill read:

S. 2356

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Raymon J. Grachek of Fremont, Ohio, is hereby relieved of all liability for repayment to the United States of the sum of $201.60, representing overpayments of civilian compensation which he received as an employee of the Department of the Army at the Erie Army Depot, Port Clinton, Ohio, incident to his promotion from WBX 12, step 3, to GS–9, step 2, effective July 20, 1964, the said Raymond J. Grachek having been demoted to GS–9, step 1, subsequent to such promotion when the Federal Employees Salary Act of 1964, enacted August 14, 1964, was applied retroactively to July 1, 1964, in establishing the pay rate to which he was entitled thereby. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to said Raymond J. Grachek, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1023), explaining the purposes of the bill.

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

PURPOSE

The purpose of the bill, as amended, is to provide that Raymond J. Grachek, of Fremont, Ohio, is relieved of all liability for repayment to the United States of the sum of $201.60, representing overpayments of civilian compensation which he received as an employee of the Department of the Army at the Erie Army Depot, Port Clinton, Ohio, incident to his promotion from WBX 12, step 3, to GS–9, step 2.

STATEMENT

The Department of the Army and the Civil Service Commission are not opposed to the enactment of this bill.

The facts in the case are set out in the report of the Department of the Army and are as follows:

"On July 20, 1964, Raymond J. Grachek, a civilian employee of the Erie Army Depot, Port Clinton, Ohio, was promoted from step 3 of WB–12, $3.44 per hour, to step 2 of grade GS–9, $7,260 per year. This action was in accord with the established policy that upon transfer from a wage-board position an employee's salary is adjusted to the nearest rate in the Classification Act schedule which would not result in a salary decrease. The Federal Employees Salary Act of 1964 (78 Stat. 400), which became law on August 14, 1964, provided retroactive increases effective as of July 1, 1964. Under the increased rates Mr. Gracheck would have been placed in step 1 of GS–9 which was increased to $7,220 per year, instead of step 2, which was increased to $7,465 per year. In decision B–156058, dated February 26, 1965, the Comptroller General determined that in establishing pay rates for transfers from wage-board positions to Classification Act positions, which took place between July 1, 1964, and August 14, 1964, the new rates must be regarded as in effect on July 1, 1964, but that the employee had a vested right to receive the initially established rate during the retroactive period. Applying this decision the civilian personnel officer of the Erie Army Depot informed Mr. Grachek on June 11, 1965, that he had been overpaid $201.60, the difference between $7,220 and $7,465 per year from August 17, 1964, to June 6, 1965. On the same date Mr. Grachek authorized a payroll deduction of $10 per biweekly pay period to repay the indebtedness.

"The Department of the Army does not oppose a bill of this nature when a civilian employee receives in good faith an erroneous payment. As Mr. Grachek's indebtedness resulted from the retroactive application of an administrative determination without any fault on his part, the Department of the Army does not oppose the bill."

The committee is in agreement with the Department of the Army and recommends that the bill, as amended, be considered favorably.

RICHARD K. JONES

The bill (S. 1213) for the relief of Richard K. Jones was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1213

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Richard K. Jones, of Avendale Estates, Georgia, the sum of $15,000, in full satisfaction of all his claims against the United States for compensation for personal injuries sustained by the said Richard K. Jones as a result of an automobile accident occurring on January 23, 1957, while he was officially engaged in pursuing suspected violators of the Internal Revenue Code as an investigator of the United States Treasury Department: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1024), explaining the purposes of the bill.

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

PURPOSE

The purpose of the bill is to authorize and direct, the payment of $15,000 to Richard K. Jones in full satisfaction of all his claims against the United States for compensation for personal injuries sustained as a result of an automobile accident which occurred on January 23, 1957.

STATEMENT

The Department of the Treasury "is of the opinion that the question of whether relief should be granted in this case involves a matter of policy for congressional determination."

The facts of the case are contained in the report of the General Counsel of the Treasury to the chairman of the committee, dated September 2, 1965, and are as follows:

On the date of the accident Mr. Jones and two fellow employees were on official duty as criminal investigators, alcohol and tobacco tax, Internal Revenue Service, and while engaged in the pursuit of suspected violators of the liquor laws, the suspects' vehicle forced the investigators' automobile off the road whereupon it overturned and rolled down an embankment.

As a result of his injuries, which included a fractured femur, severe lacerations of the face and neck and damage to his vocal cords, Mr. Jones was hospitalized and was unable to return to work until March 4, 1957. Pursuant to the provisions of the Federal Employees' Compensation Act (5 U.S.C., ch. 15), the Bureau of Employees' Compensation, U.S. Department of Labor, disbursed a total of $3,105.45 in payment of medical expenses incurred by Mr. Jones.

We have also been advised by that Bureau that Mr. Jones' face and neck are scarred as a result of the lacerations suffered in the accident and that he has some speech difficulty as a consequence of the paralysis of one of his vocal cords. It is also indicated that after remaining in a standing position for a period of time, he is unable to walk without a limp.

Although there appears to be no dispute concerning either the nature and extent or the residual effects of Mr. Jones' injuries, none of these problems, in the judgment of the Bureau, had an adverse effect upon Mr. Jones' wage earning ability and, therefore, he had no "disability" within the meaning of the act. However, even if a finding of disability had been made, his speech impairment is not a loss such as would bring him within the schedule (5 U.S.C. 755) under which additional compensation is awarded for various periods of time for the loss of certain designated members and functions of the body. It is apparent, however, that his speech impairment represents a loss at least equal to, if not greater than, many of these specified in the schedule. Loss of the use of a toe, finger, and even part of a finger, are but a few examples of compensable disabilities under that schedule.

Mr. Jones assumed his present position as an investigator in the Inspector General's Office of the Department of Agriculture on or about January 4, 1960, after it became evident that he was no longer competent to meet the rigorous physical demands placed upon a criminal investigator. In his former employment, Mr. Jones would have qualified for retirement upon the completion of 20 years of satisfactory Government service and he stated that it was his intention, had he remained in that position, to retire at the end of 20 years to begin the practice of law. Mr. Jones believes that the additional length of time he must now serve in order to qualify for retirement has eliminated any possibility of a private law practice.

Insofar as the retirement benefits are concerned, the Civil Service Commission has advised that it does not believe that any monetary value can or should be assigned to the difference between the annuity Mr. Jones might have received had he qualified for special law-enforcement benefits and the annuity he may ultimately receive under the Retirement Act provisions applicable to employee generally, since entitlement to the

special law-enforcement benefit cannot be presumed in advance; and that this special benefit exists only after the individual has met all of the statutory requirements. The matter of any income which may have been lost because of Mr. Jones' failure to qualify for the early retirement seems to be too speculative and hence does not warrant compensation. The Department would like to point out, however, that it is clear that as a result of the accident Mr. Jones has sustained a material loss of speech capacity for which he has received no compensation and for which there is no authority to award compensation administratively.

After consideration of the foregoing facts, the committee recommends enactment of this legislation.

KONSTADYNA BYNI DELIROGLOU AND MINOR CHILD

The bill (S. 2265) for the relief of Konstadyna Byni Deliroglou and her minor child, Alexandros Deliroglou was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2265

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Konstadyna Byni Deliroglou, the fiancée of Arthur B. Weaver, a citizen of the United States, and her minor child, Alexandros Deliroglou, shall be eligible for visas as nonimmigrant temporary visitors for a period of three months: *Provided,* That the administrative authorities find that the said Konstadyna Byni Deliroglou is coming to the United States with a bona fide intention of being married to the said Arthur B. Weaver and that she and her minor child, Alexandros Deliroglou are found to be otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within three months after the entry of the said Konstadyna Byni Deliroglou, and her minor child, Alexandros Deliroglou, they shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within three months after the entry of the said Konstadyna Byni Deliroglou, and her minor child, Alexandros Deliroglou, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Konstadyna Byni Deliroglou and her minor child, Alexandros Deliroglou, as of date of the payment by them of the required visa fees.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1025), explaining the purposes of the bill.

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

The purpose of the bill is to enable the financée of a U.S. citizen, and her minor child, to enter the United States for a period of 3 months, so that the adult beneficiary may marry her fiance and thereafter reside in the United States with her child.

STATEMENT OF FACTS

The beneficiaries of the bill are a 37-year-old mother and her 9-year-old son, both natives and citizens of Greece who reside in that country. The adult beneficiary is engaged to marry Arthur B. Weaver, a U.S. citizen, who met the beneficiaries while he was stationed in Greece with our Armed Forces in 1963. The adult beneficiary's first husband deserted her and their child in 1959, and they were divorced on June 24, 1965. Mr. Weaver will make a home for the beneficiaries if they are permitted to enter the United States.

CERTAIN CIVILIAN EMPLOYEES AND FORMER CIVILIAN EMPLOYEES OF COLUMBIA BASIN PROJECT, WASHINGTON

The bill (S. 2307) for the relief of certain civilian employees and former civilian employees of the Bureau of Reclamation at the Columbia Basin project, Washington, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) each of the following employees, former employees, and estates of deceased employees of the Bureau of Reclamation at the Columbia Basin project, Washington, who received the overpayment of compensation listed opposite his name for the period from July 16, 1951, through April 24, 1965, inclusive, or any portion or portions of such period, which overpayment resulted from administrative error, is hereby relieved of all liability to refund to the United States the amount of such overpayment:

Name	*Overpayment*
Adams, Harley G	$35.84
Atlee, William E	2,090.46
Avey, Clifford W	19.20
Baumann, Florence I	4.00
Bean, Jerome H	112.53
Bishop, Fae C	3.27
Carpenter, Doris N	180.89
Carter, Helen L	508.72
Click, Oliver L	18.40
Cole, Charles B., Jr	28.00
Culp, Mary A	8.00
Dennis, William E	12.63
Deurbrouck, Robert L	7.20
Dixon, Lloyd E	1,518.56
Drittenbass, Florence A	4.00
Dull, Leah K	4.00
Eaton, Joseph L	690.10
Edyvean, Frances G	487.40
Ernest, John L	680.12
Farwell, Ruth	102.65
Fees, John N	125.01
Ferguson, Roy	19.73
Fretwell, Lloyd G	120.00
Gardner, Ray R	5.60
Gardner, Roy A	5.60
German, Gilbert A	705.60
Gilbert, Forrest J	41.60
Gimlin, Dorothy F	296.87
Greenwood, Walter P	1,201.29
Guffey, Clifford W	24.96
Hay, Bill N	67.20
Howe, Oran J	25.84
Indreland, Rasmus E	6.40
Kammeyer, Walter R	1,448.00
Kidston, George W	134.40
King, Everett L	41.60
Long, Cecil I	218.40
Mackey, Robert W	6.40
Mowery, Orville A	583.38
Myers, Esther G	129.80
Neilson, Vernal J	250.48
O'Brien, Harvey P	237.44
Oliver, Floyd E	19.20
Osborn, Betty F	8.00
Parker, Margie E	944.92
Paul, Edward T	284.80
Pearl, Dean D	20.00
Pontsler, Dean S	654.40
Pryor, Rick L	8.00
Robbins, Esther	330.27
Rohwein, Theodore P	6.40
Romary, Charles E	34.48
Rorvik, Joseph	481.91
Rose, Anthony	1,094.65
Roudebush, Charles D	$26.80
Schmidt, Alfred	4.00
Shay, Harold	798.19
Sheck, Ethel P	39.20
Smith, Russell D	11.20
Spencer, Jesse L	88.48
Stevens, Bob J	25.28
Straalsund, George H	908.80
Tellinghuisen, John W	610.38
White, Doris N	8.80
Williams, Glenn D	13.26
Winn, Charles L	5.60

Each such employee or former employee who has at any time made any repayment to the United States on account of any such overpayments made to him (or, in the event of his death, the person who would be entitled thereto under the first section of the Act of August 3, 1950 (5 U.S.C. 61f)), shall be entitled to have an amount equal to all such repayments made by him refunded if application is made to the project manager, Columbia Basin project, within two years after the date of enactment of this Act.

(b) For purposes of the Civil Service Retirement Act and the Federal Employees' Group Life Insurance Act of 1954, each overpayment for which liability is relieved by subsection (a) of this section shall be deemed to have been a valid payment.

SEC. 2. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States full credit shall be given for any amounts for which liability is relieved by the first section of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1026), explaining the purposes of the bill.

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

PURPOSE

The purpose of the bill is to provide that (a) each of the named employees of the Bureau of Reclamation at the Columbia Basin project, Washington, who received the overpayment of compensation listed opposite his name for the period from July 16, 1951, through April 24, 1965, inclusive, or any portion or portions of such period, which overpayment resulted from administrative error, is hereby relieved of all liability to refund to the United States the amount of such overpayment. Each such employee or former employee who has at any time made any repayment to the United States on account of any such overpayments made to him (or, in the event of his death, the person who would be entitled thereto under the first section of the act of August 3, 1950 (5 U.S.C. 61f)), shall be entitled to have an amount equal to all such repayments made by him refunded if application is made to the project manager, Columbia Basin project, within 2 years after the date of enactment of the act.

(b) For purposes of the Civil Service Retirement Act and the Federal Employees' Group Life Insurance Act of 1954, each overpayment for which liability is relieved by subsection (a) of this section shall be deemed to have been a valid payment.

Section 2: In the audit and settlement of the accounts of any certifying or disbursing officer of the United States full credit shall be given for any amounts for which liability is relieved by the first section of the act.

STATEMENT

Passage of the legislation is recommended by the Department of the Interior, Bureau of Reclamation. The facts of the case are contained in the departmental letter to the Honorable HENRY M. JACKSON, U.S. Senate, dated June 4, 1965, and are as follows:

"Of the 1,123 classified employees who are now serving or who have served on the Columbia Basin project since January 1960, 66

were found to have received salary overpayments. Eleven of these cases can be traced to a misinterpretation of personnel and pay regulations that developed during a routine audit conducted by the General Accounting Office in June 1960. The others were caused by further misinterpretations of applicable civil service regulations. These errors developed as a result of inadequate supervision at all levels of this Bureau.

"*Of the 66* overpayments, 38 resulted from miscalculations of the time-in-grade requirements for periodic step increases; 18 from erroneous credit given toward time requirements for longevity step increases; 4 from incorrect selection of salary step upon promotion to a higher grade; 3 were from misinterpretation of instructions for salary adjustments under 1 of the Federal employee pay acts; 1 from a promotion in violation of the time-in-grade requirement; 1 from an erroneous lump-sum payment for leave not available because of less than 90 days' service; and 1 from granting an engineering technician a salary rate available only to professional engineers. These errors occurred between the period July 16, 1951, through April 24, 1965, inclusive.

"In recognition of the fact that the overpayments resulted from administrative errors and the employees were in no way responsible, we do not believe they should be required to make restitution. Although we have temporarily suspended action to collect the overpayments, we are without legal authority to relieve the employees of responsibility for repayment. Legislation will be necessary if this is to be done. In accordance with your request, a draft bill for that purpose will be sent to you by the Department's legislative counsel.

"A list of the employees involved showing the amount of overpayment made to each is enclosed. All but 15 are still employed on the project. Of those who are gone, six resigned; three transferred within the Bureau; four retired with one of these having since deceased; and two are employed by other agencies of the Federal Government.

"The above information is also being furnished to Senator MAGNUSON and Congresswoman MAY, who have written to us concerning this matter.

"Our audit also disclosed several instances of employees who have been underpaid. These will be corrected promptly by administrative actions which are within our authority.

"We view this entire situation with utmost gravity and are taking immediate steps to insure that there will be no recurrence of such errors in the future.

"We appreciate your interest in the Bureau of Reclamation and its employees. Please let us know if we can be of further assistance."

In accordance with the views of the Department, the bill is recommended favorably, without amendment.

ABRAHAM EZEKIEL COHEN

The bill (S. 2696) for the relief of Abraham Ezekiel Cohen was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2696

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of the Immigration and Nationality Act, the periods of time Abraham Ezekiel Cohen has resided and was physically present in the United States or any State since June 17, 1957, shall be held and considered as compliance with the residence and physical presence requirement of section 316 of said Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1027), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

STATEMENT OF FACTS

The beneficiary of the bill is a 29-year-old native of India and citizen of Great Britain. He is married to a native of India and they have two U.S. citizen children. The beneficiary was admitted to the United States as a permanent resident on January 17, 1957. He is presently stationed in Bombay, India, where he is employed as international regional director in charge of foreign subsidiaries for Merck & Co., Inc., a U.S. pharmaceutical corporation. His family resides with him in India. He has been employed by Merck & Co. since June 1957 and his absences abroad in connection with his employment have made it impossible to meet the physical presence requirements of section 316 of the Immigration and Nationality Act for naturalization purposes. He desires to become a U.S. citizen and U.S. citizenship is important to his employment by the U.S. corporation.

MRS. LONETA HACKNEY

The bill (H.R. 1484) for the relief of Mrs. Loneta Hackney was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1028), explaining the purposes of the bill.

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

PURPOSE

The purpose of the proposed legislation is to provide that Mrs. Loneta Hackney, the widow of Charles B. Hackney, deceased, is to be granted recognition as the wife and widow of Charles B. Hackney for the purpose of the payment of a widow's annuity in accordance with the timely election of the deceased employee.

STATEMENT

Records of the Civil Service Commission disclose that Mr. Hackney elected to retire on April 30, 1957, from his position with the Veterans' Administration at age 63 with 32 years and 3 months of creditable service (military and civilian). At the time of his retirement, he appeared to be eligible under the law to elect, in lieu of a life annuity, a reduced annuity with benefit to widow. He affirmatively chose the reduced annuity and named "Loneta," date of birth "July 25, 1897," as his wife and showed the date and place of their marriage as "January 9, 1938, Dallas, Tex." Mr. Hackney died August 19, 1963.

As there was no reason in 1957 to question the validity of Mr. Hackney's election, a reduced annuity with benefit to widow was allowed at the monthly rate (to him) of $217. His monthly rate was increased to $228 effective January 1, 1963, under part III of Public Law 87–793, approved October 11, 1962. The potential survivor annuity for his named spouse was computed in 1957 at $100 a month, which rate was increased to $105 a month under part III of Public Law 87–793.

Mrs. Hackney applied for survivor annuity on August 22, 1963. On her application, she stated that she and the deceased were married on June 17, 1958, at Hillsboro, Tex. However, she subsequently filed another application (dated September 20, 1963) showing that she and the deceased were also married on January 9, 1938, at Dallas, Tex. Both of these applications showed that Mr. Hackney was not divorced from his former spouse, Ada Hackney, until June 12, 1958.

Mr. Hackney's election of a reduced annuity with benefit to widow was made under section 9(g) of the Retirement Act, approved July 31, 1956, which provided that a husband could elect a reduced annuity for his life with an annuity payable after his death to his surviving widow designated by him at the time of his retirement. As Mr. Hackney was not legally married to Loneta at the time of his retirement as required by law, his election of a reduced annuity with benefit to widow could not be considered as valid. Accordingly, the Commission notified Mrs. Hackney that no survivor annuity was payable to her under the cited invalid election.

H.R. 1484 proposes to legislate the result Mrs. Hackney was seeking and give her the widow's annuity. Specifically, the bill would require that Mrs. Hackney be considered Mr. Hackney's wife from and after the time of his retirement, thereby affording her survivor annuity title with monthly annuity payments of $105 commencing August 20, 1963, the day following Mr. Hackney's death.

The Civil Service Commission, in reporting on the merits of this proposal to the House Judiciary Committee, stated in part as follows:

"The Commission has consistently viewed as undesirable in principle private relief legislation which would afford one person benefits to which others similarly situated are not entitled. However, in exceptional instances, where a patent inequity exists, such legislation may be warranted. This case seems exceptional in the sense. It appears from the evidence that Mr. Hackney believed his 1938 marriage to Loneta was valid and that she was his legal wife at time of his retirement in 1957. Later, when he discovered this was not the case, he obtained the necessary divorce and promptly consummated a valid marriage with Loneta. In view of these circumstances, the Commission offers no objection to the enactment of H.R. 1484, if Congress decides the relief should be granted."

The Veterans' Administration advised the House Judiciary Committee that because Mr. Hackney was a former employee of the Veterans' Administration, that agency naturally has a sympathetic interest in this case and notes that an apparent precedent for the relief here proposed exists, in that Private Law 86–419, approved July 12, 1960, accorded title to a survivor annuity in a similar case to Icile H. Hinman.

The committee is in agreement with the views expressed by both the Civil Service Commission and the Veterans' Administration, that this is an exceptional situation which warrants legislative relief. The evidence discloses that Mr. Hackney believed his 1938 marriage to Loneta Hackney was valid and that she was his legal wife at the time of his retirement in 1957, and that she had a valid right to survivorship in his Government annuity.

In view of all the facts, the committee believes that this is a meritorious claim, and accordingly recommends favorable consideration of H.R. 1484, without amendment.

ELIGIO CIARDIELLO

The bill (H.R. 1918) for the relief of Eligio Ciardiello was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1029), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provision of existing law relating to one who has procured a visa by fraud or misrepresentation in behalf of the son of a lawful resident alien and the brother of a U.S. citizen.

STATEMENT OF FACTS

The beneficiary of the bill is a 38-year-old native and citizen of Italy who resides in that country with his wife and 5 children. He was admitted to the United States on December 7, 1947, in possession of a nonquota visa as the unmarried son of a U.S. citizen. It was later determined that he had married prior to his entry into the United States. During the deportation proceedings, the beneficiary was drafted into the Army. After serving 5 months, the beneficiary was discharged because of his unlawful status. The beneficiary's father died in March 1965, thus invalidating the fourth preference visa petition filed January 10, 1956.

RELIEF OF CERTAIN CLASSES OF CIVILIAN EMPLOYEES OF NAVAL INSTALLATIONS

The bill (H.R. 2627) for the relief of certain classes of civilian employees of naval installations erroneously in receipt of certain wages due to misinterpretation of certain personnel instructions, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1030), explaining the purposes of the bill.

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

PURPOSE

The purpose of the bill is to relieve 65 employees or former employees of the Navy for amounts received in the period from May 25, 1960, to July 1, 1962, held to have been erroneous because they were paid on the basis of a premature within-grade advancement due to a misinterpretation of naval civilian personnel instructions. The bill would extend to this group of employees the same relief granted to employees of the New York and San Francisco Naval Shipyards by Public Law 87–871, approved October 23, 1962.

STATEMENT

The Department of the Navy supports the enactment of the bill.

The Comptroller General in a report on a similar bill, H.R. 6680 of the 88th Congress, favored the enactment of the legislation.

In its favorable report on the legislation the Committee on the Judiciary of the House of Representatives said:

"Public Law 87–871 relieved civilian employees and former civilian employees of the New York Naval Shipyard and the San Francisco Naval Shipyard of amounts which were otherwise correct and which occurred without fault on their part, but were caused by a premature within-grade advancement based upon a misinterpretation of Naval Civilian Personnel Instruction 552. The present bill, H.R. 2627, would extend the same relief to employees of other naval activities who were paid on the same basis."

The Department of the Navy in its favorable report on the legislation set forth the facts in the case and circumstances of the overpayment as follows:

"The overpayments which are the subject of this legislation came about in the following manner. Prior to the issuance of Cover Sheet 852, an apprentice, upon assignment to a journeyman job after graduation, whether or not he received an increase in pay when assigned to journeyman work, began a new waiting period for increase to the next step within the pay level of the journeyman job. In May 1960, changes in what was then Naval Civilian Personnel Instruction 195 were promulgated by Cover Sheet 852. Under the change, an apprentice became eligible for a step increase on the same basis as other employees. This meant that the apprentice became eligible for a step increase after assignment to his journeyman position, if he had not had a single increase, during the period under consideration, which was equal to or larger than the smallest step increase in any rating in which he had served in that period. This determination was to be made as of the proposed effective date of the action and had to take into account the amount of the step increases in the ratings involved."

Applying these instructions to the overpayment at the Naval Air Station, Alameda, Calif., for example, an apprentice ($2.79 per hour) graduated and was assigned to a journeyman position in pay level 11, step 1, at $2.91 per hour at that activity (step 2 is $3.03 per hour). Therefore, he had received a 12-cent increase which was equal to the smallest step increase in the ratings involved (the journeyman rating in this instance). Properly, this apprentice should have served a waiting period of 26 weeks before becoming eligible for pay level 11, step 2.

Instead of the smallest step increase in a rating (the increase between step 1 and step 2 of pay level 11, journeyman rating), the instruction was misinterpreted so that the apprentice must have had an increase equivalent to the increase between apprenticeship years, 16 cents at that activity. Since the apprentice received $2.91 on assignment to pay level 11, step 1 which only amounted to a 12-cent increase, the air station at Alameda counted the 26-week waiting period from the date of the last 16-cent step increase (assignment from the third year of apprenticeship to the fourth year of apprenticeship). Therefore, he was given a step increase to pay level 11, step 2 ($3.03 per hour) starting the next pay period after assignment. In this way these employees at the air station at Alameda received the step increases prematurely. A similar situation prevailed at the Naval Air Engineering Center, Philadelphia, and the naval shipyards at New York, San Francisco, and Long Beach.

Upon discovery that this misinterpretation existed, corrective instructions were issued and reports obtained from all activities graduating apprentices to assure that pay rates were being set properly. The improper payments ceased in early 1962.

Specific data on the overpayments involved in this bill are as follows:

	Naval Air Station, Alameda	Long Beach Naval Shipyard	Naval Air Engineering Center, Philadelphia
Total employees affected	43	4	8
Number no longer employed	10	0	0
Maximum overpayment	$173.60	$28.32	$196.80
Minimum overpayment	$12.12	$16.32	$122.00
Total amount overpaid	$5,412.82	[1] $86.16	$1,066.80

[1] All repaid.

The Department of the Navy supports the enactment of H.R. 2627.

The Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this report for the consideration of the committee.

The committee believes that the bill, as recommended by the Department of the Navy and the Comptroller General, and as approved by the House of Representatives, is meritorious and recommends it favorably.

LOUIS SHCHUCHINSKI

The bill (H.R. 3236) for the relief of Louis Shchuchinski was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1031), explaining the purposes of the bill.

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

PURPOSE

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

STATEMENT

The beneficiary of the bill is a 29-year-old native and citizen of Cuba who first entered the United States as a visitor on October 3, 1960. He later obtained an immigrant visa in Canada and was lawfully admitted to the United States for permanent residence on October 24, 1963. The beneficiary has passed the bar examination but cannot practice in New York until he has U.S. citizenship.

CHIZUYO HOSHIZAKI

The bill (H.R. 4928) for the relief of Chizuyo Hoshizaki was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1032), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to provide for the restoration of U.S. citizenship to Chizuyo Hoshizaki which was lost by voting in foreign elections.

STATEMENT OF FACTS

The beneficiary of the bill is a 46-year-old native of the United States who was taken to Japan by her parents as a child. She expatriated herself by voting in Japanese elections, the first one in 1953. The beneficiary and her two sons were admitted to the United States on May 10, 1959, as the wife and children of a treaty investor.

MUHAMMAD SARWAR

The bill (H.R. 4995) for the relief of Muhammad Sarwar was considered ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1033), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United

States to Muhammad Sarwar. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

STATEMENT OF FACTS

The beneficiary of the bill is a 28-year-old native and citizen of Pakistan who entered the United States on October 16, 1962, as a student. He did not attend school and was drafted into the U.S. Army on March 12, 1963. He thereafter served in Korea and was discharged on February 16, 1965. Since his Army service was 1 month short of 2 years, he cannot qualify for the suspension of deportation. His brother is in the United States and is the beneficiary of an approved third preference petition. Another brother is also the beneficiary of a third preference petition. A third brother served in the U.S. Army for 2½ years. The beneficiary is presently a student engineer with the Maryland State Roads Commission performing research work in the chemistry section.

JACK RALPH WALKER

The bill (H.R. 5231) for the relief of Jack Ralph Walker was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1034), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Jack Ralph Walker as of September 16, 1930. The bill does not provide for the deduction of a quota number inasmuch as the beneficiary's status has been previously adjusted to that of a lawful resident alien as a native of Canada.

STATEMENT OF FACTS

The beneficiary of the bill is a 35-year-old native of Canada who was brought to the United States on September 16, 1930, when he was 6 months of age. He resides in California with his wife and adopted son, who are citizens of the United States. It was during the adoption proceedings that the beneficiary learned he was not a citizen of the United States. Since his entry in 1930 with his U.S. citizen adoptive parents could not be verified, the beneficiary's status was adjusted to that of a lawful resident as of April 20, 1964.

DELMA S. POZAS

The Senate proceeded to consider the bill (S. 146) for the relief of Delma S. Pozas which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Delma S. Pozas may be classified as a child within the meaning of section 101(b)(1)(F) of that Act, and a petition may be filed in behalf of the said Delma S. Pozas by Mr. and Mrs. Luis Guevarra, citizens of the United States, pursuant to section 204 of the Immigration and Nationality Act subject to all the conditions in that section relating to orphans.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1035), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to be classified as an adopted child of U.S. citizens in order to qualify for special immigrant status upon approval of a petition filed in her behalf. The bill has been amended to conform with the changes made by enactment of Public Law 89-236.

STATEMENT OF FACTS

The beneficiary of the bill is a 24-year-old native and citizen of the Philippines who entered the United States on May 16, 1960, as a student. Her granduncle and grandaunt, citizens of the United States, have provided for her since birth and have considered her to be their own child. The foster parents reside in Hawaii and information is to the effect that they are financially able to care for the beneficiary.

LAURA HUI-WEI WONG AND CHILDREN

The Senate proceeded to consider the bill (S. 926) for the relief of Laura Hui-Wei Wong and her children, Janet Wong and Simon Wong, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Laura Hui-Wei Wong and her children, Janet Wong and Simon Wong, shall be held and considered to be within the purview of section 203(a)(3) of that Act and the provisions of section 204 of the said Act shall not be applicable in these cases.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1036), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to preserve third preference status in behalf of the widow and children of a first preference beneficiary. The bill has been amended to conform with the changes made by enactment of Public Law 89-236 which designated the former first preference as third preference.

STATEMENT OF FACTS

The beneficiaries of the bill are a 41-year-old woman and her two children, aged 14 and 11, all natives and citizens of China. The adult beneficiary is the widow of the beneficiary of an approved first preference petition at the time of his death on January 24, 1964. The beneficiaries were paroled into the United States on September 16, 1961, as members of the family of a beneficiary of an approved first preference petition. The adult beneficiary is employed at the University of Oklahoma. The husband-father was a nuclear physicist on the faculty of the University of Oklahoma at the time of his death.

KOCK KONG FONG

The Senate proceeded to consider the bill (H.R. 2752) for the relief of Kock Kong Fong which had been reported from the Committee on the Judiciary with an amendment on page 1, line 6, after the word "of", to strike out "June 30, 1958," and insert "the date of the enactment of this Act,".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1037), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Kock Kong Fong. The bill provides for an appropriate quota deduction and for the payment of the required visa fee. The bill has been amended to grant permanent residence as of the date of enactment, since the purpose of the bill is to reunite the family and immediate relatives of lawful permanent residents of the United States are entitled to a second preference in the issuance of visas and that portion of the quota for China is presently available.

STATEMENT OF FACTS

The beneficiary of the bill is a 31-year-old native and citizen of China who was issued a U.S. passport in 1958 as the son of a U.S. citizen, but was denied a certificate of citizenship upon discovery that his claim to citizenship was based upon an innocent misinterpretation of law applying to residents of Hawaii at the time of his grandfather's birth there in 1882. The beneficiary's father was born in China and never resided in Hawaii and did not take up residence in the United States until 1923. A certificate of citizenship was denied on the ground that the beneficiary's father was not a citizen, but he has since been naturalized, on April 21, 1961. The beneficiary's wife and children reside in Hong Kong and he desires to have them reunited with him.

PRZEMYSLAW NOWAKOWSKI

The Senate proceeded to consider the bill (H.R. 2938) for the relief of Przemyslaw Nowakowski which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, as amended, Przemyslaw Nowakowski may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Harry Nowakowski, a citizen and lawfully resident alien of the United States, respectively, pursuant to section 204 of the said Act, subject to all the conditions in that section relating to orphans.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1038), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the alien adopted son of a U.S. citizen to qualify for special immigrant status as an immediate relative upon approval of a petition filed in his behalf. The bill has been amended to conform with the changes made by enactment of Public Law 89–236.

STATEMENT OF FACTS

The beneficiary of the bill is a 22-year-old native and citizen of Poland who entered the United States as a visitor on September 7, 1963. He was adopted by his aunt and uncle on April 27, 1964. They have provided for his support and information is to the effect that they are financially able to care for him.

MANOJLO VERZICH

The Senate proceeded to consider the bill (H.R. 2939) for the relief of Manojlo Verzich which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, as amended, Manojlo Verzich may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Merko Verzich, citizens of the United States, pursuant to section 204 of the said Act, subject to all the conditions in that section relating to orphans.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1039), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the alien adopted son of citizens of the United States to qualify for special immigrant status as an immediate relative upon approval of a petition filed in his behalf. The bill has been amended to conform with the changes made by enactment of Public Law 89–236.

STATEMENT OF FACTS

The beneficiary of the bill is a 23-year-old native and citizen of Yugoslavia who entered the United States as a visitor on May 9, 1962. On August 28, 1963, the beneficiary was adopted by U.S. citizens. The adoptive father is a first cousin of the beneficiary's natural father who is deceased. The beneficiary attended vocational school and is now employed.

It should be pointed out that approval of the bill is not to be considered a predetermination of whether the beneficiary is excludable because of his membership in a Communist organization.

MRS. PANAGIOTA VASTAKIS AND SOTEROS VASTAKIS

The Senate proceeded to consider the bill (H.R. 3875) for the relief of Mrs. Panagiota Vastakis and Soteros Vastakis which had been reported from the Committee on the Judiciary, with an amendment, in line 7, after the word "of", where it appears the first time, to strike out "section 205" and insert "section 204."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1040), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to retain special immigrant status for the widow and son of a citizen of the United States. The bill has been amended to conform with the changes made by enactment of Public Law 89–236.

STATEMENT OF FACTS

The beneficiaries of the bill are a 49-year-old widow and her 14-year-old son, both natives and citizens of Greece, who were admitted to the United States as visitors on October 10, 1962. The husband-father was naturalized on January 18, 1957, and petitioned for two other sons to enter the United States for permanent residence. Petitions were not filed in behalf of the beneficiaries of the bill and the husband-father died August 19, 1962.

RALPH TIGNO EDQUID

The Senate proceeded to consider the bill (H.R. 4743) for the relief of Ralph Tigno Edquid which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, as amended, Ralph Tigno Edquid may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Lt. and Mrs. Arthur Edquid, a citizen and lawfully resident alien, respectively, of the United States, pursuant to section 204 of the Act, subject to all the conditions in that section relating to orphans.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1041), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the adjustment of status as an immediate relative of an alien adopted by a citizen of the United States and a lawfully resident alien. The bill has been amended to conform the language to the provisions of the Immigration and Nationality Act, as amended by Public Law 89–236.

STATEMENT OF FACTS

The beneficiary of the bill is a 23-year-old native and citizen of the Philippines who entered the United States as a visitor on July 4, 1960. On September 18, 1961, the beneficiary was adopted by his sister and brother-in-law. The adoptive father is a U.S. citizen and is a career officer with the U.S. Army. The beneficiary has received his bachelor's degree in psychology.

DAVID GLENN BARKER

The Senate proceeded to consider the bill (H.R. 6112) for the relief of David Glenn Barker (Jai Yul Sung), and Richard Paul Barker (Pil Su Park), which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, as amended, David Glenn Barker (Jai Yul Sung) and Richard Paul Barker (Pil Su Park) may be classified as children within the meaning of section 101(b)(1)(F) of that Act, upon approval of a petition filed in their behalf by Sergeant First Class and Mrs. Allen N. Barker, citizens of the United States, pursuant to section 204 of the said Act, subject to all the conditions in that section relating to orphans. Section 204(c) of the Immigration and Nationality Act, as amended, relating to the number of petitions which may be approved, shall be inapplicable in these cases.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1042), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in an immediate relative status of the alien children adopted by citizens of the United States. The bill has been amended to conform the language to the new provisions of the Immigration and Nationality Act.

STATEMENT OF FACTS

The beneficiaries of the bill are 13- and 14-year-old natives and citizens of Korea, who reside in that country in an orphanage. They were adopted on June 15, 1964, and February 11, 1964, respectively, by citizens of the United States. There are six natural children in the family in addition to two other minor Korean children adopted in 1964 by the adoptive parents. The adoptive mother was previously employed in Korea in an orphanage and married her present husband in Seoul on December 6, 1963. Her first husband died. The beneficiaries lived with their adoptive parents in Korea. The adoptive father is a career member of the U.S. Army.

KI SOOK JUN

The Senate proceeded to consider the bill (H.R. 9442) for the relief of Ki Sook

Jun, which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, as amended, a petition may be filed by Mr. and Mrs. Charles Hood in behalf of Ki Sook Jun, and the provisions of section 204(c) of that Act relating to the number of petitions which may be approved in behalf of children defined in section 101(b)(1)(F) of the said Act shall not be applicable in this case.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1043), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable Mr. and Mrs. Charles Hood to file a petition to facilitate the admission as an immediate relative of the minor alien child they plan to adopt. The bill has been amended to waive only the limitation that no more than two alien children may be adopted by a petitioner and to conform that language to the provisions of Public Law 89–236.

STATEMENT OF FACTS

The beneficiary of the bill is a 6-month-old native and citizen of Korea who presently resides in that country in an orphanage. She is to be adopted by U.S. citizens who have one natural child and two other adopted Korean children who were admitted to the United States for permanent residence on May 1, 1964.

EDWARD F. MURZYN AND EDWARD J. O'BRIEN

The Senate proceeded to consider the bill (H.R. 10403) for the relief of Edward F. Murzyn and Edward J. O'Brien, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 5, after the word "of", to strike out "$7,615" and insert "$6,500", and in line 6, after the word "of", to strike out "$6,903.41" and insert "$6,500".

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1044), explaining the purposes of the bill.

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

PURPOSE

The purpose of the proposed legislation, as amended, is to pay to Edward F. Murzyn the sum of $6,500, and to Edward J. O'Brien the sum of $6,500. The payment of these sums is to be in full settlement of all claims by them against the United States growing out of a fire on August 17, 1963, in a commercial warehouse located in Alexandria, Va., and operated by Columbia Van Lines and Meeks Transfer Co.

STATEMENT

The bill H.R. 10403 was introduced in accordance with the recommendation of an executive communication of the Federal Aviation Agency which recommends its enactment.

On August 17, 1963, the Meeks Transfer Co. warehouse, 727 South Pickett Street, Alexandria, Va., containing the household effects of Mr. Murzyn and Mr. O'Brien, was completely destroyed by a fire that raged through the block-long building

The contract which the General Services Administration entered into with the Meeks Transfer Co. on April 19, 1963, provided that all shipments made under the contract were to be released to a value which did not exceed 30 cents per pound per article. Mr. Murzyn and Mr. O'Brien apparently relied upon their right to proceed against the warehouseman, but, of course, that right was limited by the Government's agreement. As is noted in the executive communication, Federal Aviation employees have generally assumed that their rights against the warehouseman will be sufficient to cover the minor damage or loss to be expected in a move. Also, they probably assume that the Government will place their property in a safe warehouse. Obviously, neither assumption was borne out by the facts of this case.

Also, in this case, it was determined, on the basis of an investigation by the National Board of Underwriters and the Alexandria fire marshal, that this fire was of an undetermined origin and was in no way due to negligence on the part of the warehouse or carrier involved. Therefore, the claims submitted by Mr. Murzyn and Mr. O'Brien to the insurer, the Fireman's Fund, under the Government contract, have remained unpaid.

Meeks has since gone out of business and, therefore, further efforts of Mr. Murzyn and Mr. O'Brien to obtain compensation have been unsuccessful.

Public Law 88–558 would allow the Federal Aviation Agency to reimburse Mr. Murzyn and Mr. O'Brien for their losses had not their losses occurred prior to its enactment. A private bill is the only means of providing just compensation to Mr. Murzyn and Mr. O'Brien for their losses, and this committee notes that private relief in this instance is consistent with the policy now expressed in public law.

The Federal Aviation Agency has conducted a thorough investigation of the claimed losses of Mr. O'Brien and Mr. Murzyn. Complete lists of items lost were submitted with date of purchase and original cost for each item. Then, using the depreciation tables which are now applied under Public Law 88–558, the FAA gave each item a depreciated value. The amounts stated in the bill before the committee amendment have, therefore, been reduced to the proper depreciated value of the item lost.

The committee has reduced the awards to the statutory limitation of $6,500 contained in the Military Personnel and Civilian Employees' Claims Act of 1964. The committee is, of course, sympathetic to the losses suffered by the claimants through no fault of their own, but must limit the awards consistent with congressional policy expressed in the 1964 act.

Both Mr. Murzyn and Mr. O'Brien have suffered great hardships as a result of their losses. Their families lost the majority of their clothing and personal effects. Both Mr. Murzyn and Mr. O'Brien were making payments on some of the furniture that was destroyed in the fire, and continue to do so. Also, they have had to purchase new furniture on which they are also making payments. The loss of clothing, furniture, and other personal effects forced them to seek additional money from various loan companies and then at high interest rates. Mr. Murzyn has even had to refinance his car.

Accordingly, the committee recommends H.R. 10403 favorably as amended.

COMPENSATION FOR CANCELLATION OF GRAZING PERMITS

The Senate proceeded to consider the bill (S. 1375) conferring jurisdiction on the Court of Claims to make findings with respect to the amount of compensation to which certain individuals are entitled as reimbursement for damages sustained by them as a result of the cancellation of their grazing permits by the U.S. Air Force, and to provide for payments of amounts so determined to such individuals which had been reported from the Committee on the Judiciary with amendments on page 2, after line 6, to strike out:

SEC. 2. For the purpose of determining the amount of compensation to which the persons referred to in the first section of this Act are entitled, jurisdiction is hereby conferred upon the Court of Claims to hear the claims of such persons, filed within one year after the date of enactment of this Act, to determine the amount of compensation to which such persons are equitably entitled for damages sustained because of the cancellation of their grazing permits.

SEC. 3. The court shall cause such finding to be certified to the Secretary of the Treasury who is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to such persons the amount of compensation to which, under such finding, they are equitably entitled.

And, in lieu thereof, to insert:

SEC. 2. The Secretary of the Air Force is hereby authorized and directed to determine and pay the amount of compensation to which such persons are equitably entitled for damages because of the cancellation of their grazing permits. Such determination shall be made in accordance with criteria established in the usual cases where grazing permits are canceled as the result of withdrawals by a Federal department or agency.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby finds and declares that Claudius C. Toone, of Morgan, Utah; W. E. and David Dearden, of Henefer, Utah; Robert Byram and Sons, of Ogden, Utah; Joseph O. Fawcett, of Henefer, Utah; and Richins Brothers, of Henefer, Utah, are equitably entitled to compensation for damages sustained by them because of the cancellation of their grazing permits by the United States Air Force as a result of a need for additional land for the Wendover bombing range.

SEC. 2. The Secretary of the Air Force is hereby authorized and directed to determine and pay the amount of compensation to which such persons are equitably entitled for damages because of the cancellation of their grazing permits. Such determination shall be made in accordance with criteria established in the usual cases where grazing permits are canceled as the result of withdrawals by a Federal department or agency.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill providing a method for determining the amount of compensation to

which certain individuals are entitled as reimbursements for damages sustained by them due to the cancellation of their grazing permits by the United States Air Force."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1045), explaining the purposes of the bill.

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

PURPOSE

The purpose of the proposed legislation, as amended, is to compensate certain named individuals for the cancellation of their grazing permits by the U.S. Air Force and to permit the determination of the amounts of such claims by the Secretary of the Air Force consistent with procedures established pursuant to the act of July 9, 1949, as amended (43 U.S.C. 315q).

STATEMENT

The committee, in the 85th Congress, reported a similar bill, S. 1450, which subsequently passed the Senate and was not acted on by the House of Representatives. Again, in the 87th Congress, the committee reported favorably on S. 17. No action was taken in the Senate.

The facts surrounding this claim, as set forth in the previous report and which have not changed, are as follows:

The five named claimants are persons who have for many years, even before the enactment of the Taylor Grazing Act, engaged in the business of raising livestock for sale. In pursuance of their livelihood these claimants, prior to 1935, were permitted by the sufferance of the Federal Government to utilize lands within the public domain as grazing lands for their livestock. In 1935, following the enactment of the Taylor Grazing Act, the Department of the Interior issued grazing permits under the act covering extensive acreage in the Lakeside area in the State of Utah, including five grazing permits to these claimants or their predecessors. On October 29, 1940, by Executive Order No. 8579, the Federal lands covered by the five permits were withdrawn from the public domain and reserved for the use of the then War Department as an aerial bombing and gunnery range. Although the grazing permits which had theretofore been issued were canceled, the permittees (these claimants) were allowed to continue their grazing activities. Subsequently, in 1942, as a result of a conference between representatives of the Wendover Army Airbase, the Corps of Engineers, the Department of the Interior, and the claimants, the Department of the Interior was authorized by the commander of the Wendover Army Airbase, through the Corps of Engineers, to administer the lands for grazing purposes. The Department of the Air Force states that the administration of these lands for grazing purposes was to be in accordance with conditions contained in a letter from the commander, Wendover Army Airbase, dated October 20, 1942, and addressed to the district engineer. This letter, which is appended to this report, contains two conditions, one of which would have provided for the termination of the permits on 10 days' notice. The other condition actually amounted to a statement of intention. The statement of intention was that no interference or restrictions be placed upon these ranges that would in any way entitle the permittees to make claim against the U.S. Government for the deprivation of the use of the range.

In 1943 and 1945, 10-year grazing permits were issued to these permittees and these permits were extended on a yearly basis since their expiration until their cancellation in April 1956. Of the two conditions mentioned by the Department of the Air Force only one was actually incorporated in the permits. All of the permits, except the one issued in 1945, contained a provision for termination on 10 days' notice.

With the cancellation of these permits on April 30, 1956, the five claimants named in S. 1450 were confronted with the necessity of securing grazing land to replace the lands denied them by cancellation of their permits. The lands covered by the permits had been used as winter grazing land by the permittees. In some cases the lands represented the entire winter grazing land available to the claimants. In others it represented only a portion of the winter grazing land. In each case, however, the only alternative to securing additional winter grazing land was to dispose of their sheep.

Additional winter grazing land in this area is difficult to obtain. In transactions involving the transfer of such land, it is generally necessary to purchase not only the permit for winter grazing land, but also the land owned in fee by the seller. Such fee land is generally used as summer grazing area. The fee land and the permits for winter grazing are generally treated as an economic unit and salable as such. This was recognized by the Federal courts in *U.S.* v. *Cox* (190 F. 2d 293, 295 (1951)). The court in that case stated:

"Unquestionably the grazing permits were of value to the ranchers. They were an integral part of the ranching unit—indeed, the fee lands are practically worthless without them."

The withdrawal of these permits, therefore, injured the claimants not only in the pursuance of their livelihood, but in the salability of land which they owned in fee.

A member of the committee took testimony on this legislation in Salt Lake City, Utah. At this hearing it was developed that certain of the claimants were unable to secure additional winter grazing land. Others were able, at a premium price, to rent lands of less accessibility and desirability. Each of the witnesses testified to the difficulty of acquiring additional grazing land and the unlikelihood that they could continue to pursue the livelihood in which they had been engaged all their lives. Each of them testified to the extensive damage which had been occasioned by the withdrawal of these lands for winter grazing.

The claimants, after cancellation of their permits, sought to avail themselves of the general provisions of law permitting compensation for the withdrawal of grazing permits, but were denied compensation by the Department of the Air Force. The general law, which is set forth in title 43, United States Code, section 315q, reads as follows:

"Whenever use for war or national defense purposes of the public domain or other property owned by or under the control of the United States prevents its use for grazing, persons holding grazing permits or licenses and persons whose grazing permits or licenses have been or will be canceled because of such use shall be paid out of the funds appropriated or allocated for such project such amounts as the head of the department or agency so using the lands shall determine to be fair and reasonable for the losses suffered by such persons as a result of the use of such lands for war or national defense purposes. Such payments shall be deemed payment in full for such losses. Nothing herein contained shall be construed to create any liability not now existing against the United States."

The denial to their claims under this statute by the Department of the Air Force was apparently based upon a decision to the effect that these lands, having been withdrawn by Executive Order No. 8579, were not lands within the public domain, nor other property owned by or under control of the United States, within the meaning of the statute. The Department further took the position that the permits issued in these instances were not "grazing permits or licenses" as defined in that section of the law. They further contended that the permits were subject to the terms and conditions imposed by the commander of the Wendover Army Airbase, particularly that part of the understanding which denied the claimants the right to make claim against the U.S. Government for the deprivation of the use of the range. The legal opinion on which this rejection was based is appended to this report. That opinion contains a statement to the effect that the permits in issue were not Taylor Grazing Act permits.

The sponsor of this legislation secured from the American Law Division of the Library of Congress a memorandum which contains the legislative history concerning this section of the law. This memorandum also examines the meaning of the terminology of the statute which was cited by the Department of the Air Force in its denial of these claims. This memorandum is likewise appended to this report.

The legislative history shows that prior to the enactment of this section of the law no compensation was afforded for the cancellation of licenses issued by agencies of the U.S. Government permitting grazing upon lands owned by the U.S. Government. With the adoption of this section of the law, however, a compensable interest in the area affected by the grazing permit was recognized by the Federal Government, and the procedures outlined by the statute have been held by the courts to be the exclusive means by which permittees may recover for the cancellation of their permits. (*U.S.* v. *Cox*, cited above.)

The memorandum of the American Law Division points out that the statute is silent concerning a definition of the terms "grazing permits" and "licenses." The memorandum, therefore, states that it must be presumed that they refer to all such permits or licenses issued by the United States in connection with the public domain or other property owned or controlled by the United States. The memorandum further points out that the statute contains no definition of the term "other property owned by or under control by the United States," and concludes that such language would appear to mean such land as is not subject to sale or disposal under the general laws of the United States, that is, reserved land, acquired land, exchange land, etc., suitable for use for grazing purposes. That this teminology would include land within the national forests would seem confirmed by the decision in *Osborne* v. *United States* (145 F. 2d 892 (1944)).

The memorandum further concludes that the words "under control of the United States" would appear to cover lands leased by the United States from the States or private individuals.

The purpose of the statute involved is evident. It was intended to provide a measure of compensation to persons who were denied grazing privileges on lands under the control of the United States where no compensable interest had theretofore existed. The considerations which moved the Congress to adopt this statute are similar to the considerations which exist in these cases. These individuals have been injured in the pursuit of their livelihood, and in some cases, have been denied the opportunity to pursue their livelihood, by the withdrawal of these winter grazing lands. Their losess are no less severe than losses otherwise compensable under the statute. The failure of the Congress to define the terminology in the statute has rendered possible the narrow construction of this terminology by the Department of the Air Force. Yet there is no specific indication that Congress intended to

exclude claims where, as here, the facts so closely parallel other cases clearly compensable under the statute. This undoubtedly led to the recommendation of the Department of the Interior that this legislation be enacted with an amendment which would require the claimants to follow procedures substantially similar to that provided by the general law (43 U.S.C. 315q). The Department of the Air Force, on the other hand, opposes enactment of the bill apparently basing its opposition upon the same grounds as it originally urged in the denial of compensation to these claimants in administrative proceedings. They have, in addition, asserted that enactment of this proposal would afford preferential treatment to these persons over other claimants whose similar claims have been justifiably denied. This statement is made, however, without any attempt to particularize with respect to the persons who had heretofore been denied compensation in instances involving similar circumstances.

While there may be some basis for the administrative determination of the Department of the Air Force that the language of the general statute did not encompass the claims of these individuals, the committee believes that, if the basic purpose of the act is followed, compensation should be granted. The permits which were issued contained a statement on their face that they were being issued under the act of June 28, 1934 (48 Stat. 1269), which is the Taylor Grazing Act. In addition, the utilization of the Department of the Interior as the agency for the issuance of the permits would suggest that the then War Department, through its Wendover Base, was following the procedure outlined in the Taylor Grazing Act (43 U.S.C. 315b). It would appear somewhat anomalous to issue a permit under the authority of that act and to utilize that procedure for the issuance of permits while denying the claimants a remedy available to other permittees who acquired their permits under the provisions of that act. A further similarity between these permits and others issued under the Taylor Grazing Act is that the permittees in these cases, as in other cases under the act, were required to pay an annual fee for the grazing privilege. An exhibit filed with the committee shows that one of the claimants paid a fee of $95 for grazing privileges for a 5-month period in 1943–44. This exhibit, an annual grazing permit, also contains a notice on its face that it was issued under authority of the act of June 28, 1934, as amended (Taylor Grazing Act).

The understanding referred to by the Department of the Air Force to the effect that cancellation of the permits would not entitle the permittees to make any claim against the United States should not act as a bar to this claim since it was not incorporated within the terms of the permit. Nor should the provisions in the permits for their cancellation on 10 days' notice, present a bar to the payment of these claims, for the right to cancel permits issued under the Taylor Grazing Act prior to the expiration of their term is inherent in the section of the law which permits cancellation for such action.

The committee concludes, therefore, that these claims, being within the broad scope of the purpose of the general statute, should be paid. Section 1 of this legislation makes such a finding. However, the committee is not equipped with facilities sufficient to enable it to determine the measure of damages suffered by these claimants. Their measure of damages in these cases is not based upon considerations similar to that in other land transactions. Compensation in this type of case ordinarily is determined on the basis of the carrying capacity of the land involved, plus an item of damages known as severance, which is a recognition of the reduced value of the fee land resulting from the withdrawal of the grazing permits. The term "carrying capacity" means the maximum number of livestock permitted to graze on the lands by the permit. The measure of damages in this instance, therefore, involves the consideration of the number of livestock which these permittees would be allowed to graze on the land and the diminution of the value of the land which they hold in fee as the result of the cancellation of the grazing permits. The detailed considerations involved in such an undertaking would, in the judgment of the committee, be facilitated by the reference of the measure of damages to the agency which caused the permits to be issued under the general procedures established by law. This proposal, which was recommended by the Department of the Interior, is incorporated in the amended section 2 of S. 1450.

The committee, after a review of all of the foregoing, believes that the recommendations contained in S. 1450 of the 85th Congress and S. 17 of the 87th Congress, as amended, are meritorious. The committee, therefore, adheres to its former recommendations and recommends that the bill, S. 1375, as amended, be considered favorably.

PAYMENT OF MEDICAL EXPENSES OF TEMPORARY INTERIOR DEPARTMENT EMPLOYEES

The bill (S. 2153) to authorize the Secretary of the Interior to use appropriated funds for the payment of medical care of temporary and seasonal employees and employees located in isolated areas who become disabled because of injury or illness not attributable to official work, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to provide from any funds available for the work being performed, emergency medical attention for employees of the Department of the Interior located in isolated areas who become disabled because of illness or injury not attributable to official work, including the moving of such employees to hospitals or other places where medical assistance is available, and in case of death to remove the bodies of deceased employees to the nearest place where they can be prepared for shipment or for burial. When a transient without permanent residence, or any other person while away from his place of residence, is employed on a temporary or seasonal basis by the Department of the Interior and while so employed becomes disabled because of injury or illness not attributable to official work, he may be provided hospitalization and other necessary medical care, subsistence, and lodging for a period of not to exceed fifteen days during such disability, the cost thereof to be payable from any funds available for the work for which such person is employed.

SEC. 2. Appropriations of the Department of the Interior available for the work being performed may be utilized for payment to temporary or seasonal employees for loss of time due to injury in official work at rates not in excess of those provided by the Federal Employees' Compensation Act, as amended (5 U.S.C. 751), when the injured person is in need of immediate financial assistance to avoid hardship: *Provided,* That such payment shall not be made for a period in excess of fifteen days and the Secretary of Labor shall be notified promptly of the amount so paid, which amount shall be deducted from the amount, if any, otherwise payable from the Employees' Compensation Fund to the employee on account of the injury. When any person assisting in the suppression of range, forest, and tundra fires or in other emergency work under the direction of the Department of the Interior without compensation from the United States, pursuant to the terms of a contract, agreement, or permit, is injured in such work, the Department may furnish hospitalization and other medical care, subsistence, and lodging for a period of not to exceed fifteen days during such disability, the cost thereof to be payable from the appropriations applicable to the work out of which the injury occurred, except that this proviso shall not apply when such person is within the purview of a State or other compensation Act: *Provided further,* That determination by the Department of the Interior that payment is allowable under this section shall be final as to payments made hereunder, but such determination or payments with respect to employees shall not prevent the Secretary of Labor from denying further payments should he determine that compensation is not properly allowable under the provisions of the Employees' Compensation Act.

SEC. 3. No payment shall be made pursuant to this Act for any hospitalization or medical services for injury or illness not attributable to official work on behalf of a sick or injured person who is covered by an enrollment or who is not excluded from enrollment by virtue of his current employment in a plan under the Federal Employees' Health Benefits Act of 1959, as amended (5 U.S.C. 3001).

SEC. 4. This Act shall not apply to employees of the Federal or territorial governments in Guam, the Virgin Islands, American Samoa, or the Trust Territory of the Pacific Islands while serving in any such area.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1046), explaining the purposes of the bill.

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

PURPOSE OF BILL

S. 2153, which was sponsored by the chairman of the committee at the request of the Department of the Interior, would authorize the Secretary of the Interior to pay, on a limited emergency basis, the costs of medical care for certain temporary employees of the Department in isolated areas. The illnesses and injuries covered are those arising from causes not directly attributable to the work of the employee.

The terms of the bill specifically provide that the care for which payment is made must be of an emergency nature and then is limited to not more than 15 days. In the case of the death of such an employee from nonofficial work causes, the Secretary is authorized to remove the body to the nearest place where it can be prepared for shipment or burial.

Thus, S. 2153 would give seasonal or temporary employees of the Department of the Interior the same protection and help as that available for like employees of the Department of Agriculture under the act of March 3, 1925 (found in 16 U.S.C. 557 and 580j).

The bill would not authorize the construction of medical facilities nor the employment, on a salaried basis, of medical or technical personnel.

NEED FOR LEGISLATION

As pointed out in the executive communication of the Secretary of the Interior transmitting the draft of the proposed legislation, the text of which is set forth in full below, like the Forest Service, the Bureau of Land Management and other bureaus of the Interior Department annually employ transients and other temporary personnel for

fire suppression activities and other emergency programs. Such employees include trained, organized Indian, Spanish-American, or Eskimo crews from the Southwest, Montana, and Alaska. In the course of their employment, these crews are transported many miles from their place of residence very often for prolonged periods. During such periods of absence from their homes, these employees sometimes contract colds, flu, or other illnesses requiring medical attention not as a result of the performance of their official duties.

At present, the Department has no authority to pay to have a sick or injured employee who is located in an isolated area removed to a hospital when the sickness or injury occurs outside the scope of his employment. Similarly, the Department presently has no authority to bring medical help to such an employee.

Under existing law, medical care not covered by Bureau of Employees Compensation regulations and not provided by the Public Health Service has to be paid for by the employee, unless the employing agency has authority to meet the obligation. In most cases, transient personnel are unable to pay their own medical expenses. While local physicians have been very cooperative in providing emergency medical attention to transient employees when required, the committee believes that the moral obligation to provide for the welfare of these employees rests with the employing agency.

COMMITTEE RECOMMENDATIONS

While reporting favorably the Department's bill, the committee is aware that very little knowledge is available as to the extent and cost of the care authorized. Therefore, the committee requests that the Secretary of the Interior make a report to it at the conclusion of the first fiscal year during which expenditures authorized by the bill are made.

With that provision, the committee unanimously recommends favorable action on S. 2153.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

VIETNAM—CLOSED COMMITTEE MEETINGS

Mr. MORSE. Mr. President, I was unable to get here in time for the morning hour because I was attending a meeting.

The PRESIDING OFFICER. The Senate is in the morning hour.

Mr. MORSE. I have to rush to the airport.

I ask unanimous consent to read three pages and to insert a newspaper article in the RECORD.

Mr. LONG of Louisiana. Mr. President, reserving the right to object, and I do not plan to object, would the Senator make his request on a specific time basis. Would the Senator make his request for 10 minutes?

Mr. MORSE. I do not believe it would take me 10 minutes. I do not believe it would take me more than 10 minutes.

Mr. LONG of Louisiana. On that basis, I have no objection.

Mr. MORSE. Mr. President, although the Secretary of Defense declined to appear in public before the Senate Foreign Relations Committee, where the forum is not under his control, he does appear quite readily before press and television news conferences, where the forum is largely under his control.

I do not wonder that both the Secretary of Defense and the Vice President do not care to testify in public hearing before the committee. Committee members cannot be closed off with the same curt dismissals that can be directed at newsmen who ask penetrating or embarrassing questions. So we will find in the months ahead that the Vice President will speak from rostrums all over the country about the war in Vietnam, where he is carefully insulated from his peers, and where he says what he wants said and then ceremoniously departs. We will also hear many more television press conferences where the Secretary of Defense will refuse to recognize the newsmen he does not want to have to answer.

But in the forum of the Foreign Relations Committee they will come only if the doors are tightly closed to the public, so they can do as Secretary McNamara did yesterday and released to the public only what he wanted the public to know of what was said. I think the most devious and dishonest practice of this or any other administration is the practice of demanding a closed committee meeting and then releasing to the public a printed text of what the witness has come prepared to say.

That way, Secretary McNamara gains the virtue of a public hearing for himself while foreclosing to the public the questions and criticisms directed at him by committee members.

I believe the Foreign Relations Committee should not hear Cabinet members in executive sessions if those officials are going to release their own version of what went on. It was bad enough that McNamara was heard in closed session at all. But if his prepared statement was released, then I believe the entire transcript of the hearing should also be released, excluding only the purely security comments. In my opinion, when the Secretary of Defense released a printed statement he made in that closed hearing, he forfeited all right to have the committee questions and discussions kept secret.

I also want to call attention to the treatment the Secretary of Defense accorded to one of journalism's most vigilant public watchdogs, Mr. Clark Mollenhoff of the Des Moines Register. The Secretary's televised news conference wherein he cut off Mr. Mollenhoff's question, is an interesting contrast to his refusal to allow the public in on his appearance before our committee, where he could not cut off the questions.

The Secretary's displeasure with Mr. Mollenhoff is quite understandable. Mr. Mollenhoff is author of "Despoilers of Democracy" published last year by Doubleday & Co., Inc. It is a case by case study of the ways in which the personal freedom of individuals and the open decisionmaking of our public officials are being subverted in the Nation's Capital.

Various chapters in his book deal with the efforts of foreign aid administrators to cover up deficiencies in their program; with the increasing use of "executive privilege" as a means of evading congressional questions about foreign policy and foreign aid matters; with practices in the Defense Establishment whereby misuse of public funds is covered up; with the scandalous practices in the stockpiling of strategic materials that permit private fortunes to be made at public expense; with Billie Sol Estes; with the financial associations of contractor Matt McCloskey with the Democratic Party; with Walter Jenkins and Bobby Baker.

But several of his chapters also deal with the immensely tangled TFX affairs, and the means whereby the Defense Department chose to award the contract to the General Dynamics Corp.

Whether or not one agrees with Mr. Mollenhoff's conclusions about these varied issues, the threat that characterizes all of them is the effort of Federal officials to wrap the cloak of secrecy around them and their decisions and to do it by fair means or foul.

When the Secretary of Defense finds he cannot treat U.S. Senators the way he treats newspapermen like Mr. Mollenhoff, he retreats behind closed doors. I am sorry that the committee accommodated him, especially when he published his prepared statement.

I have boycotted Secretary McNamara, and I shall continue to boycott him when he appears in closed meetings of the committee. The American people are entitled as a matter of right to hear the Secretary of Defense discuss in public hearings questions of public policy. Of course, he has the right to decline to answer any question asked in such a public hearing that might involve the security of the country. But he knows and the President knows what happened the other day during the committee's examination of Secretary Rusk.

I commend Mr. Mollenhoff, and express the public hope that he will continue to ferret out the facts of executive practices and to publish them, so that the American people can know the extent to which self-government and public knowledge of the public's business is being undermined by Mr. McNamara.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks the table of contents of Mr. Mollenhoff's book entitled "Despoilers of Democracy"; and also an article entitled "McNamara Adding 30,000 in Vietnam, Denies U.S. Strain; 10,000 More Troops Are in War Area, With 20,000 Additional on the Way."

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1 and 2.)

Mr. MORSE. Mr. President, the article in the Times is the first evidence bearing proof of what the senior Senator from Oregon warned the Senate at the time the Senate debated the defense authorization bill last Tuesday. I said that that request was only the beginning of the escalation of the war. Under that bill, as many as 450,000 additional men can be sent to southeast Asia, depending again on the exercise of discretion by the President and the Secretary of Defense.

I repeat: No President and Secretary of Defense should be allowed to exercise such arbitrary and capricious power.

EXHIBIT 1

DESPOILERS OF DEMOCRACY CONTENTS

1. Capital Corrosion, page 1.
2. Foreign Aid or Foreign Charade, page 12.
3. Lying in State (and Defense), page 26.
4. The "Honor Code" in Practice, page 36.
5. Stockpile of Scandal, page 50.
6. Humphrey of Hanna, page 74.
7. A Texas Sunburst—Billie Sol Estes, page 92.
8. The Lies of Texas Are Upon Us, page 105.
9. The Setting Sun, page 117.
10. The Department of (Self-) Defense, part I: The X–22, page 132.
11. The Department of (Self-) Defense, part II: TFX—Billions for Texas, page 143.
12. The Department of (Self-) Defense, part III: IBM—"I. Bob McNamara," page 156.
13. The Department of (Self-) Defense, part IV: McNamara's "Rough Judgment," page 173.
14. A Generally Dynamic Lawyer—Roz Gilpatric, page 194.
15. Talent from Texas—Fred Korth, page 211.
16. "The Floating Edsel," page 228.
17. A Bug in the State Department, page 241.
18. 'This Sordid Situation," page 255.
19. The Protege of L.B.J.—Bobby Baker, page 267.
20. "Whispering Will," page 282.
21. Testimony During Disaster—November 22, 1963, page 291.
22. The L.B.J. Co., page 301.
23. The "Gross Improprieties" of Bobby Baker, page 321.
24. Walter Jenkins, page 342.
25. Money-Man McCloskey, page 357.
26. How Much Decay? page 376.
Notes, page 387.
Appendixes, page 399.

EXHIBIT 2

MCNAMARA ADDING 30,000 IN VIETNAM, DENIES U.S. STRAIN—10,000 MORE TROOPS ARE IN WAR AREA, WITH 20,000 ADDITIONAL ON THE WAY—FORCE TO REACH 235,000—SECRETARY SAYS MILITARY CAN MEET ALL COMMITMENTS—DISPUTES SHORTAGE CHARGE

(By Jack Raymond)

WASHINGTON, March 2.—Secretary of Defense Robert S. McNamara insisted today that the Armed Forces were not overextended or suffering shortages but were fully capable of meeting their commitments anywhere.

At a news conference, he disclosed that the United States now had 215,000 military men in South Vietnam, an increase of 10,000 over the previous official estimate. He also said that 20,000 additional men were on the way to join the war against the Vietcong.

This would bring the total commitment in South Vietnam to 235,000, not counting the offshore forces with the 7th Fleet.

Mr. McNamara, apparently including forces in neighboring Thailand, estimated total U.S. military strength in southeast Asia at 300,000 men.

MORE REQUESTS EXPECTED

He said that the current reinforcements for South Vietnam had been requested by Gen. Wiliam C. Westmoreland, the American commander there. He said he expected more such requests but did not indicate what the planned total might be.

The Defense Secretary, however, did not dispute an observation by a questioner as to the premise underlying recent articles about requirements in Vietnam. This premise was that General Westmoreland had requested reinforcement to bring his troop strength to 400,000 by the end of the year.

Mr. McNamara said that he had no current requests from General Westmoreland beyond the 20,000 he noted today. His disclosure of the deployment of the additional troops came 5 days after President Johnson, also emphasizing that the general's requests were being met, said he had no "unfilled requests" on his desk at the moment.

TWENTY-ONE BATTALIONS AVAILABLE

It appeared that, while General Westmoreland's requests for troops in some undisclosed quantity were being fulfilled, these requests were not being announced immediately.

The Defense Secretary, who is known for his unemotional management of the Pentagon, seemed edgy and angry at times in the news conference.

In support of his rebuttal of allegations concerning troop readiness, Mr. McNamara said that 21 more trained battalions, estimated at a minimum total of 147,000 men, could be deployed to South Vietnam by July 1.

He emphasized, however, that this assertion should not be construed as a hint of their pending deployment. He said that he believed it would probably not be necessary to send that many additional forces for the fighting in Vietnam.

Mr. McNamara called the news conference at the Pentagon on 4 hours' notice. He explained he had been prompted by certain articles in the press recently that he said had given "the erroneous impression that we are dangerously overextended" because of the war in Vietnam.

If that were true, he said, it "would indeed represent a serious situation, but it is not true."

The Defense Secretary did not identify the articles he had in mind, but it is known that one was by Hanson W. Baldwin, military editor of the New York Times, which appeared February 1.

In addition to the articles, however, a speech by the chairman of the Senate Preparedness Subcommittee, JOHN STENNIS, Democrat, of Mississippi, has gained notice here. Mr. STENNIS, addressing the Reserve Officers Association last Friday night, said:

"The heavy drain of Vietnam has brought on serious problems in personnel, equipment, repair parts and other materials."

Mr. STENNIS' committee has also prepared a report on Army readiness, much of which has been labeled classified by the Pentagon. Asked about it, Mr. McNamara said he had not seen the final report but that he was not standing in the way of the committee's publishing any unclassified material in it.

FINDS POSTURE IMPROVED

In advance of the news conference, Mr. McNamara issued a 3,000-word statement, drawn mostly from his testimony on United States "military posture" last week before the Senate Armed Services Committee. In the statement he declared:

"Far from overextending ourselves, we have actually strengthened our military posture."

After the news conference, Mr. McNamara's aides issued a 4,000-word statement listing 23 charges of military deficiencies and giving his answers to them.

Mr. McNamara was accompanied to the press meeting by his deputy, Cyrus R. Vance, to whom he turned a few times for corroboration, and by his Assistant Secretary for Public Affairs, Arthur Sylvester.

At one point Mr. McNamara refused to answer additional questions from one correspondent. In an exchange between them, the correspondent accused Mr. McNamara of evading his questions.

On another occasion, the Secretary flared up when a newsman with a foreign accent asked a question about the readiness of troops in Europe in view of the requirements in South Vietnam.

CALLS U.S. EFFORT "UNIQUE"

The Secretary demanded to know where the questioner was from and when he heard the answer Germany, he pointed his finger and said that the reporter should especially realize that the United States forces were ready everywhere.

"I am sick and tired of hearing the implication that we've drawn down the readiness of forces in Europe." Mr. McNamara said angrily.

Throughout the news conference he insisted that the United States' current effort in southeast Asia was "unique in our military history."

"Never before has this Nation, or any other nation, been able to place so large a force in combat in so short a period of time and some 10,000 miles from its shore without calling up reserves, extending active duty tours on a widespread basis and involving the kinds of strict economic controls normally associated with military emergencies."

CLAIMS BACKING OF CHIEFS

Repeatedly Mr. McNamara said that his views on the readiness of the American forces were shared by the Joint Chiefs of Staff. He said that there would obviously be "difficulties" and that he was not contending there were no shortages of any kind anywhere. But he stressed that the total effort must be seen in perspective.

ADDITIONAL TARGET LICENSE OVER NORTH VIETNAM

Mr. SYMINGTON. Mr. President, I was very glad to learn this morning that additional target license to attack strictly military targets has now been granted to our Air Force and Naval Air pilots who are risking their lives daily over North Vietnam, in their effort to reduce the number of soldiers, and the amount of ammunition which the Government of North Vietnam is moving through Laos down the Ho Chi Minh trails for the use of the Communist troops; their own troops, as well as those of the guerrilla organization which they have set up in South Vietnam in order to further their determination to conquer the people of South Vietnam. This latter organization, organized in 1960, the Ho Chi Minh government named the National Liberation Front.

It is my conviction and, what is more important, the conviction of high military authority, especially in the Far East theater, that this decision will result in fewer American casualties during the weeks and months to come.

It bears out the position I took upon returning from South Vietnam several weeks ago; namely, that, if these hostilities are to continue, we should either move forward or move out.

TAX ADJUSTMENT ACT OF 1966

Mr. LONG of Louisiana. Mr. President, my task today is not a pleasant one, for I rise in support of a bill, H.R. 12752, which will increase the tax payments of most American taxpayers. The members of the Finance Committee recall with nostalgia the years 1962, 1964, and 1965, years in which they were able to recommend significant tax reductions—reductions which had so much to do with the attainment of the current high levels of employment and production. Although it was not a pleasant duty, there was general support for the bill when the committee voted to report it to the full Senate, for we realize that additional

revenues must be raised to finance the expenditures required by the conflict in Vietnam.

The increase in expenditures attributable to our operations in Vietnam is responsible for this bill. When the Excise Tax Reduction Act of 1965 was before Congress last June, we could not anticipate that the situation in Vietnam would require the expenditure of an added $4.7 billion in the fiscal year 1966. Nor could we anticipate that the emergency requirements of the struggle would add $10.5 billion to Federal expenditures in the fiscal year 1967. These sharp increases have exceeded the significant increases in Federal revenues caused by the growth of the economy—increases in revenues which now approach $7.5 billion a year.

ALTERNATIVES TO H.R. 12752

Some Senators may ask why the increased expenditures needed for Vietnam must be paid for by increased tax collections. They may argue, for example, that these expenditures could be made by reducing expenditures for the civilian needs of the Government. I am as much in favor of reducing wasteful or unnecessary expenditures as any other Senator. But the President had already trimmed civilian budget expenditures to essential minimums before he submitted the budget.

This is indicated by the fact that the 1967 budget provides for an increase in expenditures in areas not related to Vietnam of only $600 million.

This is so despite increased interest costs for the Federal debt and the impact of pay raises for civilian employees and military personnel that the Congress approved last year, and also in spite of the fact that the Federal Reserve Board increased the cost of carrying that Federal debt by increasing interest rates.

He has achieved this result by offsetting increases in expenditures approved by Congress and normal expenditure increases under existing programs with dramatic savings in many areas. I do not believe that Congress will be able to trim expenditures under this tight budget to the extent necessary to finance the war in Vietnam. In fact, Congress has already approved a new GI bill which will increase budget expenditures.

I can only conclude that it is unrealistic to expect Congress to be able to match increased Vietnam expenditures with reductions in other areas of the Federal budget.

Of course, we could borrow to pay for expenditures in Vietnam. This approach, however, would encourage inflation. From 1961 to mid-1965, we could safely approve bills, such as the tax reduction bills, that would initially create the need for Government borrowing because there was slack in the economy. During those years some doubted whether the rate of unemployment in the civilian labor force would ever again be as low as 4 percent. Under those circumstances, the stimulus of tax reductions resulted in an increase in employment rather than an increase in prices.

The situation is different now. The policies of the past several years have achieved their objective. The slack in the economy has been taken up. In January the rate of unemployment in the civilian labor force dropped to 4 percent for the first time since 1957. Capacity utilization figures indicate that industry is now using almost as much of its available plant and equipment as it prefers to use. We have reached the point in which sharp increases in Government expenditiures must be met by increased revenues if we are to avoid the risk of inflationary price increases.

WHAT THE BILL WILL ACHIEVE

Let me now turn to the bill itself. It is designed to raise revenues for both the fiscal years 1966 and 1967. The provisions of the bill increase revenues in the current fiscal year by $1.1 billion. They will add $4.8 billion to receipts in fiscal year 1967 over and above the amount that would be generated under existing tax rates.

These amounts differ only slightly from the effect of the provisions recommended by the President, which would have increased administrative budget receipts by $1.2 billion in fiscal 1966 and $4.8 billion in fiscal 1967.

These revenues will be sufficient to reduce the anticipated administrative-budget deficit for the fiscal year 1966 from $7.6 to $6.5 billion. In the fiscal year 1967, the added revenues provided by this bill will reduce the administrative-budget deficit to $1.9 billion. In the absence of the bill, the 1967 deficit would be $6.7 billion, or only slightly less than the 1966 deficit.

When the revenues and expenditures of the trust funds are considered, the results of this bill will be even more significant. The consolidated cash budget deficit anticipated for the current fiscal year will be reduced from $8.1 to $7.0 billions. In the fiscal year 1967, the deficit will be eliminated entirely and a small surplus achieved as a result of a $5.0 billion increase in cash receipts under this bill.

The increase in tax payments required by this bill will moderate the expenditures of households and business firms. The most important provision affecting tax collections is one which accelerates the transition to full current payment of estimated corporate tax liabilities in excess of $100,000. Some 16,000 large corporations are affected.

Many of these corporations set aside funds to meet tax liabilities as those liabilities accrue, often by purchasing tax-anticipation notes. Some corporations, however, will have to postpone investment outlays or forgo dividends to provide the cash to meet their tax payments. Such postponements will not impair economic stability, since business expenditures for fixed investment are currently at very high levels. These levels are so high in fact that some economists are concerned about the possibility of a repeat of the experience in 1956 and 1957.

The postponement of some planned investment, therefore, may well be conducive to the maintenance of the proper balance between investment in expanded capacity and growth in the demand for the goods produced by that capacity.

The graduated withholding procedure contained in the bill will moderate consumer expenditures. After May 1, the amount of tax withheld from wages and salaries will be increased by about $100 million a month during the rest of 1966 and in the first few months of 1967. The additional amounts withheld will be offset as far as individual taxpayers are concerned by lower tax payments due in the spring of 1967 or through tax refunds. Some consumer spending, however, will have to be postponed during the rest of 1966 and in the early part of 1967.

The bill is also important to our balance of payments. It is essential to the success of our efforts to eliminate the persistent deficit in the U.S. balance of payments that inflation be prevented. Inflationary increases in the prices of the goods the United States exports would discourage export sales. This development would narrow or close our favorable trade balance. A serious outflow of gold would be the result.

EFFECT ON TAX LIABILITIES

The bill will accomplish the effects I have outlined without requiring significant increases in tax liabilities. The various changes in collection procedures proposed in the bill will speed up the collection of existing liabilities. In other words, the timing of tax collections will be changed so that some revenues will be collected in fiscal year 1966 that would not otherwise be collected until fiscal 1967. Even larger amounts will be collected in fiscal 1967 that would not otherwise be collected until fiscal 1968 and later years.

The changes in collection procedures include graduated withholding, quarterly payments of estimated social security taxes by the self-employed, tighter requirements regarding payments on declarations, and an earlier completion of the transition to full current payment of corporate tax liabilities in excess of $100,000.

The excise tax provisions of the bill will restore the tax rates on telephone service and passenger automobiles which were in effect at the end of 1965. The bill simply freezes these rates for 2 years, or until April 1, 1968. At that time the excise tax rates will fall to the levels that would have been reached at that time if the provisions of the Excise Tax Reduction Act of 1965 remained in effect.

The revenue impact of the bill is largely temporary in the sense that the changes in collection procedures will produce only a temporary increase in revenues rather than a continuing increase. Such an effect is appropriate at this time. While there has been much speculation about it, we do not know what the financial requirements of the war in Vietnam will be beyond the relatively near term. Therefore, it is appropriate that we should plan our taxes at this time on the basis of the figures in the President's budget.

As for fiscal 1968, it is important to remember that Federal revenues will increase as a result of the growth of the economy. At the near full employment levels at which we are now operating, this increase amounts to $7 or $8 billion a

year, or an amount significantly greater than the addition to revenue provided by this bill in fiscal 1967. As the temporary revenues attributable to changes in the timing of tax collections taper off, they will be replaced by increased revenues due to economic expansion.

It may very well turn out that the growth in revenues due to growth will be sufficient to meet the future costs of the defense of Vietnam, even if our efforts there must be continued for several additional years.

THE BILL IS FAIR

The provisions of this bill spread the cost of defense expenditures over a broad cross section of the population in an equitable manner. The provisions which will raise the most revenue—those concerning corporate tax payments—will affect the Nation's largest corporations and their stockholders.

Graduated withholding will affect a majority of the over 60 million taxpaying wage earners who do not file declarations of estimated tax. Self-employed persons, who are not subject to wage withholding, will be affected by the revised requirement for payments of estimated tax and by the provision for the quarterly payment of estimated self-employment social security tax.

Restoring the December 1965 rates for the manufacturer's excise on passenger automobiles and for the tax on telephone service will affect a very broad group of American consumers. These consumers, furthermore, are ones who, by and large, have been accustomed to paying these tax rates ever since the Korean emergency.

PROVISIONS OF THE BILL

Let me now take up the individual provisions of the bill in more detail. As reported by your committee, H.R. 12752 incorporates the essential features of the bill approved by the House, which in turn reflected the President's proposals of January 13.

Your committee made four substantive amendments to the House bill and a number of technical amendments. Two of the substantive amendments, which I will describe shortly, amend provisions of the House bill. The others, which I will also describe, add new provisions to the bill.

The provisions of the bill may be divided into two categories. In the first category are those provisions which are intended solely to raise revenues. These provisions, which account for the bulk of the revenue in this bill, include the acceleration of corporate income tax payments and the excise tax proposals. The second category includes desirable changes in collection procedures, which, because they entail a temporary increase in tax collections, can only be introduced when an increase in revenue is appropriate. The measures in this category include graduated withholding, quarterly payments of estimated social security tax by the self-employed, and tighter regulations on payments of estimated tax.

GRADUATED WITHHOLDING

The first provision of the bill relates to graduated withholding. It replaces the present 14 percent, flat-rate withholding system with a more accurate system which will aline the amounts withheld from wages more closely to the final liability of most wage earners.

Under the present system, taxpayers rarely find that the amount of tax withheld from their wages comes close to the amount which they actually owe at the end of the year. This is important because more than 9 out of 10 wage earners depend on withholding alone to make current payments on their income tax.

When tax withheld falls short of the final liability, as it would on nearly 13 million returns this year if no change were made in the withholding system, the taxpayer has a bill to pay when he files his final return. If this balance-due amount is unexpected or large, as it was for many taxpayers in the spring of 1965, it can cause financial hardship.

When the amount withheld exceeds the tax liability, as it would on nearly 40 million returns filed this year if the present system were not changed, the taxpayer must wait until he files his final return to receive the appropriate refund.

The bill substitutes six graduated withholding rates, ranging from 14 to 30 percent, for the present single rate of 14 percent. The rates reflect the tax rates which apply to the first $12,000 of a single person's taxable income and the first $24,000 of a married couple's taxable income.

Two separate schedules and sets of withholding tables are provided, one for single persons and heads of households, and the other—with wider brackets to reflect the split-income provisions—for married persons and surviving spouses.

The graduated withholding system also incorporates the minimum standard deduction, a feature not now reflected in the withholding system. The graduated system does so by increasing the amount of a withholding exemption to $700 and by providing that the first $200 of annual wages is to be exempted from withholding. This treatment parallels the minimum standard deduction, which is equivalent to a basic $200 amount for married couples, heads of households, and single persons, plus an additional $100 for each exemption.

The graduated rates will apply to wages paid on or after May 1 of this year. Individuals will want to file new withholding exemption certificates with their employers at that time. This will especially be true of the many persons who now deliberately understate their eligible exemptions so that more will be withheld from their wages. If this bill is enacted, these voluntary adjustments to increase withholding will not be necessary in most cases.

Under the present withholding system, persons who itemize their deductions, and have deductions in excess of 10 percent of their income, are likely to be overwithheld in the sense that the amounts withheld from their wages exceed their final liability. This is the case because the present withholding system provides only a 10-percent allowance for deductions while many of those who itemize have deductions which are a larger proportion of their income.

Under the graduated withholding rates, which provide the same allowance for deductions, overwithholding due to itemized deductions would be increased, in some cases very substantially. Therefore, this bill contains a provision which will permit persons with relatively large itemized deductions to adjust their withholding by claiming special withholding allowances. These allowances, which can be claimed beginning in 1967, will be treated like additional exemptions for withholding purposes.

The committee has amended the House bill to modify the procedure for claiming withholding allowances. Under the House bill, withholding allowances would be based on the amount by which estimated itemized deductions exceeded a base level equivalent to 12 percent of estimated wage income of $7,500 or less and 17 percent of estimated wage income above this level. One withholding allowance would have been given under the House bill with respect to each full $700 of such excess with the exception that the first withholding allowance could have been claimed if excess itemized deductions exceeded $350.

As amended by your committee, the bill now provides that withholding allowances will be based on the excess of estimated itemized deductions over 10 percent of wages up to $7,500 and 17 percent of wages over this amount. Furthermore, no withholding allowance can be claimed unless such excess is equal to a full $700.

This amendment by your committee is supported by the Treasury. Under the House bill, some individuals could have corrected their overwithholding by filing for withholding allowances only to find that they owed money at the end of the year.

Your committee feels that this result would be undesirable. Thus, it has required that excess itemized deductions must equal a full $700 before a withholding allowance can be claimed. The purpose of the provision in the House bill was to make it easier for persons with incomes of less than $10,000 to claim withholding allowances.

Your committee's amendment achieves much of this purpose by reducing the limit above which excess itemized deductions are computed from 12 percent of income below $7,500 to 10 percent.

As a safeguard, estimated itemized deductions will not be permitted to exceed the deductions claimed on the last return filed, nor will estimated wage income be permitted to be less than that earned in the past year.

ESTIMATED SELF-EMPLOYMENT TAX

The second provision of this bill requires self-employed persons to pay their estimated self-employment social security tax quarterly in the manner in which they are now paying their estimated income tax. Under present law, wage and salary earners covered by the social security system pay their annual social security tax currently through withholding. Self-employed persons do not pay

their tax currently, however, but are permitted instead to delay payment until the following year.

This bill places self-employed persons on the same current-payment basis with respect to their social security tax liability which employees are now on. It does so by requiring them to make quarterly payments of estimated self-employment tax beginning in 1967.

The quarterly payments of social security tax will be combined with quarterly payments of income tax. The rules presently applicable to the declaration and quarterly payment of estimated income tax will, beginning in 1967, apply to the total of estimated income tax and estimated self-employment social security tax.

UNDERPAYMENTS OF INSTALLMENTS OF ESTIMATED TAX

The third provision in the bill relates to the provisions for filing declarations of estimated tax. Prior to 1954, taxpayers who failed to pay at least 80 percent of their final liability currently, either through withholding, quarterly payments, or both, unless certain exceptions applied, were subject to a penalty equal to 6-percent interest calculated on the difference between the amount paid currently and 80 percent of the liability. In 1954, the percentage limit for defining underpayments of installments of estimated income tax was reduced from 80 to 70 percent.

Your committee's bill restores the percentage to 80 percent. It also makes a comparable increase in the percentage applying when a taxpayer, for one or more quarters, computes his estimated tax by annualizing his income received to date.

ACCELERATION OF CORPORATE TAX PAYMENTS

The fourth provision in the bill relates to the acceleration of corporate income tax payments. Corporations with an estimated tax liability in excess of $100,000 presently are required to pay a part of their estimated liability in excess of $100,000 during the current taxable year. The portion to be paid currently is being increased from year to year in accordance with a schedule set down in the Revenue Act of 1964.

Under this schedule, corporations will be fully current with respect to their estimated tax in excess of $100,000 by 1970. Your committee's bill simply accelerates the transition to full current payment so that it will be completed in 1967 rather than 3 years later.

Under the present schedule, corporations using a calendar year accounting period would file their initial declaration and pay 9 percent of their estimated 1966 liability in excess of $100,000 on April 15 of this year. On June 15 they would pay an additional 9 percent of the estimated liability and on September 15 and December 15 they would pay installments of 25 percent on each date.

Under the bill, the payments due in April and June 1966, will be increased to 12 percent of the estimated liability and the amounts due in April and June 1967 will be increased from 14 to 25 percent of the estimated liability.

THE EXCISE TAXES ON PASSENGER AUTOMOBILES AND TELEPHONE SERVICE

The fifth and sixth provisions of the bill concern the manufacturer's excise tax on passenger automobiles and the tax on telephone and teletypewriter service. The bill imposes a moratorium on some of the rate reductions provided for these two excises by the Excise Tax Reduction Act of 1965.

The moratorium, which will last from the time this bill is passed until April 1, 1968, will freeze these rates at the levels which existed in December 1965. That is, the tax on passenger automobiles will be restored to 7 percent on the day following the date this bill is enacted and will remain at 7 percent until April 1, 1968. On the latter date, it will fall to 2 percent and on January 1, 1969, it will drop to the permanent level of 1 percent.

The tax on telephone service will be restored to 10 percent with regard to bills rendered after the first day of the first month after the date of enactment. It will remain 10 percent until April 1, 1968, when it will fall to 1 percent. On January 1, 1969, the tax will be repealed.

The committee made one important amendment in the bill approved by the House. The amendment concerns the manufacturer's excise on passenger automobiles. Under the House bill, automobile dealers and distributors would have been liable for a tax equal to 1 percent of the manufacturer's price with respect to each car they held in inventory on the day the tax was restored to 7 percent.

It has come to the attention of your committee that dealers would have many problems with respect to this tax. It might be difficult for them to gain customer acceptance of the tax since this amount would not be reflected in the posting attached to new cars which indicates the intended retail price.

Dealers, moreover, might have to wait for a substantial period in some cases before collecting the tax through sale of the car to a customer.

Because of these problems your committee amended the bill to delete the floor stocks tax with respect to cars held in dealers' inventories on the day the tax is increased to 7 percent.

The proposals in the bill regarding the excises on automobiles and telephone service were made with reluctance. The members of the committee are well aware that it is desirable to repeal these taxes in the long run. Nevertheless, there are convincing reasons for imposing a moratorium on reductions on the rates of these excises at the present time.

In the first place, these two excises generate significant revenue. Revenue is, first and foremost, the reason for this bill. It would require a combination of many other excise taxes, all equally undesirable, to match the revenue that will be obtained from these two taxes. Moreover, payments of individual income tax and corporate income tax are already being temporily increased under other provisions of the bill.

In the second place, it is a much simpler matter from the administrative standpoint to increase the rates of an existing tax than it is to reimpose a tax that has been repealed. The machinery for collecting the tax is currently in existence and would not have to be reestablished.

Third, it is evident from the action taken last year that Congress considered that repeal of these two taxes was less urgent than the repeal of numerous other excise taxes.

Finally, these two excises affect a broad cross section of the population. Thus, the burden of these excises is more widely distributed than the burden of other excises.

COMMITTEE AMENDMENTS

The seventh and eighth provisions in this bill are amendments added by your committee. The first of these amendments relates to certain indirect contributions to political parties. It was brought to the attention of your committee that there are inconsistencies in the tax treatment of expenses for placing ads in the convention program of a political party or in another political publication. There is also some confusion over the status of payments for admissions for fundraising dinners or programs and for amounts paid for admission to an inaugural ball, gala, or similar event.

To clarify the tax treatment of such expenses, your committee has added an amendment providing that no deduction will be allowed for the cost of advertising in a convention program or other publication if any part of such expense inures to a political party or candidate. Similarly, payments for admission to any dinner or program are not deductible if part of the proceeds inures to a political party or candidate. Finally, no deduction is allowed for tickets to an inaugural ball, gala, or similar event.

The second committee amendment concerns payments made by the Department of Agriculture with respect to such programs as the soil bank. This provision will require the Department of Agriculture to supply farmers with copies of information returns sent to the Internal Revenue Service. Such returns are sent to the Service whenever all payments made in any one year to a single farmer total $600 or more. Your committee believes that farmers should receive the same information with respect to payments derived from Government that recipients of dividends and interest payments receive from private corporations and payors.

CONCLUSION

The need for the revenues that will be provided by this bill is clear. Senators must keep this need in mind when appraising the bill. No one derives satisfaction from the thought that many Americans will have increased taxpayments to make as a result of this bill. But when we are tempted to delete or postpone any of the provisions of this bill, we must remember that the situation in Vietnam requires some sacrifices on the part of us all—not just those who are doing the fighting. From this standpoint, the only responsible way to meet the expenses of Vietnam is through the approach adopted in this bill.

ORDER OF BUSINESS

Mr. WILLIAMS of Delaware. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut [Mr. RIBICOFF] desire to be recognized?

Mr. WILLIAMS of Delaware. Has the morning business closed?

The PRESIDING OFFICER. Morning business is still in order.

Mr. WILLIAMS of Delaware. Mr. President, has the tax measure been laid before the Senate?

The PRESIDING OFFICER. It has not.

Mr. WILLIAMS of Delaware. Mr. President, the chairman of the committee just made his speech and there was no bill pending before the Senate.

The PRESIDING OFFICER. The unfinished business has not been laid before the Senate.

Mr. WILLIAMS of Delaware. The acting majority leader, the chairman of the Committee on Finance, tells me that he will lay the measure before the Senate this afternoon.

Mr. LONG of Louisiana. Mr. President, the bill is the pending business as soon as the morning hour is completed. I have a commitment which requires that I be absent for the next hour. However, I shall be available to answer any questions that the Senator wishes to ask.

Mr. WILLIAMS of Delaware. Mr. President, I was wondering when we would get to the measure, and that is what confused me. This measure will be made the pending business this afternoon?

Mr. LONG of Louisiana. The bill is the unfinished business and will be the pending business as soon as the morning hour is completed.

Mr. WILLIAMS of Delaware. Is it the pending business before the Senate?

The PRESIDING OFFICER. It is the unfinished business. However, it has not been laid before the Senate.

Mr. WILLIAMS of Delaware. The bill has not been laid before the Senate at this time?

The PRESIDING OFFICER. The Senator is correct. We are still in the morning business.

Mr. WILLIAMS of Delaware. Mr. President, I shall not seek recognition now. After the morning business is over, I shall be seeking recognition. We are under the 3-minute rule now, are we not?

Mr. CARLSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CARLSON. Has the tax bill, H.R. 12752, been laid down following the completion of morning business?

The PRESIDING OFFICER. It has not been laid down, and will not be until the close of the morning hour, which is at 2 o'clock.

REPORTS OF EXPENDITURES OF FOREIGN CURRENCIES AND APPROPRIATED FUNDS

Mr. HAYDEN. Mr. President, in accordance with the Mutual Security Act of 1954, as amended, I ask unanimous consent to have printed in the RECORD the reports of the Committee on Aeronautical and Space Sciences, the Committee on Rules and Administration, the Joint Economic Committee, the Select Committee on Small Business and, in addition, the reports from the following interparliamentary groups:

Fifth Mexico-United States Interparliamentary meeting, La Paz, Mexico;

British-American Parliamentary Conference, Bermuda;

Spring meeting, Interparliamentary Union, Dublin, Ireland.

Interparliamentary Union Conference, Ottawa, Canada; and

Eighth meeting, Canada-United States Interparliamentary Group, Senate delegation, Ottawa and Montreal.

These reports reflect the foreign currencies and U.S. dollars utilized by the above in 1965 in connection with foreign travel.

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

Report of expenditure of foreign currencies and appropriated funds by the Committee on Aeronautical and Space Sciences, U.S Senate, between Jan. 1 and Dec. 31, 1965

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Cannon, Howard: France	Franc	300	61.22	290	59.22	98	20.00	292	59.56	980	200.00
Young, Stephen: France	do	300	61.22	319	65.00	98	20.00	263	53.78	980	200.00
Galloway, Ellene:											
Japan	Yen	35,270	97.97	41,130	114.25	14,400	40.00	9,200	25.56	100,000	277.78
Do	Guilder [1]					5,714.08	1,589.01				1,589.01
Voorhees, Craig: France	Franc	300	61.22	315	64.29	20	4.08	20	4.08	655	133.67
Gehrig, James J.: France	do	300	61.22	315	64.29	20	4.08	80	16.33	715	145.92
Total			342.85		367.05		1,677.17		159.31		2,546.38

[1] Air transportation purchased by State Department with Dutch guilders.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent) (total)	2,546.38

FEBRUARY 25, 1966.

CLINTON P. ANDERSON,
Chairman, Committee on Aeronautical and Space Sciences.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Rules and Administration, U.S. Senate, between Jan. 1, and Dec. 31, 1965

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
John F. Haley:											
England	Pound	39-5-8	110.00	17-4-4	48.20	14-1-4	39.40	7	19.60	17-11-4	217.20
France	New franc	632.50	126.50	411	82.20	210.50	42.10	131	26.20	1,385	277.00
	Deutsche mark.[1]					3,177.60	794.40				794.40
Total			236.50		130.40		875.90		45.80		1,288.60

[1] Airline ticket, Washington, New York, Paris, London, Washington.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	1,288.60

JANUARY 11, 1966.

B. EVERETT JORDAN,
Chairman, Committee on Rules and Administration.

Report of expenditure of foreign currencies and appropriated funds by the Joint Economic Committee, U.S. Senate, between Jan. 1 and Dec. 31, 1965

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hale Boggs:											
New Zealand	Pound	20-0-0	56.00	15-13-2	44.00					35-13-2	100.00
Australia	do	30-0-0	67.50	40-0-0	90.00			19-2-8	42.50	89-2-8	200.00
Hong Kong	HK$	859.15	150.00	459.20	80.00			114.80	20.00	1,433.15	250.00
Vietnam	Piaster	727	10.00	1,142	15.69					1,869	25.69
Subtotal			283.50		229.69				62.50		575.69
Argyll Campbell:											
New Zealand	Pound	13-16	38.64	11-11-4	31.12			10-16	30.24	35-13-2	100.00
Australia	do	30-0-0	67.50	45-0-0	101.25			13-8-8	31.25	89-2-8	200.00
Hong Kong	HK$	547.15	100.00	746.20	130.00	25.00	4.34	112.80	20.00	1,458.15	254.34
Vietnam	Piaster	639	8.77							639	8.77
Subtotal			214.91		262.37		4.34		81.49		563.11
Jacob K. Javits:											
England	Pound	33.6	90.00	23.0	60.00	6.0	20.00	9.0	30.00	71.60	200.00
France	Franc	396.9	81.00	294.0	60.00	24.5	5.00	19.6	4.00	735.00	150.00
Subtotal			171.00		120.00		25.00		24.00		350.00
Robert Ellsworth:											
England	Pound	15-10-0	43.68	14-9-4	40.51			30-0-0	84.00	59-21-4	168.19
Belgium	Franc	1,673	33.46	1,500	30.00			1,927	38.54	5,100	102.00
France	do	602	122.81	600	122.40			448	91.39	1,650	336.60
Italy	Lire	18,774	30.04	20,500	32.80			44,991	71.85	84,265	134.69
Subtotal			229.99		225.71				285.78		741.48
Henry S. Reuss:											
England	Pound	10-11-0	29.54	2-3-9	6.11	0-10-0	1.40	0-5-0	.70	13-9-9	37.75
Belgium	Franc	1,499	29.98	959	19.18			[1] 550	[1] 11.00	3,008	60.16
France	do	327	65.40	303	60.60	12	2.40	8	1.60	650	130.00
Subtotal			124.92		85.89		3.80		13.30		227.91
Herman E. Talmadge:											
Switzerland	Franc	431.40	100.00	324	75.00			108	25.00	863.40	200.00
West Germany	Deutschemark [2]					3,663.60	915.90			3,663.60	915.90
Subtotal			100.00		75.00		915.90		25.00		1,115.90
Donald A. Webster:											
England	Pound	17-2-6	47.65	9-18-0	27.72	2-0-0	5.60	4-6-0	12.01	33-6-4	93.28
Belgium	Franc	1,000	20.00	650	13.00			310	6.20	1,960	39.20
France	do	325	65.00	385	77.00	75	15.00	100	20.00	885	177.00
Italy	Lire	29,270	46.83	26,500	42.41	8,000	12.80	10,000	16.00	73,750	118.04
Germany	Deutschemark [2]					3,722.80	930.47			3,722.80	963.87
Subtotal			179.78		160.13		963.87		54.21		1,357.99
Total			1,304.10		1,158.79		1,912.91		556.28		4,932.08

[1] Check for $11 sent to U.S. Treasurer Nov. 24, 1965, because this currency was used for personal purpose.
[2] Round-trip transportation purchased by State Department.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	4,932.08

MARCH 1, 1966.

WRIGHT PATMAN,
Chairman, Joint Economic Committee.

Report of expenditure of foreign currencies and appropriated funds by the Committee on Small Business, U.S. Senate, between Jan. 1 and Dec. 31, 1965

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Robert R. Locklin:											
Spain	Peseta	4,494.50	75.00	7,484.4	125.00			2,995	50.00	14,973.9	250.00
France	Franc	539	110.00	490	100.00			196	40.00	1,225	250.00
United Kingdom	Pound	42-16-4	120.00	35-13-8	100.00			10-14-1	30.00	89-4-1	250.00
Netherlands	Guilder					2,900.00	806.45				806.45
Daniel T. Coughlin:											
Spain	Peseta	4,494.50	75.00	5,900	100.00			1,497.50	25.00	11,982	200.00
France	Franc	431.20	88.00	392	80.00			156.80	32.00	980	200.00
United Kingdom	Pound	42-16-4	120.00	35-13-8	100.00			10-14-1	30.00	89-4-1	250.00
Netherlands	Guilder					2,900.00	806.45			2,900.00	806.45
Total			588.00		605.00		1,612.90		207.00		3,012.90

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	3,012.90

MARCH 1, 1966.

JOHN SPARKMAN,
Chairman, Committee on Small Business.

Report of expenditure of foreign currencies and appropriated funds by the delegation to the 5th Mexico-United States Interparliamentary Meeting, La Paz, Mexico, Feb. 11 to 18, 1965

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
George D. Aiken: Mexico	Dollar		46.28		34.78				5.00		86.0[illegible]
Wallace F. Bennett: Mexico	do		67.66		50.79				15.40		133.85
Paul J. Fannin: Mexico	do		46.37		49.95				14.00		110.32
Albert Gore: Mexico	do		65.34		64.06		5.30		15.45		150.15
Ernest Gruening: Mexico	do		62.51		52.04				9.96		124.51
Mike Mansfield: Mexico	do		73.33		66.30		3.00		17.38		160.10
Joseph M. Montoya: Mexico	do		61.98		68.88		8.00		10.88		149.74
Wayne Morse: Mexico	do		65.39		49.59				21.01		135.99
Milward L. Simpson: Mexico	do		70.48		52.86				42.83		166.17
John Sparkman: Mexico	do		52.95		39.98		5.29		29.84		127.97
Joseph D. Tydings: Mexico	do		70.96		61.31		15.39		35.45		183.02
Pat M. Holt: Mexico	do		46.72		44.99		6.40		4.36		102.47
Milrae E. Jensen: Mexico	do		39.68		41.82				8.00		89.50
Harry Bergold: Mexico	do		33.20		23.98				5.24		62.42
David T. Paton: Mexico	do		45.91		39.49						85.40
Brian Bell: Mexico	do		19.98		13.32						33.30
Arthur M. Kuhl: Mexico	do		52.40		37.01				5.20		94.61
Delegation expenses:											
Meals	do				86.50						86.50
Transportation	do						219.26				219.26
Gratuities	do								49.70		49.70
Telephone	do								9.83		9.83
Hotel offices	do		28.16								28.16
Miscellaneous	do								69.04		69.04
Total			499.30		877.65		262.46		368.57		2,457.98

RECAPITULATION

	Amount
Appropriated funds: Other	$2,457.98

J. W. FULBRIGHT, *Chairman.*

Report of expenditure of foreign currencies and appropriated funds by the delegation to the British-American Parliamentary Conference, Bermuda, Feb. 23 to Mar. 1, 1965

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Bourke B. Hickenlooper: Bermuda	Pounds	85-9	240.00	4-14	13.31			10-19	30.59	101-2	283.90
Eugene McCarthy: Bermuda	do	85-9	240.00	28-11	77.25			13	34.00	127	351.25
Gaylord Nelson: Bermuda	do	47	132.00	6-16	19.15			7-9-10	20.70	61-5-10	171.85
Frank Carlson: Bermuda	do	85-9	240.00	7-14	21.69			10-8	29.28	103-11	290.97
Donald Henderson: Bermuda	do	85-9	240.00	12-8	32.17			8-2	22.90	105-19	295.07
Darrell St. Claire: Bermuda	do	85-9	240.00	12-11	32.55			13-16	35.80	111-16	308.35
Delegation costs: Bermuda	U.S. dollar and pound.				143.80	50-10	139.19	10	28.00	60-10	[1] 310.99
Total			1,332.00		339.92		139.19		201.27		2,012.38

[1] $14 of this amount reimbursed to the U.S. Treasury by Darrell St. Claire.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	1,868.58
Appropriated funds: S. Res. 28 (89th Cong., 1st sess.)	143.80
Total	2,012.38

J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations.

Report of expenditure of foreign currencies and appropriated funds by the Senate delegation, spring meeting, Interparliamentary Union, Dublin, Ireland, Apr. 18 to 25, 1965

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Ralph Yarborough: Ireland	Pound	56-5-3	157.63	32-15-7	91.89			9-15-1	27.32	98-15-11	276.84
Bourke B. Hickenlooper: Ireland	do	51-19-6	145.54	30-0-1	84.12			0-1-7	.21	82-1-2	229.87
Hugh Scott: Ireland	do	36-12	102.57	24-19-5	70.08			2-19-10	8.36	64-11-3	181.01
Darrell St. Claire: Ireland	do	56-5-3	157.64	33-8-8	93.66			9-3-4	25.68	98-17-3	276.98
Do	U.S. dollar								20.00		20.00
Total [1]			563.38		339.75				81.57		984.70

[1] $200.34 of total expenditures reimbursed to the U.S. Treasury by Darrell St. Claire for personal expenses.

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	964.70
Appropriated funds: Other	20.00
Total	984.70

J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations.

Report of expenditure of foreign currencies and appropriated funds by the Senate delegation, Interparliamentary Union Conference, Ottawa, Canada, Sept. 7 to 17, 1965

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Stephen M. Young: Canada	Dollar	32.00	29.85	15.86	14.80					47.86	44.65
Strom Thurmond: Canada	do	45.00	41.98	16.49	15.38					61.49	57.36
Ellen Thurmond: Canada	do	72.00	67.17	5.50	5.13			3.66	3.41	81.16	75.71
Milrae E. Jensen:											
Canada	do	130.00	121.30	45.99	42.90			31.00	28.91	206.99	[1] 193.11
United States	U.S. dollar								10.00		10.00
Martha Price:											
Canada	Dollar	91.00	84.90	44.21	41.24	47.00	43.85	7.85	7.32	190.06	177.31
Do	U.S. dollar				27.00						27.00
Darrell St. Claire:											
Canada	Dollar	190.00	177.27	182.66	170.42			35.70	33.30	408.36	380.99
United States	U.S. dollar						8.85		6.00		14.85
Total			522.47		316.87		52.70		88.94		980.98

[1] $4 of this amount reimbursed to the U.S. Treasury.

RECAPITULATION

	Amount
Foreign currency (U.S.-dollar equivalent)	929.13
Appropriated funds: Other	51.85
Total	980.98

J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations.

Report of expenditure of foreign currencies and appropriated funds by the Senate delegation, 8th meeting, Canada-United States Interparliamentary Group, Ottawa and Montreal

Name and country	Name of currency	Lodging		Meals		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
George D. Aiken: Canada	Dollar	140.00	130.20					0.20	0.18	140.20	130.38
Mike Mansfield: Canada	do	70.00	65.10	16.15	15.01					86.15	80.11
Pat McNamara: Canada	do	57.00	53.01	10.05	9.34					67.05	62.35
B. Everett Jordan: Canada	do	59.00	54.87	14.75	13.71			1.50	1.39	75.25	69.97
Frank E. Moss: Canada	do	78.00	72.54	9.43	8.77			4.35	4.04	91.78	85.35
Eugene McCarthy: Canada	do	17.00	15.81	1.90	1.76			3.20	2.97	22.10	20.54
Bourke B. Hickenlooper: Canada	do	15.00	13.95	3.25	3.02					18.25	16.97
Leverett Saltonstall: Canada	do	38.00	35.34	10.51	9.77					48.51	45.11
John Sherman Cooper: Canada	do	61.00	56.73	4.36	4.05			2.10	1.95	67.46	62.73
Hiram L. Fong: Canada	do	59.00	54.87	3.63	3.37					62.63	58.24
James B. Pearson: Canada	do	61.00	56.73	4.33	4.02					65.23	60.75
Carl Marcy: Canada	do	43.00	39.99	2.40	2.23			.20	.18	45.60	42.40
Francis R. Valeo: Canada	do	55.00	51.15	8.11	7.54			6.60	6.13	69.71	64.82
Milrae E. Jensen: Canada	do	44.00	40.92	3.50	3.25			.20	.18	47.70	44.35
Varney Porter: Canada	do	45.00	41.85	3.91	3.63					48.91	45.48
Darrell St. Claire: Canada	do	78.00	72.54	2.32	2.15			4.00	3.72	84.32	78.41
Delegation expenses:											
Hotel, Montreal, Canada	do							45.31	42.13	45.31	32.13
Offices, Ottawa, Canada	do	125.80	116.62							125.80	116.62
Reception, meals, Canada	do			193.06	178.66					193.06	178.66
Overtime, Embassy employees, Canada.	do							35.42	32.83	35.42	32.83
Gratuities, Canada	do							50.45	46.95	50.45	46.95
Taxis, Canada	do					4.00	3.72			4.00	3.72
Taxis, United States	U.S. dollar						2.10				2.10
Meals, United States	do				5.75						5.75
Total			972.22		276.03		5.82		142.65		1,396.72

RECAPITULATION

	Amount
Foreign currency (U.S. dollar equivalent)	1,388.87
Appropriated funds: Other (Public Law 86-42)	7.85
Total	1,396.72

J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations.

DANIEL FERNANDEZ, VIETNAM HERO

Mr. MONTOYA. Mr. President, the heroic death in Vietnam of Sp.4c Daniel Fernandez has stirred the hearts of Americans everywhere.

Specialist Fernandez, who is from the little town of Los Lunas, N. Mex., saved the lives of several comrades last February 18 when he hurled himself upon a Vietcong grenade.

Before this brave act, which cost him his life, Specialist Fernandez had shown other signs of the kind of fighting man he was. Early last year, he flew more than 25 missions as a helicopter gunner in Vietnam before he was wounded and sent home to recuperate. He won both the Air Medal and the Purple Heart for that earlier duty.

After recovering from his injuries, Specialist Fernandez volunteered for new service in Vietnam, and returned to that unhappy land with the 25th Infantry Division.

It was while serving with the 2d Brigade of the 25th Division that he met his death on February 18.

Tributes to Specialist Fernandez have come from people in all walks of life throughout the country, and he has been nominated for the Congressional Medal of Honor, his Nation's highest award for military heroism.

But nothing that has been said about this brave youth has touched me as did the comments of his father, Jose Fernandez, when he talked to a reporter about the death of his son.

I should like to have those comments, reproduced from the Albuquerque Journal of February 21, printed in the RECORD.

The comments follow:

"I lived in fear all the time he was away that something like this would happen," his father said Sunday, the day of the funeral.

Mr. Fernandez said his son was very generous and always volunteering for something, but the last thing he would want is to be known as a hero.

"Daniel was no different than any other American boy. We have many of them here in Los Lunas, you have thousands in Albuquerque and there are millions in the United States.

"I feel that the circumstances made him do this thing because he was a generous boy. He liked to help others.

"From my viewpoint, Daniel's action was not an unusual thing for him to do", Mr. Fernandez said.

"I feel very humble. I don't measure up to those standards.

"I told Daniel, 'we want you home alive'; that's a parent's feeling, wanting your own safe."

On the possibility of his son being awarded the Congressional Medal of Honor, Mr. Fernandez said, "What can you say? It's overwhelming. Daniel had too much life and too much courage."

INDIANA'S EASTER SEAL CHILD FOR 1966

Mr. BAYH. Mr. President, this year for the second time, Mrs. Bayh and I have the privilege of serving as cochairmen of the Indiana Easter Seal Campaign. Through our work with the campaign in 1965 and during the past few weeks we have associated with and have come to know many inspiring handicapped children and adults. Among them none is more noteworthy than our Indiana Easter Seal Child for 1966, 13-year-old Kay Slickers, of Lafayette, Ind., who typifies thousands of persons throughout the Nation who are working bravely to overcome their handicaps.

Kay, who was selected for this position of honor by the Women's Civic Club of Indianapolis, is the daughter of Mr. and Mrs. Allen Slickers. Both her parents are active in their county Easter Seal Society and, along with her two older brothers and younger sister, have helped Kay to compensate for her handicaps, a congenital hip and curvature of the spine, which she has had since birth.

An extremely energetic young lady, Kay has learned to walk with the help of braces and crutches, and she exercises constantly to strengthen her leg muscles. Kay attends junior high school and receives treatment from the Tippecanoe County Easter Seal Society in Lafayette.

Under the firm guidance of her family, Kay has assumed the normal home responsibilities of any 13-year-old. A talented pianist, she often entertains her close-knit family and friends.

As Indiana Easter Seal Child of 1966, Kay has many duties. She came to Washington to help us tape radio and television appeals for Easter Seal contributions, and she has officiated at ceremonies in Indiana's treatment centers for the handicapped. With a ready smile and quick wit, Kay is a delightful coworker as well as an inspiration to others who must contend with physical handicaps.

Young Miss Slickers deserves much credit for her courage and determination to overcome her own handicaps, her work to aid others, and her ability to show us all what Easter Seals can accomplish. It has truly been a rewarding pleasure and an inspiration to be associated with this fine young Indiana girl to whom much credit belongs for the success of this important endeavor.

A DISSENTING VOICE FROM VIETNAM

Mr. CHURCH. Mr. President, among the many difficulties of intervening in the affairs of other nations—no matter how good the cause or the intentions for doing so—is the effect outsiders have on indigenous people. Particularly for a people wearied from decades of war, it is easy to "Let George do it" and take advantage of the plentiful supply of new money.

These are two of the reasons a young American soldier has written, "I've never been so disillusioned with our country as after my experiences over here in the past 5 months or so." In a notarized copy of a letter he wrote to a friend, which I hold in my hand, he also takes aim at the game of manufacturing statistics which satisfy Washington, but have no relation to reality. He talks about reports of officials claiming to have distributed 4 million pills and treated several thousand villagers, when in fact the officials had no pills or medicine at all.

Mr. President, this letter from the field presents a far different picture from that given in optimistic official reports. It deserves to be soberly considered.

I ask unanimous consent that a notarized copy of this letter be printed in the RECORD.

Appropriate deletions have been made to protect the soldier's identity.

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

"DEAR CHRIS: Hello from Vietnam. I'm presently about [deleted] miles south of the border between North and South Vietnam in a compound near [deleted]. I'm here for a few days to recon out some bridges that we'll have to strengthen before I can hope to get our tanks and other armor over. I am newly assigned to the [deleted] Cavalry (Vietnamese) and will take over advising a troop as soon as I get some of these recon and administrative problems out of the way. The cavalry over here uses tanks and armored fully tracked scout and support vehicles. They are fast moving and kill lots of Vietcongs. I went on a couple of operations with them last week. I went out with a troop that is about [deleted], because this is the one I will take over in about 4 weeks. They moved and shot very well and I doubt if our own cavalry could do much better than this. However this excellent state of morale and training of these particular troops is the exception rather than the rule in the Vietnamese Army.

"CHRIS, I've never been so disillusioned with our country as after my experiences over here for the past 5 months or so. For the first time I am on the scene where the news is being made and I realize that reporters for the most part do not strive to present an accurate picture of what is taking place—rather they write what will sell and make them the most as far as money and reputation. Most of the combat photos are either posed or else they are behind the lines training photos captioned as frontline combat photos. After having been in combat for the past few months I have a pretty good idea of what can and cannot be done. When you see a picture of a Vietcong coming out of a cave with hands held high—you can bet it is a posed picture. When you see a Vietnamese mother shielding its child's body from bullets, you can bet that photographer would have his [deleted] down too. What a bunch of baloney.

However most of my disillusionment comes from the sorry [deleted] attitude of the Vietnamese people. Especially the educated leaders of this country are rotten, dirty, no good thieves. They are Communist-haters but all have fat bank accounts in foreign banks. They deposit every month several times their salary in these bank accounts outside of country. In this one area—where I was adviser to the [deleted] and also adviser in psychological warfare—the U.S. Government (through Vietnamese channels) was paying salaries of 338 cadres.

The cadres were supposed to be pacifying an area five villages in size. However, there were only about 50–60 cadres working in the area. So this meant a group of about three minor government officials (Vietnamese) were stealing $4,000 per month. I reported this but nothing was done. I raised so much [deleted] about it that they transferred me out to a straight combat unit. At the same time this was going on, the Vietnamese reports were very rosy and you would believe the war was almost won. They said that we distributed some 4 million pills and treated several thousand villagers when we had no medicine at all—it had disappeared before it reached us—more than likely sold in the big cities. They said my battalion (250 men) killed or captured 175 Vietcong. However, I have seen only two bodies and about eight prisoners in all of our actions. Even accounting for the ones dragged away after they're dead by the Vietcong, I think we killed only 20. However, we lost 50 of our men killed and 35 wounded and 16 captured. I personally saw and helped carry out about 25 of our own dead—but they report we lost about 12. But these false paper reports satisfy Washington. The emphasis is not on what are we accomplishing and what actual progress is being made. Rather if you put down on paper that progress is being made it is sufficient. They are living in a dream world—but I'm afraid they are fooling only themselves—and the American public: both will suffer in the long run.

"I have been trying to analyze this corrupt and inefficient plan for winning the war and determine just what is the basic reason for our continuing failure here (we are failing no matter what the newspapers and the Johnson administration says). I think it boils down to this: We have committed ourselves here in Vietnam and have stated that we will stay as long as is necessary and will put into this country as much as it takes to win the war. However, the money is given to the Vietnamese Government officials to use as they see fit. Since they are spending our money and they know we will give them as much as is necessary

they accept no responsibility whatsoever to insure that the money and supplies are used for its intended purpose and efficiently. They are on the gravy train and know it and intend to stay on it. It is a paradox—the longer the war lasts, the more money they can steal. The more money they steal, the longer the war will last; if the war is won and the United States pulls out—the salaries of these officials would drop 100 times of what it is now. So why should they try to end the war? They have nothing to gain by it and plenty to lose.

"The Vietnamese people themselves—the merchants, the farmers, etc.—do not appreciate what we are trying to do for them. The restaurants and shops have two prices, one for the Vietnamese and one for the American soldiers (who are dying for these people). It costs about 16 cents for a Vietnamese to buy a beer, 40 cents for a soldier. It costs 60 cents for a Vietnamese to buy a block of ice, $2.50 for a GI. A ride on a cycilo costs a Vietnamese 20 cents, the same ride for a GI $1. I could quote these prices forever. If you insist on paying the Vietnamese (lower) price they laugh at you and refuse. No matter how many shops you try the story is the same. They have you over a barrel. A GI who spends 60 days living in a foxhole full of mud like an animal cannot just refuse to pay. If he is to get any relaxation on the half day off in town his CO has given him he must pay the outrageous prices or do without. Most just grit their teeth and pay.

"Another thing the Vietnamese people do is steal from the GI. I've had cigarettes snatched out of the seat next to me while driving my jeep down the street at daylight in downtown Da Nang. I once caught the man who did it. The Vietnamese policeman I took him to spoke a few words in Vietnamese to the man and turned him loose. He smiled very sweetly at me and said, "Very sorry." Yes, they are very appreciative of what we are doing for them. The other day a friend of mine, Capt. [deleted] was killed in a Vietcong ambush. With him were about 10 Vietnamese soldiers. Though [deleted] was killed the Vietnamese soldiers who were with him managed to fight off the Vietcong. But when his body was returned to our command post, his watch, pistol, rifle, money, etc., was gone. Another friend of mine went to pay a visit on the company and found one of our Vietnamese allies with his pistol, another his rifle, and another with the watch. It was easy to tell since the rifle is only a type carried by U.S. personnel and the pistol was a personal 1917 model German Luger. When I heard this I wanted to go and kill some of them myself. It is so damn rotten and unbelievable. So far we've only been able to get them to give back the rifle. The [deleted] Vietnamese officers are balking in returning his things.

"Well, I was for 5 months with a Vietnamese infantry battalion and saw quite a bit of combat in our area [deleted] miles south of Da Nang. I came very close to death several times (earned Combat Infantryman's Badge and was put in for Bronze Star). I'm going to advise a cavalry troop just north of [deleted]. The past year they had three different advisers. Two were killed and this last one was wounded. Two were good friends of mine. It makes me very angry to see my friends killed and wounded here and to put my own life on the line daily when you see the Vietnamese themselves are not trying and don't give a damn for your efforts and sacrifices. I see Vietnamese guys and their wives laughing and having a good time together. I see many young men not in the Vietnamese military. And I ask myself why I must be on the other side of the world from my wife, and, I wonder why I must fight and risk death when many young Vietnamese men do not. There is no penalty for draft dodging and if a man deserts and is found by the authorities he is only scolded and returned to the army even if it has been years. They are not so much as fined. However, we are aware of the penalty for desertion in our own Army in time of war—death.

"I suppose it might seem that I am feeling sorry for myself and using your shoulder to cry on and I suppose to a certain extent this is the case. But mostly I feel like I need to tell at least one person back there what is really happening over here. Hope I didn't make you too angry.

"Right now I'm in bed with dingy fever. It is sort of like the flu, except you have amazing diarrhea and sharp pains in the muscles. I am usually sick about 2 or 3 days per month. This country is so filthy. More men are evacuated to the United States from disease than for wounds. At least it is a good way to keep slim. I've lost 45 pounds since I left [deleted] a year ago. Will have plenty of time for eating when I get back.

"I'm really jealous of you, you old son of a gun, those boys are really good-looking kids. Boy I'll bet you're proud. I know I sure would be if I were their father. As you know [deleted] and I don't have any yet but I plan on going into mass production soon as I get back. Next time you write be sure to send a picture of you and Betty.

"I certainly appreciate your invitation to spend a few days with you and your family. As you know my favorite sport is trout fishing. Also I like to hunt pheasant, etc. When I get back from here it will be about the end of September. Will there be anything in season then? [Deleted] likes to fish, too. Does Betty? Boy I sure am looking forward to it if I can make it. How long does it take by auto from [deleted]? I can already taste the trout rolled in cornmeal and cooked in butter. And pheasant cooked with wine and mushrooms. I can hardly wait. What other employment opportunities are there for a retired Army [deleted]?

"What is Brooks doing and where is he? And Don McCall and any of the others? Let me know what everyone is doing and addresses if possible. I dropped by the [deleted] house about 1 month before I came over here. Had a nice chat with Warren Morris and some cookies and milk. He had a 63 Caddy and was still playing the horses. Said Frog was getting his master's degree somewhere.

"Well, I sure enjoyed hearing from you and hope you write again soon. I'll write when I can. Take good care of the family and best of luck and happiness to you all.

"Your friend,

"[Deleted]."

STATE OF IDAHO,
County of ADA, ss:

This is to certify that I have seen the original of this document and that this is the true and exact copy of the original.

FRED SHIPAL,
Notary Public.

Date: February 28, 1966.

THE IMPACTED AREA SCHOOL PROGRAM

Mr. CANNON. Mr. President, I was very gratified to learn of the recent sharp reaction of members of the Senate Appropriations Committee against administration plans to curtail drastically funds for the impacted area school program.

This vital program provides funds for thousands of school districts which are burdened by the attendance of children of servicemen and other Federal employees. Since these programs were established in 1950 to provide for operation and maintenance, teacher's salaries, and school construction, they have been the very model of cooperation between the local school districts and the Federal Government to provide the best possible education for dependents of Federal workers.

At a meeting of the Appropriations Subcommittee on Health, Education, and Welfare earlier this week, many Senators expressed their determination to fight cuts in the impacted areas programs.

The distinguished Senator from Rhode Island [Mr. PASTORE] articulated the position of those of us who oppose the reduction of the impacted areas programs when he challenged the administration's argument that funds for the Elementary and Secondary Education Act passed last year are a substitute for impacted area funds.

The Senator was absolutely correct in his statement. The philosophy behind the impacted area program is clear. Funds are paid to local school districts to remove inequities resulting from the concept of intergovernmental immunity. Since local and State governments cannot tax Federal property, and since the local property tax is the primary source of financing for the American schools, it is obvious that school districts in which the Federal Government has large holdings must operate on impaired tax basis. Further, the presence of Federal property within the school district usually leads to the imposition of a distinct Federal burden on the local schools which must provide education for the children of the Government employees who work on the Federal property.

There is no doubt, therefore, that the impacted area programs were initiated to require the Federal Government to meet its obligation to help provide for the education of the children of its employees. The Elementary and Secondary Education Act, on the other hand, is designed to meet totally different education problems—especially those in lower socioeconomic school districts.

During the recent questioning of Secretary Gardner by members of the Appropriation Subcommittee, the Senator from Colorado [Mr. ALLOTT] said the impacted area funds "provide the bones, blood and muscle for those needy districts."

The Senator from Alaska [Mr. BARTLETT] termed full impacted area aid "absolutely essential."

I associate myself fully with the remarks of my colleagues on this most important subject.

Opposition is being generated in every quarter to the proposed reduction of more than $200 million in impacted area aid. Educators in my State and throughout the Nation are virtually unanimous in opposition to the cutback, and more and more Members of Congress are speaking out on the need to retain this critical program.

The proposed reductions are not in the best interests of American education, and I am confident that the Congress will appropriate the funds needed to continue the impacted area programs at their same level as recent years. I am

also confident that action will be taken to extend Public Law 815 which is set to expire on June 30 of this year, and that the Congress will soon add to the supplemental appropriation bill the funds needed to meet present entitlements under Public Laws 815 and 874.

To do less would be to turn our backs on our goal to provide the best possible education to every American.

I have received letters from the Washoe County School District and the Nevada Congress of Parents and Teachers which outline objections to the argument that the Elementary and Secondary Education Act justifies drastic reductions in the impacted areas program.

I ask unanimous consent that these letters be printed in the RECORD.

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

NEVADA CONGRESS OF PARENTS AND TEACHERS,

February 4, 1966.

Hon. HOWARD CANNON,
Senator, State of Nevada,
Capitol Building,
Washington, D.C.

DEAR SENATOR CANNON: The Board of Managers of the Nevada PTA at their January board meeting went on record as opposing any reduction in the Federal impact program Public Laws 874 and 815.

We do not feel that categorical Federal aid through the Elementary, Secondary Education Act can in anyway substitute for the funds received by the several school districts in the State through the impact bills. We support your efforts for a supplemental appropriation to pay the full entitlement to the school district receiving this aid.

The PTA feels the proposed legislation to reduce the funds would discriminate against the children of our service men and women and other employees of the Federal Government.

We want you to know we support your positive stand to retain the impact legislation 874 and 815.

Please accept our thanks for your efforts on behalf of children and youth in the past.

Sincerely yours,

LAMAR LEFEVRE,
President, Nevada Parents and Teachers.

WASHOE COUNTY SCHOOL DISTRICT,
Reno, Nev., February 21, 1966.

Hon. HOWARD W. CANNON,
Senator from Nevada,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR CANNON: Thank you for your letter advising me of the cuts in Public Law 874 and Public Law 815 which were proposed in the administration's fiscal budget for 1967 and also for your second letter dated February 14, 1966, notifying me that you have introduced a bill to extend the life of Public Law 815 until 1968.

For your information I would like to supply the following information to you concerning the number of students leaving and the number of teachers affected at the Stead Air Force Base. It appears that when the Stead Air Force Base is totally phased out, and we expect this to be in June of this year, we will lose 973 class "A" pupils (those whose parents live and work on Federal property) and 454 class "B" pupils (those whose parents work on but reside off Federal property), making a total of 1,427 students that we will lose from the Stead Air Force Base. This will leave us 890 federally connected students.

We have budgeted a total of $266,000 for Public Law 874 funds for this present year. Unless there is an appropriation to make the full payments it is our understanding that we may lose 10 percent of this which would be approximately $26,600.

Of the 890 students we would expect to have next year, 131 would be classed as "A" students and 759 as "B" students. If the reimbursement amount remained the same as it is now this would mean $123,672 for the district. However, I also understand that there is some intention of raising the percentage of eligibility from 3 percent to 6 percent and having the local school districts absorb the first 6 percent. If this change were made Washoe County would not become eligible for any funds.

If we lose 1,427 federally connected students this would also mean a loss of approximately 44 teachers if we use 30 pupils to a class. We are expecting the county to continue to increase in population and, therefore, we are not anticipating cutting 44 teachers although we are at the present time planning to cut quite a number.

We will, of course, have some problems in that we have a school (elementary) located at the Stead Air Force Base which will house close to 1,000 students. This school will go down considerably in population and we will be operating a school probably with a very small number in attendance. In the course of time as the growth in that area continues we will eventually have full use of the school again.

In addition to this information concerning our losses in Public Law 874 money, we have also received a letter from the State supervisor of school lunch programs stating that the reimbursement rate for the national school lunch program assigned to Washoe County will be cut one-half cent effective December 1, 1965, and a notice to the effect that we probably shall be allocated even less money next year. I would like to further add that in respect to the lunch program that we are providing between 130,000 and 150,000 free meals to needy children each year under this program which in my mind is considerably in line with the President's poverty program. If the school lunch program is cut further this may mean that the needy children may suffer further because we would be unable to make the lunches available to them.

It seems rather peculiar to me that so much in the way of Government funds is being made available under the Elementary and Secondary Education Act and the Educational Opportunity Act, and yet at the same time such programs as impacted area funds and national school lunch programs are being cut. Expression was made by the school board members at their last meeting, to which I thoroughly agree, that if we had a choice we would prefer receiving funds under the impacted program and the Federal lunch program.

Again let me say that we have always appreciated your stand.

Sincerely yours,

PROCTER R. HUG,
Superintendent.

NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION FOR TRUTH-IN-LENDING AND OTHER CONSUMER PROTECTION

Mr. DOUGLAS. Mr. President, I was encouraged to receive from the coordinator of the Women's Activities Committee of the National Rural Electric Cooperative Association official notice of the resolution passed by that organization at its annual meeting on February 17 in support of truth-in-lending.

This declaration of support for truth-in-lending and other consumer legislation represents the considered opinion of this association of 979 consumers owned and controlled electric systems, as voted by 8,949 representatives at the annual meeting. I ask unanimous consent that this resolution of the National Rural Electric Cooperative Association be printed in the RECORD.

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

CONSUMER PROTECTION RESOLUTION OF THE WOMEN'S ACTIVITIES COMMITTEE

Whereas National Rural Electric Cooperative Association is an association of 979 consumer-owned and controlled electric systems, vitally interested in all matters affecting consumers; and

Whereas we recognize consumers have a responsibility in the economic life of this country to support with their patronage the honest and efficient producers and distributors who offer the best value for the lowest price: Now, therefore, be it

Resolved, That we support legislation that helps consumers fulfill their role in an intelligent and responsible manner by giving them access to clear, unambiguous information about products and services available for sale; and be it further

Resolved, That we support legislation that helps consumers shop for the best buy in credit by requiring a clear statement of the cost of credit and the annual rate of interest; and be it further

Resolved, That we support legislation that assures the safety of food, drugs, and cosmetics before they are offered for sale; and be it further

Resolved, That we reaffirm our support for full representation of the consumer in the highest councils of government and commend the President for again appointing a Consumer Advisory Council to work with his Special Assistant for Consumer Affairs; and be it further

Resolved, That we urge rural electric systems and their State and national associations to make consumer information available to their members.

JACK HOOD VAUGHN

Mr. BAYH. Mr. President, let me add my word of commendation to those who have already spoken favorably on the appointment of Jack Hood Vaughn to be Director of the Peace Corps. His broad experience, keen intellect, excellent training and demonstrated ability suit him admirably for this important post.

Secretary Vaughn has long been associated with the administration of American foreign policy. After obtaining his A.B. degree from the University of Michigan in 1943, he entered the U.S. Marine Corps as a private. He was honorably discharged from the corps in 1946, having attained the rank of captain, and resumed his studies at Michigan, where in 1948 he received the M.A. degree with specialization in Latin American affairs.

After teaching at Michigan and the University of Pennsylvania, Vaughn joined the U.S. Information Agency and served in La Paz, Bolivia, and San Jose, Costa Rica. He likewise was assigned to Panama City as a program officer of the Foreign Operations Administration

and to La Paz for the International Cooperation Administration mission. Service with the ICA later took him to the Federation of Mali and the Republic of Senegal.

From October 1960 to April 1961, Secretary Vaughn supervised the Latin American programs of the Peace Corps. During this period, the number of Peace Corps volunteers in Latin America grew from 123 to nearly 3,000. He played a significant role in this growth, and helped originate the community development programs in both rural and urban areas. In April 1964, he was appointed U.S. Ambassador to Panama, where he proved to be a popular and effective representative of our country. Since March 1965, he has been Assistant Secretary of State for Inter-American Affairs.

Mr. President, Jack Vaughn is well qualified to assume the leadership of the Peace Corps. His experience in Latin America and Africa, as well as his clear knowledge of the problems which afflict all the underdeveloped areas of the world, are essential assets. His personal qualities—the simpatico so loved by Latin Americans—are an unexpected bonus both in the Peace Corps and for the entire Nation. In selecting Mr. Vaughn to be Peace Corps Director, President Johnson has again demonstrated his unusual capacity for choosing able administrators to fill critical leadership posts in his administration.

THE RUSK DOCTRINE: DULLES REDOUBLED

Mr. CHURCH. Mr. President, the late, indefatigable John Foster Dulles gave us treaties the effectiveness of which many felt were more apparent than real. Small wonder, then, that many Americans were surprised when Secretary Rusk did him one better.

He not only said that the SEATO treaty was a sanction for U.S. intervention, as Mr. Dulles might have done, but that the treaty committed us to act. The St. Louis Post-Dispatch has entitled this "Mr. Rusk's Specious Case," and comments:

> The treaty was always a facade for unilateral intervention and no more. Of the eight signers, only Thailand and the Philippines are southeast Asian nations. India, Indonesia, and Burma refused to join it. One signer, France is an active opponent of our Vietnam policy. Great Britain has contributed just 12 personnel to the war effort, the Philippines 70, New Zealand 150, Australia 1,400, Pakistan none.

Mr. President, I ask unanimous consent to have the Post-Dispatch editorial printed in the RECORD.

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

MR. RUSK'S SPECIOUS CASE

Secretary of State Rusk is an able advocate, as he demonstrated again in his testimony before the Fulbright hearings on Friday. But his thesis that the Nation is solemnly committed by the southeast Asia treaty to an unlimited war in Vietnam will be persuasive only to persons who forget the origins and character of the treaty.

SEATO was, in fact, the device by which Secretary Dulles set out to undermine the Geneva agreements of 1954. These accords, which among other things forbade either South or North Vietnam to enter into a military alliance, were reached in July of that year. The treaty was signed in September, and the United States immediately began fashioning its military alliance with a Saigon government which the CIA helped establish.

The treaty was always a facade for unilateral intervention and no more. Of the eight signers, only Thailand and the Philippines are southeast Asian nations. India, Indonesia and Burma refused to join it. One signer, France, is an active opponent of our Vietnam policy. Great Britain has contributed just 12 personnel to the war effort; the Philippines, 70; New Zealand, 150; Australia, 1,400; Pakistan none.

Far from justifying American intervention in Vietnam, SEATO is but the instrument of it; and from the beginning that intervention has been a major cause of the guerrilla insurrection which Mr. Rusk so righteously denounces as aggression on the Hitler model.

Mr. Rusk is quite right in rejecting demands by Hanoi that would condition peace talks upon prior recognition of the Vietcong as sole representatives of the South Vietnamese people. There must be a compromise by which a broadly representative coalition government holds temporary power until the people make their own choice in free elections. Yet the administration has given no clear sign that it will accept a compromise itself.

While denouncing Hanoi for seeking total victory for the Communists, we seek total victory for the Saigon government. While declaring that we want no permanent bases, we seek to establish in all South Vietnam an anti-Communist government which could retain power only under the protection of permanent American bases.

Hanoi does indeed stand in the way of peace talks, but not all the obstacles are in Hanoi. Until the United States is ready to accept genuinely limited objectives, including the goal of a neutralized Vietnam instead of an American satellite, fruitful negotiations seem unlikely and the dangers of a steadily escalating war will steadily mount.

MINUTEMAN OF THE YEAR AWARD TO SENATOR STENNIS OF MISSISSIPPI

Mr. ROBERTSON. Mr. President, the Reserve Officers Association of the United States on February 25, 1966, awarded to Senator JOHN STENNIS, of Mississippi, its Minuteman of the Year Award, recognizing him as the man who has done the most for our national security the past year.

This was a most deserving award. Senator STENNIS is not only one of the ablest Members of the Senate, but one of the best posted on our military requirements.

The American people can rejoice in the fact that Senator Stennis is a patriot, dedicated to the best interests of our Nation, and is guided by fundamental principles in all of his legislative actions.

The Reserve Officers Association award was presented at the association's annual dinner in Washington. In the resolution making the award, the Reserve officers recognized the vast knowledge of military affairs possessed by the Senator from Mississippi, and the leadership he has given the Nation in this field. The resolution commends him for "his devotion to the highest concept of duty to country; his nobility of purpose; his steadfastness of dedication, and his clarity of judgment to insure strength, effectiveness, and high morale to the Nation's military force."

Mr. President, I ask unanimous consent to have printed in the body of the RECORD the address delivered by Senator STENNIS on the occasion of the presentation of the award.

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

Mr. President, distinguished guests, officers of the military Reserve and the Regular Establishment, ladies, and gentlemen, I am honored and humbled to be with you tonight and to receive your award for my small efforts to keep this great country of ours strong, free, and secure. While no one could fully deserve the distinction which you so generously confer upon me, your award will be all the more cherished because it comes from a group of citizen-soldiers whose patriotism and dedication to duty I have long admired.

The Reserve Officers Association has great traditions and has rendered fine service to our Nation. The honor you give me tonight both strengthens and inspires me to greater effort.

I highly commend Gen. Donald Dawson and his associate officers for an outstanding administration in this truly great organization, and especially Col. John T. Carlton for the outstanding service your organization has rendered throughout the years. He is highly respected on Capitol Hill and also throughout the Nation.

I am a stanch believer in the citizen-soldier concept and have long admired all of our Reserves for their marvelous spirit, for their devotion to duty, and for their continued willingness to serve despite repeated discouragement and lack of full support. Winston Churchill described the Reserves officer accurately when he said they were "twice the citizen."

In many of our wars, you were the first to accept responsibility for military service. In the early days of conflict you have borne, and in future conflicts you will bear the great brunt of the enemy's offensive. For your assumption of this key responsibility you are entitled to and receive a special tribute from a grateful nation.

The war in Vietnam very properly has top priority and first call upon our military manpower, material, and other assets. Certainly, it has the topmost priority with me.

However, tonight I wish to discuss and emphasize certain additional problems brought about and made unmistakably clear by our fighting in southeast Asia.

The Vietnam war has placed a heavy drain upon our military equipment and resources—particularly the Army, but also the Navy, Air Force, Marine Corps, and Coast Guard. We have repeatedly been told that our Army is in the best condition in peacetime history—that we have 16 active Army divisions, fully equipped and ready for sustained combat. These statements ring hollow today, as the Army is forced to struggle and strain to support and maintain the equivalent of less than four actual combat divisions in the field in Vietnam.

The heavy drain of Vietnam has brought on serious problems in personnel, equipment, repair parts, and other materials. Our worldwide military capability has suffered, and this fact concerns me greatly. Requirements for Vietnam have almost exhausted our strategic reserve of trained and ready active military

forces. General Westmoreland has stated a requirement for a substantial number of additional troops. We are confronted with the hard fact that we would be hard put to supply them without calling up Reserve Forces or drawing down our forces in Western Europe and Korea, perhaps both.

If Army contingency planning had been followed, specialized combat support and support service units in the Army Reserve and Army National Guard already would have been called to active duty.

Some action is now underway to replenish the manpower, equipment, and assets of our worldwide military forces depleted to support Vietnam, but it has been a long time coming and the new forces now being created will not be combat ready for many months.

However, in our rush to provide the needs of forces committed to Vietnam we must not altogether isolate and separate our problems there from the rest of our commitments. Secretary of State Rusk has stated that we have 40 unilateral worldwide commitments in addition to many major multilateral commitments. We are honor bound to meet them, just as we are honor bound to follow through in Vietnam.

The Communists are constantly probing and looking for a weakness. They will not hesitate to strike when they feel it advantageous to do so.

This difficult situation in which we find ourselves makes it mandatory, I think, that we make a new and sober evaluation of these worldwide military commitments and our capacity to fufill them. It is probable that we shall go through many decades of testing, outbreaks, infiltration, and subversive attacks by the Communist forces in every continent except our own. The facts of life are that we live in a time of peril, I think great peril, and shall continue to do so in varying degrees, for decades to come.

First, in our new evaluation, we must determine what diplomatic alliances and commitments are most necessary for our own national security.

Secondly, we should have our trained and skilled professional military leaders make an assessment of what will be required in military manpower, equipment, weapons, and other resources to meet these commitments. This evaluation should be based on the worst conceivable situation, not the best.

A word of caution is necessary. It is clear that we cannot supply all of the conventional military forces which would be necessary to meet all of our commitments if all the possible contingencies should occur simultaneously. Therefore, in assessing the situation, we must make a hardheaded and realistic distinction between what we are willing to do and what we are reasonably able to do with our manpower, resources, and assets.

The final decision of what level of military strength is to be provided is a decision to be made by the Congress after full study of all the facts and recommendations. Whatever level of strength is decided upon, it must be supported in all aspects, fully and quickly. Whatever else may be required, it is certain that strong, active, and well-prepared Reserve components are necessary. This includes Army, Navy, Air Force, Marines, and Army and Air National Guard. In sharp and sad contrast to these already evident needs, the Reserve is now being reduced and its equipment neglected.

Incidentally, the Regular military services and the civilian authorities have never backed the Reserves and the National Guard with real money and sufficient equipment nor given them a "place in the Sun." At the point where the dollar is divided, there are always clashes of interest and honest differences. The record shows that it is the Congress that has increased the money and has written the mandatory language to provide protection floors for both the Reserve and the National Guard. The record shows that for more than 10 years the Congress has increased the money for Reserves and the Guard and provided language demanding certain force floors. We expect to keep it up. In fact, with the modern cost of modern weapons and all other phases of a worldwide military program, the only way to hold the necessary military program within bearable cost is to further emphasize the Reserve and National Guard program. The military dollar buys more manpower in Reserves than in the Regular program; however, I will, of course, give our standing forces first place.

One of the major reasons why I opposed the merger plan advanced last year was that I did not believe it was wise to discard the great reservoirs of trained, skilled, and dedicated military manpower which the Army Reserves represent. The need for manpower is greater now than a year ago. As long as we have an Army, we will need an Army Reserve.

Further, in recent months we have seen substantial amounts of equipment taken from the Reserve Forces for the use of the Active Forces. Much transportation and communication equipment has been recalled from the Reserves. Shortages exist among the Reserve components, not only in major equipment items, but even in such things as clothing and other individual equipment and supplies. We have heard of the man who had his shirt taken off his back. These men didn't get the shirt in the first place. I was shocked to find that some of our reservists have had to attend drills in civilian clothes because of uniform shortages. This is a ridiculous situation.

I have also been very much impressed with the Air Force Reserve and Air National Guard units—particularly the air transport capability, but dismayed by the decision to phase out air transport units. This reduction cannot be harmonized with our critical and growing airlift requirements in support of Vietnam and for tactical airlift support to the Army. For example, during the past 7 months air reservists on a volunteer basis have flown 350 missions and logged more than 1 million passenger miles flying military personnel, and 5¼ million ton-miles flying cargo in support of our men in Vietnam. In the first 2 months of 1966 the Air National Guard will fly 150 cargo missions to Vietnam or to southeast Asia on a volunteer basis. These flights are already scheduled to continue several months in the future.

Nevertheless, the Department of Defense has announced that some of these units will be abolished by October 1966. It is not true military preparedness to disband a unit within days after it was named the most outstanding unit in the Reserve, as was done in the case of the Memphis Troop Carrier Group. Ironically, notice to this group that it was no longer needed came on the day of the ceremonies at which they received the award as the most outstanding unit, and at which the officers and men were commended for their service during the Dominican crisis when they flew some of the first missions into Santo Domingo. There is no justification for the decision to eliminate air transport units in this time of growing need.

In this new and revised determination of our overall needs, to which I have referred, the responsibility of the Congress is clear. Our Founding Fathers meant exactly what they said—and said exactly what they meant—when they provided in the Constitution that the Congress shall have the power to provide for the common defense; to raise and support armies; to provide and maintain a navy; and to provide for organizing, arming, and disciplining the militia.

Despite the trend in recent years to treat the Congress as something less than a full partner in military and defense matters, I, for one, will never be content to abdicate my responsibility in this field to any individual, department, or agency; nor will I ever be content to sit idly by and see the responsibility and obligation of the Congress in this area turned over to the executive department by default or eroded beyond repair or recall.

The major role of the Congress in the defense field must be boldly asserted. The legislative branch should play a greater, rather than a lesser role in our Government.

The responsibility of our skilled and professional military leaders in these fields is equally clear. On questions which are essentially military in nature, their advice and recommendations should be sought and seriously weighed. Freedom of expression and even dissent during this period should be both countenanced and encouraged.

In addition, once the policy has been determined by the President, the actual carrying out of the military actions and campaigns should be controlled and conducted only by professional military men.

Congress can discharge its major responsibility in the defense field intelligently and effectively only if it has access to all of the facts and to the professional opinions and views of skilled and high-ranking military officers. There must be no arbitrary restrictions or institutional constraints which prevent our high-ranking military officers, when testifying in closed committee meetings, upon matters affecting security and survival of this country, from presenting both the facts and their views to the Congress openly, candidly and freely. Without such a free and full presentation by the knowledgeable military people the Congress will be restricted to a one-sided presentation which merely parrots the policy or positions which have been officially approved at the highest echelon.

As a constitutional officer in the legislative branch, I am not and will not be bound by restrictions placed on congressional witnesses by executive officers. In a memorandum issued last January, Defense Department witnesses were given instructions as guidance in testifying before the Congress if pressed for their personal opinions which might not support the official decision. Among other things, they were told to give "the consideration or factors which support the decision"—meaning the official decision of higher authority. To me this is ridiculous. It attempts to compel the witness to argue for a viewpoint with which he disagrees.

Although I will, of course, give military witnesses the courtesy and protection to which they are entitled, I will also insist upon direct and responsive answers when I request their personal professional opinions in executive hearings. I will protect the witness, but as a Senator, I will ignore the restriction.

Picture Adm. Arleigh Burke, former Chief of Naval Operations, or Air Force Chief of Staff McConnell, or other Chiefs, testifying before us in secret on vital matters of security. These men, at the top in their profession, would be forced to keep in mind this order of restriction; they would have someone there representing the Department of Defense, peeping over their shoulder and giving surveillance to every expression on the face of the witness, with a runner standing by waiting for a written copy of the testimony to be rushed to the Pentagon for quick scrutiny and a possible complaint or confrontation by those in superior authority. This is a ridiculous situation and is more serious on those at the lower level than on the Chiefs.

One further word regarding Vietnam. Our flag has been committed there. Our men have been committed there. Both our men and our flag have been fired upon. More than 2,000 of our men have died in battle. Many more thousands have been wounded. So, the time has passed to debate how we

got in Vietnam. It is too late to argue whether we should go. We are already there. We must begin where we are. We must support our fighting men 100 percent and make doubly sure that they do not lack for even one implement or one tool of war.

This is the first time in our history that we have stopped in the middle of a fighting war to debate how we got into the war, and why, and whether it was wise.

I am fully convinced that the Asian Communists have decided to make the war in Vietnam a test of our ability, determination and resolution, and a test of our will to win. They are not convinced that we have the will to win.

They will bleed us as much as they can and as long as they can, believing that a long, bitter, and grinding ground war, with its attendant blood and sacrifice, will sap our will and our capability to the point that we will either withdraw or consent to peace on their terms.

This must not happen. We do have the will to win. We shall soon express fully a national decision that it is our purpose to win. When we do this, and make it clear to friend and foe alike, we will have taken a giant step on the road to victory.

I cannot close this without paying a special tribute to our brave men who fight and sometimes die in this war. They have done a tremendous job under very difficult circumstances. They fight for the cause of freedom with the same high morale, courage, valor, and skill which have distinguished the American soldier, sailor, airman, and Marine and Coast Guard members in all past battles and wars. They prove once again that a properly motivated American is the finest fighting man the world has ever known.

They deserve the gratitude and the unstinting support of all Americans and freedom-loving people everywhere. We must also give the gratitude of our support to our fine members of the Reserve forces and the National Guard who keep their talents and their training up. And, who, when they are called on, if they are, will use that tremendous reservoir of trained strength and readiness to fulfill their mission.

After all the guns and planes and ships are counted and are in place; after all the supplies and materials in abundance are distributed, it is the will, the courage, and the dedication of the men and the women that maintains our security and brings the needed victory.

Without them and their sterling qualities, all the weapons and supplies are just piles of worthless things. These are the men and women who give us security, defend our country, and keep our flag flying. Let us match their spirit.

I like the spirit of that soldier who lay on the field of battle in no man's land in World War I with wounds that he knew would soon be fatal; as a medic hastily knelt by his side to give aid, the soldier motioned the medic forward and bravely said: "Move further toward the front of the battle and help those who still have a chance. It is too late for me, but I thank God that He matched me against the perils of my time."

With faith in God, with faith in ourselves and in each other, with faith in our form of government, let us carry forward this same spirit, and boldly meet whatever perils that may come in our time.

With our own determined strength and that which comes from a higher power, we shall find our way.

THE TACTICS OF COMMUNIST CHINA

Mr. MUNDT. Mr. President, the faces of war are many. Besides the actual conflict involving Armed Forces, there are often tactical, psychological, and political fronts which an area commander must cover.

One of the most interesting reports on the strategy of Communist China in trying to weaken the will and the resources of the South Vietnamese people and our own Armed Forces was recently made by Gerta Pugell, a correspondent for the Mutual Broadcasting System.

In this report, Miss Pugell recounts the many efforts at counterfeiting and forgery used by the Communists to undermine the governments in southeast Asia. I believe that this commentary is of interest to the people of our country. Certainly, it should awaken a realization in the minds of many that it takes more than men and materiel of war to win. Our defenses must extend further than the perimeter of the actual battleground.

I ask unanimous consent that this informative excerpt from Miss Pugell's report be printed at this point in the RECORD.

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

EXCERPT FROM A BROADCAST OVER THE MUTUAL RADIO NETWORK, JANUARY 30, 1966, BY GERDA PUGELL, U.N. CORRESPONDENT FOR THE MUTUAL BROADCASTING SYSTEM

The subversive activities of Communist China are so vast and varied that they are not only hard to fight, but even hard to explain. One fact however becomes more and more evident and that is that counterfeiting and forgery play a large part in its attempts to undermine the strength of those governments which, in Peiping's eyes, are considered reactionary. In Ceylon, the Chinese Communists have put counterfeit money into circulation to undermine Ceylon's monetary system. These fake 10 rupee notes, Ceylonese sources report, are made on the Chinese mainland and are used to line the pockets of pro-Peiping Ceylonese Communists who use them as part of their comprehensive propaganda.

And last month, the Government of South Korea exhibited, for the benefit of all U.N. delegates and U.N. correspondents, counterfeit copies of newspapers, magazines, and books which had been received through the mail by South Koreans. All these publications carried innocent covers but contained North Korean propaganda in the inside pages. In many cases, the postage stamps and cancellation marks were also counterfeit, making it appear as though the publication came from England, Germany, the United States, or other countries. We saw fake copies of the New York Times, the Herald Tribune, Newsweek, all kinds of trade journals from all over the world and even forged copies of the Bible. We learned that during the past few years, more than 20,000 South Koreans reported to their Government that they had received such counterfeit publications and there's no telling, of course, how many people didn't report it. Mr. Kim, the Director of the Korean Information Service pointed out to us that the size of the counterfeit New York Times indicates that a sheet-fed offset press is being used and that the four-color magazines had been reproduced on rotogravure presses—of the type found only in the largest and most expensive printing plants.

"It is in the light of this," Mr. Kim said, "the Government of the Republic of Korea felt that this particular type of Communist propaganda may have used South Korea only as a testing ground and that the real counterfeit work on a worldwide scale is yet to come." Meanwhile, the South Korean Government has its hands full trying to counteract this type of Communist infiltration. How? Well, mainly by assuring its people via newspapers and broadcasts not to get alarmed when they receive such propaganda—telling them that they are not earmarked or chosen by the Communists for some future task—explaining to them that their names are simply being picked from old telephone books which the North Koreans still have, a fact which has been proven, because so many publications are addressed to people long deceased. At the same time, the South Korean Postal Administration does what it can to sift the incoming mail, to see which is legitimate and which is bogus—an extremely hard task considering the amount of the daily incoming mail. Another difficulty is that South Korea's law, being a democratic one, forbids the censuring of first-class mail.

Yes, while we hear a lot about our war against communism, very little is ever said about the terrific struggle those southeast Asian countries go through in order to combat the many subversive actions of the Peiping-ruled Communists in their territory.

The arms of that octopus (or shall we say centipus) called Red China, is trying to reach every branch of their administration and while it keeps us busy in Vietnam, its agents are straining every nerve to topple other national governments.

ECONOMIC AID GUIDELINES

Mr. MONTOYA. Mr. President, the guidelines which President Johnson has set for his new foreign aid program are splendid, according to the Albuquerque, N. Mex., Tribune.

It quotes the President's foreign economic aid message as follows:

The United States can never do more than supplement the efforts of the developing countries themselves.

They must supply the capital, the know-how—and the will to progress. If they do, we can and will help. If they do not, nothing we can supply will substitute.

The President will have little trouble getting congressional approval of a new foreign aid program keyed to this proposition, the Tribune believes.

His problem, once such guidelines are approved, is to administer the foreign aid program within them—

The editorial concludes.

The New Mexico paper is perfectly correct in its notation that foreign aid administration is a thorny one. It requires astute judgment and wisdom—and I am certain that these qualities will be applied by the President to make sure that our foreign assistance is as effective as possible.

And because this program is one of much interest to me, and I am sure to my colleagues, I ask permission to have the Tribune editorial placed in the RECORD.

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

GOOD GUIDELINES, IF—

The guidelines President Johnson has set for his new foreign economic aid program are splendid, if followed:

"Although we recognize the shortsightedness of isolation," he said, "we do not embrace the equally futile prospect of total and endless dependence.

"The United States can never do more than supplement the efforts of the developing countries themselves. They must supply the capital, the know-how—and the will to progress. If they do, we can and will help. If they do not, nothing we can supply will substitute.

"For the essence of economic development," he went on, "is work—hard, unremitting, often thankless work. Most of it must be done by the people whose futures and whose children's futures are directly at stake.

"Only these people and their leaders can invest every possible resource in improved farming techniques, in school and hospital construction, and in critical industry; make the land reforms, tax changes, and other basic adjustments necessary to transform their societies; face the population problem squarely and realistically; create the climate which will attract foreign investment and keep local money at home.

"These are just a few steps on the road to modernization. But they are absolutely necessary. Without them, outside help is wasted. Neither we nor they can afford waste, and we will not continue any partnership in which only we recognize that fact."

The President, in our belief, will have little trouble getting congressional approval of a new foreign aid program keyed to the proposition that we will help only those who help themselves.

His problem, once such guideliness are approved, is to administer the foreign aid program within them.

STEVENSON: A 20TH-CENTURY MAN

Mr. CHURCH. Mr. President, 1965 was a year in which the world watched the passing of several great men including Churchill, Schweitzer, and Stevenson. Of these figures, Adlai Stevenson will long be remembered whether as Governor, presidential candidate, party leader, or Ambassador.

In an article written by Clayton Fritchey in the February 4, Washington Post, Stevenson is remembered as a 20th-century man:

In fact, in his maturity he sometimes—not always to his own advantage—was close to being a 21st-century man.

Mr. President, I ask unanimous consent to have Mr. Fritchey's article printed in the RECORD.

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

STEVENSON: A 20TH-CENTURY MAN

(By Clayton Fritchey)

If Adlai Stevenson had lived, he would have been 66 tomorrow. He was born on February 5, 1900, and so was the same age as the century; he liked that, for it made it easy for him to remember how old he was.

Unlike some of his contemporaries and political opponents, he did not kick and scream at being brought into the 20th century. He liked it at once. His family swears the first thing he did was to let loose not with a yell, but a smile.

It is quite believable, for he was always very much the 20th-century man. In fact, in his maturity he sometimes—not always to his own advantage—was close to being a 21st-century man. He discovered the hard way that in politics it often doesn't pay to be ahead of your time.

Perhaps the most painful example of that was his pioneer effort, during the 1956 presidential campaign, to promote the then radical idea of a nuclear test ban. It cost him many votes for he was premature, but, as his successor, Arthur Goldberg, said, that was only of passing moment to him.

"Much more important," Goldberg rightly added, "was that 7 years later the United States and the world caught up with him, and the air we all breathe is now cleaner and purer. If he achieved nothing else in life, this would have been enough."

In a Stevenson memorial service, Goldberg said, "We have come here today not to mourn the sadness of his death, but to remember the joy of his life." Unfortunately, others have cultivated the impression that he died disappointed and depressed. The best clue to his outlook, however, was a Christmas card he once sent his close friends after being defeated for President. It said:

"I asked for all things, that
I might enjoy life;
I was given life, that I might
enjoy all things * * *.
I got nothing that I asked for—but everything I had hoped for
Almost despite myself, my unspoken prayers were answered.
I am, among all men, most richly blessed."
—AUTHOR UNKNOWN.

And it is true, he was richly blessed, even in temporal ways. Few remember now that, like Eisenhower, he was a late bloomer. Both could have posed for ads on "Life Begins at 40," or even later. Stevenson at 48 suddenly emerged from anonymity as Governor of Illinois; Eisenhower at 50, hitherto an unknown lieutenant colonel, just as abruptly became a general. The war shot both of them out of a cannon.

Another singular thing that few remember is that when they ran against each other in 1952 for the Presidency, neither had any national political experience, either elective or appointive. Eisenhower won, but never (except in name) became the real head of his party. Stevenson lost, but in losing he did become the true leader of his party. Perhaps that was his greatest achievement.

Generally, there is no has-been like a defeated presidential candidate. Whatever became of Goldwater, for instance? And Nixon, even after the closest election in modern history, could not get the nomination again in 1964. Dewey is a forgotten man. Willkie wilted after his defeat, as did Landon. On the Democratic side, Al Smith, John Davis, and James M. Cox also were overshadowed by defeat.

It is necessary to go back 50 years or so to William Jennings Bryan to find another defeated candidate who, like Stevenson, not only continued to lead his own party, but also influenced all sectors of American society even though out of office.

Bryan's failure as Woodrow Wilson's first Secretary of State cost him his reputation and following, but Stevenson, as Ambassador to the United Nations, enjoyed some of the most fruitful years of his life. He became everybody's Ambassador, regardless of party.

While he was at the United Nations he was asked to run for the Senate both from Illinois and New York. He was not interested, but in the last year of his life he was filled with pride when his oldest son led the entire ticket in the statewide election for the legislature. The political pros in Illinois have a quiet hunch that, with a little luck, this attractive and intelligent young man might ultimately succeed where his father didn't.

Adlai, Sr., couldn't beat an Eisenhower, but Adlai, Jr., in his first race did. He ran far ahead of Eisenhower's younger brother, Earl, who, fortunately for young Adlai, had never won a war. But that's the kind of break you need in politics.

THE PRESIDENT'S HEALTH AND EDUCATION MESSAGE

Mr. CASE. Mr. President, I am happy to have the President, as he did in his health and education message, join with those of us who for some time have been calling for greater Federal aid for modernization of hospitals and nursing homes.

As I pointed out 6 months ago, the need for hospital beds and short-term convalescent care in nursing homes has been drastically increased by enactment of the historic medicare bill.

And officials of the New Jersey Department of Institutions and Agencies tell me that, even apart from the increased demand under medicare, we could use two to three times the $5.3 million in Hill-Burton funds allotted to New Jersey in fiscal 1966. It is not difficult to imagine how great our State's need for medical facilities will be when medicare becomes fully effective.

The President's draft bill has been submitted to Congress. It provides for a 10-year program with $975 million for each of the first 2 years and unspecified amounts after that. The program includes three avenues of Federal aid.

First, it would offer to private nonprofit hospitals and nursing homes, but not to public institutions, Federal guarantees for loans covering up to 90 percent of the cost of any qualified project designated by a State. Second, if a guaranteed loan could not be obtained under reasonable conditions, the Government would make a direct loan, again for 90 percent of the project cost, but this time to either public or private nonprofit hospitals and nursing homes.

To help repay these loans and cover the interest paid on them, the Government would make grants for up to 40 percent of the cost of the project. These grants would be paid in regular installments over a 10-year period after the loan was obtained and the modernization underway.

I am particularly pleased that the President's program includes funds for modernization of nursing homes and I would hope that in the future additional funds could be provided for new construction of more nursing home facilities.

I hope this program will be given speedy consideration by Congress because help along these lines is urgently needed.

VIETNAM

Mr. RIBICOFF. Mr. President, all of us in Congress are deeply concerned about Vietnam. The situation overrides our every thought and action.

I had the opportunity to speak on the subject at the Hartford College for Women in Hartford, Conn., on February 14. Later, it was my privilege to discuss at length the content of my speech with President Johnson.

Mr. President, I ask unanimous consent that this speech, the statement I issued following my conversation with the President, and some of the editorial

comment about the speech, be printed in the RECORD.

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

VIETNAM: THE HISTORY, THE PROBLEM, AND A PROPOSAL

(By Senator ABRAHAM RIBICOFF, Democrat, of Connecticut)

I want to talk to you today about the most pressing problem facing our Nation and the world. I want to talk to you about Vietnam.

And when I speak about Vietnam I do not really speak about a single nation—or an isolated event in the history of mankind. The situation in Vietnam is much broader. It has meaning and relevance for every citizen of our country—for every nation—indeed, for every person on this planet. We cannot yet know its impact on the future—but we can be sure it will be substantial. We cannot yet know the breadth and depth of the impression Vietnam will make on the history of the world—but we can be sure it will not be a mere footnote on the pages of time.

Never have we been so conscious of the dangers inherent in clashing national wills. Never has our world seemed so small.

There are lessons to be learned from experience—and Vietnam is no exception to that rule. So the first question we must ask is simple: How did we get into Vietnam? How did the United States become involved in a war more than 10,000 miles from her shores?

The U.S. involvement in Vietnam falls into four phases. The initial phase followed World War II, when America gave its help to France.

Vietnam, along with the Kingdoms of Laos and Cambodia, then comprised what was called Indochina. French colonial rule, which dated back to the 1800's, had been briefly replaced by Japanese occupation during the war. Soon after V–J Day in August 1945, Ho Chi Minh, the creator and leader of a revolutionary movement called the Vietminh, set up the provisional Vietnam Republic in the north. Hanoi was the capital, and there the movement directed a campaign to get independence for their country from the colonial rule of France. Soon the Vietminh, which contained both Communist and nationalist elements, established a committee of the south as well. And in September 1945 the committee managed to occupy the government buildings in Saigon. Their victory was short lived. In a few days French troops, recently returned to the scene, seized the government buildings and came back to power. The tricolor flew once again.

The French now tried to extend their control from the cities to the rural areas. But the Vietminh—whom we now know as the Vietcong—dominated the countryside, just as they do today. Peasants by day and warriors by night, they assassinated village leaders, burned and destroyed houses and schools under the cover of darkness. This brutal, primitive war, carried on by the people of the land throughout the countryside, is what we call a guerrilla war. It is the pattern of war in the so-called developing nations, the war that is suited to the jungles and the swamps, the war of national liberation.

Shortly after the French returned to Vietnam, the United States began to supply their troops with surplus war equipment. Thereafter, during the running 8-year battle, the United States furnished large sums of money and great quantities of materiel to the French—around $500 million worth a year.

This country's concern with the situation was closely connected with U.S. interests in Europe. Washington was determined to bring the French firmly into the structure of the European defense community.

Clearly, it was in the interest of a realistic American foreign policy that Washington help France end the Indochina war as quickly as possible. France could then share the weighty burden of defense in Europe.

But despite U.S. assistance, the Vietminh defeated the French at Dienbienphu in May 1954, and the resulting cease-fire provided for temporary partition of the country. This division was to become permanent, with Hanoi the capital of the Communist Peoples Republic of Vietnam in the north, and Saigon the capital of the non-Communist Republic of Vietnam in the south.

A conference was called at Geneva to arrange an armistice. This was the Geneva Conference of 1954 we're now hearing so much about—and I shall refer to it again later. The agreements finally signed at Geneva have a special importance in our current drive for negotiating a settlement of the Vietnam conflict.

The Geneva Conference was attended by France, Britain, Cambodia, Laos, Communist China, the Soviet Union, and delegations representing the Communist Vietminh and the non-Communist Vietnamese. Representatives of the United States came as observers. The agreements provided for the following:

1. An end to the fighting.

2. Communist forces to be confined to the area north of the 17th parallel, and French Union forces to the south.

3. A ban on the introduction of fresh troops and arms.

4. The independence of Cambodia and Laos.

5. General elections to be held in July 1956 for the purpose of establishing a unified government of Vietnam. An international commission composed of representatives of the member states of the International Commission was to conduct the elections.

6. An International Commission of Canada, Poland and India—to see that the agreement was carried out.

Neither the South Vietnamese nor the United States signed the agreement, because they felt too many concessions had been made to the Communists. In fact, the elections were never held.

The United States did issue a statement, however, saying that it would "refrain from the threat or the use of force to disturb" the agreements, in accordance with the charter of the United Nations. The statement also said the United States would "view any renewal of the aggression in violation of the aforesaid agreements with grave concern and as seriously threatening international peace and security."

The second phase of the U.S. commitment began in 1954, soon after Ngo Dinh Diem came to power in South Vietnam. Diem had an unfortunate personality for one in a position of leadership. A member of an old, aristocratic nationalist family, he had been a prominent nationalist in the thirties. But there was no verve or excitement about him—none of the spirit that characterized the Communists, or that inspired the student, nationalist, and religious groups. It is significant that he was an aloof personality—a man who remained apart from the people and trusted very few individuals. As time went on, he depended almost exclusively on the advice of his brother and sister-in-law. The Nhus enjoyed their influence and power. They insulated Diem further from the outside world, and he became thoroughly dependent on them.

Diem's personality complicated his position. But aside from that, his government was plagued from the beginning by the Vietcong's activities throughout the countryside.

The nationalist elements in the Vietcong ranks were being replaced more and more by Communists. At first their operations were isolated incidents—vandalism and banditry, kidnaping, and murder. But these incidents were strategically placed and cleverly designed to show that the South Vietnamese Government was not capable of protecting the people or maintaining order. Diem needed help.

In a letter from President Eisenhower to Diem, dated October 1, 1954, Eisenhower pledged American aid to assist in moving several hundred thousand Vietnamese out of areas passing under de facto Vietcong rule. He also informed Diem that the American Ambassador to Vietnam would examine with him new programs for strengthening the Vietnamese nation against the forces of aggression.

This letter is now a well-known document. It has been quoted often in recent years by both the Kennedy and Johnson administrations, to justify the American presence in Vietnam. This is why I have discussed it in some detail.

The letter marks the beginning of the second phase of the American commitment in Vietnam. In its wake, the United States and the South Vietnamese also reached an agreement for training and advising Vietnamese military forces. The first military assistance group numbered 600.

By late 1958, the problem of security in the countryside was so serious that the government, whose popularity had waned for some time, was in deep trouble. Armed guerrillas—originally southerners who had gone north in 1954—were returning to the south to reinforce the ranks of the Vietcong in the villages. The assassinations of village chiefs, teachers and government officials became more widespread.

Alongside the military aspect, the political aspect of the Vietcong movement was now developing rapidly. In the villages, the Vietcong set up their own administrations which indoctrinated the population and collected taxes. By threat and examples, methods of terror brought them much success. It was estimated in 1960 that the hardcore of guerrillas numbered some 10,000 or 12,000. They continued to work the rice paddies by day and attack government outposts by night. In 1961, the Vietcong political apparatus was named the National Liberation Front. Everywhere, Diem's government troops were on the defensive.

The Communist offensive of 1960–61 was the reason for increased U.S. assistance to Vietnam. President Kennedy, after commenting on the campaign of terror being "supported and directed * * * by Hanoi," wrote to Diem in December 1961: "We shall promptly increase our assistance to your defense effort." He added: "If the Communist authorities in North Vietnam will stop their campaign to destroy the Republic of Vietnam, the measures we are taking to assist your defense efforts will no longer be necessary."

By 1962, there were some 10,000 U.S. military advisers and service forces in South Vietnam. Dissatisfaction with Diem's government was rife on every front. Reforms failed to materialize. The press was shackled. Not even fiction or poetry could be published unless it was first submitted to censorship. There were some 30,000 political prisoners crowding the jails.

As the military situation grew worse, so did the position of the Buddhists—who were discriminated against as people were moved from place to place because of the war. There was talk of a Buddhist revolt. As the government grew more frightened, the air was filled with increased social and political, as well as religious dissension. Finally, in early May at Hue, on the northern coast, a Buddhist rebellion erupted and nine worshipers were shot.

Then, all over Vietnam, government forces raided Buddhist pagodas. Student demonstrations followed in Saigon and Hue. Countless numbers were jailed. Tension, dissatisfaction and suspense hung heavy throughout the country. The time was ripe for action. Several high military officers, who had been meeting secretly since mid-1962, decided to move against Diem and his brother Nhu. Both were murdered in cold blood.

Political life in Vietnam during the next months was marked by one crisis after the other. From November 1963, to June 1965, the Government changed nine times. The one fairly consistent personality during this period of chaos was General Khanh. Like Diem, his promised reforms never materialized. The air was filled with dissension. In June 1965, Marshal Ky, the present Premier, came to power.

During this crucial period, the political situation, kept in constant turmoil by mistrust and jealousy among almost all of the generals, politicians, and religious leaders, prevented any teamwork among those responsible for the war effort.

The U.S. military commitment was stepped up in the summer of 1964 and early in 1965. The immediate cause was the attacks by the North Vietnamese on American warships in the Gulf of Tonkin and by Vietcong attacks on American installations in the south.

The United States retaliated with bombs. U.S. planes have been bombing bases, supply lines, and communications in North Vietnam for over a year now. This intensive bombing—accompanied by a sizable increase in the number of military advisers—constitutes the third phase of the U.S. commitment in Vietnam.

The present phase of the commitment began last fall. During the early months of this past summer, there were large-scale military actions in South Vietnam—multi-battalion attacks and ambushes by the Vietcong reinforced with troops from the North Vietnamese Army. Large numbers of American troops were sent during the fall and winter months to reinforce the South Vietnamese.

And now there are many over 200,000 American soldiers in Vietnam. Their role has changed. They are directly involved in combat. This is the fourth phase of the military commitment in Vietnam.

I now come back to my original question. How did we get in Vietnam?

It has been stated time and again that the United States is in South Vietnam to help the South Vietnamese people stay the forces of aggression, and to preserve their right to live under the form of government they choose. The United States wants neither territory nor bases in South Vietnam. Certainly we have no intention of becoming involved in a land war in South Vietnam. This is clear from the manner in which we slipped deeper and deeper into a larger commitment than we originally intended. Long established military doctrine tells us that we should not become involved in a land war on the Asian Continent. Our finest generals have pressed this point. General MacArthur, who fought the Korean land war, insisted that the time-honored American doctrine was sound. He termed the use of U.S. ground troops on the land mass of Asia "master folly." Gen. Omar Bradley concurred: "I do not believe we should get involved in a land war in Asia if we can possibly avoid it." Gen. Matthew Ridgway made the same point in his memoirs. Yet, there is no denying that we have troops in southeast Asia and they are fighting on the ground.

I ask again—how did we get there?

A brief survey of our progressively enlarging commitment has shown that, like slow-moving quicksand, the conflict in Vietnam sucked us in—deeper and deeper—until we now find ourselves deep in a war we didn't want to fight. With each successive step of the commitment, the American public was led to believe that that step would be the last. Just a bit more support was needed for the South Vietnamese to turn the tide.

These predictions have consistently proved too optimistic—or unrealistic—or based on faulty information.

We must understand the extent of our commitment, for the citizens of a democratic nation must be fully informed. It is the people of a nation who carry out the commitment that its government makes.

I see the conflict in Vietnam as a struggle on two levels. It is a struggle in which the people of a small nation are trying to win the right to live their lives free from the forces of aggression. This level of the struggle has the most basic and crucial implications for the whole developing world. But just as important—and I think too little has been said about this level—it is a struggle to maintain a balance of power between the great nations of the world. As you will see, both levels are tightly joined.

The outcome of the Vietnamese conflict, for the other nations of southeast Asia, may mean the difference between a future in which southeast Asians live within the political systems of their choosing—and a future in which they bow to the dictates of a system encouraged, if not imposed, from beyond their boundaries.

To a great extent, the future of these nations will depend on the success or failure of a constructive U.S. foreign policy in southeast Asia. It will depend on whether or not the United States has learned the lessons of more than a decade of observation and participation in the bitter experience of South Vietnam. The lesson should be clear by now: We can shore up governments; we can even support them for some time. But if governments are not responsive to the deepest needs of the people, all our help will be wasted. If the government does not provide a way for the people to realize their desires, our aid merely postpones the day of reckoning.

We cannot assume the burdens of whole sections of the world indefinitely. Instead, we must direct our energies and resources toward helping governments become responsive to the needs of their people, and thereby gain stability through the support of the people. We have learned from Vietnam that we must do what it takes to accomplish this. And I believe that we must use all the leverage at our disposal.

In Vietnam, as we have seen, the Government has never won the loyalty of its people. There are many reasons, and the United States must share the blame.

Political reform: The people must have a voice in the future course of their nation's development, if they are to identify with their government. In South Vietnam, for example, political reform has been talked about ever since Diem came to power in 1954. Yet, we are hard put to find advances in the situation. A constitution was promulgated in 1956, but the executive was given the power to rule by decree in an emergency. South Vietnam has been governed by decree during much of the time from then to now. Diem was forced to create a national assembly because of promises he made during an early political crisis. A rubberstamp body, it's referred to in Saigon as the government's garage. The provincial government became the creature of Saigon. Elections for village chiefs and municipal councils were abolished. And just as important, the personal rule of a family excluded the Buddhists, other religious and national groups—comprising almost half of the population—from any voice in national life. Now, personal rule has been replaced by military rule. There have been some provincial elections recently; yet, the situation has changed very little. Some outstanding Vietnamese citizens are now writing a constitution. We will see if it's put into effect.

Judicial reform: The Vietnamese people suffer from the lack of an equitable system of justice. Will a people feel kindly toward their government—much less give it strong support—if their government does not provide them with a fair trial?

Economic and social reform: People living in an agrarian culture must share the bounty of the land, if they are to defend the land.

It is no secret that the main Communist attraction in Vietnam is land distribution. Forty percent of the nation's riceland was owned by one-quarter of 1 percent of the rural population in 1954. Influential politicians held a big share—especially Diem's family. Since then, the South Vietnamese have launched several agrarian reform programs—but none has ever reached port.

Land reform is expensive—for landlords must be reimbursed for the land that is redistributed. Any program of assistance to Vietnam must have land reform as its central theme. Yet, though the United States has spent billions of dollars in Vietnam, our program invested only $4 million in land reform from 1954 to 1960, nothing from 1960 to 1965, and only $1 million is allocated for this present year in which we are supposedly emphasizing social and economic programs.

Nobody can deny that reforms in every phase of the national life of Vietnam have been imperative from the beginning. The United States has made efforts to get reforms—yet, the results have been negligible at best. For we have never held the Vietnamese to their word. We have never asserted that the United States would withdraw from the scene if promises for reforms were not kept. I think it is time to change our approach to aid, and—though in Vietnam the hour grows later—I hope we have learned this lesson. It is time we make clear that when we offer assistance to a nation—whether military or economic—we are striking a bargain. We will uphold our end of the deal; but we will insist that the aid recipient uphold his end of the deal.

I am not saying that the United States is a father who always knows best. There are objective standards on which reasonable men can agree—standards to which any democratic government must adhere if it is to be worthy of the name.

Our foreign aid will bring results only if the efforts it supports are efforts aimed at making the receiving nation more responsive to the needs and the desires of the people. The lives of American boys and money are far too dear to spend for any other purpose. We can only hope we have not squandered too much already.

This Nation has neither the means nor the desire to carry the burdens of the developing nations indefinitely. Nor do we wish to police the world. But our aid programs can do much to prepare developing nations—so that they will become strong enough and stable enough to share the responsibilities of the world.

Vietnam is but an example in the pattern of crisis among emerging nations. We think most often of Vietnam as a small nation fighting for its freedom. That is only half the story—for there is a world perspective to the Vietnam problem.

History shows us that the world knows peace when there is a balance of power among the great nations—or blocs of nations—and balance between nations within blocs. The key is equilibrium in international politics.

The United States and the Soviet Union have marched too often to the brink of war. And after a long and continuing series of threats and confrontations, they have—despite their conflicting philosophies—come to deal with each other—if only at arm's length.

The Soviets, advocates of violent revolution for over 3 decades, took peaceful coexistence as their watchword during the Khrushchev era. This policy became more firmly entrenched with the experience of the frightening Cuban missile crisis of 1962. The Soviets have been close enough to nuclear war to understand its horrors. As the second greatest industrial power in the world, they have much to lose. Their greater restraint during the last few years indicates that they fully realize the stakes involved.

China, on the other hand—an aggressive nation of some 600 million people—both overpopulated and underdeveloped—is plagued by grave agricultural and industrial problems. For Mao Tse-tung, life is cheap. He readily admits that his country could lose half of her population and still fight a war. China has the use of nuclear power within reach. World apprehension that Mao may become reckless is a real one, for he upholds the use of force to communize the world.

This is the basis for the ideological dispute raging between China and Russia now. China seeks to challenge the Soviet Union's leadership of the Communist world. The words that fly within the Communist bloc are sharp. We continue to follow their conflict with great care.

It is clear that our policy in Vietnam must be planned within this context.

China does not disguise her desire to communize southeast Asia, and she is even now supplying armaments to North Vietnam.

In South Vietnam, we are face to face with China. We are thwarting her ambitions to change the balance of power in Asia. This is a delicate situation, for we must take into account not only China's reactions, but also those of Russia—her sometimes reluctant ally. We must always be aware of the relationship between those two land giants of Europe and Asia—Russia and China—for that relationship will always be meaningful to our policy in southeast Asia.

First, we must be resolute in helping our southeast Asian friends remain free to choose the form of government they want. It is here that the two levels of the struggle are joined. Neither Vietnam—nor any other developing nation—will be able to maintain its freedom and independence if the Communists succeed in tipping the delicate balance of power existing today. Conversely, this balance will not be tipped if the developing nations have the support of their people and if they are developing in the direction that responds to the people's desires. For the support of their people will allow them to become strong enough to shoulder their share of responsibility in the world. And while nations are developing, we will use our power—not to impose on anyone a new brand of colonialism, but rather to protect their rights to develop as their people see fit.

Second, we will let the world know that we are always ready to negotiate—to talk out our differences, whatever they may be. And President Kennedy gave us an example of this wisdom in the Cuban missile crisis. He backed up his firm stand against the Russians with the threat of using America's great strength. Yet, at each step of the crisis he left enough elbow room for the Soviets to back down gracefully. Tactfulness and flexibility are essential pillars of diplomacy. President Kennedy's handling of the Cuban crisis is a poignant lesson our Government must take to heart today. As President Kennedy declared: "Let us never negotiate out of fear. But let us never fear to negotiate."

President Kennedy's phrase is still appropriate, and efforts to begin negotiations have been carried far and wide by the foremost citizens of the world. President Johnson's peace offensive reaches across the continents to some 115 countries. The President has taken the conflict to the Security Council of the United Nations. The President has offered time and again to sit down "anywhere, at any time" to hold "unconditional discussions" on Vietnam. There has been no clear answer.

We have seen reports of letters from Hanoi to other governments—including France and India and Algeria—asking that those nations use their good offices to bring about peace. We have seen an abortive attempt by Premier Fanfani of Italy to bring about an exchange of views between our Government and Hanoi. U Thant, the Secretary General of the U.N., has tried to foster communication between parties—and perhaps most actively of all—Pope Paul has searched consistently for a way to bring about peace. His moving appeal to the United Nations—"No more war—never again war"—still rings in our minds and hearts.

But all these efforts have foundered. And they have done so because we have received no clear response—or because we are so concerned about the so-called credibility gap that private diplomacy has been turned into propaganda exchanges.

It is time we faced the realities in Vietnam, and cut through the fog of rhetoric and slogans that billows around the subject. It is time to stop talking about escalation and deescalation. What we must do is defuse the explosive situation in Vietnam.

I believe we must be specific. Let the world and all the parties to the Vietnam conflict know exactly what we propose.

First, I urge the President to issue a call for a preliminary conference on Vietnam. I believe he should name the date—and name the place—Geneva. And he should make it crystal clear that no subject will be barred from the agenda, and that the whole situation in Vietnam—every issue—may be discussed. This is not a proposal for an ultimatum. No conditions should be expressed or implied.

Let all who are involved in Vietnam—the parties to the Geneva accords of 1954, and the parties now involved in the fighting—attend the preliminary conference. And if there is a refusal to attend, then it should truly be apparent to the world that the United States has gone to unprecedented lengths to bring about negotiations.

Some may say that for the President to call a conference with our adversaries—naming the date and the place—is unprecedented. It is—but so are the stakes in this conflict.

Some may say that the proposal is too simple. But experience proves that the best plans are those which are the least complicated. If, as the ancient proverb holds, a "journey of a thousand miles begins with a single step"—let us take that first step.

We must begin to talk directly with the parties involved in Vietnam. We must open up the channels of communication. Perhaps nothing will materialize—at first. It took 2 years of talk to bring about an armistice in Korea. But at least the way will have been opened.

Second, I propose that with our call for a preliminary conference we make clear our willingness—once the conference is convened—to defuse the situation further. To demonstrate our willingness to abide by the original Geneva accords, we should offer a token withdrawal of 10,000 troops, matched by a similar withdrawal by the forces of North Vietnam. This too would be a further step toward peace—and another turn toward removing the fuse.

Third, I propose that the U.S. representatives to such a preliminary conference be the very best negotiators our Nation has—Arthur Goldberg and Arthur Dean. Only the most experienced, wise, and deeply thoughtful men will be able to do the task justice.

And because of the abiding importance of the discussions, the American people should be represented by their leaders in the Congress—and I can think of no better men than the majority leader, Senator MIKE MANSFIELD, of Montana, and the minority leader, the Honorable EVERETT DIRKSEN, of Illinois, who have shown such loyalty and comprehension of the problems in Vietnam. Other Senators with deep experience in foreign affairs should also be called on for counsel—for there is a vast reservoir of wisdom in the Senate too often untapped in the making of policy in foreign affairs. After all, the Senate has a constitutional responsibility to advise and consent in the making of foreign policy.

Fourth, and as an immediate step, we must use every means at hand to prevail upon the governments involved in Vietnam to arrange an exchange of prisoners through the offices of the International Committee of the Red Cross.

That committee has already been instrumental in alleviating suffering on both sides. During the monsoons of this past year, for example, the Red Cross was able to provide thousands of refugee families in flooded parts of South Vietnam with blankets, food, and clothing. The committee has arranged through the Red Cross of North Vietnam for the shipment of mail and packages to American and South Vietnamese prisoners of war.

I urge, therefore, the United States to make every effort to bring about an exchange of prisoners through the International Committee of the Red Cross and the Red Cross organizations in North and South Vietnam. If Hanoi is sincere in its desire to reduce the toll of war—here is another place to begin.

There is a fever abroad in the world. And that fever has different names in different places: "Nationalism"; "Self-determination"; "Anticolonialism"; and, yes, even communism. It is a fever characterized by violence—and wars of liberation are the most obvious signs of the disease.

Men want to make up their own minds about their destinies and control their futures. We can understand and sympathize with their wishes. But ironically, that desire for self-determination is strongest where the institutions of self-government are weakest.

And when one of the newly emerging nations is struggling—as South Vietnam is struggling—against the piratical ambitions of its neighbor, or against the subversive force of a minority of its own people, we are forced into a dilemma. For the more we try to help, the less those men believe in their own power to control events.

In one way, this new world of ours is like two children struggling in the street. Down the street comes the compassionate father, who sees his son being beaten by the town bully. He wants to help—yet he knows that if he intervenes his son will lose his self-respect. But if he doesn't step in, his son will be beaten into the dust.

And so it is in Vietnam. South Vietnam is struggling with Hanoi and with the Vietcong. We want to help—but the more we do, the less the effort is South Vietnam's and the more it is our war. Yet if we step aside, South Vietnam will disappear under the tide of aggression.

If the world is not to be swept by an epidemic, we must learn to deal with this fever. If we do not learn from the mistakes of the past, we are doomed to fail and fail and fail again.

We must bring about an end to this dilemma. And we must begin pulling the fuse out of the bomb that is Vietnam. I say we must begin to talk—for weapons are no substitute for reason.

STATEMENT BY SENATOR ABRAHAM RIBICOFF FOLLOWING CONVERSATION WITH PRESIDENT JOHNSON, FEBRUARY 14, 1966

The President called me in Hartford today and said that he had received my letter and

speech, which he had read carefully, word for word. We discussed all the points that I had raised, and we had a very constructive and lengthy exchange. The President indicated that as far as he is concerned—he is willing to go to Geneva at any time. However, he feels that under the Geneva accords, agreements, and protocol, the invitation should be issued by the cochairmen of the conference. He would certainly be willing to have the United States represented at such a meeting.

The President said that he would be ready to discuss the reduction of troops at a proper conference. He would be willing to discuss an equitable and fair reduction of troops by both sides.

Concerning representation by the Vietcong, the President stated—as he has before—that should Hanoi sit down at a conference, a way could be found for Vietcong representation. But the Vietcong could not be recognized as the sole representative of South Vietnam.

As far as the exchange of prisoners is concerned, the President said that, as a humanitarian, this is something he would always be willing to consider. He agrees with me that Arthur Goldberg and Arthur Dean would be fine U.S. representatives. They are outstanding, able men. He shares my admiration for them and for MIKE MANSFIELD and EVERETT DIRKSEN.

Our discussion of the entire situation showed me again that the President is deeply concerned to bring about a just and honorable end to the conflict in Vietnam.

[From the Bristol (Conn.) Press, Feb. 25, 1966]

A CONSTRUCTIVE IDEA

A proposal by the distinguished junior Senator from Connecticut for a no-holds-barred conference at Geneva to be called by the United States has been espoused with enthusiasm by the national newspaper, the National Observer, Senator RIBICOFF'S proposal is called by the Observer "the most constructive idea on the subject in months."

The editorial comment on RIBICOFF'S proposal suggests that President Johnson should be interested in its implementation even if he doesn't go all the way with the Senator's proposal.

"Otherwise, the Ribicoff idea deserves more consideration than President Johnson and his advisers have given it up to now, indeed, the proposal calls for such a forthright, honest, and direct gesture by Washington that all arguments against the idea fall apart," the Observer says.

What Senator RIBICOFF suggests is a series of preliminary talks, with no agenda, open to any nation or faction involved in Vietnam.

It has been taken for granted, but not based on anything except diplomatic protocol as far as we can see, that the Geneva Conference of 1954 cannot be reconvened unless the cochairman of that conference, Great Britain and the Soviet Union, agree to call it.

Senator RIBICOFF would bypass the cochairmen if necessary and have the United States initiate the conference.

As the Observer correctly points out, the President could hardly object to this proposal as a breach of diplomatic courtesy in the light of his unconventional actions in the recent peace offensive during which he sent his top officials to the four corners of the earth in an effort to get support for the opening of negotiations and the cessation of hostilities.

Adoption of the Ribicoff proposal would surely weaken the anti-American propaganda constantly being sent around the globe by Peiping, Moscow, and Hanoi. How could the Communists counter any program which showed the United States willing and ready to talk to anyone concerned in Vietnam at any time without any agenda?

Senator RIBICOFF says that the talks should not be accompanied by any conditions or ultimatums. The Observer adds that neither should they be accompanied by any slackening of the war effort until an agreement is reached to provide for negotiations.

The Ribicoff proposals may or may not receive acceptance at the White House. But, at least, the Connecticut lawmaker cannot be said to be derelict in his duty and desire to find some sort of approach to a solution of one of the most distressing problems of our times.

[From the National Observer, Feb. 21, 1966]

Oratory, pious proclamation, interrogation—all the week's clamor about Vietnam—have buried the most constructive idea on the subject in months, Senator RIBICOFF'S proposal for a no-holds-barred Geneva conference called by the United States.

SENATOR RIBICOFF'S PROPOSAL

The Connecticut Democrat's idea needn't be swallowed whole by President Johnson. For one thing, Mr. RIBICOFF proposes that the American delegation arrive at the conference with an offer to withdraw 10,000 troops if Hanoi would agree to yank 10,000 North Vietnamese troops from the south. The Senator sees this as token deescalation. But the removal of 10,000 American troops, even out of a total of some 200,000, could result in more than a token weakening of the U.S. ground effort. Meanwhile, it would be impossible to tell whether Hanoi were matching the U.S. reduction; it's hard enough to determine how many troops North Vietnam is sending southward.

Otherwise, the Ribicoff idea deserves more consideration than Mr. Johnson and his advisers have given it up to now. Indeed, the proposal calls for such a forthright, honest, and direct gesture by Washington that all arguments against the idea fall apart.

RUSSIA NEEDS A NUDGE

Mr. Johnson himself protests that any call for talks in Geneva must come from the two cochairmen of the 1954 conference on Vietnam. True, any settlement probably would have to be wrapped up in a full-dress conference of the 1954 signatories. But Mr. RIBICOFF is proposing preliminary talks, with no agenda, and open to any nation or faction involved in Vietnam. Besides, Russia, one of the 1954 chairmen, refuses to join the other, Britain, in reconvening that conference. Preliminary talks might be just the nudge the Kremlin needs. The necessity for a formal conference is an argument for, not against, the Ribicoff idea.

If the President is objecting to unconventional diplomacy, the objection is unconvincing in light of his recent "peace offensive." A preliminary meeting in Geneva, furthermore, would have much less the appearance of a circus than the hither-and-yon scurrying of diplomats in recent weeks. Any Red propaganda questioning U.S. sincerity would have a tinny ring with a U.S. delegation on hand ready to talk face to face with any and all comers.

Barry Goldwater complains that the post-Christmas peace effort gave the United States the appearance of "groveling" before our adversaries. Mr. Goldwater and others undoubtedly would object to Mr. RIBICOFF'S suggestion on the same grounds. They would argue that if the Reds decline the invitation—as well they might—the United States would be left sitting in Geneva with egg on its face and no one to talk to.

WHAT ROLE FOR THE VIETCONG?

On the contrary, the Government's prestige would be enhanced, not diminished, by the candid willingness to discuss those matters the Reds say now block formal talks. The meeting certainly should take up the question of how the Vietcong would be represented at formal talks; the administration already has said, many times, that the problem is not whether the guerrillas should be represented, but how. A Communist boycott of Geneva would be hard for Peiping, Hanoi, or anyone else, to justify. The egg would be on Red faces.

Finally, there need be no appearance of groveling if the United States continues to apply military pressure in Vietnam. Mr. RIBICOFF says the call for talks should not be accompanied by conditions or ultimatums. Right. Nor should it be accompanied by any slackening of the American intention to fight it out until the Reds agree to formal negotiations.

This, of course, is why the Ribicoff idea makes good sense.

[From the Hartford (Conn.) Courant, Feb. 15, 1966]

THE DEBATE TAKES SHAPE

Thanks to the hearings before the Senate Foreign Relations Committee, we have at last begun the debate on Vietnam that has long been lacking. Last week the doves held the spotlight. This week the hawks are to have their turn. So complex are the intertwined values in our involvement in Vietnam that there is no cheap or easy solution. But the continued frank expression of views by both sides should at least make clear which direction we should head in, to avoid the twin dangers of defeat or major war.

Another contribution to the debate, from outside the hearings, has now come from Senator RIBICOFF. In an interview in Washington and again in a speech at Hartford College yesterday he proposed cutting through the tangle with an action this country could take all by itself. His aim, said Senator RIBICOFF, is to "cut through the fog of slogans and rhetoric" so as to "defuse the explosive situation in Vietnam."

Because both we and the North Vietnamese have expressed willingness to return to the principles of the Geneva accords of 1954, Mr. RIBICOFF would have the President issue a call for a preliminary conference on a specified date in Geneva. Once such a conference met he would have us offer a token withdrawal of 10,000 troops, to be matched by North Vietnam. Arthur Goldberg and Arthur Dean, the experienced negotiator who represented us at Panmunjom and elsewhere would represent us, together with Senate Leaders MANSFIELD and DIRKSEN and others. A fourth suggestion, likewise designed to set the stage for subsequent negotiations, would be an exchange of prisoners through the Red Cross.

"Let the world and all the parties to the Vietnam conflict know exactly what we propose," says Senator RIBICOFF. This is a sound idea. If the other side does not come, "then it should truly be apparent to the world that the United States has gone to unprecedented lengths to bring about negotiations."

Such an approach would give a clarity to American policy that it still lacks, despite President Johnson's multiplex peace efforts during the bombing lull. There can be little doubt that the President genuinely wants negotiations, just as there can be little doubt that this country overwhelmingly rejects the idea of just withdrawing. But the showy effort to get negotiations going, the appeal to the United States, and the Honolulu plan for economic and social reconstruction in South Vietnam do not stand alone. When coupled with the resumption of bombing in the north, talk of again doubling American forces in Vietnam, and Premier Ky's uncontradicted refusal of any compromise the whole leaves a fuzzy and confused picture.

Mr. Johnson says plaintively that he has tried everything: "I think I have taken every single suggestion that anyone has made that seemed to offer any possibility, and

carried it out." What he has not done is to develop a single, consistent, overall policy and then to explain it in terms that convince this country, and the non-Communist world, that we are right.

Perhaps the reason can be seen in a capsule description of administration policy given in Saigon the other day by Vice President HUMPHREY. "Can the war be won?" he asked. "I will answer unequivocally: Yes. The war to defeat the aggressor can be won." It is this simple view that Vietcong is but a matter of resisting military aggression that many in this country, and most of our allies, cannot bring themselves to accept.

The reason is that there is more to Vietnam than simple military aggression. As former Ambassador Kennan put it before Senator FULBRIGHT's committee: "I have * * * great misgivings about any deliberate expansion of hostilities on our part directed to the achievement of something called victory—if, by the use of that term, we envisage the complete disappearance of the recalcitrance with which we are now faced, the formal submission by the adversary to our will, and the complete realization of our present stated political aims."

To think only in military terms is to miss the essential point that, no matter what military force we bring to bear on North Vietnam, we are still not going to halt the predominant social and political changes in process in Vietnam. This is why many object to our simply applying ever more military pressure, despite the risk that Red China will come in exactly as it did under similar circumstances in Korea.

Senator STENNIS and General Taylor may say we should disregard this risk, and if China comes in use "every weapon at our command." That means making nuclear war on China. But that in turn means that we would be putting heavy pressure on Soviet Russia to use nuclear weapons against us. Or, at the least, we would be inviting Russia to expand in Europe while we were too heavily committed in Asia to do much about it.

For what? Again as Mr. Kennan said, "Vietnam is not a region of major industrial-military importance." Is it not wiser, before being sucked into the major land war in Asia that until the Johnson administration it was always our policy to avoid, to remember our stake in Europe, in Latin America—and indeed in Asia itself? Countries like Japan and India and the Philippines may know the political realities of Asia as well as we do.

So let the debate go on. For only when all points of view have been fully aired, and discussed back and forth, can the debate end. Only then will our present doubts and confusions disappear in a decision that is genuinely American, because it is politically realistic and morally right.

[From the New Britain (Conn.) Herald, Feb. 14, 1966]

SENATOR RIBICOFF'S PEACE PLAN

Senator ABRAHAM A. RIBICOFF has built his reputation as a forthright, able, creative leader in domestic policies ranging from environmental pollution to urban transportation problems, from medical care needs to human rights concerns.

Over the weekend, he made what must be considered a rare foray into the realm of foreign policy. But in that venture, he managed to show the same kind of sensible realism that has characterized his work over the years. He has proposed, in a letter to President Johnson, that the President ask the 1954 Geneva Conference members to reconvene in that city, along with the present war participants, to discuss the Vietnam situation. He repeated and enlarged on the idea in a major talk at Hartford College for Women today.

Further, Mr. RIBICOFF has suggested a formula which could well spell the beginning of the end of the fighting in Vietnam. His suggestion: That there be a simultaneous token withdrawal of 10,000 men each by the United States and North Vietnam—said withdrawal to be carefully supervised. Also, he would like to see a prisoner exchange negotiated.

Now, nothing may ever come of RIBICOFF's idea, but that is not to say that in an era when many in Government have been reduced to name-calling and/or generalization about Vietnam, we ought not to be afraid to recognize and praise a solid, substantive proposal.

The Ribicoff scheme is all of that. It has the basic appeal of action without obligation. It has the substance of a well-thought-out, calculated proposal which could have immense appeal throughout the world, yet would not jeopardize our own gains in the war with the Vietcong.

We eagerly await President Johnson's response to Mr. RIBICOFF. The President, in his quest for peace, has vowed to leave no stone unturned. Here is an opportunity, particularly effective for its timing, which could well be initiated by our Government.

[From the Hartford (Conn.) Times, Feb. 16, 1966]

ROAD TO CONFIDENCE

The democratic spirit of debate and enlightenment over crucial decisions on American foreign policy again is abroad in the land. It is a good development, led off by hearings before the Senate Foreign Relations Committee on issues affecting the United States presence in Vietnam.

The very resumption of the process of public consultation and participation is reassuring.

For we have faith in that process; it is our political heritage and really, we can muster no lasting confidence in any determinations made without it.

The Nation can go a certain distance in support of the Presidential initiative; it will to a point follow the counsel of those with posts of responsibility in whom it has trust.

Then the country wants the chance to have its own say and form its own opinions.

We have reached that latter stage, and it is a healthy thing that there is a growing insistence that the books be opened on our accomplishments and our aims in southeast Asia particularly and on our relationships with the Communist world in general.

Within the past few days the Hartford region has been fortunate to have had the debate and the consultation brought into local focus.

Senator RIBICOFF opened with his initiative on Vietnam, outlined at Hartford College for Women. His, like others, was a voice not of dissent but of constructive proposal.

His suggestions of a unilateral American call to a Geneva Conference, of token withdrawal of troops if North Vietnam would match it, of an exchange of prisoners and of the formation of a peace team received prompt Presidential notice.

The measures proposed are worthy; of equal note is the fact that Senator RIBICOFF is joining in the growing public voice and expression of the public will on the issues of peace and war.

Notable too was the appearence here at the University of Hartford of Norman Thomas, the grand old man of socialist idealism, who had a viewpoint to describe.

It was his claim that although the United States has strongly bid for peace it has not made its policy convincingly dependent on peace.

We have not gone as far as we should, in his opinion, to clinch the case for negotiations with Hanoi—and one inclines to lose Mr. Thomas there, where a rather vague appeal to reason is developed, assuming that Hanoi, of a certainty, will listen.

But Mr. Thomas reaches ahead with an interesting assumption that might influence our thinking. We cannot win in Vietnam on the current course, he asserts; in fact, between democracy and communism there will be no long-run winner.

Instead, he thinks, as was the experience after Europe's bitter and inconclusive religious wars, an accommodation will be reached.

Such views shape his approach to a Vietnam settlement.

What has occurred here, with Senator RIBICOFF and Mr. Thomas as advocates, is taking place now not only in Washington but across the land.

A public examination of the course of the Nation is underway. It has reached a level beyond the surge of demonstration or of instinctive and automatic reaction.

We are putting the public intelligence to work, encouraging responsible thoughtfulness rather than blind acquiescence or prejudice.

It is good, for that is the very essence of our strength and being.

[From the Middletown (Conn.) Press, Feb. 15, 1966]

SENATOR RIBICOFF'S PROPOSAL

Since being elected as the junior Senator from Connecticut, ABRAHAM RIBICOFF has shown increasingly how correct the voters were in their choice. His current position on Vietnam is a contribution to that debate, and the views he has now expressed took courage to state. The question is not so much whether he is right or wrong, although this is a matter of grave pertinency, but rather whether his constituents will benefit from the dialog which he has opened up. We would hope this is the case; we think it will be the case.

Senator RIBICOFF made a number of points but one of the most salient was his view that any negotiations have to include the Vietcong. This is a precondition to peace, and it always will be one. The reluctance by President Johnson to negotiate with the Vietcong, despite an offer of "unconditional" discussions, has not prolonged the war by itself, but it has added to the thicket of qualifications.

Although there is considerable evidence that the Vietcong, North Vietnam, and Red China do not now wish to negotiate, the Ribicoff proposal to invite all involved to a conference at Geneva holds considerable merit. However difficult it is to prosecute both peace and war at the same time, as the rhetorical perambulations of the President have established in the last week, the position of the United States should be kept in focus. Our dedication to peace is not and should not be a bow to world opinion, it must be a constantly clear desire.

There is reason to doubt the real position of the United States—as the world sees us. In an effort to soothe Congress, the President has again contributed to the confusion by noting that "I gather from what General Gavin said in summary there is not a great deal of difference between what he and Kennan are saying and what the Government is doing."

Now, of course, there is considerable difference between the Kennan testimony and the Johnson action—a difference of almost 200,000 troops, perhaps, certainly a difference in strategy. Ambassador Kennan urged that we dig in and wait for a political solution to emerge. General Gavin although apparently modifying his enclave position slightly, was advocating a similar, if slightly different, policy. Many administration officials feel that either strategy would allow the Vietcong undisturbed political control of the country. There the argument now rests.

The President adheres to his view that no one has put forth a better suggestion on how to fight the war in Vietnam; an increasing number of Congressmen are asking what point there is in arriving at a stalemate at a higher level of engagement. It may be said that each retort begs the question; the question must still be asked.

Senator RIBICOFF has not been so much involved in the strategy of war as the tactics of peace. His suggestion cannot of itself end the war, but the spirit of his view tends to advance the possibilities of peaceful solutions. He has presented a fresh initiative and this is just as helpful, perhaps more so, than the declarations of Honolulu. If neither one can guarantee the objective of the United States, which is to prevent the seizure of South Vietnam by force, the country should not go further down the road to war without the kind of real debate we have at last come to.

[From the Manchester (Conn.) Herald, Feb. 14, 1966]

RIBICOFF TAKES HIS STAND

The entry of Senator RIBICOFF into the Vietnam debate is the more impressive because it has been so long delayed. For a long time Connecticut people have been wondering if they were ever to be represented in the great national discussion of the most controversial foreign policy commitment of our national history. Senator RIBICOFF himself explains his own silence hitherto by saying that he has had a general instinct to support the policies of the President, and that his own previous service in the Cabinet led him to appreciate the burdens the Presidency must carry in such a world crisis.

Now that he has felt it his own duty to formulate a position and make recommendations, Senator RIBICOFF can be given credit for taking a stand which does not equivocate in the least in the matter of direction.

Recognizing full well the twin stakes being contested in Vietnam—the one the right of the South Vietnamese people to have something to say about their own political destiny—the other the maintenance of that practical power politics style balance of power which the world is still trying to substitute for law—Senator RIBICOFF nevertheless formulates recommendations which would aim at defusing the situation rather than allow it to continue automatically into its quicksand of progressive and unlimited involvement for everybody.

We are not very sure—perhaps even the Senator himself is not very sure—that the specific recommendations he makes have a chance of being adopted by the White House, or of meeting with favorable response elsewhere if the White House should adopt them.

But Senator RIBICOFF judged, rightly we think, that it was important to offer something in specific terms rather than merely to reiterate generalities which have, so far, not lacked for distinguished endorsements.

The Ribicoff proposals, to be debated in the light of their propriety and feasibility, along with their prospective chances of success, are four in number. He would deal with the problem of how to get the old Geneva Conference going again by having the President himself issue a call to a preliminary conference on Vietnam, the call to name Geneva as the site, and the invitation to go to all the nations which did attend the 1954 Geneva Conference, together with any representatives of groups now fighting in the war.

Once such a preliminary conference—which would obviously itself have to decide whether it ever would become a formal reconvocation of the original Geneva Conference—had met, Senator RIBICOFF would have the United States offer to make a token withdrawal of troops from Vietnam, to be matched by a similar withdrawal of North Vietnamese forces.

Senator RIBICOFF's third point calls for the selection of Arthur Goldberg, the present Ambassador to the United Nations, and Arthur Dean, disarmament negotiator who has now served several administrations, as our delegates to such a preliminary conference, to be accompanied by the two party leaders in the Senate—Senators MANSFIELD and DIRKSEN.

Fourth, as a minor immediate move toward that defusing effort he considers so vitally necessary before the situation gets even more out of hand than it is, Senator RIBICOFF suggests a new effort to use Red Cross international mediaries to arrange exchange of prisoners in Vietnam.

These specific recommendations are open to discussion and debate, and one hopes they get them.

Meanwhile, the main stance taken by Senator RIBICOFF, after his long examination of the issues and his own inner guidances, can also be taken, we think, as something pretty close to the way the American people themselves are feeling these days, which would explain what seems to be the unusual response the Ribicoff proposals have already begun to receive.

The Senator put his main thought well enough in the closing portion of his speech on Vietnam, as follows:

"There is a fever abroad in the world. And that fever has different names in different places: 'Nationalism'; 'Self-determination'; 'Anticolonialism'; and yes, even communism. It is a fever characterized by violence—and 'wars of liberation' are the most obvious signs of the disease.

"Men want to make up their own minds about their destinies and control their futures. We can understand and sympathize with their wishes. But ironically, that desire for self-determination is strongest where the institutions of self-government are weakest.

"And when one of the newly emerging nations is struggling—as South Vietnam is struggling—against the piratical ambitions of its neighbor, or against the subversive force of a minority of its own people, we are forced into a dilemma. For the more we try to help, the less those men believe in their own power to control events.

"In one way, this new world of ours is like two children struggling in the street. Down the street comes the compassionate father, who sees his son being beaten by the town bully. He wants to help—yet he knows that if he intervenes his son will lose his self-respect. But if he doesn't step in, his son will be beaten into the dust.

"And so it is in Vietnam, South Vietnam is struggling with Hanoi and with the Vietcong. We want to help—but the more we do, the less the effort is South Vietnam's and the more it is our war. Yet if we step aside, South Vietnam will disappear under the tide of aggression.

"If the world is not to be swept away by an epidemic, we must learn to deal with this fever. If we do not learn from the mistakes of the past, we are doomed to fail and fail and fail again.

"We must bring about an end to this dilemma. And we must begin pulling the fuse out of the bomb that is Vietnam. I say we must begin to talk—for weapons are no substitute for reason."

The forces of restraint and reason have, this weekend, gained an important recruit.

[From the New Haven (Conn.) Register, Feb. 15, 1966]

SENATOR RIBICOFF OFFERS HIS PEACE TALK PLANS

ABRAHAM RIBICOFF, our junior Senator from Connecticut, has proposed that President Johnson invite the original participants, plus some others, to the 1954 Geneva Conference to convene again to seek a settlement of the war in Vietnam. The Vietcong, RIBICOFF said, should not be barred from the discussions.

As evidence of good faith, the Senator suggested that both the United States and North Vietnam agree to withdraw 10,000 troops from South Vietnam. Since Hanoi claims it has none of its troops in South Vietnam, it would be placed in an embarrassing position to meet these terms. Despite the denials the United States knows differently—from battlefield contact. The Ribicoff proposal is that no preconditions be set for the conference, that it be wide open.

President Johnson, in a telephone conversation Monday with Senator RIBICOFF, gave partial endorsement to the plan. The President said he was willing to go to Geneva but only if Great Britain and the Soviet Union called such a conference. These nations were cochairmen of the 1954 convention.

If the Communists boycotted such a meeting it would be proof to the world, RIBICOFF believes, that the United States went to an extreme for peace but its appeals were not heard by its military and political enemies.

Almost immediate disagreement with the Ribicoff plan came from some other Senators. JACOB JAVITS, Republican, of New York, said peace efforts cannot be unilateral. He also saw no hope for peace until our military position is better established in South Vietnam, at least with some heavily defended enclaves in key coastal areas.

Others believe that if the Ribicoff proposal is adopted by the administration and we go to Geneva, we would be left abandoned like a bride at the altar.

RIBICOFF at least has made an overture in the hope of ending the fighting and the bombing. His proposal is another suggestion in the right direction. His recommendation that we recognize the Vietcong, at least for purposes of deliberation, is another indication of a change among some in Washington toward dealing with the Communist National Liberation Front.

As we pursue the war, we must also pursue peace. This course goes hand in hand. Until the hand for peace gets stronger the war will go on.

[From the Stamford (Conn.) Advocate, Feb. 17, 1966]

RIBICOFF'S FOUR POINTS

Senator ABRAHAM RIBICOFF has advanced a four-point program designed to bring the Communists to the negotiating table at Geneva. He proposes that the Vietcong be admitted to the bargaining table; the matched withdrawal of 10,000 troops each by the North Vietnamese and by us; the conduct of negotiations without an agenda; and that prisoners be exchanged.

The Ribicoff proposals received a quick reaction from the White House. President Johnson, who has been trying in every way short of total surrender to the Communists to get negotiations, called the Senator and exchanged views with him for 40 minutes by telephone. The President told the Senator that he would go to Geneva at anytime but that he felt the invitation should be issued by the cochairmen of the conference, Russia and Britain. The President told Senator RIBICOFF that once such a call was issued the United States would certainly attend.

The President said that if the Hanoi Communists would agree to sit down at the conference table a way would be found to have the Vietcong subversives seated, but he refused to recognize the Vietcong, as the sole representatives of the South Vietnamese people.

The President said that as a humanitarian he favored the prisoner exchange at any time. As to the Senator's suggestion that our negotiating team be made up of Ambassador Goldberg, Arthur Dean, and Senators

MANSFIELD and DIRKSEN the President said that he admired these men greatly.

Senator RIBICOFF was convinced that the President is indeed devoted to ending this war which we never wanted to fight. The quick response to the Senator's proposals by the President should not be ignored by those in charge of protocol in Geneva. The invitation to negotiation should be made to all sides. The onus of continuing the war will then be on the side that does not answer. Under any circumstances, our Senator has made an interesting proposal. He joins distinguished company in making an effort to find some way to end this conflict with honor.

[From the West Hartford (Conn.) News, Feb. 17, 1966]

TIMELY SENATOR

The enterprising little Hartford College for women was the setting, and a pretty passel of eager-eyed girls was the backdrop on Monday for what could be a big paragraph in world history, and under any circumstances at least a small footnote.

The girls had invited Senator ABRAHAM A. RIBICOFF to speak to them while he was in Hartford. As occasionally happens among political leaders, the time had come when the Senator had something especially timely, and especially significant, to say. So it was at Hartford College that he made his most important foreign policy speech in which he called for reconvening of the Geneva Conference of 1954. Beyond that suggestion the Senator traced the course of America's enlarging commitment: "Like slow moving quicksand, the conflict in Vietnam sucked us in—deeper and deeper—until we now find ourselves deep in a war we didn't want to fight." And he concluded: "We must be resolute in helping our southeast Asian friends remain free to choose the form of government they want."

Between these two poles the Senator had a good deal to say that the President would just as soon wasn't said right now with quite the authority that a Senator has. But the President, who called the Senator from Washington and talked 45 minutes about the Ribicoff proposal for a preliminary conference on Vietnam and token withdrawals of troops (plus a Red Cross exchange of prisoners), knows that the Connecticut Senator has his ear about as close to the public heart as anybody around.

He touches a sensitive nerve when he raises the pointed question whether indeed South Vietnam's record of political, judicial, economic, and social reform justifies our hope. The hope is, of course, that given a free choice, the people would identify their military government as the image of democracy for which America risks its prestige in an Asian land war.

It is fair to ask, what social progress could be expected in a nation torn for 20 years by revolution and war? And before that mostly fiefdoms and religious hierarchies. But such realizations are not new. They are the same ones upon which "old China hands" both diplomatic and military have founded their belief that the United States was not going to make its point with a land war. Yet, as Senator RIBICOFF pointed out, the desire for self-determination is "strongest where the institutions of self-government are weakest."

His solution to the dilemma is a deliberate, immediate policy of open negotiation in which we attempt to bring the weight of the Russian people to bear for peace, rather than brinkmanship. In this week's proposal, and its rationale, the Senator ranges himself on the reflective side of the Vietnam argument. He would substitute new creative thinking for old shibboleths. For this he should find a grateful nation.

[From the New Britain (Conn.) Herald, Feb. 17, 1966]

IDEA AT AN IMPASSE

That Senator RIBICOFF's proposal for a conference at Geneva on the Vietnamese situation met with agreement, in principle, from President Johnson is a healthy development.

It is encouraging to note that the President's only immediate objection to the Senator's plan is the stipulation that the cochairmen of the 1954 Geneva Conference, Britain and the U.S.S.R., issue invitations to the talks. This is only a matter of protocol. A far more serious point could have been raised if the President had objected to the proposed representation of the Vietcong at the talks.

However, the President's conversation with Senator RIBICOFF on Sunday gives a pointed reminder that he is indeed ready to talk peace as a means toward ending the conflict. RIBICOFF's stipulation that no subjects be barred from discussion at the conference would insure that the talks were not an empty gesture, and his proposals that both sides implement a token withdrawal of troops and exchange of prisoners would help to smooth the way for such a discussion.

The road to the conference table is difficult, especially in view of the fact that proceedings would have to be initiated by both England and the U.S.S.R. A conference at Geneva is a possibility, however slim, and we can only hope that the chances for such a talk will increase with the passage of time.

[From the Willimantic (Conn.) Chronicle, Feb. 16, 1966]

CHRONICLE COMMENTARY: THE RIBICOFF PEACE PLAN

The speech Senator ABRAHAM RIBICOFF delivered before the student body of the Hartford College for Women Monday in which he proposed a four-point plan to defuse the explosive situation in Vietnam is the result of a great deal of study and thought on the Senator's part. It is understandable that the Senator should have waited until now to make an appraisal of the southeast Asian situation. As a former Cabinet officer in the Kennedy administration his remarks could have easily been misinterpreted.

While there is serious question about the propriety of the United States issuing a call for a conference to be held on Vietnam at Geneva, the basic thought put forward by the Senator is a valid one. If there is the need to pinpoint a cause for the crisis in Vietnam it most certainly can be traced to the Geneva accords and the failure to effectively implement and police them. Without question, there is something to be said for the White House suggestion that either Britain or the Soviet Union as cochairmen should initiate the call for the meeting. The response to such a call would again indicate clearly who is interested in a just peace in Vietnam and who is not.

The Ribicoff proposal to make a token removal of 10,000 troops once the conference is convened is the one that could be the toe stumper. This evidence of good faith is fine, but meaningless without corresponding action by the North Vietnamese forces.

The Senator acted wisely in suggesting that the majority and minority leaders of the U.S. Senate be included among the negotiators sent to the Conference. The Senate is, of course, the place from which the phrase "advise and consent" originates and it seems appropriate that they have a full and complete comprehension of a matter as important as possible settlement of the Vietnam war.

No one, we are sure, could think of faulting the Connecticut Senator for suggesting that the International Red Cross be employed to arrange for the exchange of prisoners. This is a humanitarian and sensible approach.

Taken as a whole, the Ribicoff peace plan was one which deserved the serious attention of the national administration and such attention was evidenced by the President's telephone conversation with the Senator while he was in Hartford. It truly was one of the most responsible reports on the Vietnam situation to be brought to public notice in recent days. The Senator is to be commended for his well done homework.

[From the Danbury (Conn.) News-Times, Feb. 15, 1966]

SENATOR RIBICOFF'S FOUR-POINT PLAN

Senator ABRAHAM RIBICOFF, former Governor of Connecticut and former Secretary of the Health, Education, and Welfare Department, has made a number of contributions in the field of domestic affairs since entering the Senate.

He has now made a significant contribution in the field of foreign relations.

He has proposed a four-point plan to, in his words, "defuse" the explosive situation in Vietnam. Highlights of these proposals are:

1. That the President issue a call for a preliminary conference on Vietnam, to take place at Geneva, at a date selected by the President, with all concerned with the Geneva accords of 1954 invited and with no subject barred.

2. That the United States offer, once the conference is convened, to make a token withdrawal of 10,000 troops, with a similar withdrawal to be made by the North Vietnamese.

3. That Senators MANSFIELD and DIRKSEN be named to attend the preliminary conference along with two of America's "very best negotiators," Arthur Goldberg and Arthur Dean.

4. That every means be used, as an immediate step, to arrange an exchange of prisoners through the Red Cross.

Senator RIBICOFF revealed his four-point proposal Sunday and elaborated upon it in a talk Monday at the Hartford College for Women.

"In South Vietnam," he pointed out, "we are face to face with China. We are thwarting her ambitions to change the balance of power in Asia. This is a delicate situation, for we must take into account not only China's reactions, but also those of Russia—her sometimes reluctant ally."

Asserting that we must continue resolute in helping the people of South Vietnam remain free to choose the government they want, Senator RIBICOFF reviewed the difficulties the United States has experienced in efforts, so far unsuccessful, to get North Vietnam to the negotiating table.

His call for an unconditional preliminary conference to "defuse" the situation again demonstrates the willingness of the United States to seek peace.

The imaginative steps he offers, if accepted all around, could well pave the way for a final and conclusive peace conference, restoring some semblance of peace to a disordered world.

[From the New London (Conn.) Day, Feb. 15, 1966]

OUR FUTURE IN VIETNAM

Clearly, the debate over our role in Vietnam is beginning to get down to cases. And that's a good sign. It is, in fact, the only encouraging factor in the assessment of where we stand and what might lie ahead.

Although President Johnson takes a dim view of Senate Foreign Relations Committee hearings, they are producing some positive ideas. One may question but cannot ignore the counsels of such men as retired Lt. Gen. James Gavin and of George Kennan, former head of the State Department's Policy Planning Board. Nor can one disregard the

proposal of Senator ABRAHAM RIBICOFF, who calls for a Geneva Conference which would be based on withdrawal of 10,000 U.S. troops if Hanoi agrees to do likewise. Barry Goldwater states the traditional theory of warfare, to hit the enemy again and again, with air power, until he capitulates; here again this argument cannot be jettisoned, because, like it or not, we are at war to defend the long-accepted ideal of self-determination.

The weakness of the Kennan-Gavin point of view (dig in, hold our ground until Hanoi, recognizing it cannot win, agrees to negotiate) is that South Vietnam is a checkerboard, an area here held by us and an area of few miles distant controlled by the Vietcong. To effect a stalemate would not guarantee that the Vietcong would be driven to its knees; rather it likely would result in an intolerable standoff as in Korea, precipitating many long years of unrest and trouble for the South Vienamese, and little prospect of political stability.

The important thing is that the debate is becoming far more responsible, intelligent and clear. The vocal element which demanded immediate retreat has been all but silenced. The Foreign Relations Committee has more witnesses to hear and how Chairman FULBRIGHT (an opponent of current U.S. policy) handles this testimony can have a profound effect on the course of debate and on future decisions.

ALASKA CONSERVATION SOCIETY URGES RESTORATION OF SNETTISHAM DAM PROJECT

Mr. GRUENING. Mr. President, I spoke at some length on the Senate floor regarding the proposed 1967 budget cutbacks in public works projects and specifically, of the Snettisham Dam which was programed for construction beginning this spring. These funds were eliminated in the President's budget and simply must be restored. Cutting it out is not an economy. Quite the contrary. The dam will be a great revenue producer.

It is interesting to note that this project was approved by many different groups which are in accord that the dam will perform a worthwhile function by supplying needed power in the vicinity of Juneau, Alaska, and will be even more needed than when first authorized because of the subsequent vast timber sale on the Tongass National Forest, and the prospective pulp and paper industries resulting therefrom. They will bring in increased tax revenues to the Nation and State and employ hundreds of taxpaying workers.

As an example of this accord, I ask unanimous consent to have printed in the RECORD a resolution passed by the Alaska Conservation Society recommending that the dam be constructed.

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

RESOLUTION BY THE ALASKA CONSERVATION SOCIETY'S BOARD OF DIRECTORS

Resolved, That the Alaska Conservation Society supports the efforts of our State government officials and members of the Alaska congressional delegation to have Federal funds made available for the early construction of the Snettisham hydroelectric power project near Juneau, Alaska. Inasmuch as the need for this additional power has been clearly demonstrated, and the preliminary research indicates that damage to fish and wildlife resources will be negligible, the society feels this project is worthy of approval by all citizens of the State of Alaska.

Attest:

CELIA M. HUNTER,
Executive Secretary.

WHEAT EXPORT CERTIFICATE HELD CONSTITUTIONAL

Mr. McGOVERN. I ask unanimous consent, Mr. President, to have printed in the RECORD an article from the current, March 1, issue of the Southwestern Miller which reports that Federal District Judge Charles L. Powell has ruled in Spokane, Wash., that wheat export certificates authorized in the voluntary wheat certificate act in 1964, are constitutional.

The case contesting the legality of the wheat certificates was brought February 3, 1965, by the wheat export tax committee of the Washington State Farm Bureau. The ruling was handed down February 28, 1966.

Since wheat export certificates are authorized in the present farm law, although managed on a variable basis at the present time, this ruling has great significance in relation to the present wheat program. I need not say that I am gratified by the ruling and am sure that other Members of this body, interested in the economic welfare of our wheat and other agricultural producers, will be equally pleased.

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

WHEAT EXPORT CERTIFICATE CONSTITUTIONAL

SPOKANE, WASH., February 28.—In a decision announced last week, a U.S. Federal district court judge in Spokane ruled that the section of the wheat certificate program requiring the collection of the export certificate levy does not violate the Constitution. Previously, a three-judge Federal panel had denied a motion to grant an injunction to prohibit the enforcement of the export marketing certificate regulations on wheat.

Following announcement of the decision by Federal Judge Charles L. Powell, a group of Washington wheat farmers who had filed suit in Spokane district court last spring to test the constitutionality of the export marketing certificate indicated they are giving serious consideration to an appeal. The group, comprising the wheat export tax committee of the Washington State Farm Bureau, expressed keen disappointment with the judge's ruling. They have launched an immediate study of the feasibility of appealing the decision to a higher court. A decision may be reached by the committee at a meeting to be held March 12 in Yakima.

The suit, sponsored by the wheat export tax committee, was originally filed February 3, 1965, against Secretary of Agriculture Freeman. It was amended in the spring of 1965 to include the Commodity Credit Corporation. It contended that the export certificate collection of 25 cents a bushel in effect during the 1964–65 crop year and imposed by the Agricultural Act of 1964 was in direct violation of article I, section 9, clause 5, of the Constitution of the United States, which states, "No tax or duty shall be laid on articles exported from any State."

CONCERNED 2,872-BUSHEL EXPORT SALE

Named as plaintiff in the suit was Shirl Moon, dryland wheat farmer from the Horse Heaven area of Benton County, Wash., who did not participate in the 1964 wheat certificate program and thus received no certificate payments. The action concerned his sale of 1,872 bushels of wheat to a buyer in Rotterdam, The Netherlands, in January 1965. The plaintiff, in his original complaint, asked for a judgment for refund of $168.52 against the Secretary of Agriculture and an injunction against his further encroachment for a payment for export marketing certificates. The three-judge panel denied the injunction. The case was then referred to Judge Powell of Spokane to determine whether the wheat export marketing certificates constitute a tax or duty in contravention of the Constitution.

The refund of $168.52 sought by Mr. Moon in the suit represented the difference between his export certificate payment of $411.93 and a refund of $243.41 as an export subsidy payment.

WHETHER REVENUE OR REGULATORY

"The question for determination is whether the act is a revenue measure within the prescription of the Constitution or whether it is regulatory and thus permitted," Judge Powell said in his decision. "Under the commerce clause of the Constitution, article I, section 8, the Congress has the power to regulate commerce with the foreign nations and among the several states. That regulation may be effectuated by price control. Such regulation has been held to be within the legislative power of Congress."

Judge Powell also pointed out that the regulation of agriculture is recognized to be within the power of Congress under the commerce clause, and he said that "it includes the power to regulate prices of commodities in commerce and the practices which affect such price." He also noted that "the production and marketing of wheat has been the subject of repeated legislation."

DEPENDS ON OBJECTS OF STATUTE

Judge Powell's decision included the following:

"The test to determine whether a statute imposes a tax or whether it is regulatory is determined by consideration of the purposes and objects of the statute as a whole. If the revenue for the general support of Government is the primary purpose and regulation incidental, the imposition of a tax is controlled by the taxing provisions of the Federal Constitution. If regulation is the primary purpose of the statute then the statute is not controlled by the taxing power but by the power of Congress to regulate the particular commodity or subject matter of the statute.

NO MOTIVE EXCEPT REGULATION

"The purpose of the wheat marketing certificate program is not to raise revenue for meeting the general expenses or obligations of the government. There appears to be nothing in the context of the act or in the legislative history of the act to lead one to believe that Congress was prompted by any motive other than to regulate the price and production of wheat. The act provides:

" 'In order to expand international trade in wheat and wheat flour and promote equitable and stable prices therefor the Commodity Credit Corporation shall, upon the exportation from the United States of any wheat or wheat flour, make a refund to the exporter or allow him a credit against the amount payable by him for marketing certificates, in such amount as the Secretary determines will make U.S. wheat and wheat flour generally competitive in the world market, avoid disruption of world market prices and fulfill the international obligations of the United States.'

"The legislative history of the act as set forth in appendix C to defendant's supplemental brief leaves little question but that the act was intended as a regulatory measure. The purpose is stated as follows:

" 'Since the purpose of requiring certificates on wheat and wheat products exported is not to obtain revenue, but solely to regu-

late the price at which such products are exported and eliminate the possibility of windfall profits.'

TO FULFILL WORLD OBLIGATIONS

"In *Board of Trustees of the University of Illinois* v. *United States*, it is held that the United States of America may regulate or prohibit certain imports. The power to regulate commerce by prohibiting either importation or exportation of a commodity would include the lesser power of permitting exports only by compliance with certain regulatory controls. Such is the provision here in question. The use of export marketing certificates in conjunction with the refund provisions of the act or credits as provided by the act enables the exporter to meet world competition and also prevents him from selling below the world market and thus permits the United States to fulfill its obligations under the International Wheat Agreement.

"It is my opinion that the act is regulatory and not a revenue measure and that it is constitutional. The plaintiff's motion for summary judgment will be denied and the defendant's motion for summary judgment granted."

IMPACT ON OTHER COMMODITIES

Leon Willard, of Prosser, Wash., chairman of the wheat export tax committee, said he foresees the possibility of the court's decision reaching beyond wheat exports into the marketing of other commodities abroad. "The impact of this opinion could affect many other export markets and industries," he said. "What is there to prevent the control of all exported goods by similar regulatory measures?"

Max Benitz, president of the Washington State Farm Bureau and an ex officio member of the committee, commented that "at a time when great emphasis is being placed on the expansion of world trade, the control of export prices through such devices could make a shambles of our Constitution." He contended that "the issue of whether or not a regulatory device such as the export certificate is unconstitutional has not been met squarely by the court."

In addition to Mr. Willard and Mr. Benitz, members of the wheat export tax committee are Roy Eslick, of Dayton; Joe Fulton, of Fairfield; Richard Klicker, of Walla Walla; Richard McWhorter, of Prosser; Richard Perkins, of Palouse; and Oliver Dilling, of Connell.

EDUCATIONAL BENEFITS OUR VETERANS DESERVE

Mr. CHURCH. Mr. President, yesterday the President signed into law the Veterans' Readjustment Benefits Act of 1966, which was recently passed unanimously by both Houses of Congress. I was very pleased to support this measure in the Senate.

The men and women who have served our country deserve the educational experiences which may have otherwise been lost to them because of military service.

The February 28 newsletter of the National Education Association summarizes this act very well. I ask unanimous consent to have the summary printed in the RECORD.

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

PERMANENT GI EDUCATION BILL SENT TO PRESIDENT JOHNSON

President Johnson is expected momentarily to sign a permanent GI benefits measure with an estimated eventual price tag of $500 million a year. The measure, which will take effect no later than June 1 of this year, accents education and homebuying aid for all military personnel with more than 6 months of active duty since January 31, 1955, the date benefits ceased under the Korean GI Readjustment Act.

Passed last year by the Senate and February 7 of this year by the House in different forms, the compromise bill advanced through the Senate on February 10 by a vote of 99 to 0 and was whisked to the President without a dissent after a voice vote in the House later the same day.

The Johnson administration had recommended that benefits be limited to men who serve in combat situations, instead of covering all personnel regardless of where they served their military time. The estimated cost of the administration bill was $150 million a year. The cost of the program as passed is expected to level off at around $500 million annually after 5 years. Its first-year cost is estimated at $335 million.

VETERANS' READJUSTMENT BENEFITS ACT OF 1966

As sent to President Johnson, the measure contained the following major provisions:

Authorized payments to meet, in part, the expenses of the veterans' subsistence, tuition, fees, supplies, books, equipment, and other educational costs.

Provided 1 month of educational assistance for each month or fraction thereof spent on active duty after January 31, 1955.

Prohibited a veteran from receiving more than 36 months of training or educational assistance under the 1966 act or under a combination of benefits from the 1966 act and the World War II or Korean GI Readjustment Act, the war orphans' educational assistance program or the vocational rehabilitation program for disabled veterans.

Stipulated that a veteran pursuing a full-time course receive $100 a month in educational benefits, $125 if he had one dependent and $150 if he had two or more dependents. For a ¾-time course, stipulated that a single veteran receive $75 a month, that a veteran with one dependent receive $95 and that a veteran with two or more dependents receive $115. For a ½-time course, stipulated that a single veteran receive $50 a month, that a veteran with one dependent receive $65 and that a veteran with two or more dependents receive $75.

Required veteran to complete education within 8 years following his last discharge from active duty after January 31, 1955, or within 8 years after the educational section went into effect (June 1, 1966), whichever was later.

Defined an eligible veteran as one who served on active duty for more than 180 days, any part of which occurred after January 31, 1955, or who was released or discharged because of a service-connected disability after January 31, 1955.

Provided that a person who had served 2 years on active duty and was continuing on active duty could take advantage of the educational benefits by attending nearby institutions during off-duty hours, but stipulated that these persons would receive payments only for fees and tuition. Specified that the allowance would be computed at the rate of the established institutional charges for tuition and fees or at $100 a month, whichever was less.

Defined educational institution as any public or private secondary school, vocational school, correspondence school, business school, junior college, teachers' college, college, normal school, professional school, university, or scientific or technical institution, or any other institution if it furnishes education at the secondary school level or above.

Defined program of education as any curriculum or any combination of unit courses pursued in an educational institution which is generally accepted as necessary to fulfill the requirement for attainment of a predetermined educational, professional, or vocational objective.

Prohibited enrollment in courses of apprenticeship or on-the-job training, institutional on-the-farm training or a course to be pursued by open circuit television or radio, unless the latter was part of a regular course offered by an institution of higher learning.

Prohibited enrollment in an avocational or recreational course unless the veteran submitted evidence that such a course would be of bona fide use in the pursuit of his present or contemplated business or occupation. Specified other types of courses which would not qualify a veteran for benefits.

Other noneducational features of the measure also authorized Veterans' Administration home loans and home loan guarantees for Armed Forces veterans who were defined by the bill as eligible for educational benefits; extended medical care in Veterans' Administration hospitals, when there was room and the veteran demonstrated a financial need, to veterans with non-service-connected disabilities who served after January 31, 1955; extended job counseling and job placement assistance by the Department of Labor to persons serving after January 31, 1955; and extended preference in securing Federal jobs to persons serving after January 31, 1955.

WORLD HUNGER: ENEMY OF U.S. PROSPERITY

Mr. McGOVERN. Mr. President, the current issue of Forbes magazine, dated March 1, has an excellent "roundup" article and an editorial on the world food and population situation, from a business point of view.

Forbes is unabashed by the fact that America has an economic interest in ending hunger in the world. The magazine even lists major corporations that "will help feed the world," and can thereby benefit economically.

The magazine comments:

Humanitarian motives aside, the President and his aids know full well that the U.S. economy cannot continue to grow without an expanding world market. Moreover, as the President has noted, quoting Seneca, "A hungry people listens not to reason, nor cares for justice, nor is bent by any prayers."

I am happy to see Forbes' analysis of the situation, for I have always regarded food for peace, which the President proposes to rename food for freedom, as a fine blending of humanitarianism and self-interest.

I ask unanimous consent that the Forbes article, and an editorial in the same issue concluding that we must "make a mighty effort," be printed in the RECORD.

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

WORLD HUNGER: ENEMY OF U.S. PROSPERITY

Two-thirds of the people of the world are now face to face with famine. Humanitarian reasons aside, the United States cannot let them starve, because a starving nation is not a market.

One billion people, a third of the world's population, drag themselves through the day weak from hunger, an easy target for disease and frequently for death from starvation. Another billion are badly malnourished, almost on the borderline of starvation. What we call progress, civilization, prosperity is meaningless to two-thirds of the human race. These people are only half alive. They are half dead from hunger.

The average American consumes 3,100 calories a day in foods rich with proteins, vitamins, and minerals. In the underdeveloped nations, the average person must drag his body along on a mere 2,030 calories a day, and his food usually is deficient in those nutrients. While the United States, Western Europe, Japan, and a few other nations get richer, the hungry get hungrier, because, in the underdeveloped part of the world, human fecundity is outstripping agricultural fecundity. In Asia and Latin America in the past 5 years the population has risen by 12 and 17 percent, respectively. In contrast, production of food has risen by only 10 percent. The result is that per capita food production has fallen by 3 percent in Asia, by 7 percent in Latin America.

The deadly effects of the population explosion aren't for tomorrow. They are here and now. Today.

As Chairman Robert S. Stevenson of Allis-Chalmers puts it: "The United States, Canada, and Australia are going to have to feed the world, or we're going to have to help the world feed itself." Nobody realizes this more keenly than President Lyndon B. Johnson and his top aids. The more newsworthy problems of Vietnam and inflation have not, even for a day, crowded it out of their deliberations.

Humanitarian motives aside, the President and his aids know full well that the U.S. economy cannot continue to grow without an expanding world market. Moreover, as the President has noted, quoting Seneca, "A hungry people listens not to reason, nor cares for justice, nor is bent by any prayers."

The malnourished masses love their children as intensely as well-fed Americans love theirs. They are not about to starve peacefully and quietly, in patience, resignation, and fatalism, as their ancestors might have done. They know there is a world without hunger somewhere outside their dusty villages. They have transistor radios, and they have bumped in rickety buses into market towns. They have taken seriously the politicians' promises of a better life. They will riot and kill to achieve it. They are doing so right now.

ESCALATION

Almost in desperation, the United States plans to escalate its efforts to deal with the world hunger problem. In so doing it will create tremendous opportunities for businesses that have the know-how, the foresight, and the capital to help end hunger.

President Johnson fired an opening gun in the stepped-up war against hunger when he sent a message to Congress last month, asking for a new food program to replace the present food-for-peace program, Public Law 480, which expires this year. The President did not spell out all the details of his food-for-freedom program, but, even so, agricultural experts agree that it eventually will have an enormous impact on the entire U.S. economy. For one thing, it will change the whole direction of the foreign aid program. Until now, foreign aid has gone primarily toward industrial development; hereafter, it will be directed more toward agricultural development. The food-for-freedom program will have an even greater impact on U.S. agriculture. Since the first Agricultural Administration Act, the U.S. Government has attempted to keep food production down. Now, the administration plans to offer inducements to farmers to raise production of certain foodstuffs. Under the food-for-peace program, the United States sent abroad primarily those agricultural products it had in surplus in Government warehouses. Now, it will gear its production more directly to the needs of the hungry, using incentives to increase production of certain foodstuffs when necessary.

Out of this inevitably will come several other developments: Little by little, land which has been retired from production under the present farm program will be brought back into cultivation. The exodus of marginal farmers into the cities will be speeded up, since they will not have the capital to expand production as the Government requires. The big farmers will get bigger. Even if world prices of agricultural products don't rise, the big farmers will become so efficient and have such an enormous market they will be able to prosper with lower subsidies—or even without them.

One expert, Don Lerch, a Washington management consultant who specializes in agriculture, believes that by 1976 there will be only 500,000 farmers in the United States (as compared with 3.2 million today). But, he quickly adds, they will all be immensely prosperous.

The farmers of Canada and Australia also will benefit. Both countries, as a result, are likely to keep booming.

The United States plans to fight the war against hunger on two fronts. The first will be a crash program to supply the underdeveloped countries with food. The United States has been giving away $1.5 billion worth of food abroad every year under Public Law 480. If Congress approves the President's new program—as seems all but certain—food shipments could rise to $3.3 billion by 1967–68. This move is designed to cope with such emergencies as the recent drought in India, which already has led to Communist-organized riots in the state of Kerala.

In the long run, the second front will be the decisive one. This is the self-help part. Every nation receiving U.S. aid will have to promise to build up its own agriculture as swiftly as possible. Not only promise, but show results. The reason for this is simple. "We don't have enough capacity to feed all these people," says Secretary of Agriculture Orville L. Freeman. "Unless they learn to feed themselves, there will be world famine. The estimated increased needs between now and 1980 are in the neighborhood of 300 million tons. The potential reserve productive capacity of this country is 50 to 55 million tons more. There is a 250-million-ton gap here that only the underdeveloped nations themselves can fill."

Along with the food, therefore, the United States will send the underdeveloped nations fertilizer and farm equipment. It will also encourage U.S. companies to build fertilizer plants and farm-equipment factories abroad. It will teach farmers in Asia and Africa and Latin America how to make the most of the land they have. It will urge—and even arm-twist—governments to rerig archaic policies in the field of price incentives, farm credit and land reform. This will all be done under the Agency for International Development (AID).

Increasing food shipments abroad will mean increasing production at home, for, according to Freeman, the reserves in Government storage don't come anywhere near the world's requirements. "Our reserves are now in the land rather than in the storage bin," he says. Grain in storage has been dropping steadily since 1961—wheat, from 1.4 billion bushels to 800 million; feed grains, from 77 million metric tons to 50 million.

This means that millions of acres of land that have been retired under the present farm program eventually will be brought back into production as needed. It will be done gradually, Freeman says, first to prevent chaos in the marketplace, and second because there isn't enough shipping to handle all the food the U.S. farmer could produce if the wraps on him were taken off all at once.

All told, there are now nearly 57 million acres of U.S. farmland "in reserve." Freeman won't reveal just how many he intends to put back into production, but some Government officials believe it will be somewhere between 5 and 7 million acres. He already has taken a small step in that direction. "Just last month," he points out, "I discontinued the alternative of voluntary acreage reduction whereby a spring wheat producer could take 10 percent out of production and get paid for doing it. The producer no longer has that option. He has to plant his full allotment."

MORE TO COME

The acreage allotment for rice will be increased this year by 10 percent. Many experts believe it will eventually be necessary to increase the allotment for winter wheat. Says Claude W. Gifford, senior economist of Farm Journal: "A shortage in wheat is only a few years away."

Freeman's guideline will be the President's promise to Congress to "bring these acres back into production as needed—but not to produce unwanted surplus." In short, to change the very nature of U.S. agricultural policy but without causing chaos on the farm and in the marketplace.

In his message, Johnson called for increased production of soybeans. The Secretary of Agriculture believes this can be achieved by the judicious use of incentives—more acreage with guaranted prices. "In corn," he says, "we have too much. We still have a surplus. We'll do something which will make it possible for those farmers to plant soybeans on those acres and come out just as good. We need the soybeans. We don't need corn." Soybeans produce a high-protein, low-cost diet meal for animals. They also are one of the richest sources of protein in food mixes for humans.

Robert W. Engle, manager of marketing of Allis-Chalmers' farm equipment division, believes that increased production will have to come from improved farm equipment and improved farm techniques, as well as from greater acreage. "One area where output per man hour has been neglected is farm materials handling," he says. "There are going to be some giant strides made in coordinating a farmer's growing system with a pushbutton, automated method of handling and storing his crop.

"Another way of increasing farm production is by growing two stalks of corn where only one grew before. Instead of growing corn in the standard 38- or 40-inch rows, we've tried it in 30 or 20. Yield often increases 10 or 15 percent."

CHANGE IN POLICY

Under Public Law 480, the United States has either been giving the food away or else selling it for local currency. In simple fact, selling it for local currency almost invariably has meant giving it away, because so little of the currency can be used. According to Sam I. Nakagama, a senior economist of the First National City Bank of New York, the United States now holds an amount equivalent to two-thirds of the currency of India as a result of selling the Indians food. Most of this money obviously can't be used; spending it would create horrendous inflation. Under a tacit agreement with the Indian Government, therefore, the United States simply hoards it. The United States now holds $2.8 billion in counterpart funds.

Under the food-for-freedom program, food will no longer be sold for local currency and only a maximum $800 million worth will be given away. Only those nations which clearly can't subsist except on charity will receive free food. The United States will grant the others—nations like Taiwan, Spain, Greece, and the United Arab Republic—long-term credits at low interest, perhaps 2 percent, to buy the remaining $2.5 billion worth. They will have to pay the world market price. They will be required to repay the money in dollars.

Prices also should be bolstered by the fact that, at times, the United States will have to get the food on the open market.

There are those who fear that, by helping other nations increase their food production, the United States will destroy its own commercial food-export market, which now amounts to about $4.5 billion a year. According to Freeman, these fears are groundless. Experience proves, he says, that, as a country raises its production of food, what it does is switch to importing other U.S. agricultural products like animal feeds. The result is a net gain for the U.S. farmer. Freeman cites the case of Japan. That country used to get massive agricultural aid from the United States. It soon may be buying $1 billion worth of U.S. farm products annually on a straight cash basis. Western Europe, which also used to receive agricultural aid, is now this Nation's biggest customer of feed grains and poultry. In 1964, U.S. food exports to Western Europe totaled $2.3 billion.

As Freeman sees it, prosperity abroad, therefore, will mean prosperity at home. "Every 10-percent increase in per capita income abroad results in a 16-percent increase in the commercial imports of our products," he says.

In the fight to increase production of foodstuffs abroad, the United States will count particularly on the manufacturers of fertilizer. Says David E. Bell, Administrator of the Agency for International Development: "Fertilizer will be our biggest need." Dr. Lester R. Brown, staff economist of the Department of Agriculture, adds: "Ironically, the less-developed regions of Asia, Africa, and Latin America, which contain two-thirds of the world's people and where the food needs are greatest, use only 5 million tons of the 35-million-ton annual world total. In other words, only one-seventh of the world fertilizer supply is used in the regions containing two-thirds of the population. As the supply of new land that can be brought under cultivation diminishes, fertilizer becomes the principal substitute for land in the food production process."

FERTILIZER BOOM AHEAD

The United States is now shipping about $325 million worth of fertilizers abroad every year through foreign aid and commercial channels. By 1970, it will be shipping about $1 billion abroad each year. In addition, the United States will spend about $250 million to help build fertilizer plants in partnership with natives in the underdeveloped countries such as Gulf Oil's project in Korea.

Says an AID chemical engineer: "$1 million worth of food aid will feed 70,000 people for a year, but the same $1 million put into fertilizer would help feed 200,000 people for a year."

AID's Bell is also counting on farm equipment manufacturers and food processors to help beef up the agriculture of the underdeveloped countries. The farm machinery makers will have to develop equipment especially designed for their needs, he says, pointing out that in India, for example, "the land holdings are very small. Farming takes on the characteristics of gardening. You need small power units, hand equipment almost."

A great deal rides on the success of this new program—which partly explains why support for it seems to cut across party lines. President Johnson's proposals have the support of many Republicans, who in the past were leery about foreign aid. Much of the Republican leadership in Congress comes from farm States, where food-aid programs naturally have strong support. Moreover, as Senator MILTON R. YOUNG, of North Dakota, the ranking Republican member of the Senate Agricultural Appropriations Committee, points out, "Republicans originated the whole food-for-peace program back in the Eisenhower administration." He adds: "I think the President will get substantially what he wants. Giving people food and helping them produce more food is the best kind of foreign aid program."

Is the food-for-freedom program alone big enough to deal with the problem? No. The sad fact is that, no matter how generous it is, it can only supplement the efforts of the underdeveloped countries themselves.

Some pessimists think that the problem is hopeless; that the population explosion is now out of hand. But some very hardheaded experts think otherwise. To quote Bryson M. Filbert, vice president and director of Esso Chemical Co., a big factor in the world fertilizer business, "It is possible to double or even triple agricultural production in all of Asia, Africa, and Latin America through the use of more fertilizers, more irrigation, better seed varieties, more pesticides and other improved farm practices. I have been told by experts that four times the present world population could be supported by widespread use of improved farming methods."

But the key word is "could." To turn "could" into "will" is going to take some very drastic, very fast changes in the underdeveloped countries themselves. Almost without exception they misread the economic history of the prosperous nations. They only noticed that these countries built industries and turned farmers into workers. What they failed to note was that in most cases such countries did so only after developing a prosperous agriculture first. In part this misreading of history was due to an obsession with the Soviet experiment.

RUSSIA'S BAD EXAMPLE

The Soviets reversed the normal process of economic development. By starving agriculture of capital and by keeping food prices artificially low, they made the farmers bear the cost of building hydroelectric dams and plants and steel mills. The Soviet Union became a great industrial power, and this bedazzled the underdeveloped nations. What they failed to realize was a fact that has since become obvious to everyone: The Soviet Union produces more steel than it needs, but it can't feed its steelworkers without importing food.

India is the classic case of a country that was misled by the Soviet experiment. India concentrated all its capital and most of its foreign aid into building up industry. It used the free food it received from the United States to keep food prices low for industrial workers. The program has proved self-defeating. Low food prices have kept the Indian farmer too poor to provide a market for the goods the industrial workers are producing. At the same time, the low prices have discouraged the farmer from attempting to increase production.

Says Richard W. Reuter, Director of food for peace: "The Indians said they were putting priority on agriculture in every one of their 5-year programs, but agriculture was always the first place to get short-changed when they ran out of money. This year, according to the Indian Government's own minimum goals, there should be production of 1 million tons of nitrogenous fertilizer. In fact, production is less than 400,000 tons."

The United States, Bell says, is not without blame for this situation. "We didn't use our maximum leverage to get the Indians to put more emphasis on agriculture. We saw what was wrong, but we didn't do enough about it."

Under the food-for-freedom program, the United States plans to get tough with India and the other underdeveloped nations. They will have to put agriculture first or they won't get aid. As a Department of Agriculture official puts it: "The President is going to lean hard on them."

The job of educating the Indian farmer to farm more efficiently will be a staggering one. There are 60 million farmers in the country, spread over 300 million acres of cropland. They speak 14 different languages. The overwhelming majority of them is illiterate.

BREAD VERSUS BULLETS

And yet, to say that India is hopeless is almost the same as saying that one day Red China will dominate all of Asia; India is the only other potential world power on the continent. Neither President Johnson nor Congress is willing to concede Asia to Red China, and, while they realize the difficulties in raising food production in underdeveloped countries, they can point to several notable triumphs in the past. In Greece, for example, the United States persuaded the Government to give wheat farmers a better price and a guaranteed market, and the results, says Food-for-Peace Director Reuter, "were next to miraculous. They're now producing wheat till it comes out of their ears."

Undaunted by the difficulties, therefore, at least half a dozen Congressmen already have introduced bills to implement the President's program. One of the first was Representative HAROLD D. COOLEY, Democrat, of North Carolina, chairman of the House Agricultural Committee. "I am convinced that, in the end, bread will be more important than bullets in bringing peace to the world," he says.

To be perfectly blunt about it, bread will be more important than bullets in assuring that the economic growth of the United States itself will continue.

THE TERRIBLE PATTER

In 1850, there were 1 billion people in the world. There are now 3.3 billion—more, it happens, than all the people who ever lived throughout all of history. The way things are going, in 15 years there will be 4 billion, and in 30 years, 6 billion. Those simple figures underlie the menace of what a worried writer calls "the terrible patter of tiny feet." The horrible fact is that 85 percent of this population increase will come from the underdeveloped countries which can't even support their present populations.

"Population control will have to go along with these agricultural programs," says Dr. Albert H. Moseman, AID Assistant Administrator for Technical Cooperation and Research, but he adds a warning: "We can insist only up to a certain point. It's a delicate situation. We could be accused of using potential starvation as a threat to get these people to do something against their own social values."

Dr. Moseman cites the case of India, where he says, the infant mortality rate is so high, parents have to have six children to be able to have two or three survive to maturity. "As long as they still have to have all these children in order to have a few survive, you cannot convince them to cut down on the number of children they have," he says.

The answer: Some of the underdeveloped countries already have recognized the problem. Korea, Taiwan, Pakistan, India, Turkey, Colombia, and Chile (the latter two are overwhelmingly Catholic) have birth control programs in various stages of development. The method being used in those places, according to Dr. Moseman, "is the plastic loop, an intrauterine device."

The loop was invented by a U.S. doctor, Jack Lippes, and is made in this country by his own company, the Hohabe Co. of Buffalo. It costs Hohabe about 25 cents to manufacture, package, and distribute. Overseas, the Population Council, a Rockefeller-supported organization, distributes it free. Dr. Lippes also permits anyone to manufacture it abroad without restrictions and without paying royalties. In the underdeveloped countries, the cost of making the loop runs to about 2 cents.

Dr. Moseman believes the Lippes loop is the answer to "the terrible patter of tiny feet." Birth control pills, he says, are "far too expensive" for people living in the underdeveloped countries.

According to Herbert J. Waters, AID's Assistant Administrator for Material Resources. Thailand is a good example of how a birth control program can work. "In Thailand, they have a village midwife program," he says. "When a woman comes into the midwife station to get ready to have a baby, they set her up for the next time not to have a baby."

U.S. BUSINESS VERSUS MALTHUS

It will take all the Nation's economic resources to defeat the arithmetic of starvation. Obviously, the U.S. farmer will be the first to feel the impact of the food-for-freedom program. In a recent talk with midwestern grain dealers, Robert C. Liebenow, president of the Corn Industries Research Foundation, predicted that food exports under the program and through regular commercial sales would increase by 50 percent within the next few years. They now amount to $6 billion a year. A 50-percent increase would bring them close to $9 billion. Land values are going to rise. Smart farmers with capital will become rich.

Major segments of U.S. industry are going to benefit, too. The menace of starvation will mean steadily mounting sales for the producers of fertilizers, farm machinery, seed and feed. According to Liebenow, in order to increase exports by 50 percent, the farmer will have to spend $3 billion a year more for those products than the $13 billion he spends now. Little wonder that farm machinery companies are expanding as fast as they can, that almost every major oil company is striving to build a major stake in fertilizer.

James Devlin, director of domestic agricultural sales of American Metal Climax, which makes fertilizer, goes further. Increased food exports, he says, will affect the whole gross national product. The railroads will prosper, he points out, because the food must be shipped from farm to seaport by rail. The steel industry will profit because farm machinery is made of steel. Even the paper industry will profit, he says, noting: "We put our fertilizer in paper bags."

SHIPS AND SHIPPERS

"It will mean a lot more business for us," says Alvin Shapiro, executive vice president of the American Merchant Marine Institute, which represents the Nation's shipowners, who will have to carry the foodstuffs and fertilizer and farm machinery abroad. He doubts, however, that it will have an immediate effect on the Nation's shipbuilders because "there is still tremendous unused capacity around. The big tankers are excellent for shipping grain and are not being fully utilized." Increased exports also will mean a lot more business for such commercial grain shippers as Cargill and Continental Grain.

Claude W. Gifford, senior economist of Farm Journal, believes that, aside from the farmer, the makers of fertilizer will profit most from the food-for-freedom program. "You can get fertilizer on the land quickly," he says, "and it's easy to teach peasants how to use it even if they can't read. It's harder to teach the operation of machinery, and there's the problem of repairs."

This does not mean that manufacturers of farm machinery won't benefit, too, Gifford is quick to add, naming specifically Massey-Ferguson, Deere, and International Harvester. Others who will benefit are seed companies like DeKalb, Northrup King, and Pioneer, he says.

Demand for roads

Norman R. Urquhart, assistant vice president in charge of commodities of the economics department of the First National City Bank of New York, foresees a growing demand abroad for American earthmoving machinery. "When I was a boy growing up on an Illinois farm, one of the farmers' great cries was for good farm-to-market roads. We have them now, but the rest of the world needs them." This should help Caterpillar Tractor, he says. He also sees great opportunities for companies that build chemical plants, like Fluor, Foster Wheeler, and Pullman's M. W. Kellogg Division, "if they can get the contracts against foreign competition."

Some experts fear that increased production of foodstuffs in the United States and abroad actually may create a world shortage of fertilizers. Urquhart and one of First National's senior economists, Sam I. Nakagama, insist there is a world fertilizer cartel outside the United States. Asked why U.S. companies don't attempt to break it, Nakagama says: "Perhaps they don't find it advantageous to do so."

Whatever the facts about this may be, according to Devlin of American Metal Climax, the world potash industry is geared to expand only at the rate of 6 to 7 percent a year. If demand rose to a 10-percent increase a year, Devlin admits, the industry wouldn't have the facilities to keep up with it for more than a few years. "We couldn't, in that time, bring out new mines," he says. Devlin doesn't believe that such a rise in demand is likely, but this view is far from unanimous.

One company that is all but certain to benefit is International Harvester. Says Hugh A. Davies, general manager of Harvester's overseas division: "We do research all over the world, in places ranging from Argentina, which is a net exporter of foodstuffs, to Africa, where the people eat bananas. We have facilities in 20 nations outside the United States. We're in roadbuilding, trucks and farm equipment. Only where farming is done by hand and horse do we not supply the tools.

"We can fill any demands that come. We just hope that demand is created. Roadbuilding might be a big thing. You have to have a way to get the food to market. The hinterland of Brazil is an example. You need better roads, schools, dams, and irrigation channels."

Deere & Co., already the biggest farm machinery manufacturer in the United States, is spending heavily to expand abroad. These investments have yet to pay off, but Chairman William A. Hewitt is sure they will. Meanwhile, he believes, the new farm policy will mean a big sales increase for his company in the United States. White Motor, which got into farm machinery through a series of mergers, now gets 30 percent of its $638 million in sales from that business and is out for more. So are Allis-Chalmers and the revitalized J. I. Case.

Since the war against hunger can succeed only if the underdeveloped nations learn to produce more food, the U.S. Government is particularly anxious for U.S. manufacturers and food processors to expand abroad. Says AID Administrator David E. Bell: "There are lots of American companies beginning to invest abroad in fertilizer plants and there will be more in years to come. International Minerals & Chemical is putting up a big plant in India. We've recently made two loans for fertilizer plants in Korea; there the principal American investors are Gulf Oil and Swift. Now we are working with Standard of Indiana, Armour and others on fertilizer projects."

Bryson M. Filbert, vice president of Esso Chemical Co., says: "We have already invested about $90 million in facilities to produce ammonia, nitric acid and various other fertilizers and fertilizer compounds in Colombia, Aruba, Costa Rica, El Salvador, and Spain. In addition, we are building or planning plants in the Philippines, Greece, Jamaica, Malaysia, Lebanon, and Pakistan, as well as one in a very economically advanced nation, the Netherlands. In all, these plants will have more than 1 million tons of ammonia capacity and more than 1.8 million tons of fertilizer capacity. Their capital cost will exceed $200 million."

The company also is working on new techniques which, it hopes, will make the sand dunes of Tunisia and Libya bloom. These involve using oil to stabilize them.

The U.S. Government is putting a great deal of pressure on the underdeveloped nations to make it attractive for U.S. companies to build fertilizer plants abroad. For a long time, India insisted that it handle all the distribution of fertilizers produced in that country by U.S. companies and that it also set the price. Standard of Indiana understandably refused to accept these conditions. AID put food shipments to India on a month-to-month basis until the Indian Government let Standard of Indiana market the fertilizer itself at its own price.

Opportunity and problems

Bell believes "there is a real opportunity in food processing." However, the food processors themselves think it may be a long time before they make any great progress in the underdeveloped countries. Harry Meisel, technical coordinator for Corn Products International, points out his company has sold a product derived from corn called "Maizena" which has been known for 100 years in Latin America. Recently, it brought out a new product in Brazil, "Enriched Maizena." This is "Maizena" with proteins, vitamins and minerals added. "It solves the problem of getting nutrition into the diet in an innocuous way," says Meisel. But Corn Products is losing money on "Enriched Maizena" because the protein element, which is made of milk and soybeans, costs too much. One reason is that it's been difficult to shift Brazilian farmers to soybean production. U.S. farmers will shift from one crop to another at the drop of a dollar, but in Brazil, caution and suspicion prevail. It takes 15 years to get a Brazilian farmer to shift crops, Meisel says. Introducing a new product in underdeveloped countries, he concludes, is "a baptism of blood."

Quaker Oats has been having a similar experience with "Incaparina." This is a powdered cereal mix that contains cottonseed and soy flour. Quaker Oats is promoting the cereal with an advertising campaign. Particularly effective have been movies which show babies before and after drinking the cereal.

"But," admits Michael Hore, general manager of Latin American and Pacific operations for Quaker, "we have a long way to go. It's a matter of education, and the money for that has to come from us."

Dr. Harold L. Wilcke, director of research for Ralston Purina, suspects there may be greater opportunities in the underdeveloped countries in processing food for animals than in food for humans. "In many areas," he says, "animals cannot economically compete in food value with direct consumption of grain. But in some areas, the land can grow food fit only for animals. These are areas similar to our Rocky Mountains, where grass is the only crop, and they exist in India, Mexico, and Venezuela. In addition, animals can compete when they scavenge or when they eat spoiled grains."

This could mean business for Ralston Purina's supplementary feeds, which help the animals grow faster and bigger, Dr. Wilcke says.

Clearly, the outlook is this: In the United States, the economic impact of the food-for-freedom program will be swift. In the underdeveloped countries, however, the problems are as great as the need. For many of the companies that go overseas, these problems will make it difficult to show a profit for a long time. But for many the opportunity is simply too great to miss, whatever the risks.

The great 19th century clergyman-economist Thomas Malthus believed that popula-

tion growth inevitably would outstrip food supply; only massive starvation and misery could reright the balance, he said. It didn't happen that way in the countries of the West and in Japan, but it seems to be coming to that for the world as a whole. In the struggle to prove Malthus wrong, the know-how and enterprise of U.S. businessmen are going to prove mighty weapons.

Companies that will help feed the world

Company	Operating data			Stock data				
	Assets (millions)	1965 revenues (millions)	1965 net income (millions)	Latest 12 months [1] earnings per share	Recent price	5-year price range	1966 indicated dividend	Yield (percent)
FERTILIZER PRODUCERS								
American Cyanamid	$786	$863	$93.1	$4.21	92¼	96 –35½	$2.50	2.7
Armour	631	2,062	22.4	2.88	46⅝	53⅛–29	1.60	3.4
Borden Co	677	1,353	49.1	1.94	40½	47¼–20⅝	1.20	3.0
Cities Service	1,586	[1] 1,185	104.1	3.86	47¼	50 –22⅛	1.50	3.2
Continental Oil	1,554	[1 2] 1,552	96.2	4.25	66¾	81½–43½	2.40	3.6
Grace, W. R	906	902	40.5	2.61	57½	62⅝–16⅞	1.20	2.1
Gulf Oil	4,667	[1] 3,879	427.0	4.12	53¼	60 –30¾	2.00	3.8
International Minerals & Chemical	324	279	21.7	3.40	84⅞	84⅞–17	1.20	1.4
Kerr-McGee	324	314	23.8	3.64	77⅜	77⅜–24	1.30	1.7
Lone Star Gas	421	183	17.8	1.22	24⅝	28¼–18⅝	1.12	4.5
Potash Co. of America	55	28	4.6	3.67	74¼	76¾–16	2.00	2.7
Socony Mobil	4,879	[1 2] 4,755	320.0	6.30	89⅝	98½–38¾	3.20	3.6
Standard Oil of California	3,796	2,930	391.0	5.15	79	86 –40½	2.50	3.2
Standard Oil of Indiana	3,306	3,063	219.3	3.10	44⅞	50½–20	1.70	3.8
Standard Oil (New Jersey)	12,490	12,725	1,035.0	4.80	78¼	92⅞–40¾	3.30	4.2
U.S. Borax & Chemical	135	98	9.4	2.21	36¾	47½–19⅛	1.10	3.0
AGRICULTURAL EQUIPMENT								
Allis-Chalmers	552	714	22.1	2.33	35¼	36¼–12½	.75	2.1
Case, J. I	218	289	13.5	2.93	30	32⅛– 4½	[3]	
Caterpillar Tractor	1,007	1,405	158.5	2.80	46½	53⅜–14¾	1.20	2.6
Deere & Co	981	922	56.5	4.07	62¼	63¼–20¾	1.70	2.7
International Harvester	1,814	2,359	103.2	3.56	50¾	50⅞–21⅜	1.725	3.4
Massey-Ferguson	742	808	40.1	2.66	33⅞	37⅜– 8⅞	1.00	3.0
White Motor	286	635	22.0	3.80	43⅜	44¾–16⅞	1.40	3.2
FOOD PROCESSORS								
Archer-Daniels-Midland	183	339	3.7	2.32	41½	44¼–30	1.60	3.9
Central Soya	126	469	10.5	3.44	60⅝	60⅝–23¾	1.40	2.3
Corn Products	584	979	54.7	2.45	50⅛	67⅜–37	1.60	3.2
National Dairy Products	825	2,017	69.9	4.83	84⅛	98½–46¼	2.80	3.3
Pfizer, Chas	465	543	53.4	2.70	41⅝	76⅜–30⅝	1.45	2.0
Pillsbury Co	237	450	10.4	2.35	39½	49 –20	1.00	2.5
Quaker Oats	228	480	16.3	3.89	74	96 –55	2.20	3.0
Ralston Purina	395	988	32.4	2.16	49½	50 –22	1.00	2.0
Swift	634	2,751	16.4	2.70	57¼	65 –31	2.00	3.5
Unilever N.V. [4]	2,932	[5] 5,050	[5] 188.0	[5] 2.83	31	43⅜–23	1.438	4.6
CONSTRUCTION								
Foster Wheeler	96	[1] 228	1.9	2.65	48½	51¾–22¼	[6] 1.40	2.9
Kaiser Industries	441	[7] 452	[8] 15.1	[8] .73	13⅞	15 – 5¼	[3]	
Morrison-Knudsen	135	314	5.3	2.57	29⅞	35¾–26⅜	1.60	5.4
Pullman	300	661	20.6	4.51	66¼	73⅜–20¼	2.40	3.6
GRAIN-CARRYING RAILROADS								
Atchison, Topeka & Santa Fe	1,857	677	91.0	3.45	41¼	42 –20½	1.60	3.9
Chicago, Milwaukee	682	241	7.3	2.16	61½	64 – 7	1.00	1.6
Chicago, Rock Island & Pacific	497	211	[8] 1.5	[8] .50	42¾	47 –14⅝	[3]	
Illinois Central Industries	743	283	19.8	6.66	78¼	81 –31¼	2.40	3.1
Missouri Pacific	1,196	417	26.3	14.26	94½	96½–35¼	5.00	5.3
Union Pacific	1,765	549	93.8	4.03	47⅝	49½–27⅛	1.80	3.8

[1] 12 months ended Sept. 30.
[2] Excludes excise taxes.
[3] None.
[4] Stock data for Unilever N.V. shares.
[5] Estimate.
[6] Plus stock.
[7] 12 months ended June 30.
[8] Deficit.

TWICE AS MANY SUKARNOS?

Each generation faces its own crisis. In the thirties and forties it was the rise of fascism. In the fifties and sixties it has been communism. In the seventies and eighties it's likely to be an even more virulent threat: Hunger. Americans probably won't go hungry, but most of the rest of the world will, and we won't be able to escape the consequences.

On pages 19 through 26 of this issue, the editors of Forbes examine the economic implications of population growth pressing against an inflexible food supply. The work of a six-man Forbes team, the report takes a generally optimistic view about what U.S. business can do about the situation—and how it can even benefit from it.

But not everybody is optimistic, and we think it only fair to expose our readers to the views of an extremely well-informed businessman who thinks the prospects for feeding the world over the next few decades are dim.

He's Thomas M. Ware, 47-year-old chairman of International Minerals & Chemical. Under Tom Ware's brilliant direction IMC has been extremely aggressive in expanding in the fertilizer field. But that isn't Tom Ware's only credential. He is chairman of the Freedom From Hunger Foundation, a nonprofit organization that promotes support among businessmen for the food programs of the United Nations. Most important of all, Tom Ware is an enraged and aroused citizen.

"Hope always springs eternal," he told Forbes late last month. "But I don't see how on earth it's possible for the world to feed itself in the years ahead."

UNDERUSED TOOLS

It isn't a shortage of fertilizer, he emphasizes, of implements, of seeds or even of land. The trouble is even more basic: It lies in the human mind. "Intelligence," he says, "is capital. We've spent billions on education in this country to get the amount of intelligence we have today. The underdeveloped countries haven't, and they aren't going to be able to catch up overnight.

"We've got the tools," he goes on. "TV is a great tool for mass education. Computers and jet planes give seven-league boots to brilliant men. Satellite communications can spread ideas instantaneously.

"But, because of a lack of education, of intelligence, many of our tools are not being used properly. Atomic power cannot be used for digging irrigation projects because of politics. Population control cannot always be used effectively because of religious ethic. And remember that the sword we give someone to cut food can also be used to slay somebody else."

Ware believes that hunger itself breeds ignorance. "If half the people in the world are starving," he says, "then half the world's minds are permanently maimed. They just don't have the voltage between the ears to get any work done. How can a mental dwarf who has no energy grow more food?"

To the sky? In his own field of fertilizer, Ware says, proper use takes intelligence and education. "Every soil is different, and needs different treatment," he says. "An American farmer knows just what he needs, and has the capital to pay for it. But a man who can't read might put fertilizer on a plant a foot thick and expect it to grow to the sky. Instead the plant wouldn't grow at all."

Ware is concerned too that Americans aren't sufficiently aroused and may wait too long to take really effective action. He points out that it took 15 years to open up his company's big new potash mine in Saskatchewan. "For the first 5 years, we had to sit and assay

the market. The next five were taken up with design and planning. The third five were spent actually digging the hole. In addition to all that time, there was the $60 million we spent. That experience has made me very respectful of the meaning of a doubled population in just 35 years."

SCORCHED EARTH

Finally, he speaks about the scarcity of arable soil in the world, and of the fact that world hunger will create turmoil that destroys soil. "The soil was destroyed by war in the Nile Valley and the Mediterranean Basin, and now it's being scorced in Viet-Basin, and now it's being scorched in Vietlation, you're going to double the number of Sukarnos, Cubas, Vietnams, library burnings, and the like. More accurately, you're probably going to get eight times as much trouble."

We hope Tom Ware is wrong in his pessimistic view. In fact, he hopes so, too. But unless the American people and American business make a mighty effort, and soon * * * well, Ware knows what he is talking about, if any man does.

LINCOLN GORDON

Mr. BAYH. Mr. President, it is a privilege for me to comment favorably on the nomination and confirmation of Ambassador Lincoln Gordon to be Assistant Secretary of State for Inter-American Affairs.

Secretary Gordon, in my opinion, embodies the finest qualities of the university teacher and scholar, the public servant, and the diplomat. A former Rhodes scholar who earned a Ph. D. at Oxford University, he became a member of the faculty at his undergraduate institution, Harvard University, when he was only 23 years of age. He has served that institution and occupied numerous government posts with high distinction and great devotion since 1936. In addition, he has written many studies and articles on economics and government. Among his published works are two highly respected books on Latin American affairs.

Secretary Gordon's experience in public service is equally diversified. As early as 1939 he was a consultant to the U.S. Natural Resources Planning Board, and during World War II held a number of Government positions in Washington. In 1946, he was an adviser to the U.S. representative on the U.N. Atomic Energy Commission. He served as a consultant to the Economic Cooperation Administration and the North Atlantic Council, and in 1951–52 was an Assistant Director for the Mutual Security Agency. From 1952 to 1955 he acted as Minister for Economic Affairs with the U.S. Embassy in London, but returned in 1955 to academic life at Harvard. As Ambassador to Brazil since October 1961, he made a distinguished and brilliant record. He was popular and respected among the Brazilian people, and enjoyed the confidence of the Government of that country.

Mr. President, Ambassador Gordon is especially well qualified for the tasks and challenges which he undoubtedly will face in his new position. This country is extremely fortunate that men of his ability, dedication, and foresight are involved in shaping and administering our foreign policy. I know the Senate joins with me in wishing him the success which is his due.

NEBRASKA STATEHOOD AND J. STERLING MORTON

Mr. HRUSKA. Mr. President, earlier this week, on March 1, I observed that date was the 99th anniversary of Nebraska's admission to the Union and referred to the plans our State has for observing its centennial next year.

I regret that at the time I spoke I had not yet read an absorbing article in the Nebraska City News-Press by its able editor, Arthur Sweet. Mr. Sweet has gone back to the files of the Nebraska City News, at that time edited by J. Sterling Morton who later was to become this Nation's third Secretary of Agriculture, serving in the Cabinet of Grover Cleveland.

The fight of J. Sterling Morton led against statehood, the charges of vote fraud and corruption, and the narrow victory of the statehood issue in the territorial election are recalled as vital parts of Nebraska history.

I ask unanimous consent to have printed in the RECORD Arthur Sweet's interesting account of the role of J. Sterling Morton in the battle against statehood.

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

NEBRASKA TO MARK BIRTHDAY—NEBRASKA WAS ADMITTED TO THE UNION JUST 99 YEARS AGO TUESDAY

(By Arthur Sweet)

Tuesday is the 99th birthday of the State of Nebraska, but if you had been a subscriber to the Nebraska City News on March 1, 1867, you wouldn't have known it.

J. Sterling Morton was the editor of the News at that time and in the weekly issue of March 9 was a small headline which read:

"The State of Nebraska has been admitted to the Union."

Under it, Morton, who had fought statehood because he did not want to give the vote to the Negroes, wrote:

"Taxes will be low. The price of labor will be high. Flush times will drive out lean times, wealth will be the rule, and poverty the exception among our people. And the total expense of this beneficent change will not exceed, remember according to the eloquent advocates of statehood who perambulated Nebraska and harangued her people during the pleasant months of May and June 1866, the inconsiderable sum of $12,000 each year."

Once, before Nebraska was finally admitted to the Union, Congress had voted for admission but the bill was killed by President Johnson by pocket veto.

The people of the territory of Nebraska adopted a constitution which provided there would be "no denial of suffrage for reasons of color."

During the legislative dispute over the constitution, anti-State men were able to pass a resolution directing the speaker to appoint a committee to investigate charges of bribery and corruption made in relation to the passage of the joint resolution submitting a State constitution to the people of Nebraska.

The committee's findings were not conclusive, but a minority report teed off on the editor of the News:

"One J. Sterling Morton, editor of Nebraska City News, a would-be leader of the democracy of the territory, and active anti-State man, before, during, and since the submission and passage of the joint resolution, has spent most of his time on the floor of this house caucusing with members, drafting buncombe political resolutions for members to introduce in the house, by which its time was occupied to the exclusion of more legitimate and profitable business."

The official vote of Nebraska for the new constitution and eventual statehood was 3,938 for to 3,838 against.

At the same time, J. Sterling Morton was defeated in his candidacy for Governor by David Butler. The official vote was 4,093 for Butler to 3,948 for Morton. The Democrats claimed the election was stolen when Union veterans were allowed to vote and the entire vote in Rock Bluff precinct of Cass County was thrown out on a technicality.

Before the official vote was announced, Mr. Morton had much to say in the editorial columns of the News.

"The political harpies rejoice that State has carried," he wrote. "We await an official count to determine the matter. Meantime, let us see what counties and towns are 'for' and 'against' State.

"Omaha City: The capital of the territory, the terminus of the Pacific Railroad, a city noted for the public spirit and intelligence of its citizens, votes 'against' State.

"Sarpy County: True to the best interests of the people, true to democracy, true to herself, sends greeting to democracy and a majority for the ticket of 179. But Sarpy votes against State. Her farmers and mechanics and merchants say 'no State in ours.'

"Cass County: Lewis Cass has lived to see that beautiful portion of Nebraska which bears his name redeemed from radicalism and taken into the conservative church of democracy. They have given about a 300 majority against State.

"Otoe County: The democracy of Otoe County came out of the late fight somewhat war torn and scarred but bearing the eagles of victory upon their banners.

"The czar of Russia once visited Napoleon the Great, and in passing from one place to another, observed a veteran soldier whose face was terribly mutilated by saber cuts. He was one of the old guard who had accompanied Napoleon to Moscow. The czar remarked that none but Russians would inflict such wounds, he was sure, but he would ask the veteran—and did so. And the reply was:

" 'How can I tell who gave the wounds. They are dead.'

"So the veteran democracy of Otoe County cannot tell whether the scars came from Russian, Hessian, or who, but they do know that they, whoever they were, who were met in open field the old guard of constitutional rights in Otoe are dead.

"Otoe County, paying a larger tax than any other in Nebraska, having more taxable property, doing more every year to furnish territorial and national revenue, sends up a majority against State of over 400.

"Nebraska City, polling a larger vote than any other town in the territory (1,046) gives 646 of them against State.

"Meantime if State carried, will somebody tell us when, how, and where it has been carried.

"Corruption and fraud may have hatched votes for it somewhere, and if so, exposure will follow."

But State did carry. Morton was defeated for Governor. The Republicans elected a majority in the legislature, Congress passed

the bill admitting Nebraska as a State. President Johnson issued the proclamation on March 1, 1867.

There was no rejoicing in the columns of the Nebraska City News, but the editor, Mr. Morton, turned to other things, now that the matter of statehood was finally settled.

VIETNAM—REPORT FROM A MILITARY MAN

Mr. CANNON. Mr. President, we have heard a great deal in recent weeks from civilians concerned about our policies in Vietnam and the course we are following in southeast Asia.

The one group which has been heard from only infrequently is the U.S. military man himself. I was pleased to receive a letter recently from a member of the armed services from my home State, Albert H. Forget, a U.S. Navy veteran who spent 2 years in Vietnam. His remarks, I believe, will be of interest to all and I ask unanimous consent that the letter be printed at this point in the RECORD.

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

LAS VEGAS, NEV.,
February 21, 1966.

DEAR SENATOR CANNON: In November 1965, I returned to the United States after having served for 2 years with the Military Assistance Command, Vietnam. I am under orders to report to the U.S. Naval Air Station, Moffett Field, Calif., for duty.

During the past week I have been watching the televised hearings being conducted on Vietnam, and have seen more harm to U.S. prestige done, in what seems to be a forum for the agrandizement of a few Senators, than has been accomplished by Communist propaganda in any year since the end of World War II.

What is of even more concern to me is the effect these hearings will have on the morale of the American fighting men in Vietnam. They will read in the papers, that "the distinguished Senator, from * * * today said * * * get out of Vietnam."

I recall getting very mad when I read or heard such comments in the past. I remember one question passing through my mind, "With support like that from home, what's the use of being here?" It is very discouraging to be actively supporting the policies of your Government and to have those policies blatantly attacked by persons who are, supposedly, the leaders in that Government.

None of us wants war. The military man exists, it is true, for the purpose of war; but he likes it and wants it even less than does Joe Citizen—the man for whom he is fighting. Someone has to do the job, and that someone is the second-class citizen, the underpaid but highly dedicated and loyal American soldier, sailor, airman, or marine.

Mr. Senator, I have seen much of Vietnam. I worked, for many months, in a job which brought me in contact with the overall plans and detailed intelligence on Vietnam. I came to believe, and do still believe, that there is no more important place in the world for a full U.S. mission to be than South Vietnam. I urge that the military components be indoctrinated more fully, though, on their part in the picture—something that the rapid buildups obviated.

Please, Mr. Senator, don't let the nation of South Vietnam be sold down the river. Please don't take away the helping hand of friendship that we have extended to the valiant people of that war-torn nation. And please, Mr. Senator, continue the strong support you have given to our Nation's policies over there. I'll be willing to go again, if need be, to help carry them out.

Sincerely,

ALBERT M. FORGET.

DIVIDED THOUGHTS BUT NO WEAKNESS IN AMERICA

Mr. McGEE. Mr. President, the Washington Post, in its lead editorial for Thursday, March 3, made a point that needs to be pressed home; namely, that Congress has overwhelmingly approved legislation which makes it clear that dissent in Congress is no obstruction to the prosecution of American foreign policy.

In short, there is no weakness in America, even though there may be divided thoughts. This editorial, then, speaks eloquently and ought to be shared by all. I ask unanimous consent that it be printed in the RECORD.

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

THE HARD CHOICE

Passage of the $4.8 billion supplemental appropriation for the Vietnam war, by overwhelming votes in both branches of Congress ought to make it clear, at home and abroad, that dissent in Congress is no obstruction to the prosecution of foreign policy.

The combination of a great deal of opposition talk and a very few opposition votes puts the situation in exactly the right dimension. It ought to help countries that do not follow democratic practices to understand our system. If North Vietnam was misled by the angry words in the Senate Foreign Relations Committee, on the Senate floor and in the House, it ought to see the situation more clearly now.

The five votes to rescind the Tonkin Gulf resolution give a fair measure of the importance of Senate opposition to the President's policy in the terms of practical action. Nothing could more clearly show North Vietnam that Washington in 1966 is not Paris in 1954. What the North Vietnamese confront in South Vietnam is not the foreign legion of a tottering parliamentary regime, on the edge of political chaos and in the midst of postwar reorganization. They face the armed forces of a strong American Government, in full political control, backed by immense financial and military resources and supported by a people who are not demoralized, disorganized or disaffected.

This is not to say that either Congress or the country likes this distant conflict over difficult issues. Many are unhappy and distressed, not only by the jeopardy in which Americans must act, but also by the hardship of war that they must inflict upon others. A people indifferent to these anguishing considerations would be devoid of heart or mercy or compassion. The anguish of the Nation was reflected in the speeches in Congress. And it is an anguish of which Senators and Congressmen have no monopoly. There is no delight of battle anywhere in this country.

Government that is capable of making an intelligent choice between a good course and a bad course is not unique in the world. There even have been many capable of choosing wisely between two good courses. The highest test of government is the capacity to choose wisely from available courses when every course presents its difficulties, dangers and hardships and sacrifices. And that is the kind of choice that the administration has had to make and that the Congress has had to make.

They have chosen a hard course—and with understandable anguish. They have chosen it because they recognized that the only alternative course might be even harder. They have embraced the known risks of today, because those risks, however formidable, seem smaller than the risks that would confront us tomorrow were we to seek an easy escape from present danger. This is not the kind of choice that is accompanied by cheers and shouting—but the courage and wisdom to make such a choice is the mark of a stable, mature, and resolute government that cannot be easily shaken from its appointed purpose.

WHAT IT COSTS TO SAY CHARGE IT—THE NEED FOR TRUTH IN LENDING

Mr. DOUGLAS. Mr. President, I recently had brought to my attention an article which appeared in the Kiplinger magazine, Changing Times, last June, which provides strong arguments in favor of the truth-in-lending bill, S. 2275. The burden of the article is to point out to consumers that unless they exercise caution and compare their credit alternatives they may be saddled with high and unexpected finance charges.

The article in particular deals with the difficulty of knowing how much you are paying in finance charges under revolving credit accounts, and it includes a very helpful table to explain the various plans employed under the revolving account system. Significantly, the article comments that, "as revolving plans spread, it becomes increasingly difficult for new customers to secure a regular account."

The truth-in-lending bill, without attempting to regulate acceptable rates of finance charges, would permit the customer to know what the finance charge is, expressed as an annual percentage rate on the outstanding unpaid balance of the obligation. This Kiplinger magazine article correctly suggests that for some kinds of debt the consumer will be much better off with the use of credit union or bank loans rather than installment sales credit. Unless the consumer can master the intricacies of the various revolving account plans described in this article, he can never make a judgment about what his best credit buy would be.

The truth-in-lending bill, through its simple requirement that all offers of credit state the charge for the financing in comparable fashion, will provide the consumer with the information he needs to make the best choice.

Mr. President, I ask unanimous consent that this article from the June 1965 issue of Changing Times, along with the table entitled "How They Figure Service Charges," be printed in the RECORD.

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

WHAT IT COSTS TO SAY CHARGE IT—THE TREND IS TO NEW KINDS OF ACCOUNTS, SOMETIMES MORE USEFUL, SOMETIMES MORE EXPENSIVE

Aladdin could do without his magic lamp today. A few charge accounts at the local stores would do almost as well.

Modern-day Aladdins, though, labor under a disadvantage. They have to pay back what they receive, plus service charges. Look back through your monthly statements and you may be surprised at how much you've purchased with the help of store credit over the course of a year. You may be startled, too, at how quickly service charges mount up.

Charge accounts are a great convenience. But as many a shopper has learned, the service charges can often be reduced by choosing and managing the accounts with a little care.

THE OLD LOOK

There was a time—many, many monthly payments ago—when there were two primary ways of charging purchases at a store:

You bought the item "on time," made a downpayment, and pledged to work off the remainder and the interest charges in fixed weekly or monthly installments. This is the traditional installment contract.

You bought the item on a charge account and were billed at the end of the month. Technically, the bill had to be paid in 30 days. In practice, the merchant often let the account slide for 60 or even 90 days before he complained. The store gave you the credit free, though its prices may have been a shade higher than at "cash only" stores. That was the traditional charge account.

THE NEW LOOK

Today, any charging you do is probably on some sort of revolving account. This is neither the old-style installment contract or the old-style charge account. It is the merchant's way of giving customers quick, plentiful credit without running up his own costs.

Revolving accounts are fast becoming the predominant form of retail credit. The store may run the plan itself or use one operated by a bank or central charging service.

In these group charging systems, retailers "sell" their sales checks to the financing organization for cash at, say 3 to 6 percent less than the face value. The service collects the full amount plus credit charges from the customer.

On the surface, the revolving account is a fairly simple operation: You buy as you would with a regular charge account. However, only a specified part of the monthly bill, not the whole amount, has to be paid each month. The monthly installment may be calculated as a proportion of the balance—a fifth, sixth, etc.—or as a flat sum computed on a scale of balances. Under the latter system, for example, the monthly payment could be $15 for balances between $100 and $150, $20 between $150.01 and $200, and so on up the ladder.

Basically, the account functions like an open-end installment plan. The monthly payments constantly reduce the balance while new purchases build it up again.

Stores often limit the amount that can be outstanding at any one time, according to the customer's credit standing. If you run over the maximum, the store may require payment of both the regular monthly installment and the excess of the monthly balance over the limit.

The service charge—generally 1½ percent of each month's balance—is added to the bill at the end of the billing period.

THE OPTION ACCOUNT

Many stores combine the revolving account with a 30-day charge into an option account. There is no service charge if you pay the entire amount within a certain period, usually 30 days, after the billing date. But you can elect to use the revolving feature by sending in a part payment. In that case, the store imposes a service charge. And if you fail to make any payment, the store automatically adds a service charge.

Some stores—relatively few—use coupon or script plans. The customer is issued certificates that are only valid for buying goods in the particular store. And he pays the dollar value of the script and service charges in installments.

YOUR BEST PLAN

Obviously, the cheapest form of credit for the customer is the old charge account. If you can get one, take it. If you already have one, cherish it. Understandably, retailers like the revolving plans. When the store in which you have a regular charge account introduces a revolving plan, you may be asked to go along with the switch. The store might simply start billing you on the new system wtihout any notification. When that happens, ask the store to keep you on the old charge plan, which is all that you signed up for in the first place.

As revolving plans spread, it becomes increasingly difficult for new customers to secure a regular account. Your choice at any one store nowadays may be restricted to an option account or revolving accounts with different monthly payment schedules. Installment financing will also be available for special purchases.

By all means, take the option account. It gives you much more flexibility. With a no-option revolving plan there's a service charge even when the balance is paid in full within 30 days.

STILL MORE WAYS TO SAVE

Picking the right kind of account is important, but it is really only the first step toward reducing charge costs. Here are other key points that should be kept in mind:

The most common service charge seems to be 1½ percent. But as you can see from the examples in the table following, the actual service charge in dollars and cents depends on the way the 1½-percent rate is applied. Two stores charging the same rate can come up with different charges for the identical set of purchases.

Generally, you get the best break when the charge is calculated as a percentage of the unpaid balance; the previous month's balance minus the monthly payment and credits for returned merchandise (see plan II).

A monthly payment 2 days late is not better than one 2 weeks late. In both instances, the payment is not credited until the following month and the service charges won't be reduced until then. So try to pay punctually. If you can't, you might as well wait until the last minute—you're paying for the time anyway.

Remember that the payment period begins on the date your account closes, which should be marked on the bill. The deadline may not coincide with the end of the month.

Many stores employ a cycle billing system. Customers are classified alphabetically and accounts close on a continuous schedule—the A's and B's may be billed the third of the month, the C-D group the fourth, etc. On top of that, bills may be mailed weeks after the account closes. You may even receive a bill just a few days before it is due.

HOW THEY FIGURE SERVICE CHARGES

The way a service charge is applied can make a substantial difference in the cost of a charge account, as these three examples of revolving accounts illustrate. The same transactions are used in all three: The customer starts with no outstanding balance and buys $100 of merchandise the first month, $30 the next month and nothing the third. He makes two payments of $20 each.

In plan I, he has no option for paying the entire amount in 30 days without charges. The 1½-percent charge is calculated on the current balance, which is the previous month's balance minus the monthly payment, plus new purchases. Note that with this account you pay a service charge for an item that might have been bought the day before the bill was drawn up.

In plan II, there is a 30-day option, and the charge is computed on the unpaid balance—the previous month's balance minus the monthly payment.

In plan III, another option account, the charge is figured on the previous month's balance.

	Date	Previous balance	Payments	Charges	Balance	Service charge	Balance owed
Plan I, revolving account	July 1			$100	$100.00	$1.50	$101.50
No option	Aug. 1	$101.50	$20	30	111.50	1.67	113.17
Service charge, 1½ percent of current balance	Sept. 1	113.17	20		93.17	1.40	94.57
Total						4.57	
Plan II, revolving account	July 1			100	100.00		100.00
30-day option	Aug. 1	100.00	20	30	110.00	1.20	111.20
Service charge, 1½ percent of unpaid balance	Sept. 1	111.20	30		91.20	1.37	92.57
Total						2.57	
Plan III, revolving account	July 1			100	100.00		100.00
30-day option	Aug. 1	100.00	20	30	100.00	1.50	111.50
Service charge, 1½ percent of previous month's balance	Sept. 1	111.50	20		91.50	1.67	93.17
Total						3.17	

Some retailers have a minimum monthly service charge. If the charge figured at the regular rate is less than the minimum, you pay the minimum. This practice makes it unwise to leave small balances unpaid. For example: You have a $7 balance at a store with a 50-cent minimum and pay only the scheduled $5 installment. One and a half percent of the remaining $2 is 3 cents. But you are charged 50 cents—equivalent to 25 percent of $2.

Store credit is relatively expensive and should be used sparingly. A service charge rate of 1 percent works out to 12 percent simple annual interest. To see why this is so, start with a $100 balance and multiply it by 12 percent. The annual charge would be $12. However, with a charge account you borrow and pay charges on a month-to-month basis. For 1 month, then, the charge would be one-twelfth of $12, or $1. This is precisely the result produced by multiplying $100 by 1 percent. The prevalent 1½ percent charge comes to 18 percent simple annual interest.

Credit union loans usually cost 1 percent or less a month. Banks usually add the interest charge to the face amount of the loan or deduct it at the outset. The simple annual interest rate for these loans is about double the stated rate. A 6 percent discount is roughly 12 percent interest. The store charging 1 percent is giving you credit at or close to bank and credit union rates.

When you have to pay 1½ percent, you're better off with a credit union or bank loan—

if you intend to buy a sizable amount. Negotiating one loan after another to cover small balances is a cumbersome way to shop.

For the little stuff, you can't beat the convenience of a charge account. Like Aladdin's genie, it's always there, ready to serve. But unlike Aladdin's genie, it will start demanding wages if you don't treat it just right.

FORTHCOMING RETIREMENT OF FEDERAL JUDGE LUTHER W. YOUNGDAHL

Mr. MONDALE. Mr. President, I am proud to represent a State which has contributed to this country an unusual number of men of exceptional ability, serving in posts of the highest responsibility. Of these men, none is more deserving of our esteem and our gratitude than Federal District Judge Luther W. Youngdahl.

After 15 years of most distinguished service on the District of Columbia bench, Judge Youngdahl will be retiring this May upon reaching his 70th birthday. Before coming here, he served the State of Minnesota in a career that is already legendary there. He was an exceptionally able justice of the Minnesota Supreme Court. He was elected Governor of Minnesota three times; and although I am of another political party, I can testify that Luther Youngdahl has earned the abiding respect and affection of Minnesotans for his distinctive blend of integrity, intelligence, and compassion. He is justly and highly revered by the people of our State. Our warmest wishes for a long and rich retirement are with him as he approaches this milestone in a lustrous career.

I ask unanimous consent to have printed in the RECORD an editorial entitled "Senior Judge," which was published this morning in the Washington Post. The editorial pays tribute to Judge Youngdahl's outstanding contributions to the Federal bench in the District of Columbia.

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

SENIOR JUDGE

The sense of public loss that is conveyed by Judge Luther Youngdahl's decision to retire from active service on the U.S. District Court when he reaches his 70th birthday in May is moderated by two considerations: he has richly earned some rest; and he has promised, in any event, to serve on the bench a substantial part of the time as a senior judge. Thus his retirement will open the way for appointment of a younger man to active service on the court, while continuing to keep available for use the ripened harvest of his experience—the very purposes which the retirement arrangements were designed to serve.

The son of immigrant parents, Luther Youngdahl was a justice of the Supreme Court of Minnesota and was elected to three terms as Governor of that State before he came to the most important trial court in the country, here in the District of Columbia, 15 years ago. He brought to the bench an extraordinary combination of toughness and sensitivity—toughness in conducting innumerable complicated civil and criminal trials to completion with stern fairness and dispatch, sensitivity always to human values and the essentials of justice.

We recall with particular satisfaction the vigor and indignation with which Judge Youngdahl dismissed the empty, vindictive charges of perjury brought against Owen Lattimore by a servile Department of Justice at the behest of the Senate's McCarran committee. The country owes him great gratitude for that judgment alone—and for the whole of his long and devoted public service.

A TRIBUTE TO THE HOUSE SUBCOMMITTEE ON FAR EASTERN AFFAIRS

Mr. CHURCH. Mr. President, while the Senate Foreign Relations Committee has been receiving national attention from its hearings on Vietnam, the House Subcommittee on Far Eastern Affairs, under the able chairmanship of Representative CLEMENT ZABLOCKI, has been conducting dispassionate, in-depth and much needed hearings into the question of the United States policy toward China.

A tribute which is rightly theirs was paid to the subcommittee by columnist Joseph Kraft in the February 26 Washington Post. Mr. Kraft concluded:

No prescriptions for action in Vietnam flow from the Zablocki committee hearings. But the testimony suggests uncertainty and danger. It underlies the wisdom of trying to break up, rather than bringing on, a pattern of direct and total confrontation between the United States and Communist China.

As one means of recognizing the contribution made by the subcommittee so far, I ask unanimous consent to have the comments of Joseph Kraft printed in the RECORD.

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

THE OTHER HEARINGS

(By Joseph Kraft)

The spectacular Senate hearings on Vietnam eclipsed a set of House hearings that were less dramatic but far more illuminating. For the House testimony, because it centered on Communist China, provided what the Senate sessions could not supply—a good perspective for measuring the likely consequences of the Vietnam war.

The forum was Representative CLEMENT ZABLOCKI's Far Eastern Subcommittee of the House Foreign Affairs Committee. The witnesses were outside experts, mainly from the academic world. Because of the ugly climate of suspicion building here, I find it necessary though odious, to add that all of them are respected anti-Communists, formerly associated with Republican as well as Democratic administrations. Their testimony turned on three main questions.

The first question turned on the strategic outlook in Peiping. Not a single witness supported the official administration view that the Chinese regarded the United States as a weak sister that could easily be pushed around. All the witnesses emphasized that Peiping's policy was rooted in anxiety over Chinese weakness relative to American power. For example, Samuel B. Griffith II, a retired Marine Corps general, testified:

"I think if we can put ourselves in Peiping and look around as the members of the Politburo do, we might see the picture they see. They see American power in Japan, South Korea, Okinawa, the Philippines, Taiwan, and growing in South Vietnam. They see us as an ally of India. I honestly believe we have to understand, or attempt to understand, that Peiping has reason for apprehension."

The second question turned on Peiping's designs on neighboring states. All witnesses concurred that a long-range aim of Chinese policy was to end the American presence in these countries. But none accepted the premise that, if that presence was ended, the Chinese would necessarily take over. For example, Prof. Howard Boorman of Columbia testified:

"I don't feel the Chinese have any intention of occupying and administering extensive areas of Asia under present conditions. Military occupation of limited areas on China's border might be a realistic thing. But they have never intended to take over India or Thailand. They are well aware (that) the international Communist movement has turned into a medley of contending political forces. If this has happened in the past, the Chinese assume that it could happen in the future. Let's assume, for example, that we had 94 Communist Parties around the world taking orders from Peiping; is there any reason to believe that these countries will always continue to take orders from Peiping and not turn against the Chinese, as the Chinese turned against the Soviet Communist Party leadership?"

The third question centered on the possibility of China's entering the Vietnamese war. All witnesses were agreed that China did not want to become engaged in the conflict. But all agreed also that under certain circumstances Peiping might feel that it had to enter the war to protect its strategic interests. For example, Prof. Doak Barnett of Columbia testified:

"I think there would be a point at which the Chinese would feel compelled to intervene. Certainly, if they thought the North Vietnamese regime was on the point of collapse, they would intervene. Probably escalated bombing, including bombing of Hanoi and Haiphong, would be a symbolic act raising the level of conflict sufficiently to force the Chinese to feel that for a variety of reasons they would have to escalate their own involvement."

No prescriptions for action in Vietnam flow from the Zablocki committee hearings. But the testimony suggests uncertainty and danger. It underlies the wisdom of trying to break up, rather than bringing on, a pattern of direct and total confrontation between the United States and Communist China.

Something quite close to the Zablocki hearings, moreover, stands in the background of the latest storm over Vietnam. Before suggesting that this country accept Vietcong participation in a South Vietnamese Government, Senator ROBERT KENNEDY met at his home with a group of China experts. Not political calculations, as some imagine, but the hope of breaking up the hardening pattern of total confrontation between this country and China inspired him to make his statement. In these circumstances, the odd thing is not that he said what he said. The odd thing is that the administration reacted with such savage fury.

HIGHWAY SAFETY NEEDS ATTENTION

Mr. COOPER. Mr. President, last year I joined in sponsoring S. 2231, introduced by Senator RIBICOFF, and designed to establish a Federal program of assistance to the States to assure greater safety in travel on our roads and highways. On Wednesday of this week, I read with interest the message of the President, and the remarks of our distinguished colleague, Senator MAGNUSON,

the chairman of the Senate Commerce Committee, on the introduction of a bill also to assist traffic safety.

I am privileged to serve as the ranking Republican member of the Senate Public Works Committee, which has jurisdiction over legislation affecting the Federal highway programs, and with members of this committee, I am hopeful that full attention will be given to the imperative need for improved highway safety measures.

I do not serve on the Government Operations Committee, where Senator RIBICOFF has worked diligently in considering the Federal role in this field, nor on the Senate Commerce Committee, which will consider the legislation introduced this week. But I believe the Congress should take action to help meet this problem this year, and I hope that our Public Works Committee can be of help.

I have just looked at the March 1966 issue of Traffic Safety, published by the National Safety Council, and I note a number of articles on this subject. In particular, the article entitled "the Traffic Toll for 1965" provides a study of aspects of the problem that will be considered by the Congress, and I ask unanimous consent that it be printed at this point in the RECORD.

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

THE TRAFFIC TOLL FOR 1965

(By H. Gene Miller)

Traffic deaths rose again in 1965, finishing the year with an estimated 49,000. This was 3 percent above the indicated 1964 total of 47,700, but it was the smallest year-to-year increase in the last 4 years. In previous years, the increases were: 1964, plus 9 percent; 1963, plus 7 percent, and 1962 plus 7 percent.

In December alone, deaths increased to 4,940. This was 10 percent higher than last December's total and was the largest monthly total on record for any month. Deaths were also up in 7 other months in 1965, but here, again, the situation was more favorable than it had been in the 3 preceding years. In 1964, each month's total was higher than that of the corresponding month of the previous year, and in both 1963 and 1962, only 1 month's experience was lower than that of the corresponding month in the preceding year.

TRAVEL, VEHICLES, DRIVERS—ALL UP

Travel continued to increase sharply in 1965, and preliminary reports indicate the rise will almost match that of the 2 preceding years. In 1965 there were about 880 billion miles of travel, an increase of 4.5 percent over 1964. In both 1964 and 1963, travel was up about 5 percent, while in 1962, it was up about 4 percent.

The numbers of motor vehicles and drivers also rose to record levels in 1965, as they have in each year since the end of World War II. Vehicles totaled about 91 million, an increase of 4 million over 1964. This increase approximately equals the largest year-to-year increase on record which occurred in 1955. Between 1955 and 1964, the average yearly increase was 2.7 million vehicles, but during the first 6 years of this period, the yearly increase averaged 2.3 million, while during the last 3 years it averaged 3.7 million.

Drivers in 1965 increased to an estimated 98 million. Revisions in this series do not permit exact comparisons with totals for earlier years, but sharp increases in the number of persons reaching driving age indicate that the total number of drivers probably was up sharply during the year.

The mileage death rate in 1965 was 5.6 (deaths per 100 million vehicle miles of travel). This was down from the preliminary 1964 rate of 5.7, and marked the first yearly reduction in this rate since 1961. In that year, the rate was 5.2, the lowest on record. The 1965 rate was the same as the 1958 rate, but in 1958 the number of vehicles and the amount of travel were one-fourth less than in 1965.

Turnpike deaths were up 1 percent in 1965 over 1964, but travel was up 8 percent. The death rate on these facilities decreased to 2.4 from 2.5 in the previous year. Fatal accidents, though, were up slightly, while injury accidents were up 13 percent and property damage accidents were up 10 percent.

Injuries causing disability beyond the day of the accident are estimated at 1.8 million, with less serious injuries probably equaling this number. This total represents the best estimate of the year's experience, but, since it is not based on an actual tally of cases, it should not be compared with totals for earlier years for trend purposes.

FACTORS IN THE INCREASE

The factors that have been mentioned in previous annual reports as contributing principally to the increase in deaths still appear to be factors to reckon with. These include: (1) increase in travel, (2) increase in young drivers; (3) increase in average speed of vehicles, (4) more small cars, although these did not increase in numbers any faster in 1965 than did large vehicles, and (5) booming economy.

Further evidence of the pressure that increasing travel is placing on facilities comes from a Florida turnpike report that states that gross revenues in 1965 have already reached the amount predicted for 1981, and that revenues now forecast for 1966 were originally forecast for 1987. If revenue is a true measure of travel, then the impact of "1981 traffic volume" in 1965, not only on the turnpike but on feeder roads and possibly on other roads, cannot be dismissed.

The further rise in economic activity in 1965, occasioned by continuing demand for "butter" products amid the added demand for "bullet" products, extends the pressures from this factor. Higher employment and rising wages encourage more use, and possibly less conservative use, of motor vehicles.

At least one more factor has now entered the scene, and this is the sharp rise in motorcycles. These vehicles increased by one-third in 1965 over 1964; they have doubled since 1962. The exact number of deaths arising out of motorcycle accidents in 1965 is not yet known, but, based on recent trends, it could reach 1,500. Such a total would be nearly 400 more than the 1964 total—nearly one-third of the total increase in deaths from 1964 to 1965.

FAVORABLE FACTORS

The favorable factors cited in previous annual reports also are continuing to hold down accidents and save lives. These include: (1) vehicle design features, (2) limited-access highways, (3) engineering improvements in highways, (4) driver education, (5) commercial driver training and (6) seat belts.

More than 2,000 additional miles of the Interstate System were opened to traffic in 1965, raising the total miles of these highways to about 20,000. These highways carried nearly one-tenth of all travel in 1965 with a death rate only one-third that of other rural roads. Without these roads, the death total would have been at least 5,000 more in 1965.

More than 400 spot improvement projects in 42 States have been programed or completed since March 1964. The total for all of 1965 has not been reported, but 150 were scheduled in the first quarter of the 1965–66 fiscal year alone. Cost evaluation, in terms of accidents prevented, has proved the merit of such projects.

Seat belts are being used more, primarily because more vehicles have belts in them, and there is some evidence accumulating that indicates that belts might be saving more lives than estimated earlier.

Vehicle design features, including tires, are being given more attention, and the years ahead should see even more emphasis along this line.

A new factor on the plus side made its debut in 1965—the NSC driver improvement program. Officially "kicked off" at the 1964 Safety Congress, the program started slowly in 1965, yet 4,000 instructors in 42 States and the District of Columbia were trained during the year. The instructors in turn brought the course to a large number of drivers, and it is expected that the course will reach 1 million drivers in 1966.

REGIONAL CHANGES

Deaths were up 10 percent in the New England region in 1965 over 1964 and they were about unchanged in the central regions. Deaths were up a little more in the eastern regions than they were in the western regions, although the changes varied little from the national increase of 3 percent.

Compared with 1961, deaths for the entire United States were up 29 percent in 1965. For this longer period, the New England States had a 45-percent increase, while the Mountain States had only a 14-percent increase. For other regions, deaths were up more than the national average in the eastern regions, up a little less in the Pacific region, and about the same as the national average in the central regions.

Changes in motor vehicle deaths, by region of the country, 1961–65

[In percent]

Region	1964–65	1961–65
Total	+3	+29
New England	+10	+45
Middle Atlantic	+3	+35
South Atlantic	+4	+35
North Central	+1	+28
South Central	0	+27
Mountain	+2	+14
Pacific	+2	+25

DEATHS UP MORE IN URBAN AREAS

In urban areas, deaths in 1965 were up 4 percent over 1964, while in rural areas they were up 2 percent. In actual numbers, though, the rural increase was a little greater since nearly 70 percent of all deaths occur in rural places. Compared with 1961, urban deaths were up 44 percent, while the rural increase was a smaller 23 percent.

Urban deaths totaled more than 30 percent of all deaths in 1965. Less than 10 years ago they accounted for 25 percent of all deaths. The urban percentage of deaths has increased each year since 1955, reflecting both an increase in the proportion of travel in urban places and the multiplying consequences of this increase. The mileage death rate in urban places was 3.6 in 1965, up a little from 3.5 in 1955; the rural rate was 7.4 in 1965, down from 8.6 in 1955.

In the group of largest cities, deaths were about unchanged in 1965 compared with 1964, and they were up only 300 over 1961. For smaller cities, the increase from 1964 to

1965 was not great, but the change from 1961 to 1965 was sizable, especially for cities under 50,000. Within this latter group, nearly two-thirds of the increase was in cities under 10,000 population.

RURAL DEATHS BY TYPE OF ROAD

In rural areas, deaths on controlled access roads increased more percentagewise than deaths on other roads. In actual numbers, the increase in deaths was the same on controlled access roads as it was on State roads. At least part of the increase on the former type of road, though, is due to more miles of these facilities being placed in operation during the year. Deaths on county roads appear to have dipped slightly during the year, but compared with 1961, deaths on these roads show the largest numerical increase.

Motor vehicle deaths by urban and rural places, and changes, 1961–65

Place	1965 total	Percentage change		Numerical change	
		1964–65	1961–65	1964–65	1961–65
Total	49,000	+3	+29	+1,300	+10,900
Urban	15,100	+4	+44	+600	+4,600
Group 1 [1]	1,900	0	+19	0	+300
Group 2	3,100	+7	+41	+200	+900
Group 3	1,900	+6	+73	+100	+800
Group 4	1,700	0	+42	0	+500
Group 5	6,500	+6	+48	+300	+2,100
Rural	33,900	+2	+23	+700	+6,300
Controlled access roads	2,000	+25	+185	+400	+1,300
State roads	20,700	+2	+11	+400	+2,100
County roads	9,500	−2	+32	−200	+2,300
Other	1,700	+6	+55	+100	+600

[1] Group populations are as follows: (1) Over 1,000,000, (2) 250,000–1,000,000, (3) 100,000–250,000, (4) 50,000–100,000, (5) under 50,000.

DEATHS IN TWO-VEHICLE COLLISIONS UP MOST

Three-fourths of the 1,300 increase in deaths in 1965 over 1964 occurred in 2-vehicle collisions, according to the experience of reporting States. About one-fourth of the increase occurred in ran-off-roadway accidents. Also up were deaths in fixed object collisions and collisions with trains and animals. Pedestrian and bicycle deaths were a little lower.

In the period 1961–65, more than half of the numerical increase in deaths occurred in two-vehicle collisions, while one-fourth occurred in ran-off-roadway accidents. Pedestrian deaths were up the least, percentagewise, over this period.

Forty-two percent of all motor vehicle victims died in two-vehicle collisions in 1965. This was the highest percentage ever, and compares with 41 percent in 1964, 39 percent in 1961, 35 percent 10 years ago, and 30 percent before World War II. More than half of the occupants of motor vehicles who died in accidents in 1965, died in two-vehicle collisions.

Motor vehicle deaths by type of accident, and changes, 1961–65

Accident type	1965 total	Percentage change		Numerical change	
		1964–65	1961–65	1964–65	1961–65
Total	49,000	+3	+29	+1,300	+10,900
Pedestrian	8,800	−2	+15	−150	+1,150
2 vehicle	20,600	+5	+40	+1,000	+5,900
Ran off road	14,900	+2	+22	+300	+2,700
Railroad	1,690	+2	+33	+30	+425
Bicycle	675	−2	+38	−15	+185
Fixed object	2,200	+5	+29	+100	+500
Animal, other	135	+35	+59	+35	+50

DEATHS BY AGE OF VICTIMS

Nearly two-thirds of the 1,300 increase in deaths in 1965 over 1964 involved persons aged 15–24 years, although the percentage increase in deaths was not quite as high as it was for persons over 75 years. For the other age groups, the totals in 1965 were not importantly different from those of the previous year.

Deaths by age groups

Age group	1964	1965	Change	
			Percent	Number
0 to 4	2,100	2,100	0	0
5 to 14	3,400	3,500	+3	+100
15 to 24	12,400	13,200	+6	+800
25 to 44	12,500	12,700	+2	+200
45 to 64	10,200	10,300	+1	+100
65 to 74	4,200	4,100	−2	−100
75 and over	2,900	3,100	+7	+200
Total	47,700	49,000	+3	+1,300

STATE AND CITY EXPERIENCE

Among the 50 States reporting motor-vehicle death information for December, 15 had decreases, 1 showed no change, and 34 had increases. For the entire year, 17 States had decreases, and 31 had increases. Two States, Arkansas and Rhode Island, showed no change in deaths. For the year, the 17 States having decreases in deaths were:

	Decrease in percent
Nebraska	14
North Dakota	13
South Dakota	10
Nevada	9
Colorado	7
Arizona	7
New Hampshire	7
Oklahoma	6
Iowa	5
Utah	5
Delaware	5
New York	3
Wisconsin	2
Idaho	2
California	1
Washington	1
Kansas	1

Of the 648 cities reporting in December, 145 had decreases in deaths from the December 1964 figure, 333 showed no change, and 170 had increases. For 12 months, 241 cities had decreases, 103 showed no change, and 304 had increases.

The following cities of more than 200,000 population had fewer deaths for the 12-month period:

	Decrease in percent
Kansas City, Mo	23
Milwaukee, Wis	20
Louisville, Ky	20
Minneapolis, Minn	17
San Francisco, Calif	12
San Diego, Calif	11
Long Beach, Calif	6
Denver, Colo	5
Los Angeles, Calif	4
Detroit, Mich	3
Baltimore, Md	3
Houston, Tex	1

In December, 381 of the 648 cities reporting had perfect records. Of these, the three largest were: Rockford, Ill. (132,200); Lincoln, Nebr. (128,500); and Riverside, Calif. (126,600).

For the entire year, 74 of the cities had perfect records. Of these, the three largest were; Binghamton, N.Y. (75,900); Alameda, Calif. (71,000); and Cuyahoga Falls, Ohio (52,900).

The 3 leading cities in each population group at the end of the year, ranked according to the number of deaths per 10,000 registered motor vehicles, were:

Group I (over 1 million population):

	Registration rate	*Population rate*
Chicago, Ill	2.9	8.2
Los Angeles, Calif	3.1	16.3
Philadelphia, Pa	3.7	14.7

Group II (750,000 to 1 million population):

Milwaukee, Wis	2.1	8.3
San Francisco, Calif	2.7	11.2
Houston, Tex	2.8	15.0

Group III (500,000 to 750,000 population):

Denver, Colo	2.1	12.4
Buffalo, N.Y	2.3	11.8
Seattle, Wash	2.4	13.8

Group IV (350,000 to 500,000 population):

Indianapolis, Ind	1.9	11.7
Louisville, Ky	2.1	11.1
Portland, Oreg	2.4	17.4

Group V (200,000 to 350,000 population):

Providence, R.I	1.5	6.7
Jacksonville, Fla	1.6	10.9
Flint, Mich	1.8	10.4

Group VI (100,000 to 200,000 population):

Lincoln, Nebr	0.8	3.9
Waterbury, Conn	.9	3.7
Yonkers, N.Y	1.3	4.7

Group VII (50,000 to 100,000 population):

Binghamton, N.Y	---	---
Alameda, Calif	---	---
Cuyahoga Falls, Ohio	---	---

Group VIII (25,000 to 50,000 population):

Zanesville, Ohio	---	---
Midland, Mich	---	---
Bristol, Conn	---	---

Group IX (10,000 to 25,000 population):

Pampa, Tex	---	---
Glenview, Ill	---	---
South St. Paul, Minn	---	---

Motor vehicle deaths and changes, total United States

Months	Deaths				Percentage changes		
					Corresponding months		4 months moving average
	1962	1963	1964	1965	1963–65	1964–65	1964–65
January	2,685	2,695	3,230	3,520	+31	+9	+8
February	2,460	2,647	3,260	3,100	+17	−5	+4
March	2,965	3,283	3,510	3,360	+2	−4	+2
April	3,038	3,180	3,450	3,700	+16	+7	+2
May	3,200	3,485	3,830	3,990	+14	+4	+1
June	3,614	3,714	3,950	4,070	+10	+3	+3
July	3,860	3,942	4,300	4,160	+6	−3	+3
August	4,005	4,321	4,840	4,710	+9	−3	+*
September	3,632	4,032	4,090	4,250	+5	+4	+*
October	3,913	4,009	4,590	4,790	+19	+4	+1
November	3,672	4,069	4,160	4,410	+8	+6	+3
December	3,760	4,187	4,490	4,940	+18	+10	+6
Total	40,804	43,564	47,700	49,000	+12	+3	--------

*Less than 0.5 percent.

THE URGENT NEED FOR DAIRY PRICE SUPPORT INCREASES

Mr. McGOVERN. My attention has just been called, Mr. President, to the report of the Department of Agriculture for the month of January 1966, relating to evaporated, condensed, and dry milk.

The report shows that the production of evaporated milk in January 1966 dropped 5½ million pounds, or 4 percent under January 1965, and 12 percent under the 1960–65 average. The production of nonfat dry milk in January 1966 was down 56 million pounds, or 30 percent under January 1965, and 23 percent under the 1960–64 average.

Nonfat dry milk is the principal high-protein commodity which has been available to our foreign school lunch assistance programs in the past, and it is now becoming a scarcity item as a result of comparatively low manufacturing milk price supports and the movement of dairy farmers out of milk into the production of beef, pork, and other more profitable commodities.

I ask unanimous consent, Mr. President, to have printed in the RECORD excerpts from the January milk report which are pertinent. The report leaves no doubt that there is an urgent need for an increase in our basic manufacturing milk price support to halt the liquidation of dairy herds and maintain dairy production. In the absence of improved dairy income, production can now very easily decline to a level that will result in a runaway inflation of dairy prices.

The Secretary of Agriculture has assured us that an increase in the support level will be forthcoming soon. I can only urge that it be adequate and timely.

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

EVAPORATED, CONDENSED, AND DRY MILK
REPORT FOR JANUARY 1966

PRODUCTION

Evaporated and condensed milk: January output of evaporated whole milk is estimated by the Crop Reporting Board at 117 million pounds. This is 4 percent less than the January 1965 production and 12 percent below the 1960–64 average for the month.

Production of sweetened condensed whole milk during January was 9.5 million pounds. Output was 2 percent more than the same month last year.

Dry milk: Production of spray and roller process (combined) nonfat dry milk for human consumption was 130 million pounds in January. This is 30 percent smaller than a year earlier and 23 percent below the average for the month.

Spray-dried nonfat milk production totaled 126 million pounds—down 30 percent from a year earlier, 21 percent less than average, and the smallest production for the month since 1957.

Roller-dried nonfat milk output is estimated at 3.8 million pounds—off 37 percent from January a year ago and 58 percent below average.

Production of dry whole milk, at 8.4 million pounds, was down 1 percent from January last year, but was 4 percent more than average.

TABLE 2.—*Production of nonfat dry milk (human food, total), United States*

Month	Enumerations (million pounds)		Estimates (million pounds)		Percent change from—	
	1960–64 average	1964	1965	1966	1960–64 average	1965
January	167.6	177.1	186.0	129.8	−23	−30
February	166.7	180.1	183.3	----------	----------	----------
March	191.9	209.5	203.4	----------	----------	----------
April	206.4	221.4	217.3	----------	----------	----------
May	243.4	255.7	244.6	----------	----------	----------
June	233.0	239.6	224.9	----------	----------	----------
July	179.4	181.4	169.8	----------	----------	----------
August	144.1	150.1	131.2	----------	----------	----------
September	118.0	121.7	100.6	----------	----------	----------
October	126.8	127.1	102.0	----------	----------	----------
November	130.4	135.9	105.2	----------	----------	----------
December	162.6	177.2	130.7	----------	----------	----------
Annual total	2,070.3	2,176.8	1,999.0	----------	----------	----------

Dry buttermilk output at 5.5 million pounds was down 25 percent from a year earlier and 29 percent less than average for the month.

Dry skim milk for animal feed was 1.8 million pounds—an increase of 12 percent from January last year but a decrease of 12 percent from average.

THE PRESIDENT'S COMPREHENSIVE PROPOSAL FOR A DEPARTMENT OF TRANSPORTATION SHOULD BE SUPPORTED STRONGLY

Mr. GRUENING. Mr. President the State of Alaska has, I believe, more at stake in effective development of all forms of transportation than any other State in the Union.

The very size of our State—586,400 square miles in area—demands transportation services equal to its vast reach of land and water. Our isolation, despite contiguity with the North American Continent, resembles that of an island. Our long deprivation of Federal assistance for development of highways, airports, navigation facilities and all the necessary accompaniments of a modern transportation system gives an added dimension to the importance of accelerated progress in all forms of Alaskan transportation. As a territory, Alaska was cruelly neglected in the provision of Federal aids liberally given to the States of the Union and, so, our State will have many years of catching up to bring us even near the standards of transportation systems of the other States.

The proposal of President Johnson to consolidate transportation agencies having responsibilities for promotion and development of highway, air, water, and rail transportation in a single Department of Transportation promises progress in the field of transportation in Alaska. A cordinated plan for solving American transportation problems, where differing forms of transportation can be studied in a balanced and systematic manner should be far more productive than is now possible. Conflicts and duplications that result in concentration on single transportation systems without relationship to others can be eliminated and the Nation as a whole will be better served by the resources of the Federal Government.

Alaska has, of course, unique characteristics of its transportation services which have developed as a result of geographical factors and the lack of attention from the Federal Government to which I have previously referred.

Alaskans still rely sometimes on the unique transportation service of dogsleds; however, by far the greatest volume of travel in my State is by modern aircraft. The people of Alaska travel more miles by air than those of any other State. One reason for this is, of course, that we have so few highways, the direct result of longtime discrimination by the Federal Government which resulted in our total exclusion from Federal-aid highway legislation during its first 40 years—from 1916 to 1956—and then on a very reduced basis in the next 3 years until we achieved statehood.

The heavy dependence of Alaskans on air travel is graphically demonstrated by

such statistics as the fact the FAA national airport plan for fiscal years 1963 through 1967 estimates Alaskans will use a total of 364 landing facilities, or an average of one facility for approximately 700 people—Texas has the next highest per capita availability of landing facilities, having one facility per 48,000 persons. Another indication of the importance of air transportation to Alaskans is the location in Alaska of more than 30 percent of all being in the United States designated to receive certificated service.

For shipment of freight to Alaska, our people are totally dependent on water transportation provided by commercial carriers operating from west coast ports. With the exception of the imaginative and highly successful State ferry system inaugurated by the new State of Alaska in 1963, no water transportation service for passenger traffic exists. The importance, indeed, the necessity for efficient, low-cost freight transportation to Alaska is foremost among the factors affecting development of the State and its resources. For too many years, Alaskans have been aware they could not make the economic progress promised by rich resources so long as freight rates remain exorbitant and service is provided only at the pleasure of the carriers without regard to the welfare of the people.

The only railroad service available in Alaska is that of the 470-mile-long federally owned Alaska Railroad, now, and for all the time of its history, under the management of the Interior Department. The railroad was built and financed by the Federal Government to aid in development of the roadless Territory. In 1914, when its authorizing legislation was passed, the railroad was a progressive idea. It still has possibilities for encouraging the development of the State and it serves specialized functions in support of military forces and facilities in Alaska.

It has, however, long been very clear the Department of the Interior lacks the expertise of specialists in the field of transportation badly needed to run a railroad. I commend the recommendation for transfer of the Alaska Railroad from the Interior Department to a new Department of Transportation. I believe that such a reorganization will provide an opportunity for careful review of the operating procedures of the Alaska Railroad and for improvement of its services in the interests of the State.

As for our highways, Alaska has an incredibly minute and inadequate system of roads for the terrain to be served. As of December 31, 1963, Alaska had little more than 6,000 miles of highway to serve its 586,400 square miles of real estate. At the time of admission to the Union, a little over 7 years ago, the capital of Alaska and most of the communities of the State were completely unconnected by highway. Now, the only exception is the "marine highway"—the State ferry system—which connects our capital and other southeastern communities with each other and with British Columbia. This essential component of our transportation system was built and financed entirely by the new State without any help whatever from the Federal Government.

This serious deprivation of highway mileage results from the failure of Congress to extend to Alaska the full benefits of the Federal Aid Highway Act until Alaska entered the Union. Since that time I have made it one of my primary objectives to achieve enactment of meaningful legislation that would give Alaska a start toward a good highway system. The only progress that has been possible was the enactment of an amendment to the Federal Aid Highway Act of 1962 which authorized the Secretary of Commerce to produce a study of Alaska's highway needs for which I was able to secure an authorization and appropriation of $400,000, which produced a complete report.

The legislation directed that the report was to have been made to Congress by May 15, 1964. May 1964 came and so did May 1965 and apparently so will May 1966 come without the promised report being submitted to Congress or even officially released by the Department of Commerce.

It was the understanding with the Department of Commerce when this legislation was first sought that it would eventuate in an administration-sponsored bill designed to rectify the long-standing discrimination against Alaska. But this promise has not yet been kept.

It is my fervent hope that the plan of the President to transfer the Bureau of Public Roads and the administration of the Federal aid highway system to a new Department of Transportation will place this highly important program in an organizational location where its contributions to Alaska, as to other States, will be more meaningful than in the past. Perhaps, if the Federal aid highway program is rescued from its now smothered existence in the giant Commerce Department the needs of Alaska will have a chance of recognition and action will be taken to meet them fully.

A Department of Transportation, as proposed by the President, will enable experts in the field to view all modes of transportation—air, motor, water, rail—as parts of an integrated pattern. The requirements of each form of transportation can be assessed and met without damaging the interests of others and in the way best able to serve the needs of the people. For Alaska this is of vital importance and I hope speedy and favorable action will be taken on the President's proposal.

ADDRESS OF SENATOR DODD OF CONNECTICUT AT THE LAW ENFORCEMENT EXHIBIT

Mr. BAYH. Mr. President, I would like to insert in the RECORD comments of Senator THOMAS J. DODD, chairman of the Senate Judiciary Subcommittee to Investigate Juvenile Delinquency, at the opening of the Law Enforcement Exhibit sponsored by the Federal Bar Association which opened on February 28, 1966, at the exhibit hall of the Radio Corporation of America in New York City.

The Juvenile Delinquency Subcommittee was selected to represent the Congress as a result of its years of work on studying the causes and recommending legislative cures for juvenile crime under Senator DODD's guidance.

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

REMARKS OF SENATOR THOMAS J. DODD ON THE OPENING OF THE FEDERAL LAW ENFORCEMENT EXHIBIT SPONSORED BY THE FEDERAL BAR ASSOCIATION, AT THE RCA BUILDING, NEW YORK, N.Y., FEBRUARY 28, 1966

The Juvenile Delinquency Subcommittee of the Committee on the Judiciary represents the concern of the U.S. Senate over the continuously increasing rate of youth crime throughout the Nation. Its major task is to explore and pinpoint the causes of this problem and to develop effective legislative measures for controlling it.

Each year almost a million young people appear before juvenile courts throughout the Nation.

Each year almost 2 million youths are arrested by the police for suspected crimes of one type or another.

And there are several hundred thousand young people who are criminals because they are victims of narcotics and other dangerous drugs.

The causes of these problems are complicated. They grow out of poverty and racial discrimination. They grow out of inadequate opportunity for economic and educational advancement. They grow out of family instability, the deterioration of community life in our large cities and a thousand other conditons that are a part of modern life.

Many of these conditions will require broad Federal legislation for controlling them. The Congress must pass legislation that improves our schools and our neighborhoods. It must pass legislation that assures adequate education and employment for those who lack the qualifications for participation in our advanced technology.

And it must pass legislation that will improve the treatment and rehabilitation of the thousands of young people who are today detained in our jails, prisons, training schools, and reformatories.

Our committee has moved against those conditions that both breed and feed on crime with a number of measures, some of which have been passed into law, some of which are still before the Senate.

In 1961 shortly after assuming chairmanship of the committee, I cosponsored the first major Federal effort to prevent youth crime, the Juvenile Delinquency and Youth Offenses Control Act of 1961.

In recent years we obtained passage of the Drug Control Amendments of 1965 which will stop the annual flow of 5 billion illicit "pep pills" and "goof balls" to the Nation's addicts.

In the last session of Congress we held hearings on the administration's proposal to control the irresponsible distribution of deadly weapons, some of which we have on display here today.

Presently we are considering President Johnson's anticrime legislation which will establish more effective Federal-State judicial and correctional procedures for treating our growing legion of narcotic addicts.

I would like to thank the Federal Bar Association and the Radio Corporation of America for providing the opportunity to tell the public some of what Congress does to help reduce the crime menace which threatens this Nation.

The exhibit which opens here today is vitally important because it is one way of telling the American people what the Government is doing to control this formidable

problem. And it is vitally important because the Government must have the support of an informed and enlightened public if any law, any act of law enforcement or any administrative measure is to be effective in reaching its objective.

VIETNAM WAR THREATENS INFLATION

Mr. CHURCH. Mr. President, the threat of inflation is quite clear.

I suggest that Americans seriously consider the extent to which the war in Vietnam is contributing to the threat of inflation at home, as well as the balance-of-payments problem abroad.

The Idaho State Journal in Pocatello published an Associated Press article which illustrates this point of view, and I ask unanimous consent to have it printed in the RECORD.

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

IMPACT OF WAR ON ECONOMY BRINGS THREAT OF INFLATION

NEW YORK.—The impact of the Vietnam war on the American economy is growing.

It hasn't reached the proportions of the Korean war, when wage and price controls were imposed, but it is very real. And it brings with it the ominous threat of inflation.

Labor and material shortages are occurring and some transportation is being taxed.

Government officials and business executives face problems that will have to be solved as the Vietnam conflict escalates. Liaison between Government and business has become an everyday affair as the administration seeks cooperation on prices, balance of payments, and availability of strategic supplies.

Big orders for airplanes and helicopters are keeping the aircraft plants humming. Apparel manufacturers are having a hard time meeting Government needs for uniforms. Airlines are struggling to haul vast quantities of materials and men to the war zone.

The military demands are coming on top of a booming civilian economy that has pushed factories to capacity or near capacity production. Apprehension about inflation is rising.

All forecasts of stock market and economic activity are hedged by the uncertainty of the Vietnam situation.

The sensitive stock market has been jolted by talk of war and talk of peace. Recently a report of a peace feeler by North Vietnam sent it into a brief tailspin.

Commenting on the market's reaction, Eldon A. Grimm, a senior partner in the big brokerage firm, Walston & Co., said: "We are in a financial foxhole—a semiwartime market."

Prudential Insurance Co. of America said stepped-up military activity in Vietnam, coupled with growing inflation, has prompted it to revise upward its economic forecast for 1966.

Prudential's chief economist, Dr. William V. Freund, now sees the 1966 gross national product—total of all goods and services—at $726 billion, up from a $714 billion prediction issued last November.

The 1965 gross national product was $676 billion, up 7.5 percent from 1964.

Secretary of the Treasury Henry H. Fowler said the Vietnam escalation is pulling gold and dollars out of the United States at a $700 million a year clip. This outlay goes for troop costs, construction, and purchase of supplies that cannot be obtained in the United States.

Fowler said the administration is holding to its goal of trying to balance the U.S. international payments position this year but he warned that a fresh jump in Vietnam costs could put the target out of reach.

Fowler has quoted President Johnson as saying that the prime reason for maintaining the sales of savings bonds, on which interest has been raised, is to help meet the cost of the Vietnam war. The Secretary also said that the savings bond program could prove one of the Nation's most valuable weapons in averting inflation.

It seemed likely that Johnson's Great Society program might be a major victim of the war. Increases in appropriations for the domestic war on poverty and other programs already have been pared. Further cuts could come if war expenditures continue to rise.

In an increasing number of industries, demand-supply conditions have reached the point where manufacturers have had to allocate their products among their customers to assure a fair distribution.

BIG BROTHER CURTAILED?

Mr. LONG of Missouri. Mr. President, I wish to call to the attention of this body a very recent action taken by the Federal Communications Commission. On Monday, February 28, 1966, the FCC adopted rules outlawing eavesdropping in private conversations. Effective April 8, 1966, the use of radio devices for eavesdropping purposes will finally be somewhat curtailed.

As chairman of the Senate Subcommittee on Administrative Practice and Procedure, I have been appalled at the complete lack of controls over these radio devices which are used to pry into the private lives of too many of our American citizens. The step taken by the FCC is a small, though important, step in the uphill battle to remove these little bugging devices from the marketplace.

The rules issued by the FCC would prohibit, with the exception for law enforcement agencies, the use of any radio device to overhear or record the private conversations of others without the consent of all parties engaging in the conversations. Mr. President, I underscore the word "all."

This is a significant departure from the few State laws on this subject, most of which only require the consent of one party to the conversation. The theory behind this is that a person assumes the risk that whatever he says may be divulged without his knowledge by the other party to the conversation. According to the new FCC rules, however, both parties must consent to the use of these eavesdropping devices. This is extremely important, for our American citizens should not be forced to live in constant fear that their remarks may be recorded without specific consent.

Mr. President, I have stated that this is but a small step forward. Now that the FCC has prohibited the use of radio devices for eavesdropping purposes, it would seem to me that the advertising of these gadgets for eavesdropping purposes in newspapers and magazines should likewise cease.

Our subcommittee files are full of advertisements telling the reader that by buying one product, he can be the first on his block to listen to his neighbors on the next block. Or that another product can be successfully hidden in a cigarette pack or vest pocket. Another advertisement informs the reader that he can purchase, at a nominal price, a fountain pen which "picks up and broadcasts everything that is being said."

And one ad reads:

Any girl can tap a phone in 10 seconds * * * just unscrew the mouthpiece and drop in the FM transmitter.

I have therefore written the Federal Trade Commission and the Department of Justice, asking for an immediate investigation with the ultimate purpose of curtailing all advertising of these snooping devices for illegal purposes.

Mr. President, I ask unanimous consent to insert at this point in the RECORD the recent FCC order referred to earlier.

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

COMMISSION ACTS TO PROTECT RIGHT OF PRIVACY: ADOPTS RULES OUTLAWING RADIO EAVESDROPPING

The Federal Communications Commission has unanimously adopted rules to prohibit the use of any radio device for eavesdropping.

The rules prohibit, with an exception for law enforcement agencies, the use of any radio device to overhear or record the private conversations of others without the consent of all parties engaging in the conversations. They are applicable to all radio devices, whether licensed or not, and violators will run the risk of the imposition of a fine of $500 a day for each and every day such offenses occur, as well as loss of license or civil forfeitures where those remedies are appropriate. They reflect growing public indignation with increased intrusions into the traditional right of privacy through the use of wireless microphones, some so small as to be concealed in a pack of cigarettes or the now-famous martini olive.

Aspects of the rules deserving special emphasis are:

First, the rules apply unless all parties to a private conversation consent to the use of such devices. In contrast, it may be noted that of the seven States having laws on this subject, five provide that the consent of only one party is necessary on the theory that a person assumes the risk that anything he says may be divulged without his knowledge by any other party to the conversation. The Commission's policy is predicated on the view that the right of privacy is so precious that a person engaging in a private conversation should not be asked to assume the risk that his remarks are being recorded without his full knowledge and consent.

Second, the exception for law enforcement officers makes no change in what constitutes a crime under State law or existing practices in the States. The burden of establishing that radio eavesdropping is being lawfully conducted rests with the law enforcement agency. In all other respects, as has always been true, use of radio devices by law officers must be in full compliance with the Commission's rules and regulations.

Third, only "private conversations" are entitled to protection. The rules, contrary to some expressed concern, will not interfere with generally accepted broadcast practices in covering public interest events. For example, conversations carried on in public and semipublic places or where they may reasonably be overheard by others are not "private" and therefore not covered.

Fourth, the rules cover both the direct and indirect use of radio devices. In the area of eavesdropping, ingenuity knows no bounds; but if in any phase of the operation a radio device is used to transmit a private conversation the rules will apply.

Finally, the rules adopted in the Commission's report and order in docket 15262 will become effective April 8, 1966.

IN THE MATTER OF AMENDMENT OF PARTS 2 AND 15 OF COMMISSION'S RULES TO ADD REGULATIONS PROHIBITING THE USE OF RADIO DEVICES FOR EAVESDROPPING PURPOSES

(Before the Federal Communications Commission, Washington, D.C., Docket No. 15262)

REPORT AND ORDER

By the Commission: Commissioner Wadsworth absent.

1. On January 17, 1964, the Commission released a Notice of Proposed Rule Making (FCC 64–27, 29 F.R. 577) looking toward the adoption of rules prohibiting the use of radio devices for eavesdropping. The Notice invited interested parties to file comments on or before March 16, 1964, and reply comments on or before April 16, 1964.

2. Comments were received from the following parties: Columbia Broadcasting System (CBS); Glenn A. Zimmerman, New Brunswick, N.J.; City of San Diego, Calif.; Association of the Bar of the City of New York; Fargo Co., San Francisco, Calif.

No reply comments were received. It is noteworthy that the comments filed by the Association of the Bar of the City of New York were prepared by its Special Committee on Science and Law which has conducted a study of the effect which recent scientific and technological advances are having on privacy in the United States. The Fargo Co. manufactures miniature radio transmitters for sale to law enforcement agencies.

3. At the outset, it should again be noted that the rules discussed herein do not pertain to the unauthorized interception of communications by wire or radio. That practice is prohibited by the provisions of section 605 of the Communications Act of 1934, as amended, 47 U.S.C. 605.[1] The rules with which we are concerned apply solely to the use of radio devices to transmit private conversations which have been overheard by one means or another.

4. Advances in the miniaturization of radio transmitters have fostered an apparent increase in the use of such devices for eavesdropping. Virtually every radio eavesdropping device known to be used today is essentially a wireless microphone; i.e., a unit having the combined capabilities of a sensitive microphone and a radio transmitter. Though wireless microphones are often used by entertainers, lecturers, and others for innocuous and useful purposes (provision is made for the use of these devices in certain licensed services and under part 15 of the rules), most of those devices are readily adaptable to an eavesdropping use. Wireless microphones which are constructed specifically for eavesdropping are designed either to permit easy concealment or to resemble some commonplace items, e.g., a pack of cigarettes, or the now-famous martini olive.[2]

5. Each of the parties who filed comments commended the Commission for its recognition of the problems raised by the increased use of radio eavesdropping devices, and the city of San Diego and the Fargo Co. recommended adoption of the rules as proposed. The other parties raised questions concerning the proposal which we shall discuss in the following paragraphs.

6. The Association of the Bar of the City of New York (association) urged initially that public hearings be held (preferably before a congressional committee, but under Commission auspices if necessary) to review the whole subject of eavesdropping, its effect upon society, the state of the existing law in this area, the need, if any, for additional laws or regulations, etc. The association believes that without such a hearing the commission risks changing the vital balance of society without an adequate understanding either of what is involved or the consequences of its actions. They feel the Commission will affect the public consensus as to where the line should be drawn between encroachments on privacy which are permissible and those which are not.

7. Senate hearings encompassing the question of eavesdropping were held on May 9–12, 1961, before the Subcommittee on Constitutional Rights of the Committee on the Judiciary in connection with four bills dealing with wiretapping and eavesdropping which were introduced in the 87th Congress, 1st session. On February 18, 1965, Senate hearings on electronic eavesdropping were initiated by the Subcommittee on Administrative Practice and Procedure of the Committee on the Judiciary. Testimony regarding this Commission's role in the matter of radio eavesdropping was submitted by the Commission on May 5, 1965. The information developed during both these hearings has been of benefit to the Commission in formulating this report and order.

8. The Commission's decision to take action with respect to the matter of radio eavesdropping is consistent with its public interest responsibilities under the Communications Act. Eavesdropping, by any means, has traditionally been regarded as contrary to the public interest. Blackstone (4 Commentaries, chapter 13, section 5(6)) defined the practice as a common nuisance punishable before the court. Section 605 of the Communications Act of 1934, as amended, though enacted to prohibit the unauthorized interception of communications by wire or radio, reflects the intent of Congress to preserve the privacy of communications in those areas where the Federal Government has unquestioned jurisdiction to act. This concern for the privacy of communications has been stressed by President Johnson.[3] Eavesdropping by means of a listening device has been held to be an actionable violation of one's right of privacy.[4] Moreover, seven States have seen fit to adopt statutes prohibiting electronic eavesdropping.[5] Thus, the Commission's action is calculated to insure that the authority to operate radio devices, whether under a license granted by the Commission or pursuant to part 15 of the Commission's rules, cannot be claimed to permit the use of those devices for eavesdropping purposes.

9. Objection was made by the association to that provision of the proposed rules which would make the prohibition against eavesdropping inapplicable where the use of the device is authorized by one or more of the parties engaging in the conversation. It was contended that this approach fails to recognize a distinction between the risk that a party to a conversation may divulge what he remembers from the conversation and may be believed by others, and the risk that a party to a conversation will use a radio device to overhear and record the conversation verbatim, or authorize another to so overhear or record it. Doubt was expressed as to whether most persons assume, or should assume, the risk that their conversations are being overheard or recorded by the use of such devices. The association also expressed the view that the real significance of this provision of the proposed rules would be to enlarge the area of permitted eavesdropping beyond that likely to be condoned by the public or by the courts.

10. Our proposal was based upon the tentative view, set forth in paragraph 6 of the Notice of Proposed Rule Making, that anyone who engages in conversation with others must assume the risk that anything he says may be divulged without his knowledge by any other party to the conversation. However, upon further consideration, we have decided that the objections to this view are well founded and that we should not sanction the unannounced use of listening or recording devices merely because one party to any otherwise private conversation is aware that the conversation is in fact no longer private.

11. The right of privacy is precious, and should not be sacrificed to the eavesdropper's needs without compelling reason. We cannot find such reason here, subject to the single exception made in paragraph 13, infra, for law enforcement officers operating under lawful authority. We agree that the ordinary risk of being overheard is converted into another risk entirely when the electronic device is made the instrument of the intruder. Coupled to a recording device, this new eavesdropping tool puts upon the speaker a risk he has not deliberately assumed, and goes far toward making private conversation impossible. We do not believe the assumption of such a risk should be made the basis of our rules. We are commanded by the Communications Act to "encourage the larger and more effective use of radio in the public interest," section 303(g). Upon reflection, we do not believe it to be consistent with the public interest to permit this new product of man's ingenuity to destroy our traditional right to privacy.

12. As stated in the notice, there are precedents in this or analogous fields which lend support to the adoption of the rule as proposed, i.e., with an exemption where one party consents to the radio eavesdropping.[6] But the matter is one of policy and, for the reasons just stated, it is our judgment that the appropriate policy balance should be struck in favor of protecting the traditional right of privacy. The position we take here on this question is the same one we took in requiring that telephone recording devices be equipped with an automatic tone warning device, so that all parties to the conversation may be on notice where any party is making a recording of a telephone conversation. See "Use of recording devices," 11 FCC 1033 (1947).

13. The proposed rules would except the operations of law enforcement officers conducted under lawful authority. The association and Mr. Zimmerman commented that the phrase "under lawful authority" does not describe precisely what authority would be

---

[1] A common violation of section 605 involves the unauthorized interception of telephone communications. This practice is popularly known as wiretapping and is normally accomplished either by making direct contact with the telephone wire or by placing an induction coil within the magnetic field surrounding the wire. (The words "unauthorized interception" when used with respect to section 605 in this document include the divulging or beneficial use of the intercepted communications.)

[2] See Senate hearings on electronic eavesdropping before the Subcommittee on Administrative Practice and Procedure of the Committee on the Judiciary, Feb. 18, 1965.

[3] See the New York Times, July 16, 1965.

[4] See *McDaniel* v. *Atlanta Coca-Cola Bottling Co.*, 2 S.E. 2d 810 (Ga. 1939); *Roach* v. *Harper*, 105 S.E. 2d 564 (W. Va. 1958); and *Hamberger* v. *Eastman*, 206 A. 2d 239 (N.H. 1964).

[5] See Cal. Ann. Codes, Penal Code sec. 653j (West 1956); Ill. Ann. Stat. ch. 38 sec. 14–1 (Smith-Hurd 1941); Md. Code Ann. Art. 27 and 125(A) (Michie 1957); Mass. Ann. Laws ch. 272 sec. 99 (Michie 1956); Nev. Rev. Stat. ch. 200.650 (1957); N.Y. Consol. Laws Ann., Penal Law Art. 73 sec. 738 (McKinney 1944); and Oreg. Rev. Stat. sec. 165.540(1)(c).

[6] For example, the statutes of California, Illinois, Massachusetts, Nevada, and New York do not apply if any party to the conversation has consented to the eavesdropping. The statutes of Maryland and Oregon apply unless all parties to the conversation have consented.

required to permit law enforcement officers to conduct such operations.

14. The problem of providing an exception to the rules for the operations of law enforcement officers has been closely analyzed. Because of the complex and varying structure of law enforcement authority existing in the various States and their political subdivisions, it is extremely difficult to specify a source or type of authority which is common to all jurisdictions. Initially, it may be assumed that law enforcement officials conduct their activities within the framework of existing law and authority. Should these officials intend to engage in radio eavesdropping, it would be incumbent on them first to determine the validity of such practice under applicable local law. This being so, the burden of establishing that radio eavesdropping activities are being carried on under lawful authority rests with the law enforcement agency. In view of the diverse sources of possible authority, we believe that this is the best approach to follow in establishing a standard under which law enforcement officers would be exempted from the Commission's radio eavesdropping rules. However, if inadequacy of this standard should be revealed or other developments of a more basic nature occur, further exploration of this question will be undertaken and appropriate revision of the rules will be made.

15. It is important that law enforcement officers understand that this exception is by no means intended to waive the part 15 rules governing the use of nonlicensed low-power communication devices (e.g., operation within specified frequency bands, power, and radiation limitations, etc.); to authorize the use of unlicensed transmitters for eavesdropping; or to authorize the use of licensed transmitters in such a manner that other Commission rules are violated (e.g., abandonment of control, transmission of unauthorized communications, etc.).

16. CBS opposed adoption of the proposed rules on the grounds that they would hamper and impede broadcast activities heretofore generally accepted. As examples of situations which CBS feels would be prohibited by the rules, they cited (1) the CBS reports broadcast entitled "Biography of a Bookie Joint," and (2) coverage of newsworthy events in public and semipublic places or any other place where persons may reasonably expect that their conversations may be overheard. The association also questioned the effect of the rules on the radio or television coverage of public interest events, as well as the effect upon the protective or beneficial monitoring of conversations, e.g., of apartment elevators for the protection of young ladies, of assembly lines for efficiency and economy of production, and of public places for the safety, security, and comfort of those who frequent them.

17. The fears expressed by CBS and the association with respect to the coverage of news events are believed to be unwarranted. The rules adopted herein should not impede broadcast programing any more than the prohibitions against wiretapping in section 605 have impeded programing in the past. The proposed rules specifically refer to private conversations. The interpretations applied to that phrase by the courts indicate that the phrase does not embrace conversations carried on within earshot of others not engaged in the conversation.[7] Thus, conversations in public and semipublic places or in any other place where persons may reasonably expect their conversations to be overheard would not be protected by the rules. With respect to the instances of protective or beneficial monitoring mentioned by the association, the public, in those instances, should be given adequate notice of the fact that the area is being monitored. Thus, persons engaged in conversation in such an area would have consented by implication to the monitoring. The absence of adequate notice could well result in an invasion of privacy since the monitoring would then be conducted without the consent of those being monitored.

18. We are amending the rules by adding a new subpart, as set forth in the appendix hereto, the part 2 of the rules as a general prohibition against the use for eavesdropping of any device required to be licensed by section 301 of the Communications Act of 1934, as amended. (Specific reference to this prohibition will be added to those parts of the rules where it is deemed appropriate.) Additionally, we are adding a similar prohibition to subpart A of part 15 of the rules. A reference to the latter prohibition is being made in subpart E governing the operation of low power communication devices, the part 15 devices most susceptible to use by eavesdroppers.

19. The reference in the rules to both direct and indirect use has been included to encompass any radio operation in connection with an eavesdropping arrangement. For example, the amendment will prohibit the use of a part 15 wireless microphone to relay a conversation which is picked up initially by some form of nonradio eavesdropping device.[8] Thus, irrespective of the combination of devices employed by the eavesdropper to accomplish his objection, the proposed rules will apply if any one of the combination is a radio device.

20. The rules reflect Commission policy. Their violation could result in loss of license where that remedy is appropriate (see sections 307(d) and 312(a) of the Communications Act), or the imposition of fines under section 502. What constitutes a crime under State law reflecting State policy applicable to radio eavesdropping is, of course, unaffected by our rules.

21. A question was raised as to the basis for the Commission's authority to establish rules prohibiting radio eavesdropping. The Commission, of course, has broad licensing authority over radio devices in section 301 of the Communications Act and has exercised that authority in the rules promulgated by it as to both specific licensing and the Part 15 facet of its functions. Under section 303 of the Communications Act, the Commission is empowered by Congress, as the public convenience, interest, and necessity requires, to prescribe the nature of the service to be rendered by radio stations and to make such rules and regulations as may be necessary to carry out that function. Thus, the establishment of rules prohibiting radio eavesdropping is consistent with the authority of the Commission to prescribe the nature of the service rendered by radio devices.

22. In view of the foregoing, and pursuant to authority contained in sections 4(i), 301, 303(b), and 303(r) of the Communications Act of 1934, as amended. It is ordered, That effective April 8, 1966, Part 2 and Part 15 of the Commission's rules are amended as set forth in the attached appendix, and the proceedings in Docket No. 15262 are terminated.

FEDERAL COMMUNICATIONS COMMISSION.
BEN F. WAPLE, *Secretary.*

(NOTE.—Rules changes herein will be covered by T.S. II(64)–10.)

APPENDIX

1. Part 2 is amended by adding a new subpart H to read as follows:

"Subpart H—Prohibition against eavesdropping

"SEC. 2.701. Prohibition against use of a radio device for eavesdropping.

"(a) No person shall use, either directly or indirectly, a device required to be licensed by section 301 of the Communications Act of 1934, as amended, for the purpose of overhearing or recording the private conversations of others unless such use is authorized by all of the parties engaging in the conversation.

"(b) Paragraph (a) of this section shall not apply to operations of any law-enforcement officers conducted under lawful authority."

2. Part 15 is amended by adding a new section to subpart A to read as follows:

"SEC. 15.11. Prohibition against eavesdropping.

"(a) No person shall use, either directly or indirectly, a device operated pursuant to the provisions of this part for the purpose of overhearing or recording the private conversations of others unless such use is authorized by all of the parties engaging in the conversation.

"(b) Paragraph (a) of this section shall not apply to operations of any law-enforcement officers conducted under lawful authority."

3. Subpart E of part 15 is amended by adding a new section to read as follows:

"SEC. 15.220. Eavesdropping prohibited."

As provided in section 15.11, the use of a low-power communication device for eavesdropping is prohibited.

PANDORA'S BOX

Mr. CHURCH. Mr. President, 2 weeks ago Secretary Rusk told the Senate Foreign Relations Committee that the United States had a solemn duty not only to resist communism in all its forms, but also to work against changes abroad fostered by violence rather than by peaceful means.

Within the past week alone, the headlines of any major newspaper reported the following facts: The Ghanaian Army had overthrown President Nkrumah; the sixth such African army takeover in less than 6 months; leftists had taken over the Syrian Government and were making overtures of friendship toward Com-

---

[7] It has been held that a conversation between a husband and wife in a railroad station waiting room with people coming and going is not a private conversation, *Linnell* v. *Linnell*, 143 N.E. 813 (Mass. 1924). In *Freeman* v. *Freeman*, 130 N.E. 220 (Mass. 1921), the court found that a conversation between husband and wife in a public street was private because "none of the passers-by or persons in the vicinity paid any attention to them, or even could hear the words."

[8] There are numerous other eavesdropping devices which, though not operated on radio principles, could employ a radio transmitter for purposes of relaying a conversation picked up initially by the nonradio device. These may include miniature wired microphones concealed in the room where the conversation is to take place and connected to a radio transmitter by means of wire or transparent conductive paint. A radio transmitter could also be used in conjunction with a contact or "spike" microphone which is operated by attaching the microphone to a spike which has been driven into a stud common to both the room in which the eavesdropping equipment is located and the room in which the conversation is to take place. A parabolic microphone may also conceivably be used for eavesdropping in conjunction with a radio transmitter. This is an audio device which uses an acoustically solid reflector to focus sound waves to a point where a small microphone magnifies the sound received. Such devices are used innocuously at sports events and conventions to pick up the voices of persons out of normal earshot. (See Senate hearings on electronic eavesdropping before the Subcommittee on Administrative Practice and Procedure of the Committee on the Judiciary, Feb. 18, 1865.)

munist countries; King Faisal was asking the United States for military aid to put down opponents supported by the United Arab Republic; Castroites continued to hold out against government forces in the Peruvian Andes; terrorists were threatening to take over Guatemala after elections are held; violence continued between the government and anti-Communist students in Indonesia. Yet, the papers carried no word that the United States was in any way capable of, or involved in, putting down these acts or threats of violence in these foreign lands.

Many thoughtful people ask why the Secretary chose to protect a foreign policy objective so clearly beyond our capacity to fulfill. The editors of the New Republic wonder, and cannot find any satisfactory answers.

In the lead editorial of the March 5 edition, the editors explore such murky questions as our commitments under the SEATO treaty, the meaning of "aggression" when the aggressors are from the same country, and the strained analogy which compares Europe with southeast Asia. All of these questions deserve our most careful consideration, since failing to find rational answers will open a Pandora's box for years to come.

Mr. President, I ask unanimous consent to have the New Republic editorial printed in the RECORD.

THE RUSK DOCTRINE

The White House chose to shave its differences with Senator ROBERT F. KENNEDY over Vietnam. As an alternative to sudden, unilateral withdrawal of U.S. forces or to killing more and more Vietnamese and upping the risk of war with China, Senator KENNEDY advised admitting the Vietcong to a "share in power and responsibility." The Vice President shuddered: it would be like inviting an arsonist into the fire department. Nevertheless, 48 hours later, the President's press secretary, Bill Moyers, told newsmen the administration does not rule out the possibility of Vietcong participation, either in a provisional government preceding free elections in the south, or in a government arising out of such elections. Moyers' assurance suggests that we are not bound as tightly to the survival of General Ky's regime as we said we were in the Declaration of Honolulu. It would be wrong, however, to say that the administration is really ready to concede some place to the National Liberation Front in Vietnam's future. For alongside Mr. Moyers' rejoinder to Senator KENNEDY, one must place the more detailed exposition by the Secretary of State in his appearance before the Senate Foreign Relations Committee on February 18.

It is not testimony to put heart or hope into those who want a tolerable end to this senseless struggle. For huge consequences hinge, in Mr. Rusk's mind, on who governs South Vietnam. Here, in this small country of ancient but altogether different traditions, he sees a test of whether freedom can survive; or whether world peace itself is possible. It is not experience which informs the Secretary's fear of intractable and expanding Communist rule (experience of communism in Eastern Europe, in Indonesia, in relations between China and Russia teaches another and more hopeful lesson), but his apocalyptic vision of a gathering storm.

Throughout his testimony, Mr. Rusk held aloft two words: "commitment" and "aggression." The commitment that binds us to consume a billion dollars a month and thousands of lives derives from a "fundamental SEATO obligation that has from the outset guided our actions in South Vietnam"; more precisely, article IV of the Southeast Asia Collective Defense Treaty, which says: "Each party recognizes that aggression by means of armed attack in the treaty area or against any of the parties or against any state or territory which the parties by unanimous agreement may hereafter designate [such as South Vietnam], would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes." Having decided years ago, that the Vietcong did "endanger its own peace and safety" (however tenuous the evidence to justify that determination) the United States intervened.

But there is another section of article IV not cited by the Secretary in his testimony. It obliges SEATO members, in the event of "any act or situation which might endanger the peace of the area," to "consult immediately in order to agree on the measures which should be taken for the common defense." How has that obligation been met? The "outset" of our commitment to various Saigon regimes dates from 1954—beginning with U.S. economic support, followed by military advisers and then the sending of armed forces that now outnumber the hard-core and part-time forces of the Vietcong. Not until April 1963 did the SEATO Council of Ministers formally address themselves to the "common defense," and then merely "took note" of a report by Secretary Rusk on the improved military situation in Vietnam. The first explicit SEATO pledge of support (France abstaining) did not come until 1964, when the Council of Ministers expressed its "grave concern * * * deep interest and sympathy." Last year, finally, the SEATO communique did call for "defeat of this Communist campaign"—with Pakistan joining France in abstention. As for contributions to the "common defense," TRB's Washington Report in this issue gives the facts. As of February 1966, our SEATO partners have supplied the following combat strength: Great Britain, none; France, none; Thailand, none; Pakistan, none; the Philippines, none; New Zealand, 300; Australia, 1,500.

George Kennan and others believe we are dangerously overcommitted in Vietnam. Not Mr. Rusk. Indeed, Vietnam is only one of many such commitments. As James Reston describes the Secretary's view: "The United States is committed to oppose Communist aggression all along the periphery of the Communist nations from the North Cape of Norway through the heart of Europe to Greece and Turkey (NATO); along the southern frontier of the Soviet Union in the Near and Middle East (the Eisenhower resolution); and thence through southeast Asia (SEATO) to Australia, New Zealand, the Philippines, Japan, and Korea. And if you add our obligations under the Organization of American States and our obligations under the United Nations, you take in most of the rest of the world."

What exactly are we committed to defend in all these places? It is not clear. From the Secretary's testimony (and the example of U.S. armed intervention in the Dominican Republic), it seems we are committed to do more than help allies if they are militarily attacked by another country. For when the Secretary uses his second favorite word, "aggression," he includes both invasions across national boundaries and "wars of national liberation," which is to say, internal subversion and civil war. The Rusk doctrine, Mr. Reston notes, "makes the Monroe Doctrine or the Truman doctrine seem rather cheap."

In explaining this broader U.S. commitment, the Secretary reminded the Senators that "many of them (our allies) deal with these problems in their own way, without having to call upon us for direct involvement or assistance, say, with our forces." Thus Mr. Rusk reassures his countrymen that American troops are not likely to be needed in too many places simultaneously. For example, in "Latin America, some of them have dealt with it at the ballot boxes, and some with their own local forces, and in Western Europe they made an enormous contribution by working internal arrangements and a constitutional basis that helped to protect them against pressures from the Communist side." The conclusion seems inescapable that had the governments of these countries not been able to withstand internal Communist pressures, the United States would have been committed to supply on demand its arms and men.

What does the Secretary mean by "aggression" in the context of Vietnam? Are U.S. troops there to punish invaders from without? Or is this, as others say, essentially a civil war? Mr. Rusk grants that "there are elements of civil war in this situation"; nevertheless he insists that "the heart of the problem is the external aggression." From where?

"Senator CHURCH. Chinese combat troops have not become involved in the fighting in Vietnam.

"Secretary RUSK. That is correct, sir.

"Senator CHURCH. So that we are not faced here, as we were in Korea, with an actual Chinese invasion of Vietnam.

"Secretary RUSK. * * * That is correct, sir."

The "elementary fact," continues Mr. Rusk, "is that there is an aggression in the form of an armed attack by North Vietnam against South Vietnam." (The President used the word "invader" last week; and on the day he spoke it was announced that about 96,000 men had deserted from the South Vietnamese armed forces in 1965.) Are North Vietnam and South Vietnam then two countries? Sometimes, Mr. Rusk implies they are. Thus, "we wish only that the people of South Vietnam should have the right and opportunity to determine their future in freedom without coercion or threat, from the outside." North Vietnam is referred to as a "Communist country." On the other hand, he explains the war as "one further effort by a Communist regime in one-half of a divided country to take over the people of the other half at the point of a gun and against their will."

"Senator FULBRIGHT. It is not one country. It used to be one country.

"Secretary RUSK. But there was a settlement, Mr. Chairman, on the basis of the 17th parallel.

"Senator FULBRIGHT. What kind of settlement was it? I think it would be fine if you would make it very precise. Did it divide it into two separate nations?

"Secretary RUSK. It did not establish it as two separate nations, but it provided some procedure by which this could occur if that is what the people wanted."

There has certainly been coercion and threats and more "from the outside." Perhaps then the Secretary means that "external aggression" is the heart of the problem because the Soviet Union and Communist China are meeting their commitments to their Vietnamese friends. They are, though more modestly than we are aiding "our" Vietnamese. But it is not a point to be made much of. As Senator John F. Kennedy said in 1957, "Most political revolutions—including our own—have been buoyed by outside aid in men, weapon, and ideas."

If the North Vietnamese are to be identified as the aggressors—though their troops account for a very small percentage of the forces against us in the south—then they must be outsiders. But if they are, are there two Vietnam nations? And if so, what did the Secretary have in mind when he told the South Vietnamese in April 1964, that "some day that regime in Hanoi will disappear and

you [the South Vietnamese] and your brothers in the North will be able to join in a free and democratic Vietnam." Brothers?

To those who see no profit and much loss in this deepening commitment to destruction in Vietnam and who speak out against it, the Secretary has rockbottom rejoinder; "They [the doubters] have not learned the lessons of the thirties." Mr. Rusk concludes that the 20-year struggle of the followers of Ho Chi Minh to control their country is equivalent to the march of Nazi troops across Europe, comparable in its malevolent design, comparable in its threat to the security of the United States. It is, as Mr. Kennan has said a "fatally unfortunate conclusion." Nevertheless, Operation Brainwash proceeds, assisted by General Taylor, Hanson Baldwin and other believers in the analogy with Munich. Those who would restrain our hand, who would hold and wait, who would prefer an accommodation to the brutalizing expansion of this war are dubbed defeatists. Mr. Rusk would have us believe that if victory eludes us it will not be the fault of our leaders but of doubters who stabbed them in the back.

CONTROL OF OUTDOOR ADVERTISING IN INDUSTRIAL AND COMMERCIAL AREAS

Mr. PEARSON. Mr. President, the Department of Commerce, in its draft standards for the control of outdoor advertising in industrial and commercial areas, has failed to follow the intent of the Congress. While the Department says the draft standards are, to quote them, "presented solely as guidelines for consideration and discussion purposes," the very fact that they have been drawn indicates a desire to severely restrict the outdoor advertising industry.

Of particular concern to me are departmental suggestions which, if ordered, would be a severe or even crippling injury to the industry. The draft standards fail to follow the intent of Congress by offering standards inconsistent with "customary use."

As the able senior Senator from West Virginia [Mr. RANDOLPH] adroitly advised this body on February 4 of this year, the House amended S. 2084 to include the phrase "consistent with customary use" when applied to any proposed regulation of outdoor advertising.

However, I am advised that such is not the case in this matter.

Mr. President, I have not had the opportunity to thoroughly study the so-called guidelines. But some of my constituents, successfully experienced in outdoor advertising, have pointed out portions of the draft standards which indicate a total disregard to "customary use." These suggested regulations, and that is what they are whether so stated or not, would create such severe limitations on the spacing of outdoor signs in urban areas that such advertising would be decimated.

Mr. President, I am told the guidelines for setbacks in certain areas are not only impractical but all but impossible to follow. The establishment of extreme setback limits would, in many cases, make valueless, hundreds of thousands of dollars of land purchased or leased by outdoor advertising companies.

At no time during the debate on S. 2084 was there any indication the Congress, or the administration, was desirous of such regulation which would be so harmful to the outdoor advertising industry. But the Department of Commerce draft standards could, if adopted, severely cripple the industry, if not destroy it.

I concur with the Senator from West Virginia and others who have urged that we maintain a careful watch on this matter, through transcripts of the Department of Commerce hearings, and hearings before the Bureau of Public Roads.

IDAHO IS PROUD OF FRANK CHURCH

Mr. GRUENING. Mr. President, an excellent editorial concerning our able colleague, the Senator from Idaho [Mr. CHURCH] was published in the Idaho Observer on February 17, 1966. It pays tribute to his vision and wisdom in the field of foreign relations.

I ask unanimous consent to have the editorial entitled, "Senator Was True to His Promise," printed in the RECORD.

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

SENATOR WAS TRUE TO HIS PROMISE

A 32-year-old Boise attorney won election to the U.S. Senate 10 years ago with a campaign based on the slogan, "Idaho will be proud of FRANK CHURCH." If ever a man delivered on a campaign promise, FRANK CHURCH did it this week.

Appearing with four other Senators on a CBS Television program dealing with U.S. policy in Vietnam, the Idahoan demonstrated a remarkable grasp of the circumstances and forces which underlie our present plight in southeast Asia.

With a logic and lucidness commanding respect even from those who do not share his view, CHURCH stated the case against further military escalation in Vietnam, pointing out that Communist containment policies evolved in Western Europe can't work the same way in Asia and Africa, and that we are doomed to failure if we erect a barrier of bayonets around the emerging nationalism of the former colonial world.

The viewpoint to which CHURCH gave eloquent and compelling expression on this occasion, as he has done in the past, may still be a minority viewpoint in this country. But it is one to which a growing number of distinguished Americans have added their support, in varying degrees, in recent weeks: Senate Majority Leader MIKE MANSFIELD; Senator WILLIAM FULBRIGHT, chairman of the Senate Foreign Relations Committee; former Ambassador George Kennan, the architect of the original containment policy; Generals James Gavin and Matthew B. Ridgeway; Marriner S. Eccles, chairman of the board of the First Security Corp., of Salt Lake City, and many others.

A deep tide of disquiet over the direction of our foreign policy is coming to full flow in the United States. It has found its ablest exponent in FRANK CHURCH.

Idahoans, regardless of whether they feel themselves to be a part of the tide, may well take pride in that.

THE RURAL-URBAN BALANCE

Mr. HARTKE. Mr. President, there is a great concern of late about the problems of food and people, about how to keep our food production abreast of our production of new mouths to feed.

Some time ago Mr. W. B. Murphy, president of the Campbell Soup Co., took a look at some of these problems, particularly as they appear in our domestic economy, and at the relationship of urban and rural America. In addition to his position as the head of a major food processing company, Mr. Murphy is president of the Business Council. His address was given before the Economic Club of Detroit.

Mr. President, I ask unanimous consent that Mr. Murphy's address be printed in the body of the RECORD.

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

THE RURAL-URBAN BALANCE

(An Address by W. B. Murphy, president, Campbell Soup Co., before the Economic Club of Detroit, Sept. 20, 1965)

Michigan is well known throughout the world for its metal working industries, of course. But to those of us in the food industry, it is equally renowned for its high-quality agricultural production and for its position as a leader in education relating to foods. The food industry leans heavily on Michigan farms for a wide variety of ingredients and on its great universities for teaching and research in agriculture, biology and food distribution.

When one is in the food industry he is likely to find it advantageous and usually necessary to keep closely attuned to the people of our country if for no other reason than that there's a well-established custom of eating foods at least three times a day. Also, the food habits of the population are pretty decisive in the success or failure of a food business.

There are two subjects relating to food and people that are much discussed these days and that are of concern to anyone who is thinking of the future. The first of these is the country's and the world's ability to provide the necessary food as population shoots upward; and second, the adequacy of water supplies.

A third subject is less discussed but just as vital: the continued shifting of population from the farms and small rural places to the mammoth metropolitan areas. To a food processor who deals with and is dependent on the farmers in the rural areas, this shifting of people and what it means is a matter of more than small importance.

Today I should like to discuss briefly the first two of these subjects; namely, food production potentials and adequacy of water supply and then deal with the question of where people are going to live and work.

Now, there are many predictions about the things to come. Undoubtedly one of the least unreliable has to do with the future population trend. It is estimated that the population of the United States will come close to doubling and that of the world about double over the next 35 years, that is, by the year 2000. This sounds like the distant future, but actually it isn't so far off. A growth rate of 2 percent per year means doubling in 35 years.

Can this vastly greater population be fed? This is a complicated subject in itself. There is a different answer for North America than for Asia or South America. For North America, the answer is an unequivocal "yes." For some parts of the rest of the world, the answer hinges on economic, educational, and political accomplishments more than on the technical question of the earth's food production potentials. Since food supplies are inadequate now in Asia, the future for food in that part of the globe is full of problems. For the rest of the world, the situation is less questionable.

I believe it is not too difficult to raise food production to a much higher level. The world's arable land is about 6.6 billion acres and only about 3 billion are used for agriculture. Furthermore, substantial progress is being made in reducing the huge crop losses caused by insects, viruses, predators, weeds, and nematodes and there are continued improvements in the techniques of crop production. A combination of reduced losses and better growing methods means that the yield per acre generally can climb to much higher levels. The agricultural productivity in large areas of our country and in many countries of the world is not near its practical limit and will rise as modern agricultural research and development is applied to meet local conditions.

For example, a careful program of agricultural research in Mexico, sponsored by the Rockefeller Foundation, boosted corn and rice crops and enabled that country to become self-supporting and, in fact, an exporting nation for wheat, sugar, and cotton. Mexico is now engaged in a well-rounded research program that is showing fine results for many other crops. In the United States and Canada, the yields per acre for a long list of grains and vegetables have more than doubled since World War II and can go much further with research work now underway. The productivity figures for cattle and poultry have also climbed rapidly. Genetics research can bring resistance to some of the crop debilitating factors. Crop-growing experiments result in improved growing methods. Chemical research is producing means for more effective disease and predator resistance and for weed controls.

The adequacy of water for a population that will nearly double over the next 35 years is vital to the food industry for the simple reason that 40 percent of the water used in the United States today is for irrigation. If a higher percentage of our arable land is to be planted, a primary concern is water supply. The subject of water is just coming into its own as a national problem. The 3-year below-normal rainfall in the Northeast States triggered this sudden general interest, although water as a subject of major national and regional concern would have come to the forefront in any event sooner or later.

There is plenty of water for a doubled population and much more if water supply and its distribution is given attention. It is a sure thing that we are going to have to pay a little more for water in the future. Unmetered homes, unlined irrigation ditches, undistributed surpluses, uncaptured rain and snow runoffs, and untreated waste water, of necessity, will be frowned upon, and as a result, water supplies will probably be adequate for the foreseeable future.

INCREASED POPULATION A PROBLEM

The third subject for discussion here, namely increased population, is more difficult to deal with than food production potentials and water supply. Where is this increased population going to live and work? If the present trend toward greater and greater population concentration continues, there will be rather drastic environmental effects on most of us having to do with the way we live—our taxes—and our peace of mind—among other things.

Why would a businessman and a food processor worry much about population trends as long as they're going up? There are at least two good reasons.

1. As a food processor, he is vitally concerned with the need for continuing increases in crop yields per acre, not only to raise food production, but to help hold consumer food prices. This increasing productivity, involving as it does fewer and fewer farms producing larger and larger crops, carries with it the problem of surplus farm and small-town population.

2. As a businessman and taxpayer, he must be interested in the massive problems and in the costs to convert the metropolitan centers into attractive, livable places.

Last March, President Johnson sent a message to Congress on housing and cities. He said, "Over 70 percent of our population—135 million Americans—live in urban areas. A half century from now 320 million of our 400 million Americans will live in such areas. And our largest cities will receive the greatest impact of growth. In our time, two giant and dangerous forces are converging on our cities; the forces of growth and of decay. Between today and the year 2000, more than 80 percent of our population increases will occur in urban areas. During the next 15 years, 30 million people will be added to our cities. Each year, in the coming generation, we will add the equivalent of 15 cities of 200,000 each."

METROPOLITAN AREAS PLANNED

Plans are already being considered for the huge metropolitan areas of Boston, New York, Philadelphia, and Baltimore-Washington—for the enormous metropolitan areas centered by the cities of Chicago, Detroit, Miami, San Francisco, and Los Angeles. These plans involve much needed programs for cleanup, rehabilitation, and upgrading. People are to be stacked on top of each other in innumerable large apartment projects—distances from suburbs to city centers will increase—breakfasts will be served earlier and dinners later—transportation needs will soak up vast areas of valuable urban and suburban property.

This picture of greater and greater population concentration is to me unpleasant and expensive, and I would hope, not inevitable. It makes for a more impersonal existence, higher taxes, more government controls, and in most ways what can be considered a distorted existence, at least by the standards we know today.

Yet, we are on our way to this rather dismal prospect if we continue for the next 35 years the trend toward urban concentration that has characterized the past 35 years.

Thirty-five years ago, the farm population was approximately 30,500,000 people. In 1965, it was about 12,500,000. Farm population was almost one-fourth of our population 35 years ago, whereas today it is only 6½ percent. In contrast, the metropolitan areas with populations of over one million totaled 43 million people in 1930 and today about 80 million. The reduction in the farm population has come about through the tremendous productivity improvements in farming, the sharp reduction in numbers of small farms, plus the job opportunities offered in the big cities for people who had difficulty making a living in the rural areas.

An analysis of population figures by counties shows what has been happening. Counties with less than 25,000 population not contiguous to metropolitan areas represent 61 percent of all counties—they also have 61 percent of the land area but only 12 percent of the population. Counties with 25,000 to 100,000 population and not in metropolitan areas represent 26 percent of all counties and 20 percent of the population. Adding these together yields 32 percent of the population as against 42 percent, 35 years ago, yet they represent 88 percent of all counties and a corresponding proportion of the land area.

Now, let's look at the metropolitan areas of one million or over. There are 164 counties in this category that represent less than 5 percent of the land area but have 41 percent of the population. This population has gone up in a disproportionate amount over the last 35 years. If we examine the record on distribution of employment in manufacturing establishments, the most recent count shows that the metropolitan areas have 48 percent of the total.

We know that the combination of metropolitan industrialization and scientific farm developments has caused many millions of rural people to go to the metropolitan areas. What problems we created for ourselves. Had industry expanded by decentralization to a far greater extent than now is the case, and had it gone into the thousands of small cities and towns, the rural citizens who could not make a living on their farms could have found jobs in local industry and the overcrowding of big city areas would be far less.

This isn't a phenomenon of North America. The vast slums of Caracas, Mexico City, and Lima, for example, are made up to a considerable degree of families from rural sections who are attracted to the possibility of jobs in the industry that clusters in metropolitan areas. One day the merit of industrial decentralization will be recognized throughout the world and those from the poor farms will find jobs in plants located near their homes.

I believe it is in order to suggest that in the United States the disproportionate industrial concentration in the metropolitan areas not go further and further and also to suggest that manufacturers can do themselves a favor and our country a service by allocating a fair share of their new plants to the rural areas.

We already have critical urban problems. Those problems will be compounded if the trend toward the metropolitan areas that characterized the past 35 years continues into the future.

In this city of Detroit, there is an aggressive urban renewal program led by Mayor Cavanagh that obviously is badly needed and which illustrates the kind of attack that must be carried on in all major cities. But Detroit doesn't need to have further migrations from the rural areas.

Philadelphia, where I live, is also making strenuous efforts to upgrade its character and also has a long struggle ahead. It too doesn't need further migrations from the rural counties. The conditions in New York, Chicago, and Los Angeles are too well known to need description here.

It is estimated, and I think it is a reasonable estimate, that over the next 35 years, while our population will double, the number of farms will decrease from today's 3,300,000 to about 1,500,000, and that farm population will drop from today's 12½ million to about 6 million. Since in 35 years the 12½ million will nearly double to approximately 24 million, and farms will then need only 6½ million, this means a surplus of about 18 million. These are conservative figures. Other estimates indicate that there will be only 1 million farms and a farm population of only 4 million. There is no estimate for the future reduction in numbers of people in rural towns serving the farm population. This reduction easily can match in numbers the surplus from the farms. The trend to fewer and fewer farms and lower farm and other rural population has been going on for many years and shows no sign of abating.

This does not mean that our crop production will be less—in fact, it will be far higher but it will be done by much larger farms and by further farm mechanizations and other crop productivity gains. I am not suggesting that we are going to have farm factories. An overwhelming proportion of our farms undoubtedly will be family farms as they are today, but these will be family farms of much larger acreage, operated with more sophisticated machinery and with fewer work-hours per unit of crop production. In 1930 the average value of a farm was $10,900—today, the average value of a farm is $68,000. It is estimated that 35 years from now the average value of a farm will be $200,000 or more. This means that there will be fewer farms and millions of people from small farms and rural towns will be looking for jobs. If the trend of the last 35 years continues, they will go to the large cities and mostly to the metropolitan centers.

FARMING AN EXCITING OCCUPATION

Farming is an exciting occupation when the farmer has good education and training

and when the farm has the potential to be profitable. This means a sizable acreage, high production modern farm machinery, funds for fertilizing and spraying and ample water supply.

But it's no fun being a break-even or loss farmer and so over the last several decades there has been an evolutionary change entailing large, year-after-year reductions in small farms. This will continue, in all probability, until there remains a hard core of well-educated, high-income farmers. Speaking as a taxpayer, this will be a good thing in more ways than one.

The fact that there is considerable unemployment in the poor sections of big cities would seem to argue for concentrating new plants in such areas. This seems to me to be a superficial conclusion. There are plenty of job opportunities now in the big cities for trained people.

The principal problem of the unemployed is lack of education. Educated people do not have trouble getting jobs and this applies to all nations and all races. Our unemployment is heavily concentrated in the ages of 16 to 25 and primarily among those without good education or training. Motivate these young people to want an education, to want to work and to want to be trained, and the vast employment opportunities now existing in big cities will be available to them.

If most of the new manufacturing plants are loaded into the metropolitan areas, this won't solve the unemployment problem of the uneducated, but it will cause millions more from the rural counties to drift to the big cities to look for jobs.

You might ask what will stop this greater and greater big-city concentration. People are going to move where they want to and the mobility of the American people is well established. If the jobs are available in the metropolitan areas, the people are going to those jobs. By the same token, if jobs are available in the thousands of small towns and cities away from the metropolitan areas, I think most of the people in these rural areas will not move. They will prefer to live in the circumstances in which they were raised. People everywhere can read. They see television and they read the papers. They know about urban crowding and the urban crimes. They also know that smaller places are friendly. They know that in the small town or city it takes only 5 to 15 minutes to travel between home and work.

Generally, parking is not a problem. For those who golf, the golf course is near enough to their place of work to permit nine holes before dinner. If one likes to hunt and fish, the hunting and fishing frequently are quite handy also. If one runs into trouble, the neighbors will help and not look the other way.

Of course, those of us who travel a good deal find much of this industrial decentralization going on right now. Industrial plants are springing up in many places throughout the country, but they are also still springing up in the metropolitan areas as well and in greater proportion. At the present time, we have a continuation of the trend to greater and greater big city crowding.

For the most recent 10-year period for which figures are available, that is 1952–62, the number of business establishments of all kinds, manufacturing and non-manufacturing combined, that had over 100 employees, increased from 50,900 to 57,000. Over 48 percent of that increase took place in the already overcrowded 164 counties that represent metropolitan areas.

To place this in another perspective, by the latest figures available, the number of people employed in manufacturing plants in the rural counties is about 1.1 million and has gone up only 450,000 in 20 years. The number of people in manufacturing plants in metropolitan areas is 8.5 million and gone up 3.4 million in 20 years, over 7 times as much as in the rural counties; so 5 percent of the land and 5 percent of the counties have had 7 times as many new jobs as the rural 60 percent land area. This is concentration and overcrowding with a vengeance.

If manufacturers were to schedule a fair share of their new plants to the small places distant from the metropolitan areas as suggested here, this could well bring down the wrath of the metropolitan chambers of commerce and metropolitan real estate promoters, but it shouldn't. Even if there were no more manufacturing plants built in the already overcrowded urban areas, there is still more cleaning up to do, more building expansion, more growth in the urban centers than probably can be handled well.

Most of our urban centers now have very difficult water and sewage problems. All of them need housing improvements. Their educational facilities, which should be first-rate to cope with big city problems, are, in general, far from that much-needed level. This applies to the situation today. Without a further disproportionate share of new manufacturing plants added to metropolitan centers, the load on transportation, on water and sewage systems, on housing and on education will be vastly greater in the future for the very simple reason that the metropolitan centers will have constantly rising populations and greater demands on contiguous business.

It happens that there is an enormous segment of the business complex that can't be dissociated from the great population of the metropolitan centers. I refer here to the services industry which includes retailing, wholesaling, utilities, transportation, construction, entertainment, banking, insurance and all of the other types of services that are necessarily indigenous to the population. They must be located where they are needed. It also happens that the services part of our economy is our fastest-growing portion and now exceeds in employment the manufacturing part.

The metropolitan areas will have their hands full adjusting to the growth in the services industries without further massive manufacturing plant loads.

I am not so naive as to think that in this area of industrial development and population growth that everything is cut and dried. In my company, for example, we now have five plants in metropolitan areas. We are in the process of some necessary expansion in three of these plants. We have rehabilitated all of them in order to raise their productivity.

I do not think for the future that it would possibly come about that all new manufacturing plants could be located in the counties of smaller population, but I would hope that a greater portion would be so located than has been the case in the past so that the work force made available by the reduction in numbers of farms would not have to move to the metropolitan areas to find work.

SOME DECENTRALIZATION GOING ON

Assuming it to be desirable, how is this scattering of new manufacturing plants to be accomplished? In England and France, for example, it is done by government fiat. Belgium has a most effective voluntary program that stresses the logic of utilizing available rural labor, lower taxes, and low-cost real estate. I think in our country decentralization is now going on to some extent and will be done to a much greater degree as the relative merits of locating in small rural-type communities become more apparent to our manufacturing companies. Lower costs will be an important factor and here I do not mean labor rates, except as they reflect lower living costs.

There are many places in our country where manufacturing can be located away from the metropolitan centers. Of the Nation's 28,800 manufacturing establishments with over 100 employees, only 2,062 are located in these rural counties. This is about one such plant per county. Now it is true, of course, that a part of this land is represented by mountainous or desert areas, but even if we allow for this, there are literally thousands of small places hungering for manufacturing industries. Also, most counties away from metropolitan areas, that have 25,000 to 100,000 population, are far from being overcrowded with manufacturing plants.

Using our company as an example, we recently completed construction of a million-square-foot plant that will ultimately require about 1,500 people in Paris, Tex., a community of about 21,000 people. This was a very close decision as we had dozens of opportunities to go into small places in Texas where conditions were adequate in all respects. We were in the happy position of being able to choose one out of at least a dozen excellent communities. We are now constructing a plant in Sumter, S.C., a town of 23,000. This plant could have gone into any one of 50 locations in the southeastern part of the country, all with adequate land, labor, water, utilities, etc.

I could give examples of other such plants in Ohio, Maryland, Indiana, Minnesota, Nebraska, Arkansas, California. These plants are located in towns as small as 2,000 population. In these places, employees are sometimes drawn from a radius of 15 to 20 miles. In the past 15 years, our medium-size company has added roughly 14,000 employees in smaller communities as our business has expanded. This has meant that some 50,000 to 60,000 family members have been held in their home communities rather than forced to drift into larger places looking for jobs plus at least that number of people in the services industries dependent on money circulating from those families.

PROBLEMS CAN BE OVERCOME

Of course, there are some obstacles to operating manufacturing plants in small cities and towns. The difficulties might be considered to be these: lack of management and executive personnel—reluctance of some company executives or their wives to take assignments in small communities—lack of trained mechanical workers—inadequate utilities—lack of construction work forces. Of all of these, the most serious one is the possibility of inadequate utilities. It may be necessary to put in ones' own water or sewage system. This is an extra cost, of course, but we have found it to be more than offset by the lower tax rates. The matter of the lack of trained people is a myth in my opinion. The men and women from farms and small towns tend to have good work habits because of their way of life and their early training. Our organization at Paris, Tex., for example, where we took a green force from scratch and trained it to handle some of the fastest metal working machines, such as, can body makers and aluminum presses, and intricate electrical devices, such as, electronic sorting machines, automatic controls and computers, developed the necessary skills in at least as short a time as is par for the course in urban centers.

Being the main industry in a town has many advantages but also I suppose has the disadvantage of being constantly in the spotlight. However, an industry that deals fairly with its neighbors and employees has lots of friends. This can be important during critical periods.

Small towns cannot compete with large centers for cultural activities—the theater, museums, concerts, lectures, etc.—but I don't think this is a critical matter. There are fast airplane services, national magazines, national newspapers, and national radio and television, but most of all, the fast and fre-

quent means of travel permits those who live in small places to visit large cities with great ease and at low travel cost. And, I suppose, we might put forth the advantages of communing with nature as being a cultural advantage favoring the small town.

If someone should ask us whether rural places and small towns can equal the urban centers as the spawning grounds for business, government, education and scientific leaders, the record to date indicates that the answer is "Yes." For example, of the 100 presidents of the country's leading industrial firms, 23 were born in metropolitan areas, but 41 came from small towns or rural communities. Of the 100 U.S. Senators, only 13 came from metropolitan areas, while 59 came from the predominantly rural counties. For the President and his Cabinet composed of 12, only 3 came from metropolitan areas, and 5 came from rural places. Of the 20 heads of the Nation's leading colleges and universities, only 3 were born in metropolitan areas, while 12 came from small towns and farms. Of the 20 top men in the National Academy of Sciences, which includes 11 members of the Council and 9 division Chairmen, 4 were born in metropolitan areas, while 9 were born in small places. This does not prove that the rural counties are better than the metropolitan areas for developing future leaders, but it does indicate pretty persuasively that there is no disadvantage to being born and brought up on a farm or in a small rural town.

I think I have certainly shown a leaning toward locating a fair share of manufacturing plants away from the big population centers at this stage in our country's development. My purpose has not been to disparage the big city, but rather to indicate the importance of avoiding further unnecessary overcrowding and additional distortions in our already mammoth centers that will result through failing to provide jobs in the rural counties for the coming millions from these rural counties who will need nonfarm jobs.

HON. EUGENE V. ALESSANDRONI, DISTINGUISHED JURIST

Mr. SCOTT. Mr. President, Pennsylvania lost a distinguished jurist and I lost a lifelong friend when Judge Eugene V. Alessandroni died on Thursday.

He and I served together as assistant district attorneys in Philadelphia. Our paths crossed often in public life and our friendship strengthened over the years. I have enjoyed the warm kindliness of an unforgettable man.

Judge Alessandroni was the son of a stonemason in Capestrano, Italy. His parents brought him to America at the age of four and then he went on to illustrate the American dream of beginning at the bottom and working his way to the very highest councils of American public life.

Along the way he joined organizations and contributed to the cultural wealth of our society in almost more ways than could be mentioned. He was a good family man and it is worthy of some note that his nephew is Walter E. Alessandroni, attorney general of Pennsylvania and candidate for Lieutenant Governor of our Commonwealth.

It was an honor to have known him and a privilege to have been in his company. America, Pennsylvania, and his home city of Philadelphia are the better for Eugene V. Alessandroni having been here.

I ask unanimous consent to insert into the CONGRESSIONAL RECORD an article that appeared about Judge Alessandroni in the Philadelphia Bulletin of March 3, 1966.

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

JUDGE ALESSANDRONI DIES; SERVED 38 YEARS ON BENCH

Judge Eugene V. Alessandroni, president judge of Common Pleas Court No. 5, died today in University Hospital.

Judge Alessandroni, who was 80, dean of Common Pleas Court judges in point of service. He served for some 38 years, the last 11 as president judge.

Although Judge Alessandroni was in and out of the hospital for the past several months, he was active in court affairs up to his death. Only last week, he ordered the signing by his associate, Judge Theodore L. Reimel, of the court order which lifted the ban on hearings by the Police Advisory Board.

Judge Reimel will become president judge of Court 5.

The other judge of Common Pleas No. 5, Judge Leo Weinrott, visited Judge Alessandroni last night with the latter's nephew, Edward DiNardo, clerk of Court 5.

Judge Alessandroni had been in the Ravdin Pavilion of the hospital for the past 3 weeks.

BORN IN ITALY

Judge Alessandroni was born in Capestrano, Abruzzi, Italy, on January 24, 1886. His middle initial stands for Victor.

His father, Pier, was a stonemason. His mother's name was Carmela.

Young Eugene was brought to America at the age of four and the family settled in South Philadelphia.

He attended public schools, then went on to Central High. After school, he worked in his father's wholesale grocery.

ENROLLED AT PENN

From there, he enrolled at the University of Pennsylvania in the days when the tuition was around $165 a year.

It wasn't much money, but it required sacrifices of the Alessandroni family. Eugene did odd jobs. His brother, Joseph, pitched in, too.

When only 19, Eugene was graduated from Penn's Law School and had to wait 2 years before he was old enough to be admitted to the bar. He started his practice in 1907.

But law alone didn't occupy this young man. He had a deep concern for the problems of Italian immigrants. He knew them firsthand.

SONS OF ITALY HONOR

In 1911, he became secretary of the committee in charge of the first Congress of Italians in the United States.

He joined Italia Lodge No. 77, Order Sons of Italy in America, in 1913, and devoted his untiring energies to expanding that organization.

Judge Alessandroni had been unopposed for 39 years as grand venerable of the Pennsylvania Lodge, Sons of Italy, and in 1959 got the highest honor of the national organization at its Boston convention. It was the Guglielmo Marconi Award.

In 1923, he was decorated by King Victor Emanuel of Italy.

By this time, Judge Alessandroni was sharing his pleasures and problems with the former Ethel Hope Tumbelston, whom he married in 1909.

Judge Alessandroni was a Republican.

ELECTED JUDGE

Mrs. Alessandroni died in 1952. Their only child, a daughter, Hope, died in 1960.

In 1919, he was appointed an assistant district attorney and served until 1927, when he was elected a judge of Common Pleas Court No. 5.

Since then he had been reelected for 10-year terms without opposition.

The judge was for years in the forefront of this city's Columbus Day affairs.

His other community activities included membership on the boards of the Union Home for Old Ladies, Eagleville Sanatorium, and the Philadelphia CARE Committee.

ACTIVE IN ORGANIZATIONS

He was a member of the American, Pennsylvania, and Philadelphia Bar Associations; the American Academy of Political and Social Sciences; the Zoological Society of Philadelphia, University of Pennsylvania Museum, the Knights of Columbus, and the Alumni Society of the University of Pennsylvania.

Judge Alessandroni also belonged to the Contemporary, Lawyers' and Sociolegal Clubs.

An accomplished pianist, his love of music got him interested in the Philadelphia Orchestra, of which he had been a director.

Judge Alessandroni was an honorary citizen of Cassino, Italy. He spent much time raising money for an orphanage there built to honor American soldiers who died there in World War II.

In raising these funds, he served as national chairman of a campaign put on by the Sons of Italy.

HONORED BY ITALY

Italy honored him on other occasions, as well.

It made him a Knight Commander of the Crown of Italy in 1919 and gave him the Star of Solidarity of the Republic of Italy (first class) in 1957 and the same year made him an Officer Chevalier of the Order of the Republic of Italy.

In 1959, he was named a Commander of the Order of Merit of the Republic of Italy.

After Italy surrendered in World War II, he organized the Italian Relief Fund of the Sons of Italy and helped found the American Committee for Italian Democracy as well as the Committee for a Just Peace With Italy.

He flew to the Paris Peace Conference in 1946 in behalf of the Italian-American Labor Council.

Besides Italian-American affairs, Judge Alessandroni's interests included minority groups, art, and travel.

The judge was a great storyteller. He spoke extemporaneously, spicing his words with humor.

He attended Our Lady of Lourdes Roman Catholic Church, 63d Street and Lancaster Avenue.

Surviving are two brothers, Joseph and John, both lawyers.

He was the uncle of Walter E. Alessandroni, State attorney general. Walter is the son of Joseph.

Judge Adrian Bonnelly, present judge of county court, said of Judge Alessandroni:

"He was an outstanding jurist, accomplished scholar and the essence of gentlemanly perfection. I knew him over 50 years. The bar has lost a most capable and upstanding jurist and I have lost a true companion and friend.

COME TO SPRUCE KNOB

Mr. BYRD of West Virginia. Mr. President, the success of the Izaak Walton League of America in its continuing efforts to preserve and conserve the boundless natural resources of our great land is well known. Like most other Members of the U.S. Senate, I admire the league's perseverance in these efforts.

The March edition of the magazine, the Izaak Walton Outdoor America, carries an article entitled, "Come to Spruce Knob," which extends a general invitation to all its readers to visit the new

Spruce Knob-Seneca Rocks National Recreation Area in West Virginia.

I was pleased to extend this invitation because I believe the enjoyment of the scenic beauty at Spruce Knob is an experience that should be shared by millions of people. I hope it will be just that.

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:

COME TO SPRUCE KNOB

(By U.S. Senator ROBERT C. BYRD)

One of my New Year's resolutions on January 1 was to extend a welcome far and wide for many people to spend a vacation at one of the country's newest and most picturesque pleasure areas—the Spruce Knob-Seneca Rocks National Recreation Area in West Virginia.

Picture 100,000 acres of rolling hillsides, dotted with forests of stately and colorful trees, mountains with steep slopes, sheer cliffs, and large rock formations that rise spectacularly from the valley floor and hillsides. Here and there are impressive geological exposures, limestone caverns, alpine-type high meadows, and picturesque valleys. Waterfalls, clear mountain streams, and large springs add the final touch to the portrait of nature at its finest hour.

It almost sounds too good to be true, and that is why I never rested until I saw it protected as a national area—to guarantee its lasting value as a site to be visited and enjoyed by the public. I first began my campaign to preserve this section of the country in 1963 and saw it signed into law by the President on September 28, 1965. I believe the Izaak Walton League of America can take full pride for its endorsement of this project given in testimony to congressional committees.

They also provide an inspiring backdrop for camping, picnicking, sightseeing, hiking, and mountain climbing, as well as nature studies.

What will we do with all this beauty? We are certainly going to take care of it, preserve it, and develop it only in the most careful manner so as to make it available for more people to enjoy. The U.S. Forest Service will manage it and work closely with the West Virginia Department of Natural Resources to bring out its full potential for outdoor recreation.

There will be some additional facilities, giving each of the many types of users the kind of recreation sought. There will someday be scenic roads and overlooks for those traveling by car. There will be campgrounds, picnic areas, and related facilities.

There will also be rugged back country for those who want less of civilization's trimmings. Rock climbers and cave explorers will continue to enjoy this country. The clear headwaters of the South Branch will continue to provide pleasure for white-water canoeists and fishermen alike.

I consider the Spruce Knob-Seneca Rocks National Recreation Area as one of the best investments that this Nation can make in its public lands. We will be making needed capital improvements in an outstanding area adjacent to the populous northeastern and midwestern regions.

I hope many people will find time to enjoy it.

One of the most exciting aspects of Spruce Knob to me is its proximity to the great population centers of the country where huge developments have just about eased out all but the smallest patches of greenery.

It has been estimated that more than 30 million people live in urban areas within a 250-mile radius of Spruce Knob-Seneca Rocks, and that there will be a million visitors a year at the recreation center by 1970 and eventually some 5 million a year.

Travelers can reach the center from U.S. Highways 50 or 60, which are in close proximity to Grant and Pendleton Counties of West Virginia.

The central attraction in the new development will be Spruce Knob, the highest peak in West Virginia, with an elevation of 4,860 feet.

But, with no effort to exaggerate, there are attractions just everywhere for the visitors—camping, picnicking, hunting, fishing, sightseeing, winter sports, canoeing, rock climbing, and the mere sheer enjoyment of scenic and natural historical values.

A catalog of the features would range from the South Branch of the Potomac River and its tributaries, which snake through the mountains offering white-water canoeing and excellent fishing, to the high mountain country around Spruce Knob and Spruce Mountain, North Mountain, Cave Mountain, and other high ridges providing scenic vistas and varied opportunities for public recreation.

To the people who marvel at the wonders of the earth's formation, there are the Spires of Seneca Rocks, Blue Rock, Eagle Rock, and the Smoke Holes, Seneca Caverns, and other caverns and caves. They are all historic homes of early American Indians, and they illustrate the magnitude of the power that shaped the earth.

LOBBYIST ACTIVITIES BY BAR ASSOCIATIONS AND BY INDIVIDUAL LAWYERS, AND THEIR ROLE IN THE LEGISLATIVE PROCESS

Mr. BYRD of West Virginia. Mr. President, James Madison, writing in Federalist No. 10, speculated that the mischief of "factions"—or special interest groups—could be cured either by removing the causes or controlling the effects. The first was unthinkable because the right to create factions was an essential aspect of a free society. As to the second possibility, he wrote:

> The regulation of these various and interfering interests forms the principal task of modern legislation, and involves the spirit of party and faction in the necessary and ordinary operations of the Government.

The role of government as a referee of battling interest groups, though interesting as a subject, is beyond the dimensions of my discussion today. Regulation of interests and interest groups, however, has now become a major function of government, and the obverse of this situation, the efforts of interest groups to influence the Government, more specifically the Congress, is a subject of particular concern. In this regard, although I do not by any means categorize the American Bar Association as an interest group in the sense of being a "battling faction" with selfish interests to advance, I will devote a major portion of this discussion to its so-called lobbying efforts because of the interest of attorneys in its activities.

The key word, if I can use such a term, is "influence." It exists in numerous forms and operates in a multitude of fashions. Its effect, for instance was evident on the man who had just bought a new baby-blue Cadillac. The salesman was interested in uncovering the effects of their costly, recent, advertising program.

"I wonder if you would tell me what was the one dominating thing that made you buy this car?", the salesman asked him.

"My wife," said the customer.

I have no intention of equating the influence of attorneys and the American Bar Association upon legislation to that of the lady in the purchase of the car, but the record is very impressive, and in fact should be because of the natural relationship of the bar to the legislative process.

I shall, therefore, explore the influence of the bar upon the content of statutes, the work of members of the bar from the outside, as lobbyists, rather than from the inside as legislators.

The lobbyist has often been depicted as a rather rotund man with a large black cigar and a large black bag overflowing with legislative bills, legislative data, and also a more material consideration for influencing votes. The term itself was derived from newspaper shorthand in the late 1820's for persons who frequented the lobbies of government buildings in order to speak to legislators or officials. Stories are told from the days of the robber barons about the lords of the railroads or the oil industry descending upon State legislatures with suitcases stuffed with currency. It perhaps on occasion happened to Congress, as the infamous credit mobilier scandal in the 19th century testifies.

It was done under cover of the right to petition and the right of free speech. There is no doubt that in the past, abuses of these rights have occurred. Congress, from time to time, has undertaken investigations of such abuses and has ultimately adopted self-protective measures.

In 1852, the House of Representatives forbade access to the floor to newspapermen employed as agents to prosecute any claim pending before Congress. In 1854, the House established a select committee to investigate the efforts of Samuel Colt to secure extensions of a patent including alleged offers of money to Members or use of other illegal means to secure passage or defeat of a bill.

In 1867, the House modified its rules to exclude from floor privileges former Members who were interested in claims pending before Congress.

In 1876, the House adopted a lobbyist registration resolution, but its duration was only during the 44th Congress.

Bills to regulate lobbying and lobbyists began to be dropped into the hopper with some regularity beginning in 1907. In 1913, one of the most thorough investigations of lobbying was carried on by a select committee of the House relative to the activities of a former lobbyist for the National Association of Manufacturers.

The report issued by the select committee—House Report No. 113, 63d Congress, 1913—is one of the most extensive and penetrating ever produced on lobbying. It revealed that the chief page of the House was in the employ of an NAM lobbyist and kept his employer advised of what transpired in the House cloakrooms and in personal conversations on the House floor. The lobbyist was permitted the use of a room in the Capitol Building itself, and his intimate contacts

with leading Members resulted in his securing advance information regarding pending and proposed legislation. It was even averred that the NAM lobby controlled the appointment of Members to committees. Incidentally, I wish to call attention here to "Congressional Lobbies: A Chronic Problem Reexamined," by the late John F. Kennedy, written when he was a Senator, 45 Georgetown Law Journal 535, summer 1957.

In 1927, the Senate did pass a lobbyist registration bill, but it died in the House.

Finally, as a result of the exposure of public utility scandals in 1935 and 1936, Congress added a provision to the Public Utilities Holding Act of 1935 (40 Stat. 825) requiring registration of those who would "present, advocate or oppose any matter" affecting holding companies before Congress, the SEC or the FPC. A substantially similar provision, but tied to the Federal Maritime Board and the Secretary of Commerce, as well as to Congress, was included in the Merchant Marine Act of 1936 (49 Stat. 2014).

In 1938, the Foreign Agents Registration Act was passed (52 Stat. 631) requiring anyone representing foreign governments or principals to register with the Department of Justice.

By the end of the 1930's, then, Congress had passed a number of laws requiring the registration of lobbyists in particular circumstances—including a statute early in the century prohibiting lobbying with appropriated funds (41 Stat. 68 (1919)).

No general act, however, had been passed.

Then, as title III of the Legislative Reorganization Act of 1946 (60 Stat. 839; 2 U.S.C. 261–270) Congress enacted the Federal Lobbying Act requiring anyone who solicits or receives funds for the purpose of lobbying Congress to register with the House Clerk, the Secretary of the Senate, and/or to file quarterly financial reports.

The act has not been amended since its enactment although it was the subject of a searching House committee probe in 1950, and of another by the Senate Committee on Government Operations, in 1956. It also received attention in an appraisal of the operations of the Legislative Reorganization Act of 1946, by that latter Senate committee, in 1951.

As the first and only general Federal lobbyist registration law, the 1946 act did not restrict the activities of lobbyists. Involved were the vital constitutional rights of freedom to petition and freedom of speech. Consequently the statute was an exposure law requiring individuals or organizations, except those regulated by the Corrupt Practices Act, who solicit or receive money "to be used principally to aid, or the principal purpose of which person is to aid" in influencing legislative action, to register with the Clerk of the House and the Secretary of the Senate providing such information as who his employer is, his legislative interest, and how much he is to be paid.

Registrants must file quarterly reports of contributions received and expenditures made. Violators can be fined up to $5,000, or imprisoned 1 year or both and shall be prohibited from lobbying for 3 years.

It is essentially a criminal statute, but there have only been three convictions under it. These occurred in 1956, in a situation involving the natural gas bill in which a campaign contribution of $2,500 was attempted to be left with the late Senator Francis Case of South Dakota by two attorneys acting for the Superior Oil Co. of California. Senator Case did not accept the money, and in December 1956, the two men, John Neff of Nebraska and Elmer Patman of Texas were found guilty of violating the lobbying act by failing to register although engaged in lobbying the natural gas bill. They were fined $2,500 each and given 1-year suspended sentences by the U.S. District Court in Washington, D.C. The Superior Oil Co. was fined $5,000 on each of two counts of aiding and abetting the two men to violate the lobbying law.

Other investigations of lobbyists, subsequent to these convictions, took place in 1959 when a House Armed Services Subcommittee examined the role of former military and defense personnel in winning defense contracts for private business, and in 1962, when the Senate Foreign Relations Committee investigated the activities of lobbyists in regard to the extension of the Sugar Act.

The subject has occupied a fair proportion of congressional time over a period of almost a century and a half. Lobbying is an essential element in our system of representative government. The making known of views of interested parties—sometimes contradictory—to the legislative branch is a vital process in governing. The right to make such views known rests upon solid constitutional foundations.

As the Supreme Court declared in *U.S. v. Harriss*, 347 U.S. 612, 625 (1954):

> Yet full realization of the American ideal of government by elected representatives depends to no small extent on their ability to properly evaluate * * * pressures. Otherwise the voice of the people may all too easily be drowned out by the voice of special interest groups seeking favored treatment while masquerading as proponents of the public weal. This is the evil which the Lobbying Act was designed to help prevent.

The Court continued:

> Toward that end Congress has not sought to prohibit these pressures. It has merely provided for a modicum of information from those who for hire attempt to influence legislation or who collect or spend funds for that purpose. It wants only to know who is being hired, who is putting up the money, and how much. It acted * * * to maintain the integrity of a basic governmental process.

The act itself, however, has been the subject of considerable criticism, as have been the few court decisions, notably the Harriss case, wherein its constitutionality has been sustained.

The law does require exposure and undoubtedly has flushed out into the open many lobbyists who were unknown to the public and even to many Members of Congress. It has contributed to making the lawmaking process take place in a goldfish bowl.

The act does contain certain exemptions, that is, those required to report under the Corrupt Practices Act—political committees—those who merely appear before a committee of Congress in support of or in opposition to legislation, public officials acting in their official capacity, and newspapers and periodicals.

The Harriss decision, by construing the act narrowly, left large gaps in its coverage and limited its effectiveness. The Court held that the act only applied to groups or persons who solicit, collect, or receive contributions for the main or principal purpose of influencing the passage or defeat of legislation through direct communication with Members of Congress. The Court felt that it had to so construe the act as a legitimate protection of the integrity of the governmental process in order to dispose of allegations that the law invaded the realms of the right to petition, of free speech and press, and so forth.

The Court's interpretation has permitted groups or individuals that spend their own money to finance activities designed to influence legislation and without collecting or soliciting from others, to avoid registering.

It has allowed numerous organizations to argue that the principal purpose for which they collected money was not to influence Congress and consequently there was no need for them to register.

Others have asserted that since the essence of the act is communication with Members of Congress, they were not covered where their activities were confined to influencing the public on legislation.

Another ambiguity concerns the kind of communications with Members that are covered. Do they include mere informational contacts, for instance?

Finally, other weaknesses in the statute relate to its administration. Registrants themselves make the determination of what portion of total expenditures to report. No person, or committee, or group was empowered to examine and investigate reports to ascertain their truthfulness. While the Justice Department must prosecute, it was given no mandate to investigate.

Various recommendations as to the improvement of the law have been made by congressional committees and others, but they have yet to be acted upon. The current Joint Committee on Reorganization is examining the subject and most likely will report amendments.

The act has only partially admitted light into the catacombs wherein many lobbyists work. Changes are necessary so long as they are confined to the constitutional spectrum. It is to be hoped that they will shortly come about so that the process of lobbying as an essential component of the democratic system can contribute most meaningfully to the Nation.

For lobbying, despite what has been said about its abuses and the fact that it often panders to selfish interests, is an integral part of the governing process. At its best it has an informative function for both Congress and the public about matters that require attention. It may often, as generally in the case of bar associations, be directed to some larger view of the public interest which does not specifically benefit its members. It helps to

stimulate public debate and encourage the development of a national consensus. It is an avenue of approach to Congress for the needy or those wronged by society. It supplies legal support for proposals, or precedents against them. It provides practical and concrete illustrations of how legislation would affect those within its ambit. Technical information, originally research, and even suggested drafts of bills or amending clauses are often supplied by lobbyists. Perhaps, most important of all, the presentations of interest groups of all colors of persuasion enable Congress to partially gage the needs and temper of the Nation and give to that body and the public a far clearer portrayal of problems and of the real meaning of certain proposals.

At its worst, lobbying can involve bribery and conflicts of interest and while Federal statutes prohibit both activities few have been the lobbyists who have been convicted thereunder. The statutes are available though to deter those who might consider going beyond a mere failure to register under the lobbying act.

Related to the subject of lobbying in its broadest connotation are the Federal Corrupt Practices and Hatch Acts which require certain reporting of campaign contributions and expenditures, set limits on contributions, and forbid corporate and labor union contributions or expenditures on behalf of candidates in Federal elections. These topics of serious import are, however, beyond the limits of this discussion.

Lobbyists and lobbying include a wide spectrum of types of activities and functions. Lobbyist is often used as a synonym for "pressure group," meaning an organization or person whose activities are directed primarily at influencing the decisions of Congress.

It can refer to propaganda activities designed to influence the electorate on a particular issue and consequently indirectly to influence Congress.

Lobbying can relate to groups engaged in general educational campaigns espousing a set of principles of government or general policies, which groups may directly influence Congress and/or the public.

Lobbying may relate to a narrow interest of the members of a group or to more general matters of public benefit to be shared by group members as citizens.

Often a lobbyist works on behalf of others, either a group or a person, generally for pay, and attempts to influence Congressmen through direct contacts.

A lobbyist may or may not be required to register under the 1946 act. As has been noted, loopholes in the act itself, as well as augmentation of such through judicial decision, have enabled numerous persons and organizations, popularly thought of as engaged in lobbying, to avoid the necessity of registering and reporting.

Lobbying in some respects has accelerated with the growth of the Federal Government and the extension of its activities into additional areas of economic and social concern. In the past, questions of tariff policy, monetary policy, distribution of the public domain, and matters of internal improvement were the inspiration for much of the lobbying activity. Today, labor-management relations, welfare legislation, research grants, defense spending, urban problems, and civil rights matters are among the subjects of continuous lobbying pressure.

Communications developments have resulted in an increasingly expanded role of mass pressure organizations at the expense of the behind-the-scenes operator. Recent times have seen a noticeable reduction in the old "wine, women, and song" plus "folding money" types of pressures. Indirect pressure techniques of mass mailings and promises and/or threats of political support are supplanting the older methods.

Pressure for particular benefits for specific groups is still probably the major focus of lobbying activities, but ideological issues on which particular groups or persons will gain no direct advantages have been the subject of numerous lobbying efforts since World War II. The great labor organizations, for example, have not only lobbied for "bread and butter" issues, but also on questions of civil rights and aid to education, among others.

Among the most continuously active lobbying organizations in modern times, as listed by the Congressional Quarterly (Congress and the Nation, 1945–64, 1965, p. 1591), have been the American Legion, the AFL–CIO, the American Farm Bureau Federation, the National Association of Electric Companies, the National Association of Real Estate Boards, the United Federation of Postal Clerks, the American Medical Association, and the Association of American Railroads. Such a listing itself is suggestive of the vast array of issues of significance to interest groups.

Foremost among lobbyists are, of course, lawyers. They have been active in the lobbying process on behalf of individual clients and in respect to general issues almost from the earliest days of the Republic. While some attorneys are registered under the 1946 act, many are not, primarily because their activities fall within the statutory exemption respecting appearances before congressional committees. Some are registered, for instance, on behalf of estates involved in claims and legal problems with the Government. Some are registered such as was the law firm of former Congressman Dow Harter, of Ohio, because they have been employed to represent specific interests. In this case, it was B. F. Goodrich Co. at one time, and Avon Products, Inc., at another.

The American Bar Association itself is not listed as a lobbyist organization, but the CONGRESSIONAL RECORD of August 30, 1965, shows that two Washington attorneys are registered as representatives of the association.

Attorneys possess a number of advantages which enable them to participate favorably in the lobbying process. Successful lobbying requires perception, persuasion, patience, persistence, and planning, and I recommend, in this regard, a reading of "The Lawyer as a Legislative Lobbyist," by Robert Satter, 34 Connecticut Bar Journal 38, March 1960.

Lobbying, in essence, is systematic advocacy, and demands an understanding and appreciation of the legislative process including not only a knowledge of procedures but also of influential Congressmen. It requires persuasion to overcome hostility and win support. It demands patience with the sometimes inordinately lengthy consideration of questions by a legislature and its committees. It requires persistence to keep working, sometimes against odds and at others to protect a measure against injurious revisions. Finally, it demands planning and provision for a long campaign which can have a duration of several years.

Lawyers make good lobbyists because their training and temperament promote the development of these qualities. They are trained to marshal difficult, often complex facts and present them in an understandable fashion. They have a deep respect for the law as a social value and a real sense of responsibility to the legislature which enacts the statutory law. They are often skilled in the preparation of bills and can meet objections to constitutionality, phraseology, and substance.

And, perhaps as significant as any other reason, lawyers bring integrity and honorable standards to their task. Canon 26, of the Canons of Professional Ethics promulgated by the American Bar Association establishes rigid standards for attorneys who appear as lobbyists. It reads:

PROFESSIONAL ADVOCACY OTHER THAN BEFORE COURTS

A lawyer openly, and in his true character, may render professional services before legislative or other bodies, regarding proposed legislation and in advocacy of claims before departments of government, upon the same principles of ethics which justify his appearance before the courts; but it is unprofessional for a lawyer so engaged to conceal his attorneyship, or to employ secret personal solicitations, or to use means other than those addressed to the reason and understanding, to influence action.

Canon 32, in part, reads:

No client, corporate or individual, however powerful, nor any cause, civil or political, however important, is entitled to receive nor should any lawyer render any service or advice involving disloyalty to the law whose ministers we are, or disrespect of the judicial office, which we are bound to uphold, or corruption of any person or persons exercising a public office or private trust, or deception or betrayal of the public.

And in its opinions, the Professional Ethics Committee of the American Bar Association has required strict adherence to these standards. For instance, it ruled in December 1959, that a law firm may not accept employment to appear before legislative committees while a member of the firm is serving, even though a full disclosure of the relationship is made, and even though the member serving in the legislature does not share in any fees received thereby (45 American Bar Association Journal 1272, December 1959).

Only one case under the 1946 Lobbying Act has directly involved a lawyer and charges that he was lobbying on behalf of clients without registering. The defendant was found not guilty, however, on the ground that his activity had

mainly consisted of preparing statements for witnesses to be given by them before congressional committees, and that such a practice was within the statutory exception excluding from the registration requirement appearances before committees (*U.S.* v. *Slaughter*, 89 F. Supp. 205, 876 (D.C.D.C., 1950)).

Because of the particular circumstances surrounding lawyers including adherence to a code of ethics and to high standards as well as the possibility of scrutiny of their actions by bar associations, suggestions have been made in the past that lawyers should be exempted specifically from the provisions of the Lobbying Act—note 15 George Washington Law Review, 455, 459–60 (1947). It is perhaps a point worthy of consideration in any general revision of the act, but the fact that so many lawyers are lobbyists—although not registered—and that such a determination has been challenged as favoritism by other professional groups, have thus far militated against the adoption of the proposal.

Among the most preeminent of the organizations engaged in lobbying in its broadest and most honorable sense has been the American Bar Association. In his study on group representation before Congress, for the Brookings Institute in 1929, Edward Pendleton Herring noted—p. 185—that the influence of certain lobbying organizations was dependent entirely upon the value of the advice they had to give. "Their words," he reported, "must be weighted with wisdom rather than the strength of numbers." He concluded that the ABA could well boast of both.

From its earliest days, the association through special as well as standing committees has studied and reported on problems relative to the administration of the law and to other national questions and has made its recommendations available to Congress. From the beginning it followed a policy of printing its proceedings including the reports of its committees in its annual reports and has distributed them to all branches of the Federal Government.

In addition, Federal legislation sought by the association is usually presented directly to Congress or to its appropriate committees, by association committees, and in this regard, it is worthwhile to read "History of the American Bar Association and Its Work," Edson R. Sunderland, 1953. For example, this process was used in the past in seeking legislation for the relief of the Supreme Court, 1888–1890; for a Federal code of procedure, 1888; for an increase in judicial salaries, 1888; for a right of appeal from orders appointing receivers, 1897; for protection of bona fide purchasers of land against revenue tax liens, 1900—Sunderland, supra, page 60.

Often, individual members of the association are requested to appeal to their own Senators and Representatives in Congress—for example, in seeking legislation for relief of the Supreme Court, in 1889.

Sometimes petitions are circulated among members of the association and presented to Congress.

On other occasions, as for instance respecting the Supreme Court relief bill, a direct appeal might be made to the President for endorsement of the proposed legislation in his message to Congress—Sunderland, supra, pages 60–61.

The association was largely responsible for the enactment of the Bankruptcy Act in 1898. For 5 years thereafter one of its committees worked in close cooperation with the chairmen of the committees in both Houses of Congress on amendments, and by 1903 virtually all of the changes suggested by the association had been enacted—Sunderland, supra, page 64.

Other early association activities included work on the Federal court system culminating with the establishment of the U.S. circuit courts of appeal by Congress in the early 1890's; adoption of a form of a maritime bill of lading, enacted by Congress in 1893; restoration of the right of appeal, under habeas corpus, to the Supreme Court; amendments to the patent laws; law reporting and digesting, and a host of other subjects.

From the beginning of the century up through 1935, the association, through its committees, engaged in studies, recommendations, and in some instances bill drafting in a host of fields including administrative law, admiralty and maritime law, air law, radio law, bankruptcy, criminal law, insurance law, judicial procedure, judicial selection and tenure, mineral law, patent, trademark, and copyright law, public utility law, constitutional law and rights of citizens, and taxation.

Since 1936, the association has expanded its committee system and intensified its educational activities. Among its many standing committees today are those on the Bill of Rights, Federal legislation, legal assistance for servicemen, and peace and law through the United Nations. Special committees include atomic energy law, civil rights and racial unrest, code of Federal administrative procedure, committee to cooperate with Cuban lawyers in exile, association program for lawyers in Government, and a special committee to cooperate with the Kefauver investigation of interstate crime in 1950–51. Reports and recommendations have dealt with such subjects as procedures sometimes employed by congressional committees in derogation of the rights of individuals, the evacuation of American citizens of Japanese ancestry from military areas, effectual exercise of the right to the writ of habeas corpus, rights of the mentally ill, and amendment of the Federal rules of procedure.

The association has sponsored or supported such landmark proposals as the Administrative Procedure Act, the Self-Employed Individuals Tax Retirement Act, and the constitutional amendment relating to presidential inability and vice-presidential vacancy. It has participated vigorously in support of a public defender act, legislation clarifying accession to public information, conflict of interest amendments, and relief of court congestion through enlarging the Federal judicial system.

The association's lobbying activities, however, extend far beyond professional evaluation of Federal legislative proposals. In many respects it is an educational organization encouraging and promoting creative developments in the law. Two of its offshoots are the loci of such efforts. One such is the National Conference of Commissioners on Uniform State Laws which drafts statutes designed to eliminate chaotic divergencies among State laws. The second is the American Law Institute concerned with restatements of law designed to produce order in judge-made law by criticism and collection of the welter of conflicting decisions across the Nation.

Perhaps the most important educational function of the association, at least as respects the public at large, is its continuous program of production of materials and information about the Constitution and the meaning and place of law in our system. Law Day which is now celebrated throughout the Nation, for instance, is the brainchild of one of the association's past presidents, Mr. Charles S. Rhyne.

Truly, the American Bar Association is one of the country's outstanding lobbying organizations. In working on its committees and participating in its activities, attorneys can assume a role of influence in the highest meaning of the term.

The law and lobbying are naturally correlative activities. Despite some of the abuses that have been heaped upon it, the lobbying process is an essential component of American government. It works successfully on many occasions for numerous reasons not least of all being the fact that those most fully engaged in it are lawyers.

The legislative process as we practice it could not function without lawyers, for they, more than any other group in our society, fully understand the democratic legislative process and the many requirements incident to the preparation and passage of legislation. Our society is almost totally dependent upon attorneys for the procedural, administrative, constitutional, and technical guidelines within which statutory law functions.

The range of subjects and the variety of organizations on which lawyers are called upon to lobby is legion. They represent commercial and labor interests forcefully and honorably. They appear on behalf of volunteer citizen organizations seeking the passage of a worthwhile bill. They represent individual clients with claims on society's compassion. They speak for their bar associations in attempts to remedy defects in laws revealed by experience or decisions, or to press for some reform with which the legal profession is deeply concerned.

Lobbying is a challenging and rewarding function of the lawyer. It demands a full panoply of skills and talents associated in large part with his experience and training. It involves him in direct participation in the workings of the democratic legislative process. It reaches the heights of satisfaction when

a statute, enacted through his efforts, benefits not only his client, but the people of the Nation as well.

THE THREAT OF DRUGS TO YOUTH

Mr. DODD. Mr. President, I ask unanimous consent to insert into the RECORD at this point a collection of articles published recently in Newsday, Garden City, Long Island, N.Y.

The concern of this newspaper and its publishers is clearly with the youth of America, and how youth is led into the purgatory of pill addiction, narcotic addiction, and crime for money to feed their habits.

The people who rely on habit-forming drugs to get through each day, and who must have drugs legally or illegally, even if they have to steal or get them, are the people who contribute most to our crime problem.

And then there are those who pander to this illicit trade, men who live off the wracked bodies of addicts.

I believe that the aim of Newsday was to get to the heart of that problem. I know that Newsday's portrait of drug abuse as it moves from the slums through the suburbs is accurate.

I was particularly impressed by the reporting of Martin Schram and Bob Greene, and other Newsday staff members who ran some risk to inform the public.

The threat of drugs to our youth, and the modus operandi of those who profit by this trade, are amply told in these articles.

I commend it to my colleagues.

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

[From Newsday, Jan. 5, 1966]

DOPE PUSHER: BUSINESS IS GOOD

(By Bob Greene)

Newsday has interviewed a man described by Suffolk police as one of the major heroin pushers on Long Island, although police have never been able to get evidence against him. His base of operations has been in western Suffolk. The interview was conducted in secret and the pusher was promised he would remain anonymous in any reporting, since he freely admits to criminal acts; the purpose of the interview was to demonstrate the scope of heroin addiction on Long Island and the operations of a typical pusher. The pusher here is not an addict himself, he moved from Manhattan to Long Island and has never been convicted despite diligent police observation. Here is what he was asked and what he said:

Where do you operate?

I've been in a different part of ——— town over the past couple of years. But business has gotten so big that I rented a room for an office so that people wouldn't bother me at home.

How many customers do you have?

I got about 100 customers, sometimes more, sometimes a little less. There are about nine other pushers in town that are big. Between us we got 300 to 350 customers. They bounce back and forth. Most come from the town, but a few are from other places and they come in to score.

What kind of customers do you have?

My customers are all kinds, man. I got women in furs, square guys with neckties and all that, bums, kids, all kinds. You couldn't say there was one type. They're all hooked. Most of them that come in look OK, but a lot of them have the shakes real bad when they come in. They'd do anything to get that fix. They say: "Please ———, please give it to me quick." They're so bad off some of them, they cook (heat the heroin) and pop (inject it) right in front of me. Sometimes the kids need it real bad, but they got no money. If they look real sick and I don't need the money, sometimes I give them a bag (glassine bag containing enough powdered heroin for one injection).

One thing, though. All the American kids come in for it, they look clean cut. But sometimes the Spanish (Puerto Rican) kids look like they need a shave—bad. You know, just like the pictures you see of junkies. So I tell them to wash up, look clean. They should have pride, too. I had one bunch of kids that paid for their kicks by stealing cartons of cigarets from all over Suffolk. They'd do 150 to 200 cartons a week and peddle them for $1.80 to $2 a carton. They were good customers.

Where do you get your heroin and why do you sell it?

I get it from Manhattan. I got a lot of connections in there. I can connect at a lot of different places. Why do I sell it? Money, man, money, the same reason guys run saloons and grocery stores. But in heroin the money is bigger and there's no taxes. Like I go into New York and buy a half a loaf (roughly a handful). I pay $120 to $150 for the half loaf. I bring it back and bag it myself (put it in individual glassine bags). I get about 100 bags out of a half a loaf. That means I sell it for $5 a bag. I make $350 on each half loaf and I can go as high as a loaf a week.

Do you try to hook more people on the habit to build your business?

Who needs it? I never hooked anyone in my life and I don't have to. The customers are already there, more than you can handle. Set up in business, make one sale and the junkie grapevine is really working. The next thing you know, they're knocking you down in the rush. You can't get enough stuff to handle the trade, people who came out from New York hooked, people out here they hooked for company, and kids on their way up from pills and cough medicine and the rest of that ———.

So with all the business—and we got it here—why take the risk of hooking some kid? All this talk about pushers going around hooking people so they can sell it is a lot of ———. Everybody is against the pusher who isn't hooked himself. The law says burn him. But everybody feels sorry for the addict who is the pusher, too. They say feel sorry for him. Man, that's the dangerous man. He's hooking people so he has company. It makes him feel better. That law is a crazy thing.

Don't you feel you are doing wrong?

No. I don't feel bad about selling the stuff. I'm not hooking them. I even try and get them good stuff. In New York, my connections cut the strength of the heroin with quinine or milk sugar. Too much quinine and my customers feel it burn when they roll up the sleeve and put it in the main vein. Too much quinine burns going in. They complain. Sometimes they put in too much milk sugar. That don't burn but my customers complain they get no kick popping. So I go raise hell with my connection and change if it doesn't get better. My customers are already hooked. If I don't sell them, someone else will. So why shouldn't I get the money. I don't cheat them or hurt them. Better me than someone else.

What about cough medicine and pills?

I don't touch it. That's for kids. All over the place the kids are talking about it. I'll get a few of them later. But the big thing all over in Suffolk and Nassau is pot (marijuana). I take it once in awhile myself. I been to lots of pot parties out in the Hamptons, in Nassau, New York. Man, that's everywhere.

Is this the only place that heroin is being sold on Long Island?

You gotta be kidding. My town is no different than any other town on Long Island. We got the same nice people as other towns. All the towns are the same. I even know guys pushing in the other towns. But those towns are their turf and I stay out. There's plenty of business for everyone, so why go looking?

[From Newsday, Jan. 4, 1966]

DRUG STORY WRITER BEATEN

PLAINVIEW.—Newsday reporter Bob Greene told police he was beaten up outside a Plainview bar last night by six youths after he attempted to buy drugs in connection with a series of articles on the Long Island drug problem.

Greene said he contacted the youths in the Esquire Bar at 433 South Oyster Bay Road to keep an appointment to make the buy. He did not get the drugs but the six followed him from the bar at about 11:45 and ganged up on him in the parking lot in front of the bar, knocking him to the ground, he told Eighth Precinct Detective James Wylie. He said he heard one say, "Don't do any more now," and the pummeling stopped, giving him a chance to dash to his car and drive away.

The reporter drove east on Northern State Parkway and he said the six youths followed, but kept going when Greene stopped next to a parkway police patrol car. He was treated for face cuts and bruises at Smithtown General Hospital and released.

[From Newsday, Jan. 4, 1966]

LOOKING FOR KICKS? JUST SEE "JOE"

(EDITOR'S NOTE.—Newsday Reporter Martin Schram worked his way into a group of young punks to take a look at how and where they get their dime store kicks on codeine cough medicine. His experience would be merely trite if it did not represent, for many, the first step toward addiction.)

(By Martin Schram)

"If you're really people, buddy, and you ain't no uncle, you swig first." The 20-year-old tough drew his finger across the word "day" on the medicine bottle. "Down to here, a big happy swig."

He passed me the medicine bottle. His three buddies looked on and waited. Being people is good. It's being in. Being uncle, however, is bad. And when you're outnumbered 4 to 1, it's downright unhealthy. Uncle, from television's "The Man From U.N.C.L.E.," is punkese for undercover agent.

If I turned out to be people, these toughs promised to cut me in eventually on 200—maybe 400—pep pills. My pusher pals were waiting. It was time to put up or shut up and maybe get beat up. So I swigged. And thinking of the 4 to 1 odds, I swigged big, well past the "day" mark on the label. After all, I was people.

This was the first of four stops in a recent joyride for cough syrup and kicks. We were sitting in the cramped confines of a foreign car sedan, parked in front of Korvette's department store in Huntington Station's Walt Whitman Shopping Center. Korvette's was No. 1 on the gang's unwritten two-county list of easy hits.

"You can cop (buy) here, man," one had told me moments before. "Just walk into the store, go to the pharmacy counter, and ask for any codeine cough medicine. They'll make you sign their register, but you can probably sign any name you want without them checking for ID (identification)."

That's how it worked. I got Robitussin A–C, which contains one grain of codeine per ounce (the maximum allowed without a pre-

scription). I signed my own name and address to the list, but could just as easily have signed yours. After I returned to the car and swigged to prove I was people, two others went in to cop codeine preparations.

We sat there, swigging, each getting "a good high." Getting a good high on codeine cough sirup is almost like getting a good high on whisky. You get the same lightheadedness, and the same giddy or moody, happy or sad feeling you'd get from booze. It just takes less medicine than liquor to get a good high, and it's cheaper. So kids with few coins in their jeans go to the cough sirup for kicks. Then they're happy * * * they're high * * * they're big men.

It wasn't hard to find a source for cough medicine and contraband barbiturates and amphetamines. It just meant looking around a little and listening a lot. I found my contacts in the Plainview shopping center by dropping a few hints with the youthful clientele of a bar and Mickey's luncheonette just a few doors to the north. I was a guy who had worked a couple of years and was now going to college. I wanted codeine, goofballs (barbiturates), bennies (amphetamines), marihuana and perhaps heroin. "You need an inside now because the heat's on," most said. Finally someone said. "See ———."

The man I was told to see—we'll call him Joe—was easy to spot. He drives a flashy car and hangs out at the luncheonette or in the parking lot out front every evening. He walked into the luncheonette that night with another youth.

"I just can't turn you on (give you drugs) now," he told his buddy, while the two were seated at the counter. "The heat's on. Try ——— in Bethpage. He hangs around the hairdresser's. His sister works there or something."

After a couple of days of hanging around, I approached Joe, asking if he knew where I could make a buy. At first he was suspicious. "I wanna know who fingered me for you. I don't like my guys fingering me as a pusher to everyone they meet. You could be uncle—you could be the man (a lawman)."

Later, he softened. And with three of his ring members, in their late teens to early twenties, we set out to make the rounds of the easy cops (buying places). "You gotta understand why we're jumpy," Joe said. "Man, I run things in this town and these guys know it. Dozens of guys know it. If you play ball, I can get you at least 400 pills at a nickel apiece. You buy 400 and give us half. The other half is yours." Where do the pills come from: "Contacts, man, contacts."

After copping at Korvette's we headed into Greenlawn, were we got more Robitussin A–C at the Mid-Village Pharmacy at 51 Broadway. We swigged. "See? It's a snap," said one. Another just sat there, his eyes starting to roll upward, his lids starting to slide down. He said he's a family man, married less than a month ago.

Next stop was East Northport. We went to the nearby Gold Drug Store, at 2 Laurel Road, and made another easy codeine cop. "This one is satisfaction," one said, taking a big swig. "Look across the street." There was a Suffolk County police booth across the street, with a manned squad car parked beside it.

Then it was back to home base in the Plainview Shopping Center. Joe and his tough-acting friends sang most of the way back, a rather talented rendition of a medley of rock 'n' roll hits.

These toughs—Joe, the blond one, the sleepy-eyed one, and the skinny one—all bragged about their contacts and arrest records. They say they've got both. "We've got guys in several precincts who let us know what to expect from the other cops. They'll get us for fighting, but not for pushing." They murder the English language, but because they want to, not because they know no better. They come from well-to-do homes; two drive Corvettes. And when it comes to brains, these youths can rattle off the names of every drug, its chemical composition, what dosage will get you high, and what dosage will kill you. ("Only once you get high, it's hard to stop popping the pills.") They also know the law—what's legal, what's illegal, and where the loopholes are.

They're out of school—some dropouts, some pushouts. Some work, some don't. They're the toughs, the pushers, the ones at the source. But they say they sell to all sorts of nicer, weaker youngsters who are also looking for kicks and willing to pay their price. I believe them.

[From Newsday, Jan. 4, 1966]

NEW DANGER IN SUBURBIA: DRUGS SPREAD AMONG LONG ISLAND TEENS

(By Bob Greene)

An alarming number of Long Island's privileged, well-fed, well-housed young people are turning to drugs in the same way their urban opposites have done, a month-long Newsday survey has disclosed.

A gallon of gas to the west, New York City's junkie class—mostly Negro, largely moneyless, almost entirely deprived of the warmth generated by family relationships has long since fled into the dream cocoon of heroin and codeine.

But the suburbs have lent gentility to drugs. Long Island's drugs users are not Negro but largely white, not broke but middle and upper-middle class, not the hackneyed "products of broken homes" but the cuddled products of homes just like yours, not dropouts entirely but often good high school and college students and apparently normal youngsters.

They range in age from 14 to 25. To most of them, heroin is still something they read about in books. Their kicks come from codeine-based cough medicine, marihuana (pot), barbiturates (goof balls), amphetamines (pep pills, frequently given as diet pills) and tranquilizers.

Many of these drugs are in home medicine cabinets or easily available in stores. In overdose form, they pack a wallop that can produce intoxication, physical or mental addiction, and even insanity and death. But in hundreds of house parties, cars, movie drive-ins and luncheonettes, youngsters are taking them with the gusto that earlier generations reserved for experimentation with liquor and sex. During the course of the survey, Newsday reporters swigged cough medicine with partying teenagers, negotiated for the purchase of illegal pep pills, conducted an interview with one of Long Island's biggest heroin pushers and talked with scores of school officials, jurists, students, and law enforcement authorities. Most agree: there is a problem and it's getting worse—fast.

DRUG FATALITIES ON LONG ISLAND

During 1965, six Long Island youths died from some form of drug intoxication, five in Nassau and one in Suffolk. Many others have been found unconscious in their cars or in the streets. And medical authorities suspect that a number of automobile and other accidents resulting in death were indirectly the result of the driver or victim being under the influence of cough medicine or pills.

Meanwhile, statistics on narcotics are difficult to find because users come to official attention only when they die, are arrested, or surrender for treatment. But some startling facts have recently come to the surface:

The official of one large Nassau school district estimates that between 200 and 300 high school children in his district are on cough medicine or pills.

A veteran Suffolk police official believes that 1 of every 10 teenagers in the county is an occasional or frequent user of marihuana, pep pills, or cough medicine.

A dean of one of Long Island's largest universities estimates that 6 percent of the 5,000 student population uses some form of drugs at one time or another.

A Nassau County Probation Department caseworker, specifically assigned to narcotics, believes that as many as 4 of every 10 persons between the ages of 15 and 25 in Nassau County have experimented at least once with marihuana or one of the forms of drugs.

Generally, most drugs produce a form of intoxication, Heroin produces a cloud-floating sort of detachment; 2 ounces of a codeine-based cough medicine has the belt of a half-fifth of whisky; goof balls such as Seconal produce the slurred speech and ungaited movements of the very drunk; four pep pills produce elation, a feeling of great power and forgetfulness. Gradually the body builds tolerance and dosages must be increased until levels are reached which sometimes result in death.

Unlike New York City, where the economically depressed use heroin as an escape, the use of drugs on Long Island has its highest incidence in middle-class families. Nassau County Probation Department Chief Louis Milone said: "This is a white, middle-class, churchgoing family situation. These children come from our average and better homes." Police in both counties agree.

And these drugs are not taken in slum alleys. Pep pills and goof balls are swallowed at "nice" house parties by clean-cut children who sip soft drinks and listen to records; they are "popped" by college kids before exams, or to get a fast "high" after classes. The same goes for cough medicine and marihuana, although "pot" seems to be the favorite of the upper-income strata.

Suffolk County authorities have voiced concern about the surge in drug use. Nassau officials have been split. Former town of Hempstead Presiding Supervisor Palmer Farrington reported last year that drug use was becoming a major problem. But County Executive Nickerson and Police Commissioner Francis Looney, although admitting that some addiction existed, insisted that it was not yet a major problem.

Nickerson, who formed a narcotics task force on February 17, under the direction of Oyster Bay Town Supervisor Michael Petito, replied that he did not regard drug traffic as a present source of serious concern. Lt. James Henderson, commander of the Nassau Police Narcotics Squad, agreed, citing arrest statistics to show that there had been no significant increase in the county drug traffic since the squad was formed 3 years before. But Petito, head of Nickerson's own task force, said on December 10, that on the basis of his study he has become convinced that addiction is a serious and growing problem in Nassau.

DISTRICT ATTORNEY'S POINT OF VIEW

Nassau District Attorney Cahn recently told Newsday: "There is a problem. It's nothing to push the panic button about. But the problem is there; it's growing every day and we are going to have to come to grips with it head on—all of us." Said Probation Chief Milone: "It is becoming a matter of grave concern."

Law-enforcement authorities rate codeine-base cough medicine as the single largest danger in both counties. Medicines such as Robitussin A-C or elexer terpin hydrate can be readily purchased in any drugstore and, until January 1 of this year, could be purchased without prescription. Now, persons under 21 must have a prescription to purchase it. The price for a bottle ranges between 98 cents and $1.25. The medicine contains codeine, a habit-forming narcotic drug, and up to 40 percent alcohol.

Milone and Suffolk Detective Inspector William Coleman maintain that cough medicine a highest in popularity because of its ready availability through legal channels and the low price (a beginner can get high on 2 ounces). Youths seeking to get high have favorite soft drugstores throughout the two counties where they can connect for cough medicine with few questions asked.

Second in popularity is marihuana (pot), which is smoked and which resembles tobacco in appearance. The drug gives a mild high, heightens the sex drive of some persons and creates a feeling of euphoria. Many youngsters go for marihuana at parties, because it is a nonaddictive drug. But while the drug itself is nonaddictive physically, authorities say it creates a mental dependence and is a frequent step up the drug ladder to "hard stuff" for kick seekers.

Right behind are the pep pills, barbiturates and tranquilizers, all of which, medical research now shows, create physical as well as mental addiction when taken in large enough doses over a long enough period of time.

Youths obtain the pills by way of forged prescriptions (Suffolk County police uncovered 120 forgeries last year alone), drugstore burglaries and from neighborhood *pushers*. Pills are selling on Long Island at prices ranging from 25 to 50 cents each.

At the bottom of the popularity scale is heroin. While the incidence of heroin use on Long Island is still low, it is rising quickly as youngsters on other drugs build up their tolerance and seek out the last drug that can give them a kick. The general public antipathy toward sticking oneself with a needle is generally credited with the popularity of the other drugs and last resort status of heroin.

The recent exposure of a party in the Hamptons at which some of the 230 youthful guests were taking drugs, a marihuana ring of 24 youths in Northport and a barbiturate party for 140 in Bethpage last summer only shows the surface point of an immense iceberg, many authorities have told Newsday. "There's so much in so many places among such regular kids that it scares me," one Nassau detective said.

Nassau narcotics experts say that the county is roughly divided into three geographical sections as far as drug use is concerned. Section 1 (the five towns and southwest Nassau east and north to Hempstead Village): marihuana with some pills and heroin. Section 2 (North Shore-Great Neck to Syosset): almost exclusively marihuana. Section 3 (Hempstead-east): cough medicine, pills.

Figures prepared by the Suffolk police narcotics squad indicate drugs moving in every section of the county. But particular trouble areas singled out by police include Huntington, Northport, East Northport, Brentwood, Amityville, Bay Shore and Islip. Suffolk police estimate that one-third of all crime in the county stems from narcotics addicts seeking money to support habits.

Questions as to why the drug fad is sweeping through middle-class Long Island youth bring varying answers. "Let's face it," said one Suffolk detective, "if we were in East Overshoe, Iowa, we might have a different problem. But Nassau and Suffolk Counties lie right next to New York City, the largest single source of narcotics in the United States."

Others see the cause of the problem at another level. Cahn said: "We live in an affluent society. We say that we want to give our children everything we never had when we were little. So we satiate them with material things. By the time they are 16, they have had everything, experienced everything. They are bored—even jaded. Drugs are the only new experience they can have. They grasp out for it."

A Suffolk detective added: "The teenagers from the good families get on barbs and cough medicine because they're looking to be big shots. They've got all life's comforts, but they're looking for thrills. Its also prevalent in our colleges. Every college in Suffolk, and I mean every one, has been contaminated.'"

Time and again in the course of the Newsday survey, reporters listened as clean-cut teenagers described their reactions * * * "This is it, man * * * It's kicks * * * I'm floating * * * C'mon, you chicken? * * *" To them it's not heroin, so it's harmless fun.

But the mortality statistics of two counties reflect the following for the year 1965:

August 7: Lennis Keith Jones, 15, of 16 Eleanor Place, Freeport, sat on a curb for half an hour sniffing glue in a bag. He then jumped up and franatically climbed a power pole and grabbed the high tension wire, electrocuting himself.

July 22: Relatives of Robert J. Drankwater, 17, found him dead in bed at his home at 47 Essex Road, Bethpage. Relatives said he had come home each night appearing drunk and had been hard to waken in the morning. Death was caused by an overdose of Robitussin cough medicine.

October 25: Kenneth Moxin, 17, of 2422 Cambridge Avenue, East Meadow, collapsed and died at the home of a friend. He had been on pills for 11 months. A post mortem examination showed that he had 11 Doriden tablets in his system, a lethal overdose. Doriden is a tranquilizer.

November 29: Fred Powers, 20, of 7 The Outlook, Glen Cove, died in Glen Cove Community Hospital of an apparent overdose of a narcotic drug. A post mortem indicated that the cause of death was Doriden.

November 29: Harry Perkett, of 4015 Avoca Avenue, Bethpage, was found dead in his father's car parked in front of the house. A post mortem revealed a lethal dose of barbiturate in his blood stream.

January 8: Dennis White, 19, of 40 Fifth Avenue, Bay Shore, died in an auto on his way home from a party in Northport, where he and his three companions had been sniffing the fumes of the household cleaner Carbona for kicks. The fume inhalation was the cause of death.

There are other results of this new dangerous dope fad. Nassau probation has 144 youths charged with narcotic-connected crime under specialized supervision. Fourteen of the eighteen youths in the high school section at Nassau County Jail are confirmed addicts. Suffolk mental hospitals are receiving the hulks left over from glue-sniffing at the rate of 14 each year.

A veteran caseworker with the Nassau Probation Department said: "This thing has now become a dangerous fad. Some fads, like long hair, you can cut when it's all over. But you get hooked on this fad. And you can't cut that when it's all over."

[From Newsday, Jan. 5, 1966]

OFFICIALS PLEDGE ATTACK ON DRUG PROBLEM

County officials and law enforcement officers in Nassau and Suffolk expressed concern yesterday about Long Island's drug addiction problem and pledged new preventive and educational efforts to attack it.

"There's no question in my mind that it's a growing problem," said Nassau District Attorney Cahn. "I believe frankly in ripping the mantle of secrecy that usually cloaks this subject so that the citizenry can be apprised of the problem in its full impact." Suffolk District Attorney Aspland said: "This is something that should be publicized to the hilt." Both district attorneys agreed on the need for constructive action.

"I think it's a matter for concern," said Nassau County Executive Nickerson. "Just how widespread (it is) is a matter of judgment. But I have always said that if there is a single instance of the use of drugs, it is serious." He noted that his task force on narcotics submitted a report to him earlier this week. Oyster Bay Town Supervisor Michael Petito, who headed the task force, said he plans to disclose a preventive and educational program Monday.

Suffolk County Executive Dennison said he thought it was necessary to "break up this (drug addiction situation) fast," adding that he would discuss the matter in detail with Suffolk Police Commissioner John L. Barry.

Nassau Probation Officer Louis Milone, saying that the problem is of great concern, claimed that it should be met by one agency alone—the police department. "They need only a few extra tools, such as some more men for undercover work, and they can do the job," he said.

The increase in the drug addiction problem is obvious to any district court judge, said Suffolk District Court Judge Floyd Sarisohn. "The worst part of it is that the kids are totally ignorant of the effects of barbiturates. They know very well what narcotics can do, but they don't know or realize that barbiturates and glue sniffing can also kill."

The spread of drug addiction among Long Island's teenagers is described in a series of Newsday articles, "New Danger in Suburbia," which continues today. Officials praised the series for publicizing the problem, with Nassau Police Commissioner Francis Looney commenting: "The articles will greatly aid the police department's educational program of the last 2 years and will serve as a means of developing public awareness of the dangers of drug abuse."

[From Newsday, Jan. 5, 1966]

NEW DANGER IN SUBURBIA—DRUGS ON LONG ISLAND—INDEX OF TORMENT

(By Martin Schram)

All too often, police say, they encounter real or feigned ignorance from parents whose children have begun the cough medicine-pep pill route to addiction. Drugs are getting too dangerous to ignore. Here is a grim primer:

Life is tense, so there are sedatives, sleeping pills.

Life is tedious, so there are pep pills, stay-awake pills.

Life is fattening, so there are diet pills, get-thin pills.

But the magical drugs are being improperly acquired and dangerously used on Long Island. For though the agony of a mainliner's withdrawal is familiar enough to be a dramatic cliche, the withdrawal from barbiturates and tranquilizers, authorities now agree, can be far more dangerous. It can be fatal, and withdrawal from heroin can only be misery to experience and unnerving to witness. But heroin and the dangerous pills are on a par when you are using too much of them: both can kill then, and both have, on Long Island. (Governor Rockefeller was to ask the new legislature to enact stiffer penalties on dope peddlers and mobilize a crackdown on addiction.)

There is no single way to attain total, debilitating addiction, but today's style very often follows the route through cough remedies, to pills to heroin. Here is the guide of an expert, a Long Island teenager who is a heroin addict:

"You start with the cough syrup and you get high, so you keep it up. Pretty soon you just don't get the same feeling, so you try mixing with pills. Then more pills—as much as it's safe to take without killing you. But eventually that doesn't even give you the same high. So you try the hard stuff—heroin. And soon you're hooked on that. And you need more and more and you're always broke."

The most popular codeine cough syrup among the habitual Long Island swiggers is

Robitussin A–C, a cherry red antihistamine preparation which contains 1 grain of codeine per ounce—the legal maximum for the prescription-exempt drugs. Other leading codeine preparations include Elexir Terpin Hydrate (a clear solution), Tussar-2 (green), and Phenegan (red).

A couple of ounces of these cough remedies produces a high effect equivalent to a half-fifth of whisky. Overdoses can result in loss of consciousness. Extreme overdoses can be fatal. Nassau County Medical Examiner Dr. Leslie Lukash reports that one 17-year-old youth, Robert J. Drankwalter of Bethpage, died from just such an overdose of Robitussin A–C. Elexir Terpin Hydrate is said to be the most intoxicating of the codeine cough mixtures made.

Cough medicine manufacturers have recently introduced a new ingredient to their mixtures in place of codeine. Pharmacists insist that the new ingredient, dextromethorphan, is every bit as effective as codeine in terms of cough suppressing. Moreover, it is not habit forming. Thus, druggists are now offering Robitussin DM (noncodeine) as well as Robitussin A–C.

Cough medicine addiction is the teenage world's unwanted gift to suburban culture, but the pills they take have merely been converted from their prescribed usage in the adult world. The tablets and capsules come in three categories, barbiturates, tranquilizers and amphetamines; they soothe, they soup up, they slim. But they do other things for the pill-poppers, and they have other names. Barbiturates and tranquilizers can be goofballs, red birds, yellow jackets, and blue heavens. Amphetamines are bennies, pep pills, copliots, hearts and footballs.

Here is what the pills are all about. First, the barbiturate compounds, which are involved in 25 percent of all the poisoning cases admitted to American hospitals each year:

Common brands: Secobarbital sodium (Seconal), Pentobarbital sodium (Nembutal), Amobarbital sodium (Amytal), Secobarbital plus Amobarbital (Tuinal), Barbital (Vernonal), Phenobarbital (Luminal).

Prescribed usage: Sediative, sleeping pills.

Effect when taken in excess: The user reacts in the same manner as if he were consuming alcohol, except there is no telltale odor on his breath. In small quantities, the user feels relaxed, sociable. After further doses he becomes sluggish, gloomy, perhaps quarrelsome. Then the user may gradually slump into deep sleep or may suddenly collapse in a coma. At this stage, barbiturates are more dangerous than alcohol, because they are not vomited; if not removed by stomach pump, they are absorbed by the system and may soon be fatal.

Withdrawal: Sudden abstinence by a barbiturate addict results in anxiety, tremors, and debility within 8 to 16 hours after discontinuance. By the second day, convulsions occur similar in appearance to epileptic fits. Delirium sets in by the third day, and death is imminent. Withdrawal must therefore be gradual and should only be attempted under constant hospital supervision.

Here are the facts on nonbarbituric tranquilizers:

Common brands: Meprobamate (Miltown, Equanil, Meprospan, Meprotabs), Gluetethimide (Doriden), Ethinamate (valmid), Ethchlorvynol (Placidyl), Methyprylon (Noludar), and Chlordiazepoxide (Librium).

Prescribed usage: Sedative.

Effects when taken in excess: Barbituric-like intoxication resulting in drowsiness, impaired mentation, motor incoordination. Although said to be nonbarbituric, they lead to barbituriclike dependence and addiction. Overdoses of Meprobamate and Methyprylon have proven fatal.

Withdrawal: Convulsions similar to barbituric withdrawal symptoms occur, accompanied by psychotic behavior. These, too, can be fatal. Authorities recommend the same gradual treatment that is used in barbiturate withdrawal cases, under hospital supervision.

Here are the facts on amphetamines, the familiar bennies:

Common brands: Benzedrine, Dexadrine, Dexamyl.

Prescribed usage: Stimulants, stayawakes, diet, and pep pills.

Effects when taken in excess: Produces feelings of temporary elation, relief from fatigue, inability to recognize danger, feeling of superiority and courage, often hallucinations. Continued use can result in immediate collapse into deep sleep or coma. Have been shown to be addictive.

Withdrawal: Results in depression sometimes to the extent of suicidal tendencies, listlessness, fatigue, no appetite, brain and nervous system damage.

The next step up the scale is to heroin, the most prevalent of the morphine derivative narcotics. Possession and sale of heroin is illegal. It is a white powder, bitter in taste, sold in the underworld and packaged in small glassine packets containing enough for one injection. Each packet is called a bag, and 25 bags equal one-eighth of an ounce. Heroin is never taken in the pure state, it is "cut" (diluted) with milk sugar and quinine. Heroin is, of course, heavily addictive: It produces a calm, peaceful, detached, soaring feeling.

The heroin addict has his tools of the trade: a syringe, a tourniquet, an eye dropper, a bent spoon, a folded matchbook cover. The folded matchbook cover is used by those who sniff the powder; the eye dropper by those who have no syringe. They stick the dropper directly into an open vein. The bent spoon is used to heat the heroin powder in before it is injected.

Heroin withdrawal, though unpleasant, is not fatal. Addicts often go through the drying-out period (withdrawal) while serving time in prisons. It begins with running nose and hot and cold flashes. Next comes tremors and fever. Finally the addict is retching and vomiting blood.

Marihuana, like heroin, is illegal to possess or sell. It is, however, not habit forming. Marihuana, nicknamed pot or tea, is a tobacco-like substance used when rolled into slender cigarette sticks and smoked. It induces a euphoria, a heightening of the senses and a glazing of the eyes.

In a special case by itself is the mysterious drug called lyseric acid diethylamide, better known as LSD. A hypnotic and hallucinogenic, LSD is a granulated powder usually packaged in small cubes and needs refrigeration. A couple of grains in a tumbler of water can produce grotesque and distorted impressions. Tastes and colors appear more vivid, a detached feeling prevails often resulting in bizarre actions.

LSD has been known to bring out latent schizophrenic tendencies, in some cases resulting in permanent schizophrenia. Authorities do not yet know whether LSD is addictive. It has, however, been outlawed in New York State.

[From Newsday, Jan. 5, 1966]

NEW DRUG LAWS MAKE BUYS HARDER

New State and Federal regulations which went into effect just 4 days ago will make it a little more difficult to buy drugs over the counter in 1966.

A recently adopted New York State law prohibits the sale of exempt-narcotic cough mixtures (containing no more than one grain of codeine per ounce) to persons under 21 unless they have a doctor's prescription. Previously, there were no prescription requirements or age limits. The only requirement was that the medicine be sold only for health purposes and that no more than 4 ounces could be sold to a person in any single day.

The new Federal law requires a written prescription for the purchase of any amphetamine (stimulant) or barbiturate (sedative). The State regulation goes one step further, requiring written authorization for each renewal of existing prescriptions. Previously, prescriptions and renewals telephoned to the pharmacist by the doctor were acceptable.

[From Newsday, Jan. 6, 1966]

THE DRUG MENACE EXPOSED

The spotlight has focused on drug addiction, both on Long Island and statewide, and on the immense waste in human usefulness engendered by this vicious habit. The drug addiction problem is no longer limited to the familiar items as heroin, cocaine and marihuana. It now encompasses a wide variety of stimulants and depressants, many of which are familiar items in our home medicine chests but often more deadly than the better-known narcotics.

Drugs get into the hands of addicts from many sources; from pushers, forged prescriptions, burglaries and the "black market," and even from cough medicines which do not require prescriptions. A series appearing in Newsday makes it apparent that drug addiction is no longer confined to the poor and underprivileged, as used to be the case. It is no longer confined to Negroes and Puerto Ricans, many of whom may have in the past been driven to addiction by the misery of their lives. It is now a white, middle-class habit, indulged in by young people from 14 to 25 who come from good homes, enjoy the affection of their parents and have no visible reason for engaging in such dangerous practices.

And drugs are easy to get. A bone-chilling interview with a dope pusher by Bob Greene, in yesterday's paper, reveals how broad the habit is and how simply its addicts can indulge their cravings. "I never hooked anyone in my life," says this anonymous pusher, "and I don't have to. The customers are already there, more than you can handle."

Governor Rockefeller, in his message to the 189th session of the legislature, called addiction a prime cause of crime. "Our State today," he said, "has more than one-half of all the addicts in the country." His remedy is twofold—first, to slap the toughest prison sentences possible on the pushers; second, to break the addicts of the dope habit. State law now permits an addict accused of crime to choose between a short time in prison or a longer spell of rehabilitation treatment. The answer, to an addict, is obvious. He goes to prison, serves his time, and then resumes his habit. The Governor's recommendation is that treatment should be mandatory. To which, amen, and may the legislature speedily send him a new law for his signature.

As to Nassau-Suffolk, we need, first, a recognition by all local officials that a problem exists. Schoolchildren should be educated to the dangers and horrors of addiction, whether to narcotics, stimulants or depressants; and there should be encouragement of more parental responsibility so the children learn the same blunt facts at home. A study commission is to report on addiction in Nassau next Monday. Suffolk has no such commission, and badly needs one. For, as County Executive Nickerson of Nassau says: Even one child addict is one too many.

JUNKIE, 17, TELLS HOW HE STARTED

(EDITOR'S NOTE.—This is the story told by a 17-year-old Bethpage youth, short on years but long on addiction experience. What he has to say is not a loudmouth's fantasies. Experienced detectives who know him say it is all plausible.)

I was 12 when I got my first high from a pill. You see, there was this buy who was older than me in my neighborhood. I thought he was Mr. Cool. I idolized him. He was on pills and I thought that was great, so he turned me on and I've been on ever since.

I'd take goofballs (barbiturates), pep pills (amphetamines), anything. Mix them with cough medicine, mix them with beer, or just swallow them plain. It makes you somebody when you're on you know? I mean like I'm sort of a coward, see, but when I had a couple of bennies (barbiturates), I'd do anything. Crazy things. I mean you're not scared.

By the time I was 14, I was turning on guys 16 and 17. I must of turned on a couple dozen. I used to get cough medicine and water it down and sell it. I'd also sell pills. Where'd I get it? I got contacts, man; I know people. There's always someone to get you pills. We used to go out behind shopping centers or gas stations and sell the stuff and also take it.

I was taking Doriden (a barbiturate)—maybe five or seven a day, and sometimes Nembutals—maybe eight of those. But some guys were taking 20 or 25 a day. They were the real bad ones. Once I went into withdrawal in a park. I hadn't had the stuff in days and I was bad off. I went into convulsions right there in the park. Rolling around and throwing a fit. People thought I was an epileptic and took me to a hospital. But then, my parents had already found out I was an addict. They knew when I was 14. When my dad first suspected it, he took me to the O–2 ward at Meadowbrook for observation and treatment and diagnosis and all that. So I told them I was depressed and worried and they ate it up. When the examination was over, they sent me home and bawled out my dad for having such crazy ideas.

I don't know how many guys in my area are on drugs. Twenty? Hell no, more like 100 I guess. But I'll tell you this, man. It's bigger than half the idiots that run this county think. For years, we've been seeing Frank Sabatella—he's the principal at Bethpage—saying in papers and places that they got no problems and stuff like that. We laugh ourselves sick over that. And you can print that in headlines. They're not all tough guys or dumbbells either. A lot of the guys are collegians now.

(EDITOR'S NOTE.—Sabatella, asked to comment, said: "We're not aware of it going on in school. If there is more, we'd better look some more. But these could be dropouts, kids out of school.")

We used have to boost (shoplift) to pay for our habit. We'd make $5, maybe $10 a day selling the stuff to a fence. Sometimes it was easier. We used to go into Bohack's in Bethpage, usually two of us. One guy would be lookout and the other would swipe golf balls, dozens of golf balls. Then we'd sell them at the Bethpage golf course.

A couple of years ago I had my first heroin. Sniffed it. We got it from junkies in the Bronx and Harlem. How'd we find them? You don't have to find them, man, the junkies have a regular grapevine. They find you and let you know where they are. Get it? I took the heroin because I wanted a new high. Every day an addict keeps trying for the same high he got the first day he tried pills. But each day I'd get less and less high; so I'd take more pills. But I never got the same high as when I started. Heroin was the best.

Don't believe all the storybooks. You don't take it once and become a slave to it all your life. It takes time. I don't have a heroin habit or anything. I've just got a pill habit, man. I'm an addict. I can't explain it. I'll tell you this, I want to get rid of the habit—really. It's miserable, no fun. You get diarrhea, running nose, urine burns, bite your nails off and it's lousy. I've been in a hospital once, but it doesn't work very well. I mean they've got the guidance people and all who are OK Joes, but they're weird. One guy came in once with just half his face shaved. To see how I'd react, I guess. He says to me, "See, I shaved on this side and not on that side." And he waited for me to say something. So I told him, "It stinks," and that's that.

I dropped out of school in the 11th grade, but I want a diploma now. I want to get rid of this thing and maybe get a job. A commercial artist or something like that. I like to sketch a lot. I want to quit, but can I? I don't know.

[From Newsday, Jan. 6, 1966]

NEW DANGER IN SUBURBIA: LONG ISLAND ADDICTION—A DISEASE OF YOUTH

(By Martin Schram)

Long Island's addiction problem is largely a problem of the young: the high schooler, the collegian, the dropout, the pushout.

In fact, Nassau and Suffolk officials say there are more drug abusers in the 17 to 19 age group than in any other bracket. These are thrill-now, think-later types. And their record of achievements reads, in part, like this:

At least 140 Bethpage teenagers spent part of their 1964 summer vacation in private-home dope parties.

About 30 Northport youths were members of a close-knit marihuana and heroin ring. Another cough syrup-swigging group from Northport High School was also uncovered.

At a north shore high school 25 girls, ages 14 to 17, were blackmailed into forming a teenage prostitution ring in 1964. Police say the girls were dared by boys into swallowing pills. Once high, they were lured into lewd poses and photographed. The photos were then used to force the girls to submit to these boys and others, for a price, with the boys' clique pocketing the pay.

LOOK THE OTHER WAY

Former Suffolk District Attorney Bernard Smith, now a State senator, said recently that there is as much drug abuse in Long Island high schools as outside. Yet, most public school officials shy away from the subject whenever it is mentioned. A rare exception was the Long Island school district superintendent who said: "I'm sick and tired of people in government and school administration saying there is no drug problem. We have a problem and the schools are not doing their job. I'm not even satisfied with what we're doing, and we're doing more than most."

This school official agreed to spell out the problems of his district provided that the location of the district be withheld. "School districts find it easier to look the other way because it is a tough problem to face," he said. "They think that if they admit they have a drug problem, the good teachers won't come to their district."

Pills, both pep and sedative, are his biggest headache. "I'd say we have 5,000 children in the 7th to 12th grades. About 100 of these are known to be using pills, and you can double that—maybe triple it—to find the number who aren't known. The highest percentage is in the 10th to 12th grades." He said that there is little evidence of heroin being used by his teens, and marijuana is just slightly more prevalent. Codeine cough medicine is a major problem and a natural steppingstone to pills. As for glue sniffing, the superintendent says: "It was a craze a couple of years ago, but we don't see much of it now. I guess even the teenagers think of it as kid stuff."

He continued: "I'd say as many kids are pushouts as dropouts. Too many school districts kick a kid out of school and then forget him. That's not the answer. He still hangs around the school, goes to school functions, and influences the students to do right, or more often, to do wrong. The schools need to wake up and actually combat the problem."

PLAN OF ACTION

Quietly, this district began doing just that. An 11-point plan of action was drawn up calling for liaison with merchants and physicians and additional school grounds security. Several instructors were urged to establish a rapport with the drug-habituated element. It was a tedious process. One who succeeded talked frankly about the problem:

"After a while, I got to be a sort of middleman between them and the outside world. Not long ago, one kid staggered into my office and passed out from an overdose. I looked out my window and saw the other members of his gang watching from two cars down the block. They'd brought him to me. If I turned the kid into the police, I'd be a bad guy forever in their book. I called two doctors and told them what was wrong. They wouldn't touch it with a 10-foot pole. So I called a third and just told him I had an emergency case for him."

On the way to the hospital, the educator stopped by the gang's hangout. "I told them, 'He's yours, you got him high. Either one of you comes with me to the hospital or I'll dump him right here and you'll wind up with a dead friend.' There was a silence. Finally one guy said, 'OK, I'll go.' This way, it was the gang and me turning the kids in—not just me alone.

ELABORATE ORGANIZATION

The youths' organization for distributing the pills is complete down to a mimeographed organization chart, the "in" educator said. The names of about 30 youths, half of them graduates or dropouts, are on that chart. It's a big triangle starting with the No. 1 man, the source. Under him come several (distributor) lieutenants, each having several subordinates of his own.

The official said 80 percent of the drugs obtained by youths in his district comes from black market sources in New York City. The remaining 20 percent comes from the youth's own schemes, forged prescriptions, stolen drugs, and so on.

The district officials drew a sharp line between drug taking and other forms of juvenile delinquency. One said: "The difference is that popping pills and smoking marijuana is accepted by the good kids, the ones who are usually the first to condemn delinquency among themselves. They've rejected breaking and entering, shoplifting, and even wild automobile driving. But they've accepted the pills, even though they themselves might not be taking them. That's why this thing has gotten so big."

Another district official said he believed two factors lure today's teenagers to drugs. "These are fairly well-to-do kids," he said. "They've already had everything and experienced everything—liquor, cars, sex—by the time they are teens. This is what's left: drug kicks." He added that the entire teenage terminology now is based on disinvolvement, detachment. Dance by yourself. Play it cool. "The pattern is the same, and the pills give kids a way out, detached feeling."

Nassau probation officials agree that the addiction problem is no longer a problem mainly of lower income groups or Negroes. Of 116 narcotics cases now under supervision, only 8 are Negroes.

Some school and police authorities say that one thing that helps the habituated punks look big in their own crowd is the law. The unnamed school district officials say there are too many cases where youths are hauled into court and then get off with a verbal wrist-slapping by the judge. "When a kid gets back on the streets after getting just a lecture or a suspended sentence, he's a hero to his own crowd," complained one top official in the school district.

The official added: "He says he beat the rap. He brags that he told off the cops and the judge. And 10 other youngsters who were too timid before now have the courage to get on the stuff."

BIG MAN IN TEEN SET

The drive to be a "big man" in the teen set has led to incidents that would be ludicrous if only they didn't deal with a serious problem. Freeport detectives report that not long ago, one youth hit on a get-rich-quick scheme that made him the school kingpin—for a few days. He was rolling old dried brown grass in paper and passing the sticks off as marijuana. He sold his "pot" for 50 cents a stick, and some youths smoked them, got sick and thought they were high.

Suffolk County police tell a similar tale about another youth who put white cleanser in tiny glassine bags and passed it off as heroin.

Not all districts can pinpoint the problem easily. In Central High School District No. 2, Long Island's largest secondary-school system (encompassing Elmont, Franklin Square, New Hyde Park, and Floral Park), officials say they can't find a drug problem—even though they know one may exist.

"We're not naive enough to say outright that there is no problem, but, if there is one, we can't find it," said District Principal John W. Nicoll. "Our teachers, nurses, and psychologists are all on the lookout. But out of our 12,000 students (in six high schools), not one case has been reported."

Nassau probation officials say there is a problem in the district, however, with marijuana being most prevalent there. As many as 30 percent of the district population between the ages of 16 and 25 puff pot occasionally, they say. One Elmont probationer recently surrendered to authorities, saying he was hooked on pills and wanted help. He gave officials the names of 54 boys and girls in Elmont and Franklin Square who he claimed were on pills.

Long Island's college administrators were every bit as reluctant to discuss the scope of the student drug problem as the public school officials. A Suffolk detective said recently that "every college in Suffolk County—and I mean every one—has been contaminated by drug addiction." Nassau officials say much the same thing.

Yet, most college educators steer clear of numbers. "We have the reputations of our institutions to think about," they explain. C. W. Post Dean of Students Frederick DeMarr put things this way: "To say the problem is nonexistent is pretty stupid but the problem is not on our campus and it's not in our dormitories (housing 1,100 students). If it's anywhere, it's off campus."

Randall Hoffman, the dean of students at Hofstra University, said "I'm sure some experimentation takes place among our students with marihuana, LSD, pep pills and that sort of thing. We have about 5,000 full-time daytime students, and I'd guess that 6 or 7 percent of them (300 to 350) experiment. I doubt that we have any addicts per se. But it is very easy here to get marihuana and pills on the black market. It's a word-of-mouth sort of thing. One friend tells another."

Police officials say Hofstra is not Long Island's largest campus in terms of illegal drug traffic. Both Nassau and Suffolk have institutions with greater drug incidence. A Stony Brook State University official also admitted the presence of drugs. We don't have much heroin, but there is a good deal of marihuana and drugs around," he said. "Barbiturates and amphetamines are very available and prevalent. Sure it exists, and we'd be crazy to deny it. They are most common during stress periods, like examinations. Most often, it's the youngster who has a personal disorientation, compounded by academic pressures. Generally, they're pretty bright."

He added that about 15 students a year come in and ask for help in kicking the habit. "They are usually spurred to come in after a break in a boy-girl relationship," he said. "They want to start over clean. These kids aren't the types who are out for fast thrills. They're just experimenting."

A Nassau detective said that he attended one of Hofstra's early season home basketball games and was shocked by what he saw in the smoking room adjacent to the gym. "The room was jammed at half-time," he recalled, "and 20 percent of the kids were higher than kites. It was a drug high and I recognized it right away. I've seen a lot, but I was really shook by that."

The detective said he told a Hofstra official what he'd seen, and the university man replied that he estimated it was even higher than 20 percent, but that most top university officials regard the problem as a phase that will pass eventually. However, several weeks later, a Newsday reporter donned sweater and slacks and joined the Hofstra student section at another home game. Inside the lounge were several hundred students—all sober, none high.

[From Newsday, Jan. 6, 1966]

ONE HELD IN ATTACK ON REPORTER

LEVITTOWN.—A 19-year-old on probation was arrested here yesterday on charges of taking part in the beating Monday of Newsday reporter Bob Greene after Greene tried to buy drugs in connection with a series of articles on the Long Island drug problem.

The suspect, Leonard A. Herbst, an auto mechanic, was charged with third-degree assault, a misdemeanor, and with violation of probation. Eighth Precinct Detective James Wylie, who made the arrest, said he would travel to another State today in an effort to pick up a second suspect, whose name is withheld at police request. Greene identified Herbst, whose address was given as 8 Vera Avenue, Plainview, and the unnamed suspect from police photographs as the two youths who beat him Monday night after he left the Esquire Bar at 433 South Oyster Bay Road, Plainview. He said that several other youths stood by while he was attacked. Greene was treated at Smithtown General Hospital for lacerations of the face.

Wylie said that Herbst, a solidly built youth with bushy blond hair, admitted being at the bar Monday night with the still-missing suspect but denied taking part in the beating. Wylie said that Herbst was arrested previously on a burglary charge and was put on probation after receiving youthful offender treatment. Wylie said the probation still has 15 months to run, and Herbst faces the possibility of being sent to jail for that period. Conviction on the misdemeanor charge could bring a maximum penalty of a year in jail and a $500 fine. Herbst was to be arraigned today in First District Court, Mineola.

[From Newsday, Jan. 7, 1966]

HIGH PRICE OF ADDICTION TALLIED IN DOLLARS, TEARS

(By Martin Schram)

When a drug addict turns on, everybody pays.

Each year, addicts drain millions from the Long Island economy. And it is a paradoxical expenditure, for the public pays both to combat the habit and to support it. The costs can be tabulated on a balance sheet.

But there is another addiction cost that knows no price tag. That is the cost of broken bones and shattered windows, the untotaled damage cause by people high on drugs. It is also the deep down cost of human grief, a personal price paid by the addict's family and friends.

Of all those drug expenditures, the cost of combat is easiest to spot. Nassau and Suffolk taxpayers spend more than $1 million annually to fight the addiction problem on the local front. That is a catchall figure, encompassing everything from undercover police investigations and public education campaigns to medical care and counseling for the addicts themselves. It breaks down like this:

Long Island police officials says their combined efforts to curb suburban addiction cost $400,000 a year. That includes narcotics squad detective salaries, investigation, and administration costs and a variety of public awareness pamphlets. Also included is the cost of Nassau's mobile narcotics display trailer, once a homicide lab on wheels, which has been viewed by more than 11,000 patrons of shopping centers since it started rolling last December 1.

Nassau and Suffolk probation officials agree that each addicted probationer—and there are about 360 of them—costs the public $500 a year. Included are counseling sessions with the offender, often his parents, clergy, and others.

Court costs figure heavily, but they are immeasurable, officials say. "Who can put a dollars-and-cents value on the length of time spent in court on addicts as opposed to murder cases?" one police authority asked.

Long Island taxpayers, as well as those throughout the State, help to support the two State hospitals on the Island offering addict rehabilitation programs: Pilgrim State Hospital and Central Islip State Hospital. Dr. Henry Brill, Pilgrim State superintendent, figures that the 165-bed center costs the public $750,000 annually to maintain. Dr. Francis J. O'Neill, of Central Islip, sets the annual cost of maintaining its 75-bed center at $328,500.

Those are the economics of the war against addiction. But the addict also has a dollars-and-cents problem. And there, too, the public pays. One Long Island narcotics detective reports: "The average addict out here needs $15 to $25 a day just to feed his habit, and that includes everything from cough-medicine drinkers to heroin shooters. Some are up to $30 daily and more, about a shot every 4 hours."

How does the addict support his habit? He goes after easy money. "One-third of all of our crime stems from narcotics and drugs," a veteran narcotics detective says. "This is not sex crime, it's mainly petty stuff. Most of it is boosting (shoplifting) because it's usually the easiest to pull off. These addicts have to steal to support their habit. Even if they do hold down a regular job, and most can't, they don't make enough without stealing."

Nassau police report that in 1964, the value of all properties stolen (excluding automobiles) was $3,607,874. One-third of that is $1,202,628, which, when funneled through black market fences, still buys a lot of illegal drugs and narcotics. When it comes to crime perpetrated by addicts, many Long Islanders are of little help to the law, a detective asserts. In fact, he says, some people are on the side of the addicted.

"We've had cases where addicts have actually been taking orders from their own neighbors for toasters, records, cigarettes, and even TV sets," he said. "Then the addicts would go and 'boost' the items and sell them to their neighbors at the lowest prices you ever heard of."

Another big financial boom to the suburban addict is called "cattle rustling," addict lingo for stealing meat from supermarket counters and selling it to friends at discount rates.

The pusher-addict has his own form of moneymaking: he cheats his customers. Take the case of Gerald Peacock, 21, a Freeport pusher who commuted regularly to Harlem to pick up heroin for his 17 suburban clients. Peacock would pay his supplier $5 for a tiny glassine bag of heroin (enough for one shot). Then he'd cut each bag's

strength in half by diluting it with quinine and milk sugar—thus doubling his supply. Finally, he would sell each half-strength bag for $5. A tidy 100-percent profit.

THE END OF HIS LINE

Peacock's business, which financed his own $30-a-day heroin habit, came to a sudden halt last January 23. At 1 a.m. that day, he was met by Freeport Detectives Robert Gordon and Joseph Romeika as he stepped off a Long Island railroad train with 25 heroin bags hidden in his clothing. An informant had tipped off the police. "We need informants in narcotics cases," Romeika said. "They are the only way we can function, and we protect our informers to the hilt."

Society also bears a cost of addiction that cannot be figured exactly. The Nassau County medical examiner, Dr. Leslie Lukash, explained that cost this way: "I don't care so much about the kid who gets hooked on drugs. He went out of his way to do it, and deep down inside he knew better. I'm concerned about the innocent people who get hurt, physically hurt. When these kids are on drugs, they lose their reflexes and have no sense of danger. They become reckless. Many get behind the wheel of a car and get into accidents, maiming innocent people. We'll never know how many such accidents were caused by kids high on drugs, because most policemen can't tell a drug high from accident shock. Unless a driver smells of liquor, he rarely gets charged with intoxication."

A little-known side incident to the death of Harry Perkett, 19, of Bethpage, substantiates Lukash's view. Perkett was one of three youths who downed barbiturates mixed in coke for kicks on the night of November 28. He died early the next morning in the back seat of his family's car of a barbiturate overdose.

One of Perkett's companions was involved in two auto accidents while driving home after putting Perkett in his father's car that night. After the first accident, the youth was taken to the emergency ward of Meadowbrook Hospital. There, his barbiturate-high condition was diagnosed as accident shock. The youth was released that same night, and once again he got behind the steering wheel, and once again he was involved in an accident.

Finally, there is the cost that has no dollar value. It is the cost of emotional suffering by those close to the addict. And it might well be the highest price of all to pay. A Brentwood woman says: "I saw my brother turn into a heroin addict a few years ago. I tried to stop him and get him help, but he wouldn't help himself and no one would help me help him. Then he married a girl. She was hooked, too. Now, they spend a wretched life. She walks the streets in Greenwich Village, prostituting to get them both money for heroin. It tears you up, but what can you do?"

[From Newsday, Jan. 7, 1966]

SECOND YOUTH HELD IN BEATING OF REPORTER

MINEOLA.—The second of two youths charged with the beating of Newsday reporter Bob Greene was jailed here last night after the youth's arrest in Massachusetts yesterday by two Nassau detectives.

The youth, identified as Russel J. Pappalardo, 18, of Northampton, Mass., a factory worker, was arrested by Det. Sgt. Henry McCarthy and Det. James Wylie of the Eighth Precinct. Pappalardo was charged with third-degree assault in a warrant signed by First District Judge Julius Chinman. At his arraignment before Chinman in First District Court in Mineola today, Pappalardo pleaded innocent and was ordered held in $500 bail. Trial was scheduled for January 20.

The second youth charged in the assault, Leonard A. Herbst, 19, whose address was given as 8 Vera Ave., Plainview, was arraigned in First District Court yesterday on a charge of third-degree assault, a misdemeanor. Herbst pleaded innocent and was held in $500 bail for trial January 20.

Herbst has also been charged with violation of parole. He pleaded guilty in 1964 to burglary and grand larceny charges, was adjudged a youthful offender and received a 3-year sentence. He was paroled in June. Greene identified Herbst and Pappalardo from police photographs as the two youths who beat him Monday night after he tried to buy drugs in connection with a series of articles on the Long Island drug problem.

[From Newsday, Jan. 7, 1966]

NEW DANGER IN SUBURBIA: APATHY STALLS LONG ISLAND FIGHT ON DRUGS

(By Bob Greene)

"Write whatever you want about teenage drug use on Long Island," said a Nassau detective. "Everyone will scream and shout for a while and then they'll form a committee and try to study it to death."

His overstatement stands as a challenge to official Long Island because it includes a discouraging core of truth. During the past several years, a number of individuals and law enforcement agencies have warned of the increase in teen drug use. Each time, committees have been formed. Few have produced concrete results. By that time, the problem has been forgotten.

A year ago, former Hempstead Presiding Supervisor Palmer Farrington charged that teenage drug use was becoming a menace in Nassau County. County Executive Nickerson replied that there was no major problem. But he appointed a study commission to look into the matter. The commission, with some interruptions, has been studying for a year. During that year, five Nassau youths have died as a result of drug usage.

Yesterday, Suffolk County Executive Dennison said that he was concerned about reports that there is a teenage drug problem in Suffolk, and has appointed a committee. "But we'll have to check into all the facts," said Dennison. "We just can't accept anyone's word for it." Dennison said that he has formed a coordinating office for all social agencies in the county and that a committee formed by that office is now studying the problem.

But Suffolk Police Commissioner John L. Barry has no doubts about the problem. Said Barry: "We are trying to bring this situation to the public's attention and we don't believe in hiding the fact that it is a problem. I asked for an increase in our narcotic squad in the last budget. We would like to double the squad. However my request was not included in the final budget (agreed upon by Dennison and the board of supervisors). I intend to rediscuss this with the board of supervisors."

Suffolk County covers a geographical area of 922 square miles and has a population of more than 800,000. The narcotics squad must patrol the entire county. The present complement of the Suffolk County police narcotics squad is four men.

STUDY FORCE FORMED

Nickerson's study force, headed by Oyster Bay Town Supervisor Michael Petito, was formed last February 17 and held its first meeting in mid-April. The board includes doctors, police officials, social workers and mental health experts.

Petito frankly admits that when the study started, he thought that the problem was superficial, "an undercover fad." A year later he says: "I now know that teenage drug use is an insidious sub rosa problem of concern to us all. The problem is far more serious and extensive than we thought last March."

The Petito committee has listened to Nassau Police Commissioner Francis Looney, a committee member, who has sent out questionnaires to school districts and other concerned agencies, and has conducted symposiums of school district representatives to determine the extent of the problem.

He said that school representatives at the symposiums that were held were reluctant to discuss the problem openly. "There was tension in the air," he said. "I could feel the educators wanted to talk but were afraid. So I invited them for personal talks with me." At one such talk, he said, a school official told him that he had 40 glue-sniffers between the ages of 14 and 17 in his own high school.

Petito said that the study took a full year because "I felt it had to be done right on a professional basis—not based on theatrics or political hacks." Whatever the case, the committee has finally produced a report. A similar committee, but on a smaller basis, was formed to study the problem in the town of Oyster Bay in 1964. The committee held one meeting, heard a Nassau police spokesman declare that there was no real problem, and never met again.

Narcotics experts agree that the problem in both the State and on Long Island falls into four distinct categories: Enforcement, education, prevention, and treatment. Here is the present Long Island picture:

Enforcement: Both the Nassau and the Suffolk police narcotics squads are doing a diligent job of enforcing present laws. But they are faced with overwhelming odds. Both need more men and a more adequate supply of money to make purchases from big pushers.

The Nassau police department has obviously recognized the growth in drug use; the narcotics squad has been increased from 2 to 10 men in the last few years. But some top officials of the department still maintain that there is no real drug problem, contributing to a false sense of security by the public. Both New York City and Suffolk police, straddling Nassau on either side, candidly admit that they have major problems.

Education: A few school districts are vigorously attacking the problem, but most of them are ignoring it. Said one educator: "Some school officials feel that if they admit they have problems they won't be able to draw the best teachers to their system."

The Plainview-Bethpage school district in Nassau has launched a widespread program of education working closely with local clergymen, businessmen, social workers, and police. Other school districts have distributed literature to students explaining the various kinds of drugs and listing the consequences of drug abuse. But many others have done nothing.

Prevention: The Federal and State Governments have recently passed stringent laws aimed at lessening the diversion of pills into the illegal markets. Drug manufacturers and drugstores must now keep stringent records of the sale of barbiturates, amphetamines, and tranquilizers. Prescriptions may no longer be refilled without the express consent of the prescribing physician and no persons under 21 may now purchase codeine-based cough medicine without a prescription. Under the new State law, the druggist is allowed to make his own decision as to who is over 21, but if he guesses wrong, he is also liable to criminal penalties.

Treatment: Long Island is in dismal shape when it comes to the treatment and cure of persons who have become physically or psychologically dependent on drugs. There are no treatment centers on Long Island devoted exclusively to the treatment and full rehabilitation of drug-dependent persons. Pilgrim State Hospital in Brentwood has a 165-bed unit devoted to the treatment of adults and Central Islip State Hospital has a 75-bed center. But this involves commitment to a mental hospital and offers no halfway house type facilities where a cured

person can gradually work back into a productive life.

Persons under 21 on Long Island are sent to Manhattan General Hospital in New York if they voluntarily seek a cure. At the hospital they are detoxified, given psychiatric treatment, and thrust back out on the street after several months.

Long Island offers few short-range treatment areas for drug-dependent persons. Supervisors of the Nassau County Probation Department and other law officials have complained about the reluctance of Meadowbrook Hospital to take "high" addicts for even a night.

A spokesman for Meadowbrook denied yesterday that the hospital has refused to take addicts. He said that the hospital has had many of them and has a full staff to aid them toward rehabilitation. But a Nassau district judge disagreed yesterday. "The hospital refused to take an addict from my court last week," the judge said. "I finally had to call and order them to take him in. Then they call me 3 days later, tell me he's detoxified, and say they want to release him. I ordered them to keep him for another week."

In his message to the legislature this week, Governor Rockefeller strongly urged both stiffer penalties against drug pushers and funds to establish narcotics treatment centers throughout the State, something strongly endorsed for Long Island by many experts on the subject.

Over the past month, Newsday has sought the advice of many leading experts on both the State and local levels in an effort to determine some of the best ways to eliminate drug abuse. Here are some of their suggestions:

Louis Milone, chief of the Nassau County Probation Department has urged (1) expansion and implementation of facilities at local general hospitals for the detoxification of drugs users on either a voluntary or mandatory basis, (2) construction of residential treatment centers for rehabilitation designed to eliminate psychological dependency and geared to give treatment on both in and out treatment basis, (3) hospitalization and treatment of known users on a mandatory basis rather than the present voluntary basis, (4) more flexible legislation giving increased authority to the courts, parole and probation departments to facilitate easier handling of the user with less redtape, (5) mandatory prison sentences for pushers with no alternatives.

ASKS LAW REVISION

Barry, taking the law-enforcement view, has asked some revisions in the present laws. Currently a pusher who is also an addict can escape jail if he voluntarily submits himself to treatment in State facilities. Barry said that many such accused persons choose the shorter period of treatment to the longer jail term and return to pushing or other crimes when they are freed. He would like some form of adjustment in the law to prevent this from happening. Barry would also like the penalty for pushers amended to provide a minimum 5-year sentence.

Dr. Henry Brill, director of Pilgrim State Hospital, endorses the idea of treatment centers and expansion of treatment facilities in the State's present mental institutions.

John Bellizzi, director of the New York State Narcotics Control Board in Albany, strongly supports mandatory treatment centers and stiffer penalties for addicts. He would like to see a 25-year jail sentence as mandatory for nonaddicted pushers.

Nassau County Court Judge Douglas Young and Nassau District Judges Bea Burstein and John Lockman, all of whom have spent a good deal of their own time working on the problem, advocate a full-scale education campaign and the immediate construction of treatment centers.

Said Lockman: "We have a bad problem here on Long Island and it's becoming worse by the moment. Every untreated drug-dependent person walking the streets is a source of infection to every other person around him. As long as they stay untreated, the problem is going to keep exploding more and more."

[From Newsday, Jan. 7, 1966]

FIVE THOUSAND FIVE HUNDRED DOLLARS IN DRUGS STOLEN

NEW HYDE PARK.—About 11,000 barbiturate and tranquilizer pills, worth $5,500 on the illicit drug market, were stolen from the Alan Pharmacy here in a burglary Wednesday night, it was learned yesterday.

Police said burglars forced open a back door of the pharmacy at 1630 Hillside Avenue, shortly after a clerk locked up for the night at 10 p.m. The burglary was discovered by a patrolman at 11:08 p.m. the same night. The operator of the store, Joseph Meyer of 187 Robby Lane, New Hyde Park, told police that the burglars took about 5,000 one-quarter grain and 5,000 one-half grain phenobarbital pills, 500 one-and-a-half grain nembutal capsules, and 100 seven-and-one-half-grain doriden tablets.

Meyer said he was still checking the inventory of the pharmacy to determine the exact amount taken in the burglary. He said he would not place a monetary value on the loss until the full inventory was completed in a few days.

The theft was one in a series of recent Nassau pharmacy burglaries that have led to the arrest of teenagers on narcotics charges. The most recent arrest occurred December 21 when two Bethpage youths were found semiconscious nine blocks apart in Massapequa. Police said they stole drugs and $60 from Merit Drugs, 673 Broadway, Massapequa.

Inspector John J. Cummings said the Alan Pharmacy haul would be worth $5,500 to drug pushers if the bottles were full. This is based on the sales of pills at 50 cents each, the going rate if they are sold individually. Phenobarbital and nembutal are barbiturates and their possession without a prescription is a crime. Doriden is a sedative and its possession is not a crime. But taken in doses of three or four pills, doriden produces a "high."

Police said that the thieves gained entry to Alan's by breaking the glass on the rear door. They said the police laboratory was checking the bottles for fingerprints. Police also found blood on the prescription counter.

[From Newsday, Jan. 11, 1966]

THEIR LOCKS NO BAR TO BAIL IN DOPE RAP

MINEOLA.—Two long-haired male teenagers, arrested on narcotics charges Wednesday after a dean's investigation at C. W. Post College, won a reduction in bail at their arraignment yesterday when a defense attorney told a judge, "They aren't as bad as they look."

County Court Judge Paul Kelly reduced the bail for student Thomas Wester, 17, and former student Robert Patterson, 19, from $10,000 to $2,500 each after telling the attorneys to have their clients improve their appearance. The bail reduction was approved despite Assistant District Attorney Martin B. Weinberg's objections. "After looking at them," Weinberg said, "I'd like to make an appeal to raise the bail."

During the earlier arraignment, Wester's father, Victor, 46, collapsed in the rear of the court when the $10,000 bail was set. The father was placed on a stretcher and taken to Meadowbrook Hospital, where he was treated and released. He hurried back to the courtroom to assure his son that he was all right.

Melvyn Altman, of Manhattan, one of two defense attorneys who appeared for the youths yesterday, explained that Wester and Patterson wear their hair long because they are interested in music and believe they must go unshorn to be a success. "They are not as bad as they look," Altman said in requesting less bail.

Patterson, who gave his address as 8555 88th Street, Woodhaven, Queens, and Wester, who said he lived at 9 Crossbar Road, Hastings-on-Hudson, were released to await grand jury action. They were arraigned on felony charges of possession of 30 ounces of marihuana and 700 dexedrine pills with intent to sell. Their arrest came after Frederick DeMarr, dean of students at C. W. Post, called police after conducting his own investigation of campus rumors that drugs were being sold. Police praised DeMarr for not trying to cover up.

In another case yesterday, a Plainview youth whose life was saved by police after he reportedly had taken an overdose of narcotics, was arrested on charges of stealing 7,000 barbiturate pills from a drugstore. Robert Moore, 17, whose address was given as 95 Cherry Drive, was arrested in Meadowbrook Hospital, where he is recovering. Police said Moore would be arraigned on a third-degree burglary charge when he is released.

Moore was charged with breaking into the Morton Village Pharmacy at 1026 Old Country Road in Plainview at 1:30 a.m. on February 3. Police said he stole 7,000 seconal, phenobarbital, and tuinal pills. Acting on a tip, police went to Moore's home Tuesday night, where they said they found 100 seconal pills hidden in the garage. Police said they began looking for Moore and found him sitting in a car outside of a Plainview diner with three other youths. Moore told them, police said, that he had just taken 2 shots of heroin and 15 seconal pills at one time. He was rushed to Meadowbrook Hospital where he went into a coma. Authorities said last night that the youth is in fair condition.

Louis Milano, 20, an unemployed electrician's helper who said he lived at 46 Verdi Street, Kings Park, was one of the occupants of the car with Moore. Police said they found a syringe, heroin, and barbiturates in his possession and charged him with illegal possession. Milano has applied for treatment as a narcotic addict, and his case is being reviewed. The other occupants of the car were released.

In another court case, 22-year-old unemployed Artist Richard Olsen pleaded innocent in Nassau County Court yesterday to a charge of possession of heroin, and Judge Douglas F. Young released him in $1,000 bail to await trial. Olsen was arrested October 13 on Hempstead Turnpike. Police said they stopped him for passing a red light and found the heroin in his pocket and a hypodermic needle inside a flashlight in the car. A grand jury indicted Olsen on the felony charge January 27.

[From Newsday, Jan. 11, 1966]

DOPE ADDICT'S HUNT FOR CURE USUALLY LEADS BACK TO DRUGS

(By Bob Greene)

It was May 1963, and Mrs. Evelyn Winters was desperately worried. Her 19-year-old son, Frank, was not eating; his eyes were watering and he was constantly nervous. Mrs. Winters had seen it happen to other youngsters in Woodmere. Her son was taking narcotics.

She faced a painful dilemma. Should she try to protect her son by concealing what she knew? Or should she turn him over to authorities in the hope that he could be treated before it was too late? Like many Long Island parents over the past several years, Mrs. Winters went to the police. Her

son, a heroin addict, was brought before the court on her complaint for possession of a hypodermic syringe.

But there were two things against Frank Winters. He already had the habit, and New York State has virtually no facilities to help Frank and other persons like him to find their way to a full and complete cure. He got a short period of treatment. Then a sympathetic judge and probation officers worked with him almost every day for 6 months. They worked and hoped for a miracle.

It didn't happen. Within a year, Frank, like more than 80 percent of the addicts treated in this State, was back on narcotics. And last week, he was arrested again by Nassau police, charged with selling packages of heroin to police undercover agents. Now he faces up to 15 years in prison upon conviction.

"The Winters case is just one of hundreds of such tragedies on Long Island and elsewhere," said Nassau District Court Judge Beatrice Burstein, who has battled for 4 years to warn Long Island parents of the dangerous increase in teen drug use. She said: "Once these kids start using drugs, any kind of drugs, they are on a treadmill. And with our present lack of facilities, the treadmill is for life."

Under present laws, teenage addicts who come before the courts are sent to Manhattan State Hospital for treatment. Because of the tremendous demand for admission, the average time of treatment is 3 months. Then the patient is released. Manhattan State, with a capacity of 200 beds, treated 801 patients in 1965.

State mental hygiene authorities, many psychiatrists, and most law enforcement agencies concede that any effective treatment program must last from 2 to 3 years, not 3 months.

There is only one such facility in the Greater New York area which offers long-term treatment, Day Top Village on Staten Island, a small, private institution. And because of acute overcrowding at Day Top, Nassau County was able to place only four youths there last year and Suffolk none. The rest, for better or worse, go to Manhattan State, which has a rate of about 80 percent released patients returning to narcotics.

Louis Milone, director of the Nassau County Probation Department, said that the department arranged psychiatric therapy for teenage addicts while they are in the Nassau County jail and group therapy and parent conferences when the youngsters are out on probation. He said the Nassau rate of those returning to narcotics currently is just slightly higher than 60 percent.

There are, according to authorities, an estimated 70,000 addicts of all ages in the State of New York. But in all State institutions there are only 704 beds set aside for addict treatment—1 bed for every 100 addicts. Governor Rockefeller has already indicated that he will ask the legislature this year for funds to build treatment centers throughout the State, for long-term treatment.

"But," Judge Burstein said, "these centers, if approved by the legislature, will take time to build and finance, possibly years. We desperately need something immediately. These children are affecting others on Long Island every day."

[From Newsday, Feb. 10, 1966]

"JIM" CHANGED, AS ADDICTS DO

FARMINGDALE.—Jim's junior high school grades fell suddenly; and he was absent frequently, became easily irritated and drowsy, stole $5 from his mother's purse, but no one knew what was wrong.

The trouble was that Jim had become a drug addict.

The name Jim is fictitious, but according to one expert, the description is typical of hundreds of young Long Island narcotics addicts. A continued pattern of unexplainably bad grades, the unusual absences, drowsiness, small thefts—all these were pointed out as things parents should look for if they suspect a son or daughter has been taking drugs.

The description came last night from Robert Hill, director of the social services department at Meadowbrook Hospital in East Meadow. Hill, a psychotherapist who has worked with addicts since 1958, spoke to a PTA meeting at the Weldon E. Howitt Junior High School here. In remarks after the talk, he outlined for parents a picture of a teenager who has become an addict. Lacking athletic ability, for example, the teenager may have trouble adjusting to others, particularly members of the opposite sex. He is almost always an insecure person, who uses drugs as a crutch. The drugs may range from tranquilizers taken from the home medicine cabinet to heroin. And Hill warned his audience: "There is little hope for effecting an absolute cure for addiction."

"The typical young drug addict was introduced to things in a social gathering or by a young friend," Hill said. "It comes from your friends. No one goes out looking for a shot." Out of curiosity, to answer a dare or to be one of the group, the teenager tries some narcotics, Hill said. "He gets a good feeling. It's the buzz many of us got when we got high the first time," he explained. But the first exposure generally leads to stronger forms of drugs. "Very few individuals can try it once and leave it," he said.

In his talk, Hill detailed the road to addiction, explaining terms like snow (heroin), spike (the syringe) and mainlining (injecting heroin into the veins). Many in the audience squirmed uncomfortably when he told of how addicts try to hide needle marks from police by injecting heroin into a vein between the toes. And he warned parents: "The kids know twice as much as you already." At the end of the meeting, one woman said: "I guess we'll all go home with something to think about."

[From Newsday, Feb. 10, 1966]

POST DEAN TRACES RUMORS, CAUSES DRUG ARRESTS OF PAIR

BROOKVILLE.—A dean at C. W. Post College conducted his own narcotics investigation on the campus yesterday—and then called the police, who arrested one of his students.

Nassau police said that Dean of Students Frederick DeMarr, by tracing rumors he had heard through the grapevine, brought about the arrest of the student and a former student on charges of possession of drugs with intent to sell. Capt. James Henderson, chief of the narcotics squad, said DeMarr's investigation enabled police to find 3 ounces of marihuana, worth $60, and 700 dexedrine capsules, worth $75, in the student's dormitory room.

DeMarr, who is the college's representative on the Nassau County Task Force on Narcotics, said: "We owe it to our student body and to the students yet to come, to straighten these matters out. It's a subject anyone should be concerned about, and if we find a problem, we'll act." DeMarr said he heard of the drugs in the college, tracked down the rumors, called freshman Thomas Wester, 17, to his office, questioned him, and then called police, who questioned the student further. DeMarr said the use of drugs is not a significant problem at C. W. Post, which has 3,200 full-time students, but added: "I'm sure that sales have been made before."

Police said they found the drugs in a locked suitcase in Wester's room. Marihuana is nonhabit forming, but dexedrine, a stimulant, has been shown to be addictive. Later, when Robert Patterson, 19, an unemployed former student, appeared on the campus, police were called to the school again and arrested Patterson on the dean's complaint. DeMarr said Patterson had been dropped from the college for academic reasons last June but maintained contacts on the campus.

Police said the youths admitted buying the drugs in Greenwich Village last week, but had denied that they planned to sell them. Under State law, however, possession of more than 1 ounce of loose marihuana is presumptive evidence of intent to sell. Both Wester, who gave his address as 9 Crossbar Road, Hastings-on-Hudson, and Patterson, who said he lived at 85–55 88th Street, Woodhaven, Queens, were charged with possession of marihuana with intent to sell, a felony punishable by up to 5 years in jail, and possession of amphetamines, a misdemeanor punishable by up to a year in jail. They were held for arraignment today in first district court.

In an unrelated case, the 20-year-old son of a Manhattan jewelry store owner pleaded innocent in Nassau County court yesterday to charges that he possessed marihuana and sold it to undercover narcotics squad detectives. William Yee, who gave his address as 71 Somerset Drive, Great Neck, entered the plea at his arraignment before County Court Judge Douglas F. Young. No trial date was set. Yee was arrested January 27 after being indicted December 2 on three counts of possessing and selling marihuana. Police said he is free on bail awaiting trial on a previous narcotics charge dating from August 20, 1964.

Meanwhile, in Columbus, Ohio, a narcotics charge against a 21-year-old Smithtown, N.Y., coed, which was dismissed in a pretrial hearing earlier this week because of insufficient evidence, will be brought before the Franklin County grand jury. A Columbus vice squad spokesman said yesterday that Carol Lynn Stechner, a senior at Ohio State University, whose address was given as 49 Burlington Boulevard, Smithtown, was arrested January 11 on charges of illegal possession and illegal sale of narcotics.

[From Newsday, Feb. 10, 1966]

"KICKS" ALMOST DEADLY

MINEOLA.—A Plainview teenager, in fair condition at Meadowbrook Hospital today after reportedly taking 2 shots of heroin and 15 barbiturate pills at one time, may owe his life to quick police work.

Police and probation department officials told this story yesterday of how a tip followed by quick investigative work led to the arrest and then the hospitalization of Robert Moore, 17, whose address was given as 95 Cherry Drive, Plainview.

At about 10 p.m., Tuesday, Detective James Wylie, of the Eighth Squad, got a tip that Moore, who was on probation for a previous narcotics conviction, had a batch of barbiturate pills hidden in his home. Wylie contacted Dean Hepper and David Galusha of the probation department's narcotics unit. The three men, joined by James Treuchtlinger, a probation department supervisor, and another detective rushed to Moore's house. They said Moore's parents cooperated and let them search the house. The 5 men found 100 Seconal pills (a barbiturate) in a sock tied to a rafter in the garage.

The men then split into two groups to search for Moore in the Plainview area. Wylie and the other detective went in one car and sent the three probation officers to a Plainview diner, a popular gathering place for teenagers.

The probation officers said they found Moore, Louie Milano, 20, who gave his address as 46 Verdi Street, Kings Parks, and two other probationers sitting in a car outside the diner at about 11 p.m. When they were joined 15 minutes later by the detectives, all four youths were taken to Eighth Precinct headquarters.

When the four were searched in the station house, a batch of Seconal pills was found in Moore's pocket. Wylie and the

others said they had noticed during the ride back to the precinct that Moore was getting progressively "higher." When they saw fresh needle marks on Moore's arms, they said, they became concerned that he might be in danger.

Wylie said Moore told him that he had taken 2 shots of heroin and 15 Seconal pills at one time. Realizing that this was a lethal dose, the police took Moore to Meadowbrook Hospital in East Meadow.

Milano, an unemployed electrician's helper, was arrested on charges of illegal possession of narcotics. Moore was arrested on one charge of illegal possession of narotics. The other youths in the car with Moore and Milano were released.

[From Newsday, Feb. 10, 1966]

NARCOTICS STALK "TYPICAL" LONG ISLAND TOWN

(By Arnold Abrams and Frank Lynn)

Plainview, a seemingly typical suburban community near Nassau County's eastern border, has felt the public spotlight in recent weeks as a community with a dope problem.

Why Plainview? Is it different from other Long Island communities? Or is it merely an example of a problem that can also be found beneath the surface of dozens of outwardly ideal suburban communities?

Plainview has a dope problem. There's no question about that. Police, school officials, politicians, storekeepers, and the community's youths attest to that. There have been at least five narcotics arrests in the community in the past 6 weeks, including two Monday evening. Police say that there are probably at least 200 other Plainview youths using barbiturates and codeine cough medicines. School officials are aware of the problem and rather than trying to hide it behind the glass and brick facades of the school, are trying to combat it. Storekeepers in several shopping centers in the community are painfully aware of it. They are often unwilling hosts to packs of doped-up boys and girls.

But Plainview is not alone. Police and county probation officials with firsthand knowledge of the dope problem said that it is present in many Long Island communities but has not been spotlighted by local officials as has been done in Plainview.

The businessmen of Plainview didn't need any spotlight, however. A matronly waitress in the Skyline diner, 1904 Old Country Road, told a reporter yesterday of her experience with the youthful addicts, two of whom were arrested in the diner parking lot Monday evening for possession of heroin and Seconal pills, a barbiturate. "I am scared to death to work here at night," she said. "These kids behave terribly. They throw things like silverware and glasses. They fall asleep and slump at the tables. * * * All you have to do is look at their eyes. They are glassy and droopy. The kids walk around like they were in a stupor. * * * You could cry when you see young boys and girls sitting around in this kind of condition. And, they're not drunk. You know this because they have been sitting there for hours and not drinking and you don't smell liquor on them."

The addicts, who range from 14 to their early 20's, travel in packs of up to 20 boys and girls from one shopping center to another. They infest diners, bars, and adjacent parking lots.

Two shopkeepers in the Morton Village shopping center on Old Country Road told their experiences to a reporter. A druggist said that burglars had shattered the plate glass window of his store to gain entry last week. He said that they had stolen 5,000 phenobarbital and several hundred Seconal pills. "They weren't looking for money; the cash registers were untouched," the druggist said.

One businessman related how he stood up to a pack of addicts to keep them from turning his stationery store into a hangout: "Several weeks ago, they started coming around. I spotted them right away. I've been in business long enough to know trouble when I see it. At first, they were taking nickel and dime stuff from me. Then, a $10 cigarette lighter disappeared. That hurt and I decided to do something about it. There was a bunch of them hanging around one night and I told them to move out. I told them I didn't want their business. I figured I'd be letting myself in for trouble but I was ready for it. I was scared, but you've got to take a stand. Otherwise, they'll run all over you. They haven't been here since."

The youths' movement from one area to another within the community was pointed up by shopkeepers in a shopping center at the southeast corner of South Oyster Bay and Woodbury Roads. This shopping center had been identified as an addict hangout in a Newsday series on suburban drug addiction in December. The businessmen in the center said that they have had no problem since.

Despite the grim portrait painted by Plainview businessmen, Oyster Bay Town Supervisor Michael Petito, who lives in Plainview, said that it is not different from any other community. "We are fortunate that we have school officials who have boldly approached this problem and are trying to cope with it," he said. A detective and two probation officers familiar with Plainview and its dope problem agreed. "It's no worse off than any other area in the county," said a probation officer.

Those officials most involved with the problem agreed that it not only cuts across community lines but also involves white and Negroes, male and female youths of all economic and intellectual levels. These officials also place the blame squarely on parents who are insensitive and indifferent to the youths.

An 18-year-old Long Island youth now in jail for illegal possession of narcotics echoed this theory in his own words in a letter to a county official. He wrote: "I think we must agree that never before has a generation come so close to rearing themselves. * * * Parental guidance is no longer the prime rule of the game. * * * Not only has the adult and parent of today fallen down as a leader in the home but he has set himself or herself up knowingly as a competitor of youth. The youths of our county, looking for adult leadership and not finding it, resort to their own ideas and actions. * * * Not only have these factors contributed to the rise in juvenile delinquency of the old form but also to one of a newer form, for example, the cough syrup addict."

Complaints about their parents are common among youthful addicts, a probation officer said. He said that these youths repeatedly protest parental nagging, inconsistency and overstrictness. He said that he has often heard addicts complain: "I can't talk with my father." He added that youths who don't feel accepted at home frequently look for recognition and direction from youths with similar problems.

A Plainview High School senior, who does not use drugs, sounded a similar theme yesterday. "At first, age and size make the big difference; if you are bigger than the rest of the boys, you are a hotshot automatically. But if you're not big enough, you have to have something else." He explained that "something else" is a cigarette for a junior high schooler, cars for some teenagers and liquor, glue sniffing, or dope for others. He said that he knew several addicts. "It all started 4 or 5 years ago when these boys who were eighth graders then began getting mixed up with older boys," he said.

The boy, who intends to go to college in September, pinpointed a sad difference between the youth whose name is on a college register and one whose name is on a police blotter. He noted that virtually all teenagers try to assert their independence if by no other means than wearing leather jackets and tight pants. He added: "I did, too, but I outgrew this stage. They didn't."

[From Newsday, Feb. 15, 1966]

TWO SENTENCED FOR BEATING REPORTER

MINEOLA.—Two youths convicted of assaulting Newsday Reporter Bob Greene were sentenced yesterday to 3 years each in the Elmira Reception Center, but the sentence of one was suspended.

In suspending the sentence of Leonard A. Herbst, 19, First District Court Judge Harold F. Strohson noted that Herbst had been held in jail without bail since his arrest January 4. Strohson also fined Herbst $100. Herbst faces a possible revocation of his parole on a 1964 burlary conviction. Strohson ordered Russell Pappalardo, 18, to serve his sentence.

Herbst's fine was paid by his father. Both youths were calm during their sentencing, but Pappalardo's mother was sobbing in the back of the courtroom. When the teenagers were found guilty last month, Pappalardo's parents caused an emotional scene outside the courtroom.

Greene was attacked by the youths after they encountered him in the Esquire Bar, 433 South Oyster Bay Road, Plainview, while he was trying to obtain pep pills in connection with a series of articles about drug addiction among Long Island teenagers. Greene said that after he failed to get the pills, he left the bar and was attacked nearby by Herbst, Pappalardo, and four others whom he could not identify.

Strohson told Herbst: "Cases such as yours are not easy to decide. It is difficult for this court to understand why you are here. You come from a fine home. It seems you are one of those misfits who looks to associate himself with * * * trash. Wherever you are you like to be friendly and helpful, like a puppy dog, like a little boy. If you could be in good company all the time, you probably would never be in trouble."

Turning to Pappalardo, Strohson said: "You are about about as rotten as any young man can be and still maintain some respectability. While you were on trial, you were arrested for possession of barbiturates * * *. I hope by sending you away for a while you may change. But I doubt it. You're one of those kids who thinks he can fool everybody." Under State law, Pappalardo will be eligible for parole in 15 months.

Pappalardo, who gave his address as 17 Roundhill Road, Northampton, Mass., also faces a second-degree assault charge against a policeman in addition to the charge of possession of barbiturates. Herbst, who gave his address as 8 Vera Avenue, Plainview, is also charged with violation of parole for a 1964 burglary and grand larceny conviction. He was paroled from Elmira last June. The parole can be revoked by probation department officials, and Herbst would have to serve the remaining 7 months of his 3-year sentence.

[From Newsday, Feb. 15, 1966]

NASSAU TASK FORCE TO HEAR "IN" TEENS ON DRUGS

EAST MEADOW.—The Nassau County Task Force on Narcotics is planning to invite high school students from "in" groups to speak at its convention March 19 at C. W. Post College in Brookville.

"He need not be the student council president," said Dr. Benjamin Ringer, an associate professor of sociology at Hunter College. "We are looking for the student who is on the 'in.'"

Ringer said he believes that students who know what's going on at school may offer a view of "the grassroots of the (narcotics) problem." Oyster Bay Town Supervisor Michael N. Petito, chairman of the task force, agreed. "We might learn firsthand how it [the drug problem] affects the student, how it is transmitted," he said. "You would be amazed how many students know what's going on."

The Brookville convention plans to bring together an estimated 200 educators and public officials. Petito said that representatives of Nassau and Suffolk's 120 public school districts, as well as of Long Island parochial schools, will be invited.

On another level of the county campaign against narcotics, District Attorney Cahn will discuss addiction tomorrow night at 7 in a speech before the Nassau Lawyers' Association at McCluskey's Restaurant in Bellmore.

[From Newsday, Feb. 15, 1966]

ACT OF COURAGE

Frederick DeMarr, dean of students at C. W. Post College, a part of Long Island University, heard rumors recently that drugs were being peddled and used on the campus. He might have shrugged his shoulders. He might have swept the whole thing under the rug, fearing adverse publicity for the college. He did neither. He conducted his own investigation, and then called the police, who arrested one of his students for possession of narcotics along with a former student.

This was an act of courage as well as of integrity. We commend it to all other educators on Long Island at every school level to pursue the same course. The evil of drug addiction must be stamped out wherever it exists. Educators owe that to parents as well as to children. High marks, therefore, to Dean DeMarr and Chancellor R. Gordon Hoxie.

CONCLUSION OF MORNING BUSINESS

Mr. LONG of Louisiana. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LONG of Louisiana. Has not the morning hour been concluded?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

TAX ADJUSTMENT ACT OF 1966

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 12752.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 12752) to provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect to self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported by the Committee on Finance with amendments on page 32, line 2, after the word "of", to strike out "12" and insert "10"; at the beginning of line 5, to strike out "If the number determined under the preceding sentence is not a whole number, the fraction shall be disregarded; except that, if the number determined is one-half or more but less than one, it shall be increased to one." and insert "For purposes of this subsection, fractional numbers shall not be taken into account."; in line 22, after the word "than", to insert "(i)"; in line 24, after the word "estimation", to strike out "year" and insert "year, or (ii) in the case of an employee who did not show such deductions on his return for such preceding taxable year, an amount equal to the lesser of $1,000 or 10 percent of the wages shown on his return for such preceding taxable year"; on page 33, line 22, after the word "year", where it appears the second time, to strike out "(or if the employee has filed a return for the preceding calendar year, and if he has in effect a withholding allowance under this subsection based on using the current calendar year as the estimation year, such current calendar year)" and insert "(except that with respect to an exemption certificate furnished by an employee after he has filed his return for the preceding calendar year, such term means the current calendar year)"; on page 35, after line 11, to strike out:

"(D) LIMITATION.—The Secretary or his delegate may by regulations provide that one or more of the withholding allowances to which an employee would, but for this subparagraph, be entitled under this subsection shall be denied because such employee's estimated wages are above the level at which the amounts deducted and withheld under this chapter are generally sufficient to offset the liability for tax under chapter 1 with respect to the wages from which such amounts are deducted and withheld.

And, in lieu thereof, to insert:

"(D) LIMITATION.—In the case of employees whose estimated wages are at levels at which the amounts deducted and withheld under this chapter generally are insufficient (taking into account a reasonable allowance for deductions and exemptions) to offset the liability for tax under chapter 1 with respect to the wages from which such amounts are deducted and withheld, the Secretary or his delegate may by regulation reduce the withholding allowances to which such employees would, but for this subparagraph, be entitled under this subsection.

On page 36, after line 8, to strike out:

"(E) AUTHORITY TO PRESCRIBE TABLES.—The Secretary or his delegate may prescribe tables pursuant to which employees shall determine the number of allowances to which they are entitled under this subsection. Such tables may be based on reasonable wage and itemized deduction brackets.

At the beginning of line 15, to strike out "(F)" and insert "(E)"; in line 18, after the word "withholding", to strike out "exemption." and insert "exemption."; after line, 18 to insert:

"(4) AUTHORITY TO PRESCRIBE TABLES.—The Secretary or his delegate may prescribe tables pursuant to which employees shall determine the number of withholding allowances to which they are entitled under this subsection (in lieu of making such determination under paragraphs (1) and (3)). Such tables shall be consistent with the provisions of paragraphs (1) and (3), except that such tables—

"(A) shall provide for entitlement to withholding allowances based on reasonable wage and itemized deduction brackets, and

"(B) may increase or decrease the number of withholding allowances to which employees in the various wage and itemized deduction brackets would, but for this subparagraph, be entitled to the end that, to the extent practicable, amounts deducted and withheld under this chapter (i) generally do not exceed the liability for tax under chapter 1 with respect to the wages from which such amounts are deducted and withheld, and (ii) generally are sufficient to offset such liability for tax."

On page 38, at the beginning of line 11, to strike out "(1) that the wages (within the meeting of chapter 24) shown on his return for any taxable year were less than such wages actually shown, or (2) that the itemized deductions referred to in section 3402(m) on the return for any taxable year were greater than such deductions actually shown, he shall pay a penalty of $50 for each such statement" and insert "(1) as the amount of the wages (within the meaning of chapter 24) shown on his return for any taxable year an amount less than such wages actually shown, or (2) as the amount of the itemized deductions referred to in section 3402(m) shown on the return for any taxable year an amount greater than such deductions actually shown, he shall pay a penalty of $50 for such statement"; on page 45, after line 5, to insert:

(4) Section 6211(b)(1) (relating to definition of a deficiency) is amended by striking out "chapter 1" and inserting in lieu thereof "subtitle A".

At the beginning of line 9, to strike out "(4)" and insert "(5)"; at the beginning of line 18, to strike out "(5)" and insert "(6)"; on page 49, after line 16, to strike out:

(b) FLOOR STOCK TAX. Section 4226 (relating to floor stock taxes) is amended—

(1) By adding at the end of subsection (a) the following new paragraph:

"(8) 1966 TAX ON AUTOMOBILES. On any article subject to tax under section 4061(a)(2) which on the day after the date of the enactment of the Tax Adjustment Act of 1966 is held by a dealer and has not been used and is intended for sale, there is imposed a floor stocks tax at the rate of 1 percent of the price for which the article was sold by the manufacturer, producer, or importer. Under regulations prescribed by the Secretary or his delegate, the tax imposed under this paragraph shall be paid by such dealer and shall be collected from him by the manufacturer, producer, or importer."

(2) By amending subsection (d)—

(A) by striking out "and except" and inserting in lieu thereof "except", and

(B) by striking out "delegate." and inserting in lieu thereof "delegate, and except that the tax imposed by paragraph (8) shall be paid at such time after 60 days after the date of enactment of the Tax Adjustment Act of 1966 as may be prescribed by the Secretary or his delegate."

(c) CONFORMING AMENDMENTS.

(1) Section 6412(a)(1) (relating to floor stocks refunds on passenger automobiles, etc.) is amended by striking out "January 1, 1966, 1967, 1968, or 1969," and inserting in lieu thereof "January 1, 1966, April 1, 1968, or January 1, 1969,".

(2) Section 209(c)(1)(G) of the Highway Revenue Act of 1956 (relating to general provisions for transfers to the Highway Trust Fund) is amended by striking out "section 4226(a)" and inserting in lieu thereof "sec-

tion 4226(a) (other than paragraph (8) thereof)".

And, in lieu thereof, to insert:

(b) CONFORMING AMENDMENT.—Section 6412(a)(1) (relating to floor stocks refunds on passenger automobiles, etc.) is amended by striking out "January 1, 1966, 1967, 1968, or 1969," and inserting in lieu thereof "January 1, 1966, April 1, 1968, or January 1, 1969,".

On page 51, at the beginning of line 14, to strike out "(d)" and insert "(c)"; on page 53, after line 12, to insert a new title, as follows:

TITLE III—MISCELLANEOUS PROVISIONS

After the amendment just above stated, to insert:

SEC. 301. DISALLOWANCE OF DEDUCTION FOR CERTAIN INDIRECT CONTRIBUTIONS TO POLITICAL PARTIES.

(a) DISALLOWANCE.—Part IX of subchapter B of chapter 1 (relating to items not deductible) is amended by adding at the end thereof the following new section:

"SEC. 276. CERTAIN INDIRECT CONTRIBUTIONS TO POLITICAL PARTIES.

"(a) DISALLOWANCE OF DEDUCTIONS.—No deduction otherwise allowable under this chapter shall be allowed for any amount paid or incurred for—

"(1) advertising in a convention program of a political party, or in any other publication if any part of the proceeds of such publication directly or indirectly inures (or is intended to inure) to or for the use of a political party or a political candidate,

"(2) admission to any dinner or program, if any part of the proceeds of such dinner or program directly or indirectly inures (or is intended to inure) to or for the use of a political party or a political candidate, or

"(3) admission to an inaugural ball, inaugural gala, inaugural parade, or inaugural concert, or to any similar event which is identified with a political party or a political candidate.

"(b) DEFINITIONS.—For purposes of this section—

"(1) POLITICAL PARTY.—The term 'political party' means—

"(A) a political party;

"(B) a National, State, or local committee of a political party; or

"(C) a committee, association, or organization, whether incorporated or not, which directly or indirectly accepts contributions (as defined in section 271(b)(2) or make expenditures (as defined in section 271(b)(3)) for the purpose of influencing or attempting to influence the selection, nomination, or election of any individual to any Federal, State, or local elective public office, or the election of presidential and vice-presidential electors, whether or not such individual or electors are selected, nominated, or elected.

"(2) PROCEEDS INURING TO OR FOR THE USE OF POLITICAL CANDIDATES.—Proceeds shall be treated as inuring to or for the use of a political candidate only if—

"(A) such proceeds may be used directly or indirectly for the purpose of furthering his candidacy for selection, nomination, or election to any elective public office, and

"(B) such proceeds are not received by such candidate in the ordinary course of a trade or business (other than the trade or business of holding elective public office).

"(c) CROSS REFERENCE.—

"For disallowance of certain entertainment, etc. expenses, see section 274."

(b) CLERICAL AMENDMENT.—The table of sections for such part IX is amended by adding at the end thereof the following new item:

"Sec. 276. Certain indirect contributions to political parties."

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to taxable years beginning after December 31, 1965, but only with respect to amounts paid or incurred after the date of the enactment of this Act.

And, on page 56, after line 2, to insert:

SEC. 302. INFORMATION RETURNS MADE BY DEPARTMENT OF AGRICULTURE.

(a) FILING BY SECRETARY OF AGRICULTURE OR HIS DESIGNEES.—Section 6041 (relating to information at source) is amended by adding at the end thereof the following new subsection:

"(e) PAYMENTS BY DEPARTMENT OF AGRICULTURE.—

"(1) RETURNS TO BE MADE BY SECRETARY OF AGRICULTURE.—In the case of any payments, for which returns are required under subsection (a), made under any program administered by the Department of Agriculture, the returns required under subsection (a) shall be rendered by the Secretary of Agriculture or by one or more officers or employees of the Department of Agriculture designated by the Secretary of Agriculture to make such returns on his behalf.

"(2) STATEMENTS TO BE FURNISHED TO PERSONS WITH RESPECT TO WHOM INFORMATION IS FURNISHED. The Secretary of Agriculture, or the officer, or employee of the Department of Agriculture designated by him to render any return to which paragraph (1) applies, shall furnish to each person whose name is set forth in such return a written statement showing the aggregate amount of payments to the person as shown on such return. The written statement required under the preceding sentence shall be furnished to the person on or before January 31 of the year following the calendar year for which the return under subsection (a) was made."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to returns made after the date of the enactment of this Act.

ORDER OF BUSINESS

Mr. RIBICOFF. Mr. President, I ask unanimous consent that I may now yield to the Senator from Illinois; and, if the Senator from Illinois will defer to the Senator from Washington, I will be pleased to yield first to the Senator from Washington, without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

CORRECTIVE MEASURES FOR DRAIN OF GOLD RESOURCES TO FRANCE

Mr. DOUGLAS. Mr. President, first I thank the Senator from Connecticut for his very gracious yielding of the floor. He has been present ever since 12 o'clock, and has seen his hopes of addressing the Senate on an important subject deferred from minute to minute. Since he has been so kind as to yield to me, I shall try not to infringe too deeply on his time.

Somewhat over a year ago, I took the floor of the Senate to point out that General de Gaulle had announced his intention to demand gold from us in payment for the dollar claims which France held against us. In effect, he had announced his intention to start a run on the credit bank of dollars which we had created to protect and rebuild the world, France included. I then proposed that, despite our appreciation of French culture and our admiration for the many estimable facets of the General's character, in self-defense and without bitterness we adopt a series of defensive economic moves designed to lessen or eliminate his drain on our gold. I suggested a decrease in our tourist travel in France and a re-routing of cargo and passengers away from French shipping, a shifting of our command and supply activities out of France into other countries, and the discontinuance of American aid and investment in those nominally independent African nations which are still financially tied to France. For in these cases, our expenditures in dollars are transferred to Paris and speedily become official claims upon our gold.

I even went so far as to suggest that if France continued in its attempt to pull down the pillars of the gold exchange standard we should try to counter this by asking France to pay some of the billions which she still legally owes us on the World War I debts.

While I received some reassuring comments from certain administration officials, no visible action was taken by it. In the late summer, I addressed a letter to the leading department heads reaffirming my suggestions.

I ask unanimous consent that that letter be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DOUGLAS. After a time I received an official reply from Assistant Secretary of State Douglas MacArthur II, rejecting or postponing a decision on all of these suggestions, and I ask that this letter also be printed in the RECORD at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. DOUGLAS. It is understood that the main opposition to even the mildest of these suggestions comes from the State Department. It is, I suppose, natural for them to do so. They want to hold the shaky Western alliance together. So do I. They do not want to excite the further anger of General de Gaulle and hope that the ever-rolling stream of time will either moderate the General's policies, cause the French people to repudiate them or bring new leaders to the fore. But we must face the fact that General de Gaulle was recently reelected even though he only received 45 percent of the votes on the first ballot and 55 percent on the second. Continuing in power, he seems to be slightly more conciliatory towards the other European members of the Common Market but just as confirmed as ever in his anti-Americanism. He is for forcing all NATO units commanded by Americans out of France and obviously wants to injure America in every possible way. Economically, in the past year, the French claimed $800 million of gold and their example was followed by Spain and by other small European nations. Secretary Fowler has testified before the Finance Committee that De Gaulle is continuing this policy at the rate of $30 million a month. Unless corrective steps are taken in Indochina, which I shall touch on in a moment, this drain will

not only continue but will markedly increase.

De Gaulle is now forcing our troops and supply and command units out of France and in the process slightly diminishing the gold drain. How much more dignified it would have been had we voluntarily withdrawn, as I urged last year, instead of being forcefully booted out.

I now wish to make two very modest suggestions which can be easily put into effect:

First. That, as I suggested last year, we discontinue economic aid to the African republics which are financial dependencies of France. By last accounts, aid and American investments in these countries amounts to about $200 million a year. France has sufficient resources of her own to assume the full economic responsibility for these countries and we should not allow this burden to be shifted to us—particularly in view of that fact that De Gaulle then uses our very generosity to undermine further our international economic position.

I hope that such items may be omitted from the forthcoming economic-aid bill. But, if not, and if AID and the State Department persist in their determination to thus aid De Gaulle, I think I should serve notice politely but firmly that I will try to eliminate these items specifically from any authorization.

Second. We need to take corrective measures to prevent financial disaster growing out of our expenditures in Vietnam, for France is financially strengthening herself and, at the same time, undermining us as we try to prevent the Communists from taking over South Vietnam by force. We should start from the fact that the French owned and dominated Bank of Indochina still largely controls the financial life of South Vietnam as it did that of all Indochina prior to the military expulsion of the French in 1954. This bank is both rich and powerful and has been and is highly influential in French political life as it still is in South Vietnam. There are also, as I understand, two rather small Vietnamese banks and presumably two which are owned by overseas Chinese. But it is the Bank of Indochina which is dominant and controlling, and this, I repeat, is French owned and controlled.

Already dollar expenditures in South Vietnam are finding their way into the Bank of Indochina and are apparently then being transferred to Paris where they become official French claims upon the dollar and, hence, create an ultimate demand upon our gold.

The administration estimates that the added cost of the stepup in our efforts in Vietnam will be $10.5 billion. Possibly if we were to get an early and honorable cessation of hostilities, it might be less. But all the probabilities are that it will be more. It is almost inevitable that the dollars for some of these expenditures will find their way into the Bank of Indochina and then be transferred to Paris and then give General de Gaulle further weapons in his effort to strip America of its gold. I wish to commend the Defense Department and the Treasury for their decision to have our troops in Vietnam payed in scrip, redeemable only in the United States. This should reduce the French claims on gold although it is still possible that some of this scrip may still wind up in French financial hands.

But expenditures by contractors and subcontractors who will do the extensive construction work which is being planned cannot be so easily controlled. I think it safe to estimate that, at the very least, 5 percent of the total expenditures will get into the hands of the Bank of Indochina and will then be transferred to Paris and create an added demand for our gold. I have consulted with men who know the situation and I believe my estimates are most modest and probably err greatly on the side of conservatism. But even 5 percent would mean added claims against our gold of $500 million.

Of course, if the Communists were to take over South Vietnam, the Bank of Indochina would then exist only at their sufferance and when it was convenient it would be closed down or taken over.

Let it be clear that, while we are not in Vietnam to protect the Bank of Indochina, this is nevertheless one of the incidental side effects. An ironical situation is thus created whereby the more we help to protect the Vietnamese people and, incidentally, the Bank of Indochina, the more this furnishes General de Gaulle with the financial ammunition which he will then use in the effort to cripple us financially.

I submit that it is about time we stopped this. We have not won the General's friendship or cooperation by our sufferance of injuries. Perhaps we can win French support and induce the General to be less antagonistic by decent self-defense. On last Friday, therefore, I urged the Treasury to help establish American banks in South Vietnam and to see to it that dollar payments be channeled into them rather than into the Bank of Indochina. I am now informed that at least four American banks would like to establish branches in South Vietnam and are awaiting approval by the South Vietnamese government. I believe the attitude of the Treasury Department is wholly constructive in this matter, but we need the support of the State Department if this effort is to be fully effective. While I do not want to condemn the State Department in advance, I think I can say that in the past they have been less than alert to the financial dangers involved and have been unduly concerned in seeking to conciliate the General. To patiently turn the other cheek is, within limits, noble—but after a time a decent self-defense is desirable. Even if the aggressor is a brave General and the head of a great country with a distinguished history, we should not suffer this any longer. We can act in a dignified and nonprovocative manner, but it is necessary and proper to defend ourselves economically. I hope the State Department and its representatives will see the light and that these banks may be quickly set up and the necessary administrative orders issued in cooperation with the South Vietnamese Government so that dollar deposits and claims can only be handled through them.

But, of course, our cultural contacts with the French people should not only be preserved but increased, and we should strive to work cooperatively with both the French Government and people in all those ways which will strengthen the security and well-being of the world. General de Gaulle may be our enemy but we will not be his enemy and we wish to let the French people know that we would be true friends of theirs.

EXHIBIT 1

JULY 27, 1965.

Hon. DEAN RUSK,
Secretary of State,
Washington, D.C.

MY DEAR MR. SECRETARY: In a speech which I gave recently on General de Gaulle and his attitude toward the United States, I made some specific suggestions with respect to policies which I felt our Government should pursue in connection with France and General de Gaulle.

Some of these proposals are under the jurisdiction of your Department. I wonder if it would be possible for you to indicate to me if any of these proposals are now either being looked into by the Department or if any of them are now the policy of your Department and the Government of the United States.

With best wishes.

Faithfully yours,

PAUL H. DOUGLAS.

EXHIBIT 2

DEPARTMENT OF STATE,
Washington, August 30, 1965.

Hon. PAUL H. DOUGLAS,
U.S. Senate.

DEAR SENATOR DOUGLAS: Thank you for your letter of July 27, 1965, asking for the views of the Department of State on various suggestions regarding policies toward France which you discussed in the Senate on June 3. I regret the delay in our reply.

One of your proposals is that we shift governmental transportation either to United States or, for example, to British flag vessels and aircraft. I can assure you that Department of State personnel and their effects now move abroad only on U.S. flag carriers, except to or from destinations that are not served by U.S. carriers or, in exceptional circumstances, when such carriers are not available during the period that travel must take place. We, of course, intend to continue this policy, which is also followed by other U.S. Government agencies.

You also suggested that we might reduce travel by American tourists and businessmen abroad, particularly to France. I am sure you will understand our view that the U.S. Government should not interfere with the right to travel, nor should it suggest where or how its citizens might travel, except of course for passport restrictions relating to special circumstances. The Government, under the leadership of the Department of Commerce, is trying hard to promote travel within the United States, both by Americans and by foreign visitors.

Another of your proposals was that military activities might be removed from France. There is, as you say, an annual net dollar outflow on military account as a consequence of the presence of U.S. forces in France. However, we believe that the best deployment of our forces in Europe would include the line of communications across France as well as the network of airbases available for our use in central and eastern France. It would be unwise to change these arrangements on balance-of-payments grounds alone. We will certainly continue our efforts to manage these military facilities

in France with the most economical use of personnel and resources, and we note that economies in this respect have been achieved by the military services each year. It is expected that further economies will be realized this year in France, as well as in other countries.

You further suggested that we consider ways to induce greater financial cooperation from France. We frankly do not believe that it is possible to achieve an improvement in the international monetary system except on the basis of agreements among interested governments founded on their mutual interests; improvements cannot be obtained by pressure or coercion of one against another. Your suggestion that we ask France to make payments to us in gold would not be effective so long as France enjoys a surplus in its external accounts or, should the French surplus disappear, so long as France has convertible foreign exchange holdings, primarily dollars, with which to settle deficits in its accounts. In the absence of such holdings, France would, of course, be obliged to settle such transactions with the United States and other countries in gold, and this is its established policy.

You suggested that the entire French indebtedness from World War I might be canceled in return for their canceling the total foreign exchange claims which they hold against us. This would amount to expunging their dollar balances of some $865 million. We feel that any suggestion along these lines, which would also resurrect controversial issues concerning a period long past, would only serve to undermine confidence in the dollar as a reserve currency in the modern world.

Finally, I wish to comment on your suggestion that we consider the reduction or elimination of aid to 18 French-speaking countries in Africa. The United States recognizes the continuing importance and value of French aid and influence in these countries where, in many cases, France is the most important donor. We also recognize the importance to these countries of diversifying their economic and political associations, and believe it to be of the greatest importance that they have the opportunity to do so with all countries of the free world, as an alternative to the Communist world. We are also impelled by humanitarian considerations, and note that more than half of our aid to Afirca last year took the form of food-for-peace shipments.

We consider our aid programs in Africa a significant ingredient in the closeness of our relations with these new countries. We believe they contribute to increased African understanding and support for our own policies outside Africa, which are of great importance to us. The development of this identification of interests has also had significant results in the provision of space and other important facilities in Africa. While U.S. aid to Africa has been relatively small in relation to the assistance provided by France and other European countries, it demonstrates our concern for the welfare of these new nations.

We appreciate this opportunity to comment on the suggestions made in your speech of June 3. We also wish to assure you that, while differences in policy between the United States and France are naturally of concern to us, we remain in touch with the French Government at all levels, to discuss and, where possible, resolve our differences. If I may be of further assistance to you, please do not hesitate to call on me.

Sincerely yours,
DOUGLAS MACARTHUR II,
Assistant Secretary for Congressional Relations
(For the Secretary of State).

Mr. RIBICOFF. Mr. President, I ask unanimous consent that I may yield to the Senator from Delaware, without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX ADJUSTMENT ACT OF 1966

The Senate resumed the consideration of the bill (H.R. 12752) to provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect to self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes.

Mr. WILLIAMS of Delaware. Mr. President, I am supporting H.R. 12752 the pending bill, the purpose of which is to provide additional revenue for fiscal year 1966 as well as 1967. I voted against the removal of these taxes last year on the basis that it was fiscally irresponsible to cut taxes in the face of a big deficit and with a war going on.

However, in supporting this bill, I do not underwrite the administration's claim that this solves all the fiscal problems, or that this will result in a deficit of only $1.8 billion in fiscal 1967.

For fiscal 1967 they claim it is $1.8 billion, but in reality the deficit is between $9 and $10 billion.

I pointed out earlier this year that the President in his message to Congress had advocated legislation dealing with truth in lending and truth in packaging, and I stated that what we need equally as much is more truth in government.

The fact is that if the budget submitted by the President to Congress is enacted this Government will produce a deficit of close to $10 billion in 1967.

The Secretary of the Treasury in his testimony before the Committee on Finance on this particular bill confirmed the arithmetic I have just stated.

I pointed out, however, that the real deficit is camouflaged in the claim of a $1.8 billion deficit. They have boasted of this figure as a great accomplishment.

The bill, coupled with the action in the committee last year, will produce $4.5 billion in fiscal 1967 in additional revenue as a result of acceleration in the payment of corporate taxes.

This is not new revenue. It is merely borrowing from next year's tax bill money that would normally be paid next year. This is moved over into fiscal 1967 to defray current expenses. It is so recognized and admitted by the Secretary of the Treasury. It is purely a one-shot operation, one which cannot be repeated in the years to come because we certainly cannot collect taxes in advance.

In addition, as a result of the new silver half dollars and quarters containing less silver there will be $1.5 billion nonrecurring income accrued to the Federal Treasury in fiscal 1967, and they have decided to include this as part of the general revenue, thereby using that money to defray expenditures in 1967.

Again, this item is nonrecurring income unless some brilliant bureaucrat decided later to print a paper quarter instead of minting a metal one.

They estimate $400 million will be picked up in fiscal 1967, as a result of the change in withholding taxes, which again is a one-shot operation.

In addition they are liquidating the assets of the Government by selling the mortgages on the Federal National Mortgage Association—FNMA—and some of the other lending organizations. It is true, as the Secretary points out, that there have always been some normal sales of these mortgages over the years, but the Secretary confirmed to our committee in the hearings on this bill, copies of which are now on Senators' desks, that the sale of FNMA mortgages was accelerated over and above the normal average sales of such mortgages by more than $1 billion in fiscal 1966 and that in fiscal 1967 an additional $1.5 billion will be brought in.

Their plans are to sell $4.7 billion in FNMA and small business mortgages. This is $1.5 billion more than would normally be sold.

All of the proceeds of the sales of these mortgages are used to pay current expenses and thereby reduce the amount of the recorded deficit.

Furthermore, they are selling $4.7 billion of these mortgages and applying it not to income but subtracting it from the expenditure side in order to give the American people the idea that they have cut expenditures. They have not cut expenditures. I repeat—they are using the $4.7 billion to defray the cost of the program of the Great Society. This is merely a bookkeeping device so that it will not appear on the books at all as expenditures.

Summarizing, taking the $4.5 billion accelerated payments of corporate taxes, the $1.5 billion windfall profit on coinage, the $400 million on withholding collections, and the $1.5 billion extra receipts on FNMA mortgages which have been sold, it means that they will be collecting $7.9 billion extra revenue, all of which will be nonrecurring income. It is like borrowing on next week's salary to pay this week's grocery bills.

When we add this $7.9 billion one-shot income to the $1.8 billion which the administration admits as a deficit, we find that the Government in fiscal 1967, based on its own records, will have a deficit of $9.7 billion. On an average this represents $800 million expenditures beyond our income for every month in the calendar year of 1967.

This $9.7 billion is after we have taken into consideration the restoration of the telephone and automobile excise taxes, which are part of this bill.

Mr. President, I am supporting the bill because I believe we are confronted with a serious financial condition so far as the Government is concerned.

As I stated earlier, I opposed removing these taxes last year when everyone knew our deficit this year would exceed $6 billion.

With a war in Vietnam the only alternatives were to restore the taxes or to raise the debt.

Yes, I support the administration in this bill, but I will have no part of its effort to deceive the American people as to the true deficit. Even with this bill we are not paying for the expenditures to meet the cost of the war in Vietnam.

Officials in the administration boast of the great achievements of their planned deficit program and boast that as the result of this deficit planning they have in the last 5 years brought down the unemployment rate to below 4 percent.

The chairman of the committee just mentioned that great achievement with pride, but they do not tell the people that the reason they were so successful in bringing the unemployment rate to below 4 percent is not an achievement of the Great Society but because there is a war going on in Vietnam and many American boys are being put into uniform and others are being employed in defense plants to make the implements of war. That is how the low unemployment rate has been brought about. Nor is the administration providing revenues to take care of the expenditures to conduct the war in Vietnam. We are enjoying a wartime prosperity. I use the term "enjoying" advisedly because we should recognize we are in a wartime economy, and we should be paying for its cost instead of insisting on both butter and guns.

As to the achievements of the Great Society, the Secretary of the Treasury and the Director of the Budget boasted that the deficits of the Great Society were deliberately planned just as planned but controlled inflation was a part of their program.

Some day this administration is going to have to take direct responsibility for the inflation which it is causing. Since 1961, the 5 years in which the Great Society has been in office, the administration has spent $31½ billion more than it has taken in in revenues. That is an average of $500 million a month for every month it has been in office. Yet every year the President has been before this Congress and in his messages he has always boasted that we are achieving a balanced budget. The words sound well, but actions belie the words.

It is time that the administration told the American people the facts of life; namely, that this bill is a one-shot operation to take it beyond the 1966 congressional elections without having to call for a tax increase. They want to go before the American people and tell what they have done without raising taxes.

The administration should have the same degree of courage to tell the American people what the facts are as is being shown by our boys fighting on the battlefields of Vietnam.

The people should be told that with the approval of this bill, once the year 1967 rolls around, we will automatically be moving into a deficit of around $900 million a month.

Unless Congress can cut some of the expenditures that are being asked for under the Great Society there will have to be a tax increase that will shock many people. Of course the administration may not admit this point until after the votes are counted next November.

According to the press, the administration is asking a special committee of Congress, beginning March 16, to study proposals to give the President standby authority to raise taxes. This standby authority to raise taxes is a devious way to have a tax increase approved by Congress without exactly describing it that way. Under the plan the standby authority will be enacted in this session of Congress, yet in the 1966 congressional elections the administration and the Members of Congress will be able to say that they have not raised the people's taxes but that Congress has only given the President standby authority if the Vietnam war makes it necessary. Then after the elections are over the increase can be ordered into effect, but by then the ballots will have been counted.

I for one do not intend to support any such standby authority. If the administration wants to increase taxes let the President tell the American people exactly what the fiscal situation is which faces the people and what kind of an increase it recommends. If the administration wants to increase taxes let it have the courage to ask for an increase in taxes and let Congress approve or disapprove it.

As one member of the Senate Finance Committee I serve notice that I intend to do all I can to block this request. This would be a tax rise with a political twist.

The administration boasts that the cash budget is in balance. That boast is meaningless. When we talk about a cash budget we are talking about trust funds under the social security program, the railroad retirement program, and the civil service retirement program, and all of the other trust funds. To include moneys in those trust funds to show that there is a balanced cash budget is misleading the American people. It should follow its own directive to have truth in Government.

Certainly no reasonable Government official is going to propose that we move in and tap these trust funds—the social security fund, the medicare fund, and the other retirement funds.

I think it should be made clear to the American people that the present administration, this Great Society administration, is the most spendthrift government that we have ever had in the history of our country; that during the 5 years it has been in office it has spent at the rate of $500 million a month more than it has taken in, that currently it is operating at the rate of $600 million a month more than it has taken in, and based on present plans the deficit next year will be at the rate of $800 million a month more than the revenues.

This administration is leading us down the road to bankruptcy and inflation, and the Johnson administration will have to take full responsibility for it. What I would like to see the administration do is to tell the American people what the budgetary facts are with same courage that our boys are showing in Vietnam.

Mr. CARLSON. Mr. President, I wish to express my appreciation to the distinguished Senator from Connecticut [Mr. RIBICOFF] for allowing me a few minutes to speak on this matter.

As a member of the Finance Committee, I voted to report the bill. I expect to vote for it on final passage. But I feel I would be derelict in my duty if I did not state that I think there has been a very weak effort on the part of the administration to prevent inflationary pressures that are now confronting the Nation, destroying the purchasing power of the American public and threatening the American economy. In addition to that, I personally do not feel that the administration is providing for the expenditures needed for the war in which we are involved in Vietnam.

Mr. President, as the distinguished Senator from Delaware [Mr. WILLIAMS] mentioned, if we are to continue to expand these ever-increasing Great Society programs, it is a meager effort to take care of that phase of it.

I did not rise today to speak on the bill as a whole. I expect to participate in this debate and I shall discuss several phases of the bill as we go through it.

But I wish to speak out against one item in the bill and I feel that I must speak strongly against a reimposition of what I say is the most unfair of the nuisance taxes, the tax on telephones.

This has been an eventful several months. For years I—and others in this body—have been pointing out the injustice and inequity of this temporary tax which has been extended from time to time for over two decades.

Then last year the administration began swinging around to my point of view.

Last year our committee reported out a bill which would lop 7 percent from the telephone excise tax in January, 1966, with the remaining 3 percent to go by 1969.

The President hailed the action as he signed the excise tax bill of 1965.

In January, the first tax cut was seen in millions of telephone bills. And in January, even before most customers had received their first bills reflecting the tax reduction, the administration asked Congress to restore the cut.

I understand some people are calling the telephone excise the yo-yo tax.

But this tax is no joke. It is discriminatory, unfair and regressive.

This is a tax on the people who use the telephone—not the telephone companies. Over 55 million telephone customers will be paying about $700 million a year.

In my State of Kansas, 650,000 telephone users will pay nearly $11 million a year in this tax which is added to every telephone bill. Ending the tax would mean that many millions added to the purchasing power of Kansans—money which would add to the economic health of the Sunflower State.

By any principle of taxation, the telephone tax is a bad tax. It falls most heavily on those least able to pay.

This is not a luxury we are talking about. The telephone is in 85 percent of the Nation's homes. On the many farms and ranches of Kansas it is one of the most valued tools.

Bureau of Census figures for 1960 show that 20 percent of the households with telephones—approximately 7,800,000—had incomes of less than $3,000 a year. More than half of the telephone households had annual incomes of less than $6,000.

Last month, William C. Mott, of the United States Independent Telephone Association, representing 2,400 telephone companies, large and small, appeared before our committee.

He said it was difficult to explain to customers why they alone were to have to bear a total reimposition of the excise tax on an essential and necessary service.

It is difficult—

He declared—

because they don't understand why a service which everyone knows is necessary and essential should receive no tax relief while the race track goer, the cabaret habitue, the country club set, and buyers of jewels and furs are given complete tax relief.

Year after year as this discriminatory tax has been extended, I have been strongly urging its removal. And I do so again.

To sum up:

First. This tax falls hardest on those least able to pay—the lower income groups.

Second. It is discriminatory also in that telephone is the only household utility so taxed.

Third. The public generally regards this tax as unfair, particularly because it applies to a service it regards as essential, not a luxury.

It does not it make sense to let the so-called luxury taxes disappear while we reimpose an excise tax on telephones.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that I may yield to the Senator from Massachusetts [Mr. KENNEDY], without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPORT OF JUDICIARY SUBCOMMITTEE ON REFUGEES AND ESCAPEES

Mr. KENNEDY of Massachusetts. Mr. President, since July of 1965, The Senate Judiciary Subcommittee on Refugees and Escapees, has been holding extensive hearings on the serious problem of refugees in South Vietnam. Thirty-six witnesses in all have testified before the subcommittee, ranging from members of the State Department to representatives of all of the major voluntary agencies represented in South Vietnam, to distinguished members of the academic committee.

The subcommittee has early this month, completed a comprehensive report on its investigations and hearings. On Wednesday, the full Judiciary Committee considered this report and unanimously approved it.

The subcommittee report is, in many areas, highly critical of the United States and South Vietnamese programs directed toward the handling of the refugees. We have, however, tried to be fair and objective, and above all constructive in our approach.

The report speaks for itself, and I shall not try to summarize or capsulize it here. I would however, like to outline here today the key recommendations made by the subcommittee for improving the handling of refugees.

The subcommittee recommends the following:

First. The subcommittee recommends that the United States express greater humanitarian concern for the refugees in South Vietnam and their fellow citizens in distress. Efforts to improve their welfare necessarily complement the military activity. Such efforts will be a basic ingredient in the long haul to preserve and strengthen the political independence of South Vietnam. But those efforts must rival in resolve and resources the needed military effort. They must be more forcefully expressed and more fully integrated into the operation of America's overall strategic concept, which in the past has neglected the importance of economic, social, and political development among the South Vietnamese people. The battles may be won by the military; but the true victory will be won by a people inspired with confidence and hope that the future will bring a better life for themselves and their children.

Second. The subcommittee recommends that refugee assistance increasingly emphasize long-term rehabilitation and resettlement. There is an urgent need for meaningful programs which will restore hope in the refugees—indeed, in all the people of South Vietnam—as well as keep them alive. Activity is needed to educate the children, to care for the orphans, and to raise standards of health. Activity is needed to establish cottage industries, cooperative self-help projects, local agricultural development programs, vocational training and general education centers, resettlement villages, and other channels to train idle hands, to encourage industriousness, to stimulate productive life, and achieve active allegiance to the Government. Such programs will contribute to nation building in South Vietnam and the long-term betterment of its citizens.

Third. The subcommittee recommends that programs for economic and social development be coupled with efforts to encourage the growth of rudimentary but viable democratic political action within the refugee centers. Elected councils within the centers, closely tied to the existing political structure could reflect and serve the interests of the dispossessed at the provincial and national levels of the South Vietnamese Government. The meaning and experience of creative and democratic political activity cannot be minimized in a country where the concepts of nationhood, and of a national government responding to individual needs and legitimate demands for social change, are novel and without tradition.

Fourth. The subcommittee recommends that greater efforts be made by U.S. officials to stimulate a very active and creative concern for the people of South Vietnam on the part of the Government in Saigon. New ways must be explored to induce the South Vietnamese Government to drop its lethargy toward refugees and others in distress. Because of the highly political nature of the conflict in South Vietnam, it is mandatory that the Government not be satisfied with military measures alone. A responsive Government will care for and protect refugees, and institute reform and economic development to alleviate the popular grievances upon which insurgency feeds. South Vietnam needs quick-impact and easily discernible reforms, and appropriate psychological action campaigns. The Government must involve as many of the people as possible—including the refugees, a significant cross section of South Vietnamese citizens.

U.S. assistance programs for refugees and their fellow citizens should be implemented as much as possible through the South Vietnamese Government. The U.S. role should be essentially indirect and supportive, in order to help strengthen and encourage the Government in expanding its presence and control in the countryside. To assure that U.S. assistance will be used promptly, effectively, and economically, the subcommittee believes that additional coordinating and operating procedures must be developed within both Governments and between them.

Fifth. The subcommittee recommends that the United States encourage and assist a greater effort in short-term programs for the training of South Vietnamese specialists in social welfare, public health, agricultural development, and other fields. Special efforts should be made in encouraging the South Vietnamese Government to involve the university students of South Vietnam, and to enlist their talent, in the task of meeting the needs of their fellow citizens and their country.

Sixth. The subcommittee recommends that the seriousness and importance of the refugee problem, and America's deep humanitarian concern for the plight of these people, be reflected in the presence of a refugee official at the highest policy-making level of the U.S. mission in Saigon. This official should be responsible only to the Ambassador and the President. He should be directly involved in all decisions, whether military or civilian, concerning refugees. He should be coordinator of all assistance efforts by the American people, through their Government or private voluntary agencies.

Seventh. The subcommittee recommends that officials in the executive branch consider the establishment of a highly motivated, professional corps to serve in a civilian counterinsurgency establishment as a complement to the Special Forces in the military. The political, economic, and social services of such a specially constituted corps are urgently needed among the refugees in South Vietnam and their fellow citizens, and among the people of other countries threatened with Communist insurgency.

Eighth. The subcommittee recommends that greater efforts be made to enlist the support of the international community, including intergovernmental organizations, in providing humanitarian assistance to the people of South Vietnam.

World opinion, in both the private and public sectors, has not been marshaled effectively by the South Vietnamese and United States Governments. Contributions in trained personnel, equipment,

and supplies are immediately needed to help ameliorate the serious educational, medical, social, and economic needs among the refugees and their fellow citizens in distress.

Ninth. The subcommittee recommends that appropriate consideration be given to the establishment of a special international force of qualified personnel to assist in the development of southeast Asia. The presence of men and women whose only concern is the health of the people, the education of children, the teaching of simple technology, and the training of civilian administrators would make important contributions to economic and social developments, and to the political stability of southeast Asia. Such a force would enroll citizens of many countries, but especially those in Asia. Its activities would complement and encourage existing developmental programs, and action contemplated by the recently established Asian Development Bank. The international force would appropriately fall under United Nations auspices, but also encourage the participation and partnership of nongovernmental organizations throughout the world. The military conflict in South Vietnam should not hinder a free discussion on establishing an international force for development in Asia. What an international force cannot immediately and fully accomplish in South Vietnam, should, nevertheless, be undertaken in other countries of Asia at an early date.

Tenth. The subcommittee recommends that every effort be made to strengthen and facilitate the role of voluntary agencies and other private organizations in assisting the dispossessed in South Vietnam. Because specialists in refugee work are urgently needed, the subcommittee recommended that the U.S. Government subsidize the travel and salary costs of agencies willing to recruit additional personnel. The subcommittee also recommends that every consideration be given by U.S. officials to providing capital facilities for hospitals, clinics, schools, resettlement villages, and similar facilities, which individual voluntary agencies could operate and support. Such contracting programs effectively operate elsewhere, notably in Hong Kong. A similar pattern should be encouraged in those areas of South Vietnam where security conditions and need make it possible and desirable.

Eleventh. The subcommittee recommends that leaders in the private sector, in cooperation with appropriate officials in Government, should establish an officially recognized and special operating committee of leading Americans to help publicize the urgent needs in South Vietnam, and to galvanize public opinion in this country into greater support for humanitarian assistance through private organizations. The religious and nonsectarian voluntary agencies—as well as interested civic organizations, labor unions, business groups, and other bodies—furnish a ready mechanism whereby the American people, through contributions in funds and kind, may express their deep sympathy and active concern for the plight of those who suffer in South Vietnam. The American people should be more effectively encouraged to participate in this humanitarian offensive. Thus far, there has been a marked failure in capturing the attention and positive response of a large segment of the American people in an area of traditional concern to this country.

In addition to these recommendations, I have filed a supplementary statement dealing with the current status of the refugee program and the use of the United Nations and its specialized agencies as channels of assistance for the dispossessed in South Vietnam.

On February 11, 1966, the subcommittee met to hear a report on the refugee program by Mr. Edward B. Marks, who heads the Office of Refugee Coordination of the U.S. AID mission in Saigon. Mr. Marks had returned to Washington for several days of consultation. He was accompanied to the hearing by Mr. George Goss, AID refugee program coordinator in Washington. The hearing followed the Honolulu conference between President Johnson and South Vietnamese leaders whose joint communique specifically recognized the important need of a substantive program among the refugees in South Vietnam.

The hearing indicated, however, that while some progress had been made over the past few months in developing a viable policy and program for the refugees, it was also true that the task had only begun, and that a needed sense of urgency and creative direction in this matter was not clearly in evidence, especially on the part of the South Vietnamese Government. After more than 7 months of continuous activity there is, in fact, little evidence to suggest that the governments involved have moved significantly beyond a backstopping position in providing care and protection to the refugees—even in the immediate area of emergency and short-term custodial relief.

This is illustrated by the tenor of Mr. Marks' testimony, which emphasized intention and hope, rather than actualities and progress, and by his comment that—

> We are giving our attention first to getting the most urgent supplies up to the refugees, and to getting the Government (South Vietnamese) to really focus attention on the problem.

The fact that this situation continues to exist, gives me cause for serious concern, which I am sure is shared by my colleagues on the subcommittee.

The testimony of Mr. Marks and Mr. Goss provided no assurance that adequate personnel existed in the U.S. mission's office of refugee coordination to supplement adequately the limited activities of South Vietnamese officials, or to engage in planning and the estimating of future contingencies involving refugees. Additionally, in spite of the large number of refugee children and orphans, there are no specialists in child welfare, for example, and, in contrast to the military, regular AID and refugee personnel are not stationed below the Provincial level of the South Vietnamese Government.

Moreover, the testimony made clear that most of the current planning for refugees is still based on informal estimates regarding the nature and scope of the refugee problems. There is, for example, no accurate information on the number of refugee camps or centers. Little has been done in the way of surveys to determine more accurately refugee needs in housing, medical care, and education. In the area of education, Mr. Marks candidly stated that he did not know at this point whether the U.S. mission's proposal to the South Vietnamese Government regarding the number of needed temporary classrooms, was in fact a "valid one."

My response to this statement, and to the many similar statements made before the subcommittee over the last 7 months, is simply this—how can we talk about solving a refugee problem if we do not know, or cannot develop, information on the needs of the refugees?

The continued ad hoc nature of refugee operations and the absence of an overall viable policy toward the refugee problem is most clearly reflected in the lack of definitive budgetary information on the part of both AID and the South Vietnamese Government. Beyond emergency and short-term custodial relief, there are apparently no priorities currently given to substantive programs in education, cottage industries, vocational training, resettlement, and the like, even though in education, for example, the percentage of nonrefugee children in school exceeds that of the refugee children by nearly 50 percent. There has also been scant attention paid to refugee political action programs, which are recognized as possible and desirable in an effort to broaden and strengthen allegiance to the South Vietnamese Government among a significant cross section of its citizens.

Although the South Vietnamese Government has introduced some flexibility into its operation, in the main, it is still operating through the same diffuse and cumbersome machinery which existed many months ago. It has done little to recruit and train additional cadre to carry out a viable refugee program in the field. Moreover, little action to enforce whatever national decisions are made, has been taken in the Provinces, where the Province chiefs continue to make the final decisions regarding provisions for refugee assistance.

There is little doubt in my mind that the resolve present on the battlefield is not yet present in the equally important task of nationbuilding and development—in educating the children; in caring for the orphans; in raising standards of health; in establishing cottage industries, vocational training centers, and agricultural programs; and in eradicating popular grievances on which insurgency feeds. I am hopeful that the Honolulu Conference declarations will have generated on the part of both Governments the sense of urgency and resolute action which is needed in all these areas. The task of building in a country besieged by war and violent internal conflict, is admittedly difficult. But without this effort the military venture will not fully achieve its final end, to safeguard and strengthen the political independence of South Vietnam.

AMENDMENT TO FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED

AMENDMENT NO. 497

Mr. KENNEDY of Massachusetts. Mr. President, I wish to introduce at this time for printing an amendment to H.R. 12169, a bill to amend the Foreign Assistance Act of 1961, as amended. The amendment that I propose to the AID supplemental bill relates not only to the present humanitarian needs arising out of the war in Vietnam, but also to the question of future social and economic progress in that country, and perhaps all of southeast Asia.

We are all aware of the plight of the Vietnamese civilian population. The needs of these people have been dramatically described by many returning from Vietnam, including myself. The report of the Refugee Subcommittee that I submitted this afternoon is based on months of hearings in this area; and our recommendations reflect the concern of the subcommittee with the human problem created by war. It is safe to say, Mr. President, that the Senate requires no further detailing of these conditions.

The amendment that I submit and have asked to be printed, will provide a financial resource for programs of assistance to civilians in Vietnam.

The purpose of the amendment is to increase the authorization in chapter III of the AID legislation by $10 million for contributions to international agencies which are helping and assisting in meeting the problems of refugees and the civilian population of Vietnam.

I believe it is proper for the United Nations and institutions within the United Nations to develop humanitarian programs in Vietnam.

For these programs to be successful additional contributions will be needed, hopefully to be made by the United States and hopefully by many other free countries around the world, and even perhaps foundations that are interested in the humanitarian needs of the people in Vietnam.

We have made attempts to alleviate these conditions through our various aid programs. Most recently the statements of the administration following the Honolulu meetings give an indication that, at least at the policy level, it is again our intention to press for greater efforts in meeting the humanitarian needs of the Vietnamese.

I have stated before that we are engaged in a battle for the allegiance of the Vietnamese people. This demands that we move against the social ills of the nation with the same determination that has marked our military activities. But to be realistic, our concern for the social welfare of the people has played a secondary role and to a large extent has been motivated by our overall strategy of war. This motivation, while undoubtedly correct as a matter of strategy, will not be sufficient for the future.

The future stability and peace of Vietnam, and all of southeast Asia, rests heavily on the overall social and economic development of these countries. The role that we can play in bringing this long-run development about has assuredly been damaged by our current activities in Vietnam. Our efforts, no matter how pure our humanitarian intentions, present the opportunity for others to marshal forces against us in that area of the world.

But more than that, the nations of southeast Asia have given definite signs that they wish to meet their own problems through a multinational approach. This decision is understandable in that it guarantees the primacy of Asians in an Asian effort, while calling upon the assistance of other nations without depending on any one.

The creation of the Asian Bank, and our participation in it, is a major indication of the desires of these countries to work through multilateral channels for development. The request for a new title VIII in the 1966 aid legislation is a strong recognition of our intention to meet the social and economic problems of southeast Asia through multilateral and regional programs. Our assistance to Laos, Cambodia, Thailand, and Vietnam, through the United Nations for the development of the Mekong Basin, though relatively unknown, is one of the most productive efforts undertaken to date to assist in the betterment of this part of the world.

Mr. President, subscribing as we do to many nation assistance for the welfare of the people of Asia, I would have expected more imaginative efforts in this regard in meeting the nonpolitical humanitarian problems created by the conflict in Vietnam.

We have recently made a substantial effort to encourage a U.N. political role in the Vietnam conflict.

It seems clear that for the time being, however, there are major obstacles blocking the political and diplomatic involvement of the United Nations. But we and the United Nations and its individual members should not allow this political stalemate to obstruct humanitarian and nonpolitical programs for the people of South Vietnam.

The specialized agencies of the U.N. were established and are maintained to assist suffering people of the world, wherever that is possible and regardless of the political situation. Reliance upon these agencies for assistance in the health, education, sanitation, nutritional, and other needs of the Vietnamese can be requested without in any way calling upon the United Nations to be a party to our struggle. This has been accomplished in the past, and even now many U.N. agencies have small projects in operation in Vietnam.

But a greater effort is required if U.N. assistance is to be felt in a nation that may one day join the community of nations. The needs of the people are urgent, yet the response can be politically neutral. We know that the suffering of Vietnamese women, children, and the aged has been brought about by our military activities as well as by enemy forces.

In armed hostilities neither side can escape blame for the consequences of war—and in a sense, the United Nations and its humanitarian agencies cannot turn away from requests for help in easing the pains of battle inflicted on the innocent.

I recently visited the many agencies of the United Nations, asking whether they could respond if they received valid humanitarian requests for assistance. In no case was I disappointed; in all cases a willingness to assist was expressed, provided financial resources were available. I then discussed this matter with the Secretary of State, and he has undertaken the task of assisting the South Vietnamese Government in preparing such a request.

It is my understanding from the many conversations I have had on this matter that a strong indication of financial support by the Congress would assist the U.N. agencies in getting their programs underway. Once the agencies are assured that a request is forthcoming and a major part of the financial resources are present, hard plans can be developed. It is also possible that our indication of interest in assuming a major part of this burden will attract many of our allies, heretofore reluctant to assist us in our military effort, to at least join with us as contributors to this humanitarian effort.

Again, it should be clear that this request, if granted would in no way involve the United Nations or its agencies as participants in our Vietnam activities. This request would be only for the people of Vietnam; it would recognize the suffering visited upon them, and be a call to other nations to ease that suffering.

It is for this purpose that I submit this amendment to the aid supplemental calling for the additional authorization of $10 million to be expended for humanitarian programs administered by the United Nations in Vietnam.

These funds are not available today, unless they should come from the AID Contingency Fund. The information I have obtained, in speaking with Mr. David Bell, Administrator of AID, is that the contingency funds have already been committed to many programs. Therefore, I feel there is a need to increase the authorization. The amendment also gives a clear congressional intent of this Nation to support the United Nation's activities.

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

The PRESIDING OFFICER. The amendment will be received, printed, and will lie on the table; and, without objection, the amendment will be printed in the RECORD.

The amendment (No. 497) was ordered to lie on the table, as follows:

At the end of the bill add the following:

SEC. 4. Chapter 3 of Part I of the Foreign Assistance Act of 1961, as amended, is amended by adding at the end thereof the following new section:

"SEC. 304. Programs of Assistance to Civilians in Vietnam in order to help the United Nations and its specialized agencies, and other international organizations, respond to the social and economic needs of the civilian population of Vietnam, especially the needs of the refugees, in such areas as health, education, sanitation, and nutrition, there is hereby authorized to be appropriated to the

President for use under the authorities of this chapter, in addition to other funds available for such purposes, not to exceed $10,000,000, which shall remain available until expended."

TAX ADJUSTMENT ACT OF 1966

The Senate resumed the consideration of the bill (H.R. 12752) to provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect to self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes.

TAX CREDITS FOR HIGHER EDUCATION TUITION COSTS—AMENDMENT

AMENDMENT NO. 496

Mr. RIBICOFF. Mr. President, I send to the desk an amendment to H.R. 12752, the Tax Adjustment Act of 1966, and ask that it be printed.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. RIBICOFF. Mr. President, I intend to call this amendment up at a later date. This amendment is cosponsored by Senators DOMINICK, ALLOTT, BENNETT, BREWSTER, CANNON, CASE, DODD, FANNIN, FONG, GRUENING, HARRIS, HART, JACKSON, JORDAN of Idaho, LONG of Missouri, MAGNUSON, MCINTYRE, MORTON, MUNDT, MURPHY, PEARSON, PROUTY, PROXMIRE, RANDOLPH, SCOTT, SIMPSON, THURMOND, and TOWER.

This amendment will provide an income tax credit for college tuition costs. With one difference—the effective date—the provisions are identical to S. 12, which I introduced last year and which is cosponsored by 37 other Members of this body. In substance, it is identical to the proposal I offered as an amendment to the 1964 tax bill. That amendment was narrowly defeated by a 45 to 48 vote.

The credit is based on the first $1,500 paid for tuition, fees, books, and supplies for any student at an institution of higher education. The amount of the credit is 75 percent of the first $200, 25 percent of the next $300, and 10 percent of the next $1,000. The maximum credit is $325.

The credit is not a deduction. It is a subtraction from the amount of taxes an individual would otherwise pay. It is subtracted at the end after he has computed his tax liability. Thus, because each $1 of credit reduces a person's tax by $1, the tax relief is provided uniformly without regard to the taxpayer's bracket.

Thus, while a deduction or exemption saves a $15,000-a-year man more tax dollars than one who earns $5,000, a tax credit saves both the same number of dollars.

Further, my proposal provides that the amount of credit is reduced by 1 percent of the amount by which the taxpayer's adjusted gross income exceeds $25,000. Thus, for each $5,000 of adjusted gross income above $25,000, $50 is subtracted from the credit otherwise available. In this manner, the credit gives less dollar benefit to upper middle income groups and no benefit at all to high-income groups.

I ask unanimous consent that a table showing the dollar benefits provided by my amendment be printed in the RECORD at this point.

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

Dollar benefit under Ribicoff bill providing tax credit on 1st $1,500 of tuition, fees, books, and supplies at an institution of higher education

	Adjusted gross income up to—							
	$25,000	$30,000	$35,000	$40,000	$45,000	$50,000	$55,000	$60,000
Tuition per student:								
$100	$75	$25	0	0	0	0	0	0
$200	150	100	$50	0	0	0	0	0
$300	175	125	75	$25	0	0	0	0
$400	200	150	100	50	0	0	0	0
$500	225	175	125	75	$25	0	0	0
$600	235	185	135	85	35	0	0	0
$700	245	195	145	95	45	0	0	0
$800	255	205	155	105	55	$5	0	0
$900	265	215	165	115	65	15	0	0
$1,000	275	225	175	125	75	25	0	0
$1,100	285	235	185	135	85	35	0	0
$1,200	295	245	195	145	95	45	0	0
$1,300	305	255	205	155	105	55	$5	0
$1,400	315	265	215	165	115	65	15	0
$1,500	325	275	225	175	125	75	25	0

Mr. RIBICOFF. Mr. President, the credit is available to anyone who pays tuition expenses. It is thus available to students who are working to put themselves through school and pay their own expenses; it is available to parents putting their children through; it is available to other relatives; and it is available to those who would like to help a deserving student.

Parents would benefit from the credit regardless of the number of children in college. Thus, a parent with two children in college, each paying $500 for tuition, could receive a credit on the total $1,000 paid. The credit is available on the total amount paid up to $1,500 for a taxpayer, even if the parent has more than one child in college.

Mr. President, the concept of tax relief to ease the burden of higher education has been advanced many times in the past. In the past decade, over 400 bills have been introduced in this and the other body. In the last Congress alone, 19 bills of this nature were introduced in the Senate and over 100 in the House.

I first proposed tax relief for college expenses 3 years ago in a speech on this floor.

Sometime we must squarely face the issue of providing tax relief to ease the heavy burden of college costs.

The people who are in desperate need of the relief provided by this bill are the lower and middle income groups of the United States. The bill is designed to provide them with the relief they need. The wealthy need no relief, and this bill gives them none.

Each year the costs of going to college increase. From all the evidence, these costs will continue to increase. As they do, the burden will continue to fall more and more heavily upon those very people who constitute the backbone of America—the blue-collar workers, the white-collar workers, the wage earners, the salaried persons of the lower and middle income groups—who are struggling to pay their bills, buy their homes, and educate their children. These are the people who pay their taxes and for whom a $10,000 burden to educate a child—multiplied by several children—over a few short years constitutes one of the major financial burdens of their lifetime. Let us look at the record.

In 1955, there were 2,260,000 college students working toward degrees. Today, there are 5,526,000 college students working toward college degrees. In 1970, there will be over 7,225,000. By 1974, college enrollments will top 8½ million.

The increased enrollment figures will mean that both public and private institutions alike must continue to expand their facilities. This will in turn mean increased tuition costs.

At the same time, man's ever-increasing knowledge of the universe and the great technological advances of the 20th century will also continue to push up the cost of education. Advancing the frontiers of knowledge—and passing that information on to students—by its very nature grows more expensive. Ben Franklin could experiment with a kite and key, but today's universities require atomic accelerators, mass spectrometers, and other sophisticated equipment.

Thus, in 1955, the median tuition and required fees for a full-time undergraduate student at a public institution of higher learning was $139; at a private college $438. By 1964, these figures had increased to $191 and $734, respectively. By 1971, the Office of Education estimates these figures will be $353 in a public institution and $1,115 at a private institution.

This, of course, is not the total cost of sending a child to college. The average total cost for the academic year ending in 1965 is estimated to be $1,560 for a public college and $2,370 for a private college. In the year ending 1967, these figures will go up to $1,640 and $2,570. By 1970, they will rise to $1,840 and $2,780. For many, the cost is already over $3,000 a year.

What does all this mean to the average workingman earning between $3,000 and $10,000 a year and with three or four children to educate? Simply stated, it means a financial crisis. A man with

three or four children can reasonably expect expenses of $30,000 to $40,000 to put those children through college.

I believe that today this is an impossible burden. And families in the $3,000 to $10,000 income group represent 62 percent of all the families in America.

But, some argue, such families will get relief through scholarship aid. Let us look at the facts.

The September 20, 1965, issue of U.S. News & World Report contained a fascinating table—a table which showed the amounts most colleges expect a family to contribute to their children's education. The table was prepared by the College Scholarship Service, and it will be widely used by colleges and universities in considering applications for scholarships and other financial aid.

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

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

How much can a family afford to spend on a child's college education, in relation to income and other dependent children still living at home? You get an idea from a new set of estimates that will be widely used by colleges in considering applications for scholarships and other financial aid.

Spending on college: The estimates are those of the College Scholarship Service. The CSS assists many major universities and colleges in determining which students are entitled to first call on available financial help. The following table shows amounts that families are expected to contribute annually from current income if they have only one child in college:

Income before taxes	Number of other dependent children in family—				
	None	1	2	3	4
$4,000	$290	$100			
$6,000	790	550	$350	$220	$130
$8,000	1,290	980	740	570	440
$10,000	1,860	1,490	1,150	920	750
$12,000	2,450	2,050	1,650	1,370	1,130
$14,000	3,200	2,680	2,220	1,890	1,590
$16,000	3,970	3,360	2,850	2,470	2,130

Mr. RIBICOFF. Mr. President, you will note that a man having a gross annual income of $6,000—with one child in college and no other dependents save his wife—is expected to contribute $790 a year from his income before his child is entitled to scholarship assistance. Such a person, earning $6,000 and taking the standard deduction, pays an income tax of $552. This leaves only $5,448 net income each year, and you can imagine the burden on such a person.

The wage earner with an $8,000 income would have a net income of $7,114, and out of that sum he is expected to pay $1,290 toward college expenses.

An examination of this table will show most graphically, the average American family's real expenses.

I emphasize that 62 percent of the benefits under this amendment goes to families earning between $3,000 and $10,000; 91 percent of the benefits goes to families below $20,000 of income.

Mr. President, last year we enacted the Higher Education Act of 1965—a landmark in American education progress. During the Senate's consideration of the bill, I engaged in a colloquy with the distinguished Senator from Oregon [Mr. MORSE]. I said at that time that I would not raise my tax credit proposal as an amendment to the Higher Education Act, because I wanted to do nothing to endanger the prospects of the act or delay its passage.

We passed the bill, and we provided 140,000 scholarships for needy students. These scholarships represent a breakthrough in American education—and provide real help for low-income families. Now is the time to take the next step—and provide meaningful relief for the millions of American families who have received no help. Now is the time to provide a tax credit for college expenses.

It will be argued by some that if scholarships are not available, people can borrow the money. To the workingman with a mortgage on his house, the thought of borrowing many more thousands is not a pleasant one and may indeed be practically impossible. Further, should our young people graduating from college—at the beginning of their lives, about to marry and have children—be forced to begin many thousands of dollars in debt?

Last December the interest rates throughout the country were again boosted by one-half of 1 percent.

The distinguished junior Senator from Louisiana [Mr. LONG], who is the manager of this bill and will oppose this amendment, stated the case well in a colloquy with Secretary Fowler at the hearings on the proposed Tax Adjustment Act of 1966, when he stated that:

An increase in interest rates of one-half of 1 percent, when passed on throughout the economy, means about a $7 billion tax on the rank and file of the people, the working class—generally speaking, the middle and lower income classes of people.

These are exactly the people I am trying to help. If the rise in interest rates cost them $7 billion this year, surely we can give them $1 billion in tax relief.

It has been said that this proposal would discriminate against the public university. This is simply not the case. While the dollar amount of relief would be higher at most private colleges, the percentage of relief would be higher at State and land-grant institutions. For instance, the credit on a $200 expense is $150—75 percent. The credit on a $1,000 expense is $275—only 27 percent. Even where a college charges no tuition, the expense of fees, books, and supplies invariably totals $200 or more. Thus, the fact is the bill favors the low-tuition colleges, most of which are public colleges.

It is, of course, true that the credit on $1,000 tuition is more dollars than the credit on $200 tuition. However, every credit and deduction in the Internal Revenue Code operates the same way. The investment credit, for example, gives greater dollar benefits to a man who buys a $100,000 machine than to a man who buys a $10,000 machine, but this of course is in no way discriminatory.

My amendment uses a sliding scale formula, which computes the greatest percentage of credit on the lowest amount of tuition. I have prepared a table showing what the dollar benefit of the credit would be on tuition, fees, books, and supplies at most of the State universities and land-grant colleges of America. The tuition and fee figures were supplied by the Department of Education. They apply to academic year 1964–65. To these have been added the Office's $90 estimation for books and supplies. I ask unanimous consent to add this table to the end of my remarks.

The PRESIDING OFFICER. There being no objection, it is so ordered.

(See exhibit 1.)

Mr. RIBICOFF. Mr. President, in terms of the total benefits provided to the Nation as a whole, an increasing amount would go into State universities and land-grant colleges both as they make inevitable tuition increases, and as an increasing percentage of America's college population attends these colleges.

The tuition tax credit would further aid American education by allowing students to choose their colleges on the basis of their individual academic requirements, rather than simply economic necessity.

It is a disturbing trend, disturbing to all of us who are interested in education—public and private—that more and more of our students are compelled to go to public institutions and a smaller and smaller percentage can afford private colleges. In 1950, the ratio between public universities and those attending private colleges was 50–50. In the fall of 1955, 44 percent enrolled in private institutions. At the present time the figure has fallen to 34 percent. This trend is disturbing because it indicates the increasing danger of destroying the diversity which has made American education great. This trend represents a growing expense for the taxpayers of this country. They must continue to build public facilities at a rapid rate, and to support a disproportional enrollment rate at public institutions. Besides the costs of buildings, the taxpayer must pay an increasingly heavy local tax to subsidize each additional student at a public university.

Many parents feel there is a great value in sending their children away from home to college. Those who seek a middle ground economically by sending their child to an out-of-State public university will reach a rude awakening as the years progress. With few exceptions, tuition costs at public universities have been increased in the last 2 years—for out-of-State students, in particular. The tuition fees charged out-of-State students exceed $1,000 in a number of universities already.

My proposal for tuition tax credits will not lead to increased tuition costs. The credit is available only for tuition paid to nonprofit institutions will therefore set their fees to raise the money they need, not what the traffic will bear. My proposal for tax credits will only help the great majority of hard-working Americans to face those increases which inevitably are going to come. I ask unanimous consent that an excerpt from a pamphlet prepared by the Department of Health, Education, and Welfare on college costs be printed at this point in the RECORD.

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

We have entered an age in which education is not just a luxury permitting some men an advantage over others. It has become a necessity without which a person is defenseless in this complex, industrialized society. * * * We have truly entered the century of the educated man."—President Lyndon B. Johnson, April 1964.

First things first. A high school student who plans to go to college should first determine which college has the courses of study best suited to his needs or career plans. Since the student should feel at home in his school, other considerations are also important—whether the college is in a rural environment or a city, whether it is large or small, coeducational or not. The next step is to find out in detail the college entrance requirements, and prepare to met them. And, for many students, there is the matter of money:

The average cost

Expenses	High-cost private college	Low-cost private college	High-cost public college	Low-cost public college (primarily commuters)
Total	$3,200	$1,850	$1,800	$1,050
Tuition and fees	1,500	550	300	100
Room	400	200	300	0
Meals on campus	500	400	500	200
Books and supplies	150	150	150	150
Transportation	250	150	150	200
Personal and miscellaneous	400	400	400	400

Paying for college: A number of private groups, institutions, and organizations offer financial assistance to qualified college students. The U.S. Department of Health, Education, and Welfare and other Government agencies also provide financial aid for study in specific areas. This pamphlet is a guide to the four major financial aid programs of the U.S. Office of Education, and is intended for students in any course of study.

Mr. RIBICOFF. It has been said by some that this tax credit proposal will not help those who are so poor that they pay no taxes.

Neither does the tax relief for high medical expenses or losses from fire, theft, windstorms, or bad debts, which are necessary parts of our tax law.

Moreover, the College Scholarship Service reported that the median family income of students applying for scholarships was $8,436. With assistance from the tuition tax credit, many students now receiving partial scholarships could forgo that assistance—release to each and every college in the land large amounts of scholarship funds to help the truly destitute.

As far back as 1958, John F. Meck, vice president of Dartmouth College stated at congressional hearings:

Most parents in the $8,000 to $10,000 and even the $12,000 a year brackets, who now require partial scholarships in order to keep their children in college would be able to forgo these scholarship funds, thus making them available for children coming from homes of less financial ability.

Further, this proposal would generate new scholarship assistance. Under present law, no tax benefit is available to a person or business who gives a scholarship to a person he designates.

Contributions or gifts must be given to a particular university or charity. My bill gives a tax benefit to anyone who pays the tuition of another, thus encouraging persons to help poor but deserving boys and girls in their own communities. Colleges and universities might well prevail upon alumni to "adopt" deserving students in financial distress. This technique has been used by charities for many years with great success and would certainly work in this context.

Tax relief is a logical method of providing financial assistance to college students. It supplements scholarships, which I have long supported, but does not replace them. As long as the tax credit grants tax relief for medical and casualty expenses, families burdened with high college costs are entitled to similar relief, especially in view of the positive effect of college education upon our country's culture and economy. It is a method of relief that is completely nondiscriminatory and is easily administered without additional governmental expense.

Several months ago, the Secretary of the Treasury pointed out that for 5 years this Nation has experienced economical expansion without parallel in our peacetime industry. He pointed out, and rightly so, that these impressive economic gains did not simply happen. It was sparked in 1962 by two major fiscal steps. First, the Treasury greatly liberalized depreciation for tax purposes. Second, a tax credit of 7 percent on new investments on machines and equipment was included as a key element in the Revenue Act of 1962.

How has the investment credit worked? In 1962, 249,000 corporate returns claimed $834 million in tax credits. In 1963, the amount of investment credits were more than $1 billion. Since then, the figure is estimated to have risen over the $2 billion mark.

The Treasury Department has estimated that my proposal would provide $1.3 billion in tax credits in 1970. I believe that an investment in American education is just as important as an investment in American machines. It is education that, in the long run, will provide the future strength of our Nation.

A Nation that can afford billions in tax credits for investments in machines can afford $1 billion in 1968 for education. It can certainly afford tax credits to help those classes of Americans that struggle to pay their own way—the farmer, the blue collar worker, the man on the assembly line, the clerks and storekeepers, the gas station operators, the telephone lineman, and all the others who are the backbone of America.

It will be noted that the effective date on this amendment is for taxable years beginning after December 31, 1966. Therefore, it will apply only to tuition paid in 1967 and thereafter. It would first appear on tax returns filed in 1968, and would therefore have no affect on the money which this tax bill raises for fiscal years 1966 and 1967. It will not affect the money raised by this bill to fight the war in Vietnam.

It is education that is our long-run hope, and by 1968 this is an investment that the American people must make.

EXHIBIT 1

Dollar benefit of Ribicoff tax credit bill on tuition, fees, and books at State universities and land-grant colleges

	Resident		Nonresident	
	Tuition, fees, and books	Dollar benefit of tax credit	Tuition, fees, and books	Dollar benefit of tax credit
Alabama A. & M.	$280	$170	$400	$200
Auburn University	390	198	690	244
University of Alabama	390	198	740	249
University of Alaska	323	180	623	237
Arizona State University	320	180	740	249
University of Arizona	304	176	954	270
Arkansas A. & M.	270	168	470	218
University of Arkansas	290	173	560	231
University of California	310–356	178–190	910–956	266–271
Colorado State University	426	207	1,011	276
University of Colorado	448	212	1,196	295
University of Connecticut	280	170	680	243
Delaware State College	250	163	550	230
Florida A. & M.	270	168	620	237
University of Florida	$316	$179	$666	$242
Florida State University	316	179	666	242
Fort Valley State College	330	183	630	238
Georgia Institute of Technology	399	200	1,089	284
University of Georgia	350	188	695	245
University of Hawaii	336	184	336	184
University of Idaho	274	169	584	233
Southern Illinois University	240	160	480	220
University of Illinois	360	190	710	246
Indiana University	420	205	900	265
Purdue University	420	205	1,040	279
Iowa State	382	196	582	233
University of Iowa	430	208	860	261
Kansas State University	334	184	664	241

EXHIBIT 1

Dollar benefit of Ribicoff tax credit bill on tuition, fees, and books at State universities and land-grant colleges—Continued

	Resident		Nonresident	
	Tuition, fees, and books	Dollar benefit of tax credit	Tuition, fees, and books	Dollar benefit of tax credit
University of Kansas	$334	$184	$664	$241
Kentucky State College	285	171	435	209
University of Kentucky	310	178	610	236
Louisiana State University	260	165	560	231
University of Maine	515	227	915	267
University of Maryland	436	209	566	232
Maryland State College	291	173	441	210
Massachusetts Institute of Technology	1,790	325	1,790	325
University of Massachusetts	414	204	814	256
Michigan State University	418	205	964	271
University of Michigan	380	195	1,020	277
Rutgers (New Jersey)	596	235	832	258
New Mexico State University	352	188	662	241
University of New Mexico	390	198	660	241
Cornell University	1,890	325	1,890	325
State University of New York	560- 610	231- 236	760- 810	251- 256
North Carolina Agricultural and Technical	426	207	678	243
University of North Carolina	375	194	800	255
North Carolina State College	427	208	852	260
North Dakota State University	390	198	660	241
University of North Dakota	390	198	660	241
Kent State (Ohio)	486	222	816	256
Miami University (Ohio)	510	226	1,060	281
Ohio State University	465	216	960	271
Wayne State University	450	213	896	265
University of Minnesota	405	201	870	262
Alcorn A. & M. (Mississippi)	276	169	476	219
Mississippi State University	384	196	784	253
University of Mississippi	370	193	770	252
Lincoln University (Missouri)	233	158	348	187
University of Missouri	340	185	690	244
Montana State College	$420	$205	$758	$251
University of Nebraska	354	189	690	244
University of Nevada	351	188	951	270
University of New Hampshire	494	224	1,039	279
Ohio University	540	229	940	269
Langston University (Oklahoma)	279	170	537	229
Oklahoma State University	314	179	666	242
University of Oklahoma	314	179	666	242
Oregon State University	420	205	990	274
University of Oregon	420	205	990	274
Pennsylvania State University	615	237	1,140	289
University of Puerto Rico	247	162	247	162
University of Rhode Island	430	208	930	268
Clemson College (South Carolina)	576	233	826	258
South Carolina State College	380	195	610	236
South Dakota State College	387	197	655	241
State University of South Dakota	392	198	660	241
University of Tennessee	315	179	615	237
Prairie View A. & M. (Texas)	244	161	544	229
Texas A. & M. University	260	165	560	231
Texas Technical College	240	160	540	229
University of Texas	234	159	534	228
Utah State University	321	180	501	225
University of Utah	390	198	585	234
University of Vermont	665	242	1,665	325
Virginia Polytechnic Institute	480	220	870	262
Virginia State College	476	219	656	241
University of Virginia	517	227	1,027	278
University of Washington	390	198	690	244
Washington State University	390	198	675	243
West Virginia University	322	181	852	260
University of Wisconsin	390	198	1,090	284
University of Wyoming	488	222	804	255

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

Mr. RIBICOFF. I yield.

Mr. CARLSON. Mr. President, I commend the distinguished Senator from Connecticut for offering this amendment to authorize tax credits for those families who have boys and girls in college.

I can think of no other person who is better qualified to discuss that problem or to present it to the Senate than is the distinguished Senator from Connecticut, who served as Secretary of that great, executive department of the Government, the Department of Health, Education, and Welfare.

The Senator from Connecticut, while the Secretary of the Department of Health, Education, and Welfare, dealt with all of the educational problems of the Nation. He is, therefore, particularly well qualified to present this proposal today.

I share the concern of the Senator with regard to the future welfare of this Nation because of educational problems. I believe that the future strength and development of our great democracy will be helped by continued education for our youth.

I commend the Senator for offering his amendment.

Mr. RIBICOFF. Mr. President, I thank the distinguished Senator from Kansas.

I am deeply concerned at, in all of the legislation we pass, our lack of concern for the middle income group.

We are concerned with people at the poverty level, and we should be. I support such legislation. We are concerned with poor people who need scholarships, and I support such legislation. We are concerned with large corporations and oil depletion allowances, some of which legislation I support and some of which I do not.

However, Congress and the executive branch of our Government, year in and year out, neglect the tax problems, and the need for tax relief for the middle-income group.

The middle-income group is the backbone of America. These people are not looking for handouts. They are not looking for any favors. They are proud people. They pay their own bills and look for no assistance from the Government. They sacrifice to support and educate their families.

These hardworking people in the $5,000 to $10,000 a year income bracket raise their children, and their great hope and ambition is to see their children receive a college education.

When many of these people are middle aged, their children are ready for college. They then experience a great financial squeeze and must sacrifice for their children. As the figures and tables which I have had printed in the RECORD indicate, they are required to pay such large sums of money for their children to go to college that it becomes a practical impossibility.

In view of all the tax credits, deductions, and loopholes which exist in our tax laws, I am rather shocked that the executive branch of our Government continues to resist the giving of assistance to these people who are the backbone of America.

The time has come to do something for the middle-income families of the Nation. Proposals have been made year after year. This proposal was made 2 years ago. It was narrowly defeated at that time.

I hope the Senate agrees to this amendment this year. However, I assure the Senate that, as long as I am a Senator, I will bring this matter up year after year until it meets with success. I am sure that the time will come when Congress and the executive branch of the Government will recognize that something must be done to alleviate the financial burdens of the middle-income families of America who, through self-respect, want to pay their own expenses in educating their children in the colleges of this country.

ORDER FOR ADJOURNMENT UNTIL MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, when the Senate completes its business this afternoon, it stand in adjournment until 12 o'clock noon on Monday.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ESTATE OF BART BRISCOE EDGAR, DECEASED

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 992, H.R. 3076.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 3076) for the relief of the estate of Bart Briscoe Edgar, deceased.

Mr. MANSFIELD. Mr. President, this bill has been cleared on both sides, and that is the reason for calling it up at this time.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H.R. 3076) was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1017), explaining the purposes of the bill.

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

PURPOSE

The purpose of the proposed legislation is to pay to the estate of Bart Briscoe Edgar, deceased, the sum of $5,000 in full settlement of the claims against the United States for the death of Bart Briscoe Edgar which resulted from injuries sustained when he was struck by a U.S. Army truck.

STATEMENT

A similar bill, accompanied by House Report No. 523 of the 88th Congress, was reported favorably by the House Judiciary Committee. The facts surrounding this legislation are contained in House Report No. 93 on H.R. 3076, and are as follows:

"Evidence adduced before the subcommittee which considered the merits of this bill disclosed that the Army truck which struck Mr. Edgar was one of a convoy of 10 trucks en route to St. Petersburg, Fla., via the Gandy Bridge. The convoy was proceeding across the bridge when a civilian vehicle owned by the General Foods Sales Co. and going in the same direction attempted to pass the convoy. As it attempted to pass, a car approached from the opposite direction causing the civilian driver to move to his right on the narrow bridge. This, in turn, caused the driver of the Army truck to swerve to his right to avoid a collision with the civilian vehicle. As he did so, the truck struck Mr. Edgar, who was fishing from the side of the bridge. Mr. Edgar died the following day from the injuries received.

The widow, Mrs. Bessie Irene Edgar, filed an administrative claim with the military authorities for damages arising out of the injury and death of her husband. The claim was disapproved by the local commanding officer on the ground that there had been no negligence on the part of the Army driver, the accident being unavoidable. Mrs. Edgar appealed this decision to the Secretary of War. The appeal was denied because in the meantime Mrs. Edgar had received a settlement in the amount of $3,500 from the Hartford Accident & Indemnity Co. under its coverage of the General Foods Sales Co. and had executed documents releasing the civilian driver and the General Foods Sales Co. Such settlement with release operated under Florida law to bar further recovery from the Government as a joint tort-feasor.

Mrs. Edgar has stated that the settlement was accepted because she was in distressed circumstances with medical and funeral bills to pay, and a minor child to raise; she was given to understand the defense of the General Foods Sales Co., that the accident was due entirely to the negligence of the Army truckdriver, might be good; and she had been informed that she could proceed against the Government.

The Department of Justice and the Department of the Army are opposed to the bill on the ground that the estate of Bart Briscoe Edgar had its day in court and, to grant the proposed relief would nullify the provision of the Federal Tort Claims Act, which declares that claims against the United States must be determined by the law of the place where the act or omission occurred. It may be noted that the Federal Tort Claims Act was not enacted until August 2, 1946, which was more than a year after Mr. Edgar's death and some 2 months after the widow signed the releases referred to above. The act, however, provided for retroactive application to January 1, 1945.

In April 1950, Mrs. Edgar did file a suit under the Federal Tort Claims Act against the United States in the District Court for the Southern District of Florida for $75,000 because of the death of her husband. On January 13, 1953, the court rendered a summary judgment in favor of the United States on the ground that it was the law of Florida, that a release of one tort-feasor released all others who may have negligently contributed to the injury.

FOREST ROADS

Mr. JORDAN of Idaho. Mr. President, there has been much recent discussion of the transportation needs of America. But, in this discussion an important shortcoming of our national transportation system has received no mention. I refer to the inadequacy of our forest roads system. There is a demonstrable need for accelerated expansion of this system.

In 1962 the late President Kennedy submitted to Congress a 10-year program for roads in the national forests. He envisioned a system which would serve multiple objectives including the expanded use and management of resources and the enhancement of recreational and esthetic values. Unfortunately, the roads authorizations for fiscal years 1963 to 1967 lag behind the planned program by $169 million. With a continuing rise in construction costs it is conservatively estimated that at the current rate of appropriations several decades will pass before an adequate transportation system can be built in our national forests.

This year Congress will consider authorizations for forest roads and trails for fiscal years 1968 and 1969. There is ample evidence to justify increasing expenditures for this program to a level substantially above that of the recent past.

An expanded system of mainline, multipurpose conservation roads would enlarge recreational opportunities fulfilling a need which is difficult to measure in dollars. The President's message on transportation emphasized the necessity for coordination and creativity to meet the growing transportation requirements dictated by urbanization. However, the explosion of population and growth in leisure time which contribute essentially to urban problems also have their effect on regions far removed from city streets. This effect is felt in vastly increased recreational pressures on areas where city people go to experience the values of the great outdoors. There are more hunters, fishermen, campers, skiers, boaters, hikers and just people who want to look at natural scenery now than ever before. Our campgrounds are already overcrowded. To deal with this recreation explosion there are simply not enough roads to expand access in order to diffuse and distribute the pressure. Furthermore, the inaccessibility of much of our forest land results in damage to recreational and esthetic values through losses by fire, disease and the deterioration of trees due to age.

Opening up more of our forest lands with high standard roads will provide significant aid to thorough conservation management. Conservation in its truest sense implies wise use of resources, not a hands-off policy. A forest, like a garden, will not flourish without proper care. And this care involves not only nurturing healthy growth but also selective harvesting.

It must be recognized that transportation development and economic growth are interdependent. Millions of board feet of timber in mature and overmature trees are now being wasted because lack of access makes logging economically inoperable. A bigger and better forest roads system would curtail this waste and furnish an immense economic stimulus by providing the means to meet growing demands for forest products. It would encourage mining development and improve conditions for livestock transportation.

Controlled, conservation-oriented resource development which would follow the construction of multipurpose forest trunklines would result in the creation of new employment opportunities and in the improvement of the overall prosperity of communities near forested areas. New tax revenues would become available to counties and all other levels of Government. The processing and marketing of new supplies of food, fiber and ores would influence the economy far beyond local boundaries.

Interpretation of the Land and Water Conservation Fund Act of 1965 seems to preclude applying moneys from this fund to improving roads in national forests. Trying to finance such roads by requiring timber operators to build them places an unfair burden on a single user. And timber operators generally are not in a position to finance the building of high-standard mainline conservation roads designed to serve the concept of multiple use.

Therefore the fairest and most effective way to meet the need for these roads is through Federal appropriations from general funds. Advantages of an expanded forest road system to recreation, conservation, and development far outweigh reservations about increasing the expenditures for construction. In the long run, forest road expansion will more than pay for itself.

The Legislature of the State of Idaho has forwarded a joint memorial urging the Congress of the United States to act promptly and affirmatively on this matter.

I ask unanimous consent that Senate Joint Memorial 1, recently passed by the Legislature of the State of Idaho, be printed in the RECORD at this point.

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

SENATE JOINT MEMORIAL 1

Joint memorial to the honorable Senate and House of Representatives of the United States in Congress assembled

We, your memorialists, the Legislature of the State of Idaho, respectfully represent that:

Whereas the lack of an adequate transportation system is the greatest deterrent to the full use of the natural resources in the national forests in the State of Idaho; and

Whereas under the present rate of road construction, it will take 100 years to complete an adequate national forest conservation road transportation system: Now, therefore, be it

Resolved by the 2d extraordinary session of the 38th session of the Legislature of the State of Idaho now in session (the Senate and House of Representatives concurring), That we most respectfully urge the Congress of the United States of America to proceed at the earliest possible date to enact the necessary legislation to authorize the financing of primary national forest conservation roads from the general funds of the U.S. Treasury and to provide an appropriation commensurate with the urgency of the demonstrated need; and be it further

Resolved, That the secretary of state of the State of Idaho be, and he hereby is authorized and directed to forward certified copies of this memorial to the President and Vice President of the United States, the Speaker of the House of Representatives of the Congress, and to the Senators and Representatives representing this State in the Congress of the United States.

COURT RULES CHRONIC ALCOHOLIC NOT CRIMINAL

Mr. JAVITS. Mr. President, in connection with the bill to treat alcoholism as a disease—which it is, the fourth most lethal disease in the country—the U.S. Fourth Circuit Court of Appeals recently held that a chronic alcoholic cannot be stamped as a criminal "if his drunken public display is involuntary as the result of the disease." The court pointed out that the decision does not preclude appropriate detention of the alcoholic for treatment and rehabilitation so long as he is not marked a criminal. It was also emphasized that an intoxicated person in a public place might be arrested, but criminal prosecution if the individual is a chronic alcoholic would "affront the eighth amendment as cruel and unusual punishment."

The decision in this important case underscores the fact that alcoholism is the fourth most serious health problem in the Nation and that the alcoholic should be given medical attention.

I ask unanimous consent to have printed in the RECORD at this point the decision of the U.S. Court of Appeals for the Fourth Circuit in the case of Joe B. Driver against Arthur Hinnant, superintendent of the Halifax County Prison unit of North Carolina State Prison Department, decided January 22, 1966.

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

[In the U.S. Court of Appeals for the Fourth Circuit, No. 10,166]

JOE B. DRIVER, APPELLANT, VERSUS ARTHUR HINNANT, SUPERINTENDENT HALIFAX COUNTY PRISON UNIT OF THE NORTH CAROLINA STATE PRISON DEPARTMENT, APPELLEE

(Appeal from the U.S. District Court for the Eastern District of North Carolina, at Raleigh. Algernon L. Butler, chief district judge)

Argued December 7, 1965. Decided January 22, 1966. Before Bryan and Bell, circuit judges, and Maxwell, district judge.

Anthony Mason Brannon (Brannon & Read on brief) for appellant, and Theodore C. Brown, Jr., assistant attorney general of North Carolina (T. W. Bruton, attorney general of North Carolina, on brief) for appellee. The American Civil Liberties Union, the National Capital Area Civil Liberties Union, and the Washington Area Council on Alcoholism submitted a brief as amici curiae.

ALBERT V. BRYAN, circuit judge. The question is whether a chronic alcoholic, as appellant Joe B. Driver has proved and confesses to be, can constitutionally be criminally convicted and sentenced, as he was for public drunkenness.

Admitting the truth of the charge under the North Carolina statute, he grounded his defense on the 8th amendment, applied to the States under the due process clause of the 14th, barring the infliction of "cruel and unusual" punishment. His argument may be condensed in this syllogism: Driver's chronic alcoholism is a disease which has destroyed the power of his will to resist the constant, excessive consumption of alcohol; his appearance in public in that condition is not his volition, but a compulsion symptomatic of the disease; and to stigmatize him as a criminal for this act is cruel and unusual punishment.

This plea failed in the State courts. (*State* v. *Driver*, 262 NC 92, 136 SE2d 208(1964).) Thereupon he unsuccessfully petitioned the Federal district court for habeas corpus to procure release from imprisonment ordered on his sentence. (*Driver* v. *Hinnant*, 243 F. Supp. 95 (1965).)

We find merit in his petition. Accordingly we must vacate the judgment on review and remand for the further proceedings later outlined.

The State statute is North Carolina General Statute 14–335 reading as follows:

"If any person shall be found drunk or intoxicated on the public highway, or at any public place or meeting, in any county herein named, he shall be guilty of a misdemeanor, and upon conviction shall be punished as is provided in this section:

"12. In Durham County by a fine, for the first offense, of not more than $50, or imprisonment for not more than 30 days; for the second offense within a period of 12 months, by a fine of not more than $100, or imprisonment for not more than 60 days; and for the third offense within any 12 months' period such offense is declared a misdemeanor, punishable as a misdemeanor within the discretion of the court."

As more than a three-time repeater in Durham County, driver was sentenced to imprisonment for 2 years for each of two offenses occurring on December 18 and 19, 1963, respectively, the terms running concurrently. While he pleaded guilty, the evidence taken as a guide to an appropriate sentence conclusively proved him a chronic alcoholic, his inebriation in public view an involuntary exhibition of the infirmity. The district judge had no doubts about it. Actually, it is a concessum in the case.

Driver was 59 years old. His first conviction for public intoxication occurred at 24. Since then he has been convicted of this offense more than 200 times. For nearly two-thirds of his life he has been incarcerated for these infractions. Indeed, while enlarged on bail pending determination of this appeal, he has been twice convicted for like violations.

Thus the question here is beyond the difficult determination of whether an accused is a chronic alcoholic. Our discussion and decision, it must be recalled throughout, presuppose an indisputable finding that the offender is a "chronic alcoholic." As defined by the National Council on Alcoholism, he is a "person who is powerless to stop drinking and whose drinking seriously alters his normal living pattern."[1]

The American Medical Association defines "alcoholics" as "those excessive drinkers whose dependence on alcohol has attained such a degree that it shows a noticeable disturbance or interference with their bodily or mental health, their interpersonal relations, and their satisfactory social and economic functioning."[2] The World Health Organization recognizes alcoholism "as a chronic illness that manifests itself as a *disorder of behavior*."[3] (Accent added.) It is known that alcohol can be addicting,[4] and it is the addict—the involuntary drinker—on whom our decision is now made.[5] Hence we exclude the merely excessive—steady or spree—voluntary drinker.

This addiction—chronic alcoholism—is now almost universally accepted medically as a disease.[6] The symptoms as already noted, may appear as "disorder of behavior." Obviously, this includes appearances in public, as here, unwilled and ungovernable by the victim. When that is the conduct for which he is criminally accused, there can be no judgment of criminal conviction passed upon him. To do so would affront the Eighth Amendment, as cruel and unusual punishment in branding him a criminal, irrespective of consequent detention or fine.[7]

Although his misdoing objectively comprises the physical elements of a crime, nevertheless, no crime has been perpetrated because the conduct was neither actuated by an evil intent nor accompanied with a consciousness of wrongdoing, indispensable ingredients of a crime. (*Morissette* v. *United States*, 342 U.S. 246, 250–52 (1952).) Nor can his misbehavior be penalized as a transgression of a police regulation—malum prohibitum—necessitating no intent to do what

[1] Public Health Service Publication No. 760, "Alcoholism," prepared by the National Institute of Mental Health, National Institutes of Health, U.S. Department of Health, Education, and Welfare (1965).

[2] See footnote 1.

[3] See footnote 1. Chief Judge Butler noted below, 243 F. Suppl. 95, 97, and followed the definition of Congress appearing in the District of Columbia Code, 24–502, that a chronic alcoholic is "any person who chronically and habitually uses alcoholic beverages to the extent that he has lost the power of self-control with respect to the use of such beverages."

[4] See footnote 1.

[5] See Justice Clark dissenting in *Robinson* v. *California*, 370 U.S. 660, 684 (1962).

[6] Of the myriad authorities these citations will suffice: a Cecil and Loeb, "A Textbook of Medicine," at 1625 (10th ed. 1959); Manfred S. Guttmacher and Henry Weihofen, "Psychiatry and the Law," at 318–322 (1952 ed.); Jellinek, "The Disease Concept of Alcoholism," at 41–44 (1960).

[7] See concurring opinion of Justice Douglas in *Robinson* v. *California*, supra, 370 U.S. 660, 676.

it punishes. The alcoholic's presence in public is not his act, for he did not will it. It may be likened to the movements of an imbecile or a person in a delirium of a fever. None of them by attendance in the forbidden place defy the forbiddance.

This conclusion does not contravene the familiar thesis that voluntary drunkenness is no excuse for crime. The chronic alcoholic has not drunk voluntarily, although undoubtedly he did so originally. His excess now derives from disease. However, our excusal of the chronic alcoholic from criminal prosecution is confined exclusively to those acts on his part which are compulsive as symptomatic of the disease. With respect to other behavior—not characteristic of confirmed chronic alcoholism—he would be judged as would any person not so afflicted.

Of course, the alcohol-diseased may by law be kept out of public sight. Equally true, the North Carolina statute does not punish them solely for drunkenness, but rather for its public demonstration. But many of the diseased have no homes or friends, family or means to keep them indoors. Driver examples this pitiable predicament, for he is apparently without money or restraining care.

Robinson v. *California*, supra, 370 U.S. 660 (1962), sustains, if not commands, the view we take. While occupied only with a State statute declaring drug addiction a misdemeanor, the Court in the concurrences and dissents, as well as in the majority opinion, enunciated a doctrine encompassing the present case. The California statute criminally punished a "status"—drug addiction—involuntarily assumed; the North Carolina Act criminally punishes an involuntary symptom of a status—public intoxication. In declaring the former violative of the eighth amendment, we think pari ratione, the Robinson decision condemns the North Carolina law when applied to one in the circumstances of appellant Driver. All of the opinions recognize the inefficacy of such a statute when it is enforced to make involuntary deportment a crime.

The constitutional premise of Robinson, and so apt here, is found in the opinion, 370 U.S. at 666:

"It is unlikely that any State at this moment in history would attempt to make it a criminal offense for a person to be mentally ill, or a leper, or to be afflicted with a venereal disease. A State might determine that the general health and welfare require that the victims of these and other human afflictions be dealt with by compulsory treatment, involving quarantine, confinement, or sequestration. But, in the light of contemporary human knowledge, a law which made a criminal offense of such a disease would doubtless be universally thought to be an infliction of cruel and unusual punishment in violation of the eighth and fourteenth amendments." (See *Francis* v. *Resweber*, 329 U.S. 459.)

The director of the prison department of North Carolina [8] has patly and pithily termed the prosecution of the chronic alcoholic. Driver, he said, is one of the "unfortunates whose only offense is succumbing publicly to the disease of alcoholism."

We do not annul the North Carolina statute. It is well within the State's power and right to deter and punish public drunkenness, especially to secure others against its annoyances and intrusions. (*Robinson* v. *California*, supra, 370 U.S. 660, 664.) To this end any intoxicated person found in the street or other public areas may be taken into custody for inquiry or prosecution. But the Constitution intercedes when on arraignment the accused's helplessness comes to light. Then it is that no criminal conviction may follow.

[8] Dr. George W. Randall.

The upshot of our decision is that the State cannot stamp an unpretending chronic alcoholic as a criminal if his drunken public display is involuntary as the result of disease. However, nothing we have said precludes appropriate detention of him for treatment and rehabilitation so long as he is not marked a criminal.

The judgment denying appellant's petition for habeas corpus will be vacated, and the case returned to the district court with directions to order Driver's release from the impending detention by North Carolina unless, within 10 days, the State be advised to take him into civil remedial custody.

Vacated and remanded.

Mr. SYMINGTON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SYMINGTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE EXTRAORDINARY CLARITY OF OUR POLICIES INCIDENT TO VIETNAM

Mr. SYMINGTON. Mr. President, during the past several weeks this Nation has heard almost continuous debate on our policies in Vietnam in these Chambers, on television, and in the press. One of the persistent themes of those who question this policy is that it is confused and unclear. It is to such critics that I address my remarks. For I find it hard to conceive a more clearly enunciated policy.

For 70 years—starting with Lenin—the Communists have made a science of the study of seizing power. We are dealing in Vietnam with the latest and most insidious technique which these studies have produced.

The original Marxist-Leninist doctrine held that revolution will take place in industrial countries. That doctrine was tried out and proved faulty. No industrialized nation has ever fallen victim to the tactics then advocated.

Lenin was the first to perceive this and to point out that the greatest opportunity for revolution lay in backward and underdeveloped countries. He also perceived that war and the political, economic, and social chaos which war produces create the best possible conditions for revolution. In Lenin's words, war and chaos are "the midwife" of revolution. Russia and China were to prove this case.

But the extension of communism in Eastern Europe and North Korea after World War II was not the product of chaos, discontent, or mass uprising. It was accomplished by the Red army at the point of a gun.

Moreover, the Communists learned after the war that the less developed countries were not so susceptible to Communist revolution as their theories proclaimed. Attempts to take power in Greece, in South Korea in 1948, in the Philippines, in Indonesia in 1948 and again last September, and in Malaysia from 1946 to 1958, all ended in failure. For the Communists came up against a much more powerful force, the force of nationalism.

After that long record of failure a new and more refined Communist strategy has been conceived by Mao Tse-tung and General Giap. The new strategy is directed at destroying the whole fabric of society in developing countries, starting in the rural and remote areas and gradually moving toward the cities. The tactics call for the training of dedicated subversives in foreign countries who are then infiltrated with arms and munitions to destroy the structure of government by assassinating its local officials, mayors, village elders, teachers, police, doctors, anti-malaria workers, and anyone who is trying to maintain the fabric of society. Non-Communist nationalists are made the prime targets. The aim is to break down law and order, terrorize the population into submission and cooperation, and produce chaos.

Vietnam is not the only place where that blueprint is being tried. It was tried in Laos, and the same pattern is now beginning to unfold in Thailand.

Nor is it confined to southeast Asia. Only this week the new Government of Ghana showed reporters through a camp run by Chinese Communists to train subversives in sabotage and guerrilla tactics for campaigns against independent African states.

There are many countries where the power of government is being slowly forged, where economic progress is only beginning. In such countries there are many problems to solve, and the governments should be given the chance to solve them.

Guerrillas only have to destroy; the government to construct and defend. Guerrillas may strike anywhere. Governments must offer security everywhere. That is the reason why governments backed, albeit passively, by the great majority of their citizenry are strained to the breaking point to defend themselves against these new Communist tactics, why the government forces may require 10 to 15 times the number of guerrillas before it can end the strife, why help from outside must often be called on.

As I have said, there are a good number of countries which are vulnerable to the new Communist tactics. If we do not stand in Vietnam with the strong nationalist forces who have resisted and continued to resist revolution by terrorism, then we will surely have to face it later, and under more adverse conditions. The process of nibbling aggression must be stopped, or the ultimate outcome will either be a wider war or a disastrous shift in the world balance of power. I agree with Winston Churchill that those who believe that the road to peace lies in throwing a small nation to the wolves suffer from a fatal delusion.

The Chinese and North Vietnamese Communists have bluntly declared that Vietnam is the test case for their new strategy; and as a result, over 60,000 men have been infiltrated into South Vietnam from the North.

That strategy must be defeated in South Vietnam. What could be more clear?

The Communists have taken the position that the future of Vietnam will be settled by force. We prefer negotiation.

What is unclear about that?

We seek the end of aggression from the North. Our war aims are limited and do not extend to the destruction of North Vietnam. Nor do we threaten Communist China. What is unclear about that?

Hanoi says that the Vietcong must be recognized as the sole representative of the South Vietnamese people before any conference can be held. The South Vietnamese and we reject that contention. There are 250,000 or so Vietcong. But there are 900,000 refugees who came south in 1954, over 700,000 who have fled from Vietcong areas in 1965, 700,000 in the army of South Vietnam, a million and one-half Catholics, and millions of Buddhists and various other groupings in South Vietnam. They do not want communism, and they have fought it for a dozen years.

What could be clearer than that?

We are committed to the holding of free elections in South Vietnam.

What is unclear about that?

Since we are committed to free elections we recognize the possibility that former members of the Vietcong might be elected. We have said we will accept what the people of South Vietnam freely choose. We are confident that the Vietcong will be decisively rejected by the people of South Vietnam.

In all history, no people have ever freely elected a Communist government and the actions of the people of Vietnam indicate that they will not be the first.

We are in South Vietnam as allies of the nationalist forces that are fighting for their freedom and independence; and it is not for us to impose upon South Vietnam any preconceived solutions to their problems. What we need in Vietnam is a Vietnamese solution, which they themselves will work out.

Questions have been raised about the details of our negotiations. I do not believe a public detailed discussion of negotiating positions is in our national interest. When negotiations start they will be difficult and complicated.

Unilateral statements, pleas in this body and in the press for concessions, serve only to raise fears among the South Vietnamese; and also to increase the demands of Hanoi.

The place to solve problems is at the negotiating table. Anyone with any negotiation experience knows that to be a fact. Unless one is deliberately planning to lose, it is the height of folly to make concessions prior to the start of negotiations, or make concessions at all except as they would, in this case, promote the larger aim of assuring the freedom of South Vietnam.

What is unclear about such a policy?

What indeed is unclear about any part of our policy in Vietnam?

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

Mr. SYMINGTON. I am glad to yield to the distinguished Senator from Colorado.

Mr. ALLOTT. I congratulate the distinguished Senator from Missouri for his very clear and precise statement on Vietnam. Having had an opportunity to sit with him in committee relative to discussions in Vietnam, I know of his views very well. It is my hope that many others can make such statements, not only on the floor of the Senate, but around the country, so our people can be somewhat clearer on what the war in Vietnam is all about. There is no question that if we yield inch by inch there, we are headed for having them take over Thailand. The point the Senator has made is that even though this is a small country, the people of the free world will have to realize that the cost of fighting there will not be as much as the greater cost that would take place later if we do not fight there now.

I commend the Senator very much for his statement.

Mr. SYMINGTON. I thank my very able colleague from Colorado. It has been a privilege to serve with him on the joint Appropriations-Armed Services Committee. I have already told him, but I am happy to make the statement also on the floor—that his questioning of the Secretary of Defense the other day brought out at least as many pertinent facts as the questioning of any other Senator.

I deeply appreciate what he has said this afternoon.

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

Mr. SYMINGTON. I am glad to yield to the distinguished Senator from California.

Mr. MURPHY. I congratulate my colleague from Missouri on his remarks. agree that it has helped clarify to a very great degree what has been almost contrived confusion brought about on television, the press, and also in this Chamber. I am glad the Senator from Missouri has made these remarks.

As I know he knows, there was a meeting held recently which was attended by 307 saboteurs and guerrilla fighters to start campaigns in Latin America. So there is a potential source of trouble. This is the kind of situation we are confronted with.

I am glad the Senator from New York [Mr. JAVITS] is present, because he made an excellent statement after a trip to Vietnam, in which he said that what we must face is reality, and that we must not be thinking in fantasies or day dreams.

I think the Senator from Missouri has pointed out the basic realities which exist. I think the remarks he has made have clarified the situation.

Mr. SYMINGTON. I appreciate the remarks of the distinguished Senator from California. He and I have been friends for longer than either of us care to remember, having been friends in college. I know of his fine contributions in this field.

If I may repeat one part of my short talk today that nails down some of my apprehensions—apprehensions others have expressed in the past and he expressed today—it is significant that as soon as the Nkrumah government was overthrown in Ghana, the successful revolutionists took foreigners and showed them this guerrilla camp where people were being trained by Chinese Communists. After they rebelled and after the Nkrumah government was overthrown, such Communists were flown back to their homes by plane loads.

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

Mr. SYMINGTON. I am glad to yield to the distinguished Senator from New York.

Mr. JAVITS. First, I would like to congratulate the Senator from Missouri for his excellent presentation and for continuing the debate on Vietnam in a constructive manner.

I would like to raise one point with the distinguished Senator from Missouri, whose judgment I find enormously enlightening. The point has to do with the role of Communist China in Vietnam. I think this is what really troubles the American people. Perhaps the Senator is in no position to comment on Red China this afternoon; it would be unfair to ask him to do it. But I would hope he would direct his talks at some time to that question.

I think the American people feel that if the war is confined to Vietnam, they are willing to go through with it. They do not want a war with China. In order to both do the job of stabilizing South Vietnam and keep the Red Chinese out, the United States must continue to pursue limited objectives by limited military means. I think this is a basic decision on the part of the American people.

I think the declaration of the distinguished chairman of the Foreign Relations Committee about the advisability of arriving at what diplomats call a modus vivendi is pertinent to the subject. Senator FULBRIGHT has opened up an important point for discussion, and in doing so, he expresses the feelings of Americans against expanding the war in Vietnam to China.

Mr. SYMINGTON. I do not want to interrupt the able Senator from New York but he has made several interesting observations, let me comment on them, and then perhaps he will have others.

First, I would join the Senator from California in complimenting the Senator from New York for the statement he made after his visit to the Far East. Having talked with the head marine out there who was back here for a few days, I was not only impressed, but our people in South Vietnam were impressed with the efforts the Senator made to get the facts.

The Senator made reference to Red China.

As a member of the Foreign Relations Committee I am somewhat at a loss to understand just what we do think about the Red Chinese. There is a strange dichotomy of thought in the committee itself. Some members are almost afraid to discuss Red China. The phrase "scared to death" has been used. But other members denigrate the capacity of Red China to do anything material against the Armed Forces of the United States—unquestionably the strongest armed forces in the world.

Therefore, I am looking forward to the hearings which start next week—open hearings, I might add—scheduled

wisely by the chairman of the Foreign Relations Committee so as to investigate this subject of China. Let us find out more truth about this country and its people.

I would hope the able Senator from New York, with his great intellectual capacity, and who has many friends interested in this field, would suggest to the committee any witnesses from some of the great universities in his State, or any State or any others, he would like to have appear before the committee.

There is one statement made by the Senator from New York with which I may not agree.

It is so important for free people to face up to totalitarian aggression—in this case Communist totalitarian aggression—that regardless of what the Chinese decide, I would not want their decision to be decisive as to what we do.

The British people waited too long against the growing aggression of Hitler, to the point where our Nation was the last shield between them and total destruction. It is difficult even today to realize that Neville Chamberlain went to visit Hitler three times in his effort to appease, his third visit ending with the sellout of Czechoslovakia at Munich. That insured the Second World War

My point is that no one wants to see this Nation get into military trouble with the Red Chinese, but our foreign policy should not be decided exclusively by what the Red Chinese will or will not do.

In past years I have made talks on the floor of the Senate recommending that policies should establish events rather than events establishing policy.

If the Red Chinese attacked the United States, I believe that the people of the United States would be willing to pay the price necessary for resistance, as part of the price of freedom.

I am confident in my own mind, however, that the policies of this administration are designed to prevent the Chinese from being so foolhardy; and I personally believe that the possibility of the Chinese attacking this country because of our efforts to sustain freedom in South Vietnam are remote indeed.

I thank the Senator.

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

Mr. SYMINGTON. I will be glad to yield to the Senator.

Mr. JAVITS. I think that I need to make exactly clear how I feel should the Communist Chinese attack us where we stand in Vietnam. Perhaps the Senator will or will not agree.

I am not for provoking them. I am for standing our ground, according to our strategy. If they choose to use this as a pretext for going after us, there is little we can do but fight back. That is the way I feel, and I believe there is no other choice. I would hope that Peiping would have the good sense not to misconstrue our limited objectives.

Mr. SYMINGTON. I could not agree more. Anything we would do to provoke them would be foolhardy to the extreme.

Mr. JAVITS. It is necessary to find a way to live with the Communist Chinese. Preventive war is not the answer to the problem of finding a way to live with Red China. I think it is possible over a period of time to find other ways to live with them. But I think that the essential ingredient in finding these other ways is the Vietnamese struggle and the purpose of it. We must show Peiping that we mean business and cannot be bullied, and that it is wiser for them to settle their differences with us—and many of these differences are imaginary on their part—by negotiations.

I believe so much in these exchanges with the Senator from Missouri and others, and the Senator from California.

I think that one of the issues in Vietnam, which has not been fully brought out, is whose ideas will prevail in the Communist world if we are pushed out of Vietnam; and the idea of counterinsurgency of the war; and the idea of the country and the cities, as the Chinese Minister put it in his article, with which the Senator from Missouri is familiar, will be the predominant idea in the world.

If our limited purposes—not victory—prevail in Vietnam, we have a good chance for peaceful coexistence and for the more moderate Russian way to prevail. Then, the Russians can go back to a higher priority than Vietnam—accommodation with the West and the United States. It will no longer be necessary for them to talk tough in order to maintain the leadership of the Communist world, in order to compete with Red China.

This will be one of the most decisive effects of the war in Vietnam.

Mr. SYMINGTON. I agree with the able Senator from New York who has one of the fine minds in this body.

Not too long ago, some of us met with Mr. Mikoyan. In analyzing the question of communes, he stated he felt Soviet Russia was 30 years ahead of China in the development of communism. Let us hope that in 30 years the Chinese Communists will have as much willingness to work with us for peace as do now the Soviets, sketchy as that may be.

I have personally talked with people in the British Government, and also people in the Government of Pakistan, who told me their recognition of Red China, with consequent establishment of an Embassy in Red China meant little or nothing because, in effect, they were in house arrest in their own Embassy.

I note this morning an article on the front page of the New York Times. The headline reads:

Red China Scores U.S. War Debate: Asserts That Both Hawks and Doves in Vietnam Dispute Are Fools.

Mr. President, I ask unanimous consent that this article be inserted in the RECORD at the end of this discussion.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SYMINGTON. Mr. President, this is but typical of the reaction of the Red Chinese to any efforts we make toward arriving at better understanding.

I know that the able Senator from New York does not misunderstand me. I believe implicitly in doing everything we can do to reach a better understanding with these people, and with all people. This new world is very small indeed.

But the primary purpose of my talk today was to emphasize that the policies of this Government in the Vietnam problem are very clear; in fact, as laid down time and again by the President, I do not see how they could be more clear.

I feel this Government knows what it wants to do, and am also certain, whereas it may be willing to go another mile toward peace with the Red Chinese, it is not willing to let the Red Chinese dictate the foreign policy of the United States.

I am sure my able friend from New York agrees that should never happen.

Mr. JAVITS. I feel that way and I join the Senator in saying that I think that I to understand it fully.

I deeply appreciate the Senator's suggestion with regard to producing some witnesses and I will do exactly that.

Mr. SYMINGTON. I thank the Senator from New York. It is always a privilege to discuss this or any other matter with him.

EXHIBIT 1

[From the New York Times, Mar. 4, 1966]

RED CHINA SCORNS U.S. WAR DEBATE—ASSERTS THAT BOTH HAWKS AND DOVES IN VIETNAM DISPUTE ARE FOOLS

(By Seymour Topping)

HONG KONG, March 3.—Communist China asserted today that both the hawks and the doves in the Washington debate on Vietnam were fools whose views differed only on the means of carrying out aggression.

Jenmin Jih Pao, the Communist Party newspaper, in an authoritative article, indicated that the Peiping leadership saw no prospect for an accommodation with the United States in proposals put forward by such critics of the administration policy as Senator J. W. FULBRIGHT, chairman of the Senate Foreign Relations Committee.

The commentary did not mention Senator FULBRIGHT, but it lumped President Johnson and his critics together as members of the U.S. ruling circles who were using the Vietnam debate as "camouflage to hoodwink the people."

NO FUNDAMENTAL DIFFERENCES

The text of the article was distributed abroad by Hsinhua, the Chinese Communist press agency, 2 days after Senator FULBRIGHT had proposed an agreement with Peiping that would provide for the neutralization of southeast Asia. The Arkansas Democrat also announced yesterday that his committee would begin hearings next week that would review U.S. policy toward Communist China.

Jenmin Jih Pao declared that an analysis of those termed "hawks" and "doves" showed that "there is no fundamental difference of opinion between them with regard to aggression against Vietnam." Both the hawks, advocates of militant action to achieve victory, and the doves, supporters of peaceful negotiations as the primary approach, refuse to "abandon the U.S. policy of aggression in Vietnam and Asia," the paper asserted.

The party organ said that the aggressive intent of all the participants in the Washington debate was demonstrated by the fact that they opposed an immediate withdrawal of U.S. troops from Vietnam and recognition of the National Liberation Front, the political organization of the Vietcong, as the sole representative of the South Vietnamese people.

The article added that although the Washington debate would never produce results, revolutionary people should consider the wrangling a good thing because it "shows up the extreme weakness of the Johnson administration and its isolation."

After describing the hawks and doves as a "bunch of fools," the article concluded:

"In the final analysis, only the complete victory of the Vietnamese people in their struggle to resist U.S. aggression and to save the country will settle the issue for them."

INFLEXIBLE POSITION ON TALKS

Analysts here said that the article indicated that the Chinese Communist position had become so inflexible as to exclude the possibility of Peiping's exploitation of the debate in the United States for some tactical advantage. The intransigent stand adopted by the Chinese Communists has tended to discourage opponents of the administration policy rather than exacerbate differences in the United States that might weaken the Vietnam war effort.

While the Vietnamese Communists have been inflexible on terms for a negotiated settlement of the war in South Vietnam, they have been less categoric than Peiping in rejecting peace overtures, and Hanoi has entered into private exploratory talks with United States and other Western officials.

The Peiping article may have been intended to disabuse Vietnamese Communists of any idea that the debate in the United States might produce an acceptable basis for negotiations.

Jenmin Jih Pao attacked the "Khrushchev revisionists," an allusion to the present Soviet leadership, for a suggestion that the Washington debate was in effect, a dispute between militarists and moderates and that a "political uprising had occurred in Congress."

"They try their best to convince others that those engaging in aggression in Vietnam are only a handful of American militarists while the Johnson administration is composed of good people only," the article asserted.

HANOI SILENT ON SOVIET EFFORTS

Observers here said the implication was that Moscow had sought to persuade the Vietnamese Communists that the Washington debate had opened opportunities for advantageous negotiations. The North Vietnamese have not followed Peiping in charging Moscow with entering into "peace plots" in collusion with the United States.

The Peiping article made no distinction between American officials who, it said, "shout that American forces should fight their way to North Vietnam or even bomb all the way to Peiping and others who express fear at the prospect of a big land war in Asia."

Analysts said it appeared that fears of a war with the United States had abated somewhat in Peiping, possibly as a consequence of public discussions in the United States.

A series of militant editorials in the Peiping press warning that the United States intended to impose war on the country was suddenly terminated about 2 weeks ago.

The Chinese Communist press has published a summary of President Johnson's speech February 23 in which he said that the United States was doing everything it could to avoid drawing Communist China into the Vietnam conflict.

GREAT SALT LAKE RELICTED LANDS

Mr. JACKSON. Mr. President, I ask unanimous consent that the Senate proceed to consideration of Calendar No. 980, S. 265.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 265) to confirm in the State of Utah title to lands lying below the meander line of the Great Salt Lake in such State.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Interior and Insular Affairs with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior shall convey to the State of Utah by quitclaim deed all right, title, and interest of the United States in lands lying below the meander line of the Great Salt Lake in such State, as duly surveyed heretofore or in accordance with section 4 of this Act, whether such lands now are or in the future may become uncovered by the recession of the waters of said lake: *Provided, however,* That the provisions of this Act shall not affect (1) any valid existing rights or interests, if any, of any person, partnership, association, corporation, or other nongovernmental entity, in or to any of the lands within and below said meander line, or (2) any lands within the Bear River Migratory Bird Refuge and the Weber Basin Federal reclamation project.

SEC. 2. The conveyance authorized by this Act shall contain an express reservation to the United States of all subsurface mineral deposits in the Federal lands below the meander line of Great Salt Lake to the waterline of the lake as of the date of enactment of this Act, together with the right to prospect for, mine, and remove the same. The minerals thus reserved shall thereupon be withdrawn from appropriation under the public land laws of the United States, including the mining laws, but said minerals, in the discretion of the Secretary of the Interior, may be disposed of under any of the provisions of the mineral leasing laws that he deems appropriate: *Provided,* That any such lease shall not be inconsistent, as determined by the Secretary of the Interior, with the other uses of said lands by the State of Utah, its grantees, lessees, or permittees.

SEC. 3. As a condition of the conveyance authorized in section 1 of this Act, and in consideration thereof, (a) the State of Utah shall, upon the express authority of an Act of its legislature, convey to the United States by quitclaim deed all of its right, title, and interest in lands upland from the meander line, which lands the State may claim by reason of said lands having been, or which may hereafter become, submerged by the waters of Great Salt Lake, and (b) the State of Utah shall pay to the Secretary of the Interior an amount approximating the fair market value of the lands, or in lieu thereof may grant to the United States interests in lands, mineral rights, including those beneath the lakebed, or release land selection rights of comparable value, or a combination thereof, as determined by the Great Salt Lake Relicted Lands Commission created under section 6 of this Act.

SEC. 4. The Secretary of the Interior is authorized and directed to complete that portion of the public land survey necessary to close the existing meander line of the said Great Salt Lake.

SEC. 5. Pending resolution of the amount and manner of compensation by the State of Utah to the United States as provided herein, the State of Utah is authorized upon enactment of this Act to issue permits, licenses, and leases covering such of these lands as the State deems necessary or appropriate to further the development of the water resources of the Great Salt Lake, or for other purposes, on terms and conditions acceptable to the Secretary of the Interior. The State of Utah, by an express act of its legislature, or by written assurance of the appropriately authorized official or agency, shall agree to assume the obligation to administer the lands, for the purposes set forth above, in the manner of a trustee and any proceeds so derived by the State of Utah shall be paid to the United States, until compensation for the full value of said lands as herein provided is made. Such proceeds paid to the United States shall be to the credit of the State of Utah as part of the compensation for which provision is made herein.

SEC. 6. (a) In order to resolve expeditiously the issue of appropriate consideration to be paid to the United States by the State of Utah for the lands described in section 1 of this Act, there is established a commission to be known as the Great Salt Lake Relicted Lands Commission, hereafter referred to as "the Commission."

(b) The Commission shall consist of three members as follows:

(1) One person to be designated by the Secretary of the Interior;

(2) One person to be designated by the Governor of the State of Utah; and

(3) One person, who shall be chairman of the Commission, to be selected by the other two.

(c) Any vacancy which occurs on the Commission shall not affect its powers or functions but shall be filled in the same manner in which the original appointment was made.

(d) Two members of the Commission shall constitute a quorum.

(e) Members of the Commission who are officers or employees of the United States or the State of Utah shall serve without compensation in addition to that received as such officers or employees, but they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

(f) A member of the Commission who is not an officer or employee of the United States or of the State of Utah shall receive $50 per diem when engaged in the actual performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by him in the performance of such duties.

(g) The expenses of the Commission shall be met and shared equally by the United States and the State of Utah.

SEC. 7. (a) The Commission shall make a comprehensive study of the lands which are the subject of this Act, giving consideration to, among other factors it deems pertinent, (i) the present ownership of the lands conveyed by the United States pursuant to section 1 of this Act; (ii) the right of the State to approximately one-ninth of those lands as school sections, when surveyed; (iii) the present ownership of the State of the water resources of the lake and those of its bed and subsoil; and (iv) the relationship of the land area to the development of such resources. Nothing in this section shall be deemed to limit or prevent the Commission from giving consideration to any other factors it deems pertinent to an equitable resolution of the question of the proper consideration to be paid by the State of Utah to the United States for such lands.

(b) The Commission shall report its finding and recommendations to the Secretary and the Governor of the State of Utah not later than one year after the effective date of this Act. Within thirty days after receiving such report, the Secretary shall transmit copies thereof to the President of the Senate and the Speaker of the House of Representatives, together with his comments thereon. The Secretary shall, after the expiration of sixty calendar days from the date of such transmission (which sixty days, however, shall not include days on which either the Senate or the House of Representatives is not in session because of an adjournment of more than three days to a day certain) proceed forthwith to execute the conveyance herein authorized provided that neither

House of Congress has disapproved by resolution the proposed compensation.

(c) In the event title of the subject lands does not vest in the State of Utah, then any valid permits, licenses, and leases issued by the State under authority of this Act, shall be deemed permits, licenses, and leases of the United States and shall be administered by the Secretary in accordance with the terms and provisions thereof.

Mr. JACKSON. Mr. President, the purpose of the pending bill, S. 265, is to resolve a long-standing controversy between the State of Utah and the Federal Government over title to hundreds of thousands of acres of lands which once were beneath the waters of the Great Salt Lake, and which now are upland flats. These relicted lands are of great potential value for industrial purposes in connection with the development of the mineral resources of the waters of the Great Salt Lake, for waterfowl habitat, and for recreational purposes.

The pending measure has been before the Committee on Interior and Insular Affairs for more than a year. In my opinion, the bill as amended and reported by the Interior Committee represents a fair and equitable solution of a problem which has been delaying important industrial development and which has caused concern on the part of both the Federal Government and the State of Utah.

Mr. President, I yield to the distinguished senior Senator from Utah, who wishes to discuss the provisions of the reported bill.

Mr. BENNETT. Mr. President, I shall vote for S. 265, which sets forth conditions under which the State of Utah will acquire title to lands lying below the meander line of the Great Salt Lake.

As the original sponsor of the original bill on this subject as far back as the 87th Congress, I should have preferred the passage of that bill as it was then introduced or of the bill now before the Senate before it was amended by the Committee on Interior and Insular Affairs and is now reported to the Senate.

The purpose of the proposed legislation is to resolve a controversy between the State of Utah and the Federal Government over title to several hundred thousand acres of lands which once were beneath the waters of the Great Salt Lake but which now are so-called upland flats.

As technological and scientific advancements are made, it is becoming obvious that the lands in question and the waters of the lake are of great potential for industrial purposes in connection with the development and establishment of a minerals industry on the lake, in addition to allowing for the establishment of a recreational industry and for a waterfowl habitat, as the chairman of the committee also has indicated.

Both the State government and the Federal Government claim the lands. Because of the title dispute, the development of the mineral resources of the lake by private industry is being retarded, thus depriving both Governments of revenues and economic growth.

The original bill that I introduced, and which is also under consideration in the other body, would extinguish the claim of the Federal Government to title to lands over which the State of Utah has exercised dominion and control since the State was admitted to the Union on January 4, 1896.

However, the Department of Justice and the Department of the Interior have taken the position that extensive amendments are necessary, and the Senate Committee on Interior and Insular Affairs has accepted most of them. In view of the necessities of the present situation and the pressure of time, I desire to have the record show that I do not wholeheartedly agree to these amendments, but I also am accepting them in the hope that the House will probably improve the situation when it acts on the bill.

As I have said, the time factor has entered the whole question, and private industry is now making decisions regarding its developments on the lake. The title dispute must be resolved before these firms can intelligently choose their course, and before the firms can know with which agency of Government they will have to deal.

The State has taken the position that it would like to see my original bill passed; but that rather than wait for a year and take the chance of losing potentially great economic developments, it will accept the version the Senate is now considering.

When the bill was first reported by the Committee on Interior and Insular Affairs, I asked the distinguished majority leader [Mr. MANSFIELD] if he would delay bringing up the measure for a few days, so that I might have the opportunity to study the new language, which I had not seen, and he graciously granted me that opportunity. In the meantime, as I studied the bill, several key questions arose which I thought should be presented and, if possible, answered. Since the completion of the hearings, the only opportunity I have to clear up these questions officially is by creating appropriate legislative history on the floor of the Senate. The chairman of the committee has graciously agreed to cooperate with me to that end.

I wish to emphasize again that it was never my purpose to block or unreasonably to delay action on the bill. However, I feel that it is important that these questions be cleared up today, if possible, before the Senate takes final action on the bill.

If the chairman will work with me, I should like to propound eight questions to him on the floor of the Senate.

First, if the authorities of the State of Utah agreed to the passage of this bill, would their admission constitute the end of the law which gives to the State title and ownership beneath navigable waters within State boundaries? I refer the Senator to volume 43 of the United States Code, page 1311; page 1302 of the 1964 edition.

Mr. JACKSON. Mr. President, I am happy to respond to the questions asked by the Senator from Utah. The bill is predicated on the fact that the Submerged Lands Act, which the distinguished Senator from Utah has cited, is not applicable to these Great Salt Lake relicted lands. That is, the committee has followed the rule of law asserted by the Department of the Interior and the Department of Justice to be controlling under the particular facts and circumstances of these Great Salt Lake relicted lands; namely, that the rights of the United States arise from the old common law rule of reliction and accretion. This rule has been tested and upheld in the courts. Hence, the enactment of the bill would not repeal, modify, or affect in any way the Submerged Lands Act. There is no question that the lands presently beneath the waters of the Great Salt Lake belong to Utah.

Therefore, the answer to the question propounded by the Senator from Utah must be in the negative. I invite his attention to the paragraphs in the report of the Department of the Interior, which appears on page 11 of the report of the Committee on Interior and Insular Affairs—Senate Report No. 1006—to accompany S. 265, and to those of the Department of Justice on pages 16 and 17.

Mr. BENNETT. I have read the passage to which the Senator from Washington refers.

I should like to raise a question separately from the ones I announced I would propound, for the purpose of enlightenment and for the clarification of what the Senator from Washington has just said.

If the bill is passed, and if the State meets the conditions which it sets up, there will not be any further question of reliction and accretion with respect to the land presently lying under the waters of the Great Salt Lake?

Mr. JACKSON. The Senator is correct. The purpose of the bill before us is, in effect, to quiet title.

Mr. BENNETT. Yes.

Mr. JACKSON. It is the congressional intent to provide the means of bringing an end to the controversy and to draw a line, so that as the waters of the Great Salt Lake ebb and flow, as they do—and even the wind, I understand, can make a great difference in what lands are under water—the title to the relicted lands will not change.

At present, as the waters change, as the waters rise or recede, the title shifts between the State and the Federal Government as a matter of law. As the waters come in, of course, the title changes from the Federal Government to the State, and, conversely, as the waters recede, it passes to the Federal Government under the accreted lands rule of law.

The bill will, we hope, settle, once and for all, the cloud that appears over the title to the vast acreage that is the subject of the bill.

Mr. BENNETT. So hereafter the winds can blow freely.

Mr. JACKSON. The Senator is correct. I doubt that we can do anything about the wind.

Mr. BENNETT. I now propound my second question:

This bill conveys to the Federal Government the mineral rights in the land between the present water line of the lake and the meander line, which pre-

sumably substitutes for the water line at the time Utah became a State. Can the State legally transfer the mineral rights under that land, and the land between, to the Federal Government without compensation and thus permanently dispose of that right? Does it have the authority to do so? For instance, I notice in the Utah Code Annotated 65–1–14:

> The sale of whatever right, title, and interest the State has in such bed shall be by quitclaim deed or other similar conveyance, with reservation to the State of all mineral rights.

Mr. JACKSON. It is inaccurate to describe the bill as "conveying" to the Federal Government any mineral rights belonging to Utah. I most certainly do not wish to quibble over words, but a conveyance by the State would infer the ownership of some right or interest on the part of the State in the lands below the meander line. As stated in my response to question No. 1, no such right or interest exists in the State under the committee's bill. The Federal Government reserves the mineral interests in the Federal lands it conveys to the State. What the State would convey is something very different. Section 3, the only section referring to any conveyancing by Utah, is applicable only to lands upland from the meander line. As to such lands the State would quitclaim right, title, and interest based on any claim it might have because these uplands may once have been covered by the waters of the lake, or may become covered by them in the future.

Moreover, the quitclaim by Utah is part of the quid pro quo for the conveyance of the relicted lands below the meander line, even though it now seems unlikely that the water would rise above the meander line.

Mr. BENNETT. My third question is: On page 16 of the report is a paragraph referring to a recent decision entitled "State of Utah (70 I.D. 27 (1963))" which brings into the problem the theory of riparian rights with the United States as the riparian owner. It seems to me that this is a complete conflict with the right given to the State of Utah under the public law referred to in question No. 1. How does this bill resolve that conflict and does such a resolution protect the basic right of the State as outlined in title 43, United States Code, section 1311?

Mr. JACKSON. I feel that the answer to this question is given in my answer to question No. 1. The Submerged Lands Act does not apply to the subject lands; hence there is no basic conflict between the cited law and the Interior Department's decision. I might point out, however, that the validity of the principle of law on which the decision is based has been upheld as recently as 1961 by the 9th Circuit Court of Appeals in a decision the U.S. Supreme Court declined to upset. The case is that of *United States* v. *State of Washington*—294 Fed. 2d 830. Cert. den. 369 U.S. 817 (1962).

Mr. BENNETT. My fourth question is: What happens to extant leases previously granted by the State within the disputed territory if this bill passes? Will the State have to reissue these leases? Are there any Federal leases or applications that would have to be terminated contrary to the rights of third parties as a result of the bill?

Mr. JACKSON. A specific proviso in section 1 of the reported bill gives unequivocal protection to valid, existing rights. I should not be put in the position of interpreting Utah State law, or of trying to tell the State what it should do, but I fail to see that the committee's bill creates any problems with respect to State-issued leases. I would think that when the State gets clear title to the lands, as provided, it would honor, under the doctrine of after-acquired title, whatever leases it had previously issued. I see no reason why these leases would have to be reissued. Since title to the subject lands has been and is in the Federal Government, and since the bill specifically protects existing rights, the answer to the question in the last sentence of question No. 4 of the Senator must be in the negative; namely, that there are no Federal leases or applications that would have to be terminated contrary to the rights of third parties. As the Senator knows, an application does not, of itself, establish a right to a lease or a permit.

Mr. BENNETT. Question No. 5: If this bill is passed, will it become a precedent which can be used for invading States rights on other navigable lakes and streams in other States? Will the bill and the Interior Department decision entitled "State of Utah (70 I.D. 27 (1963))" affect actions heretofore taken by the Department in other States?

Mr. JACKSON. The answer is "No." My responses to questions 1 and 3 apply with equal force here, although I must confess I am not wholly certain what is meant by the decision and the bill affecting "actions heretofore taken by the Department in other States." The bill itself, by its own terms, can apply only to the Great Salt Lake relicted lands. I cannot, of course, predict what actions the present or future Secretaries of the Interior may take with respect to other lands elsewhere.

Mr. BENNETT. Question No. 6: What kind of precedent is this bill setting for the Department of Interior by creating a commission to determine fair market value? It has been my impression that the Bureau of the Budget vigorously opposed this policy.

Mr. JACKSON. The committee's report is quite specific in asserting that the establishment of a commission to determine fair market value is not a precedent. This can be seen in the section on page 2 of the report. As stated, only the particular facts and circumstances surrounding this particular case led the committee to depart from the established rule. It is true that the Bureau of the Budget has voiced misgivings at the committee's improvisation, but, on the other hand, the Department of the Interior has not objected. Having a commission, on which the State is represented, determine fair market value rather than leaving such determination to the Secretary alone, appeared to the committee to be an equitable method of bringing the controversy to a speedy termination. I reiterate, however, that this is not to be considered a precedent, but was designed only to resolve this particular problem.

Mr. BENNETT. Mr. President, I am eliminating the word "surface" that occurs in the letter of the Senator and in my letter.

Question No. 7: I am greatly concerned about the use of the phrase "subsurface" in this bill, particularly because being a lake bottom, the land is covered with a deposit of minerals from the existing lake water. These minerals may not be valuable but they could be considered minerals that go to the Federal Government. Surface control then would become meaningless. To me there is a different status for minerals deposited by prehistoric lakes which are now far below ground. Should not the bill be amended to provide a clear-cut definition of the two types of mineralization and their location?

Mr. JACKSON. The modifying adjective "subsurface" inserted before "mineral deposits" in section 2 was written in on the motion of Senator Moss to make clear that any minerals lying on the lands as a result of evaporation belong to the State of Utah. The use of the word limits the Federal Government's reservation of minerals to those the extraction of which can be obtained only by breaking the surface. The same section clearly makes dominant the uses to which the State puts the lands. Thus, as a matter of law and fact, the minerals reservation will not interfere with whatever uses the State may wish to make of the lands. In view of both the language of the bill itself and the manifest congressional intent as set forth in the report, I do not believe that further amendment is needed.

Mr. BENNETT. I thank the Senator. I believe that this is probably the important question that he and I shall have discussed today.

Question No. 8: I am not clear on what is meant by the "meander line." On pages 2 and 3 of Senate Report No. 1006, reference is made to the line of 1855–56. On page 6 of the report, Under Secretary Carver talked of the 1883 meander line. I have also heard of a 1914 meander line. Am I correct in assuming that the dates are not necessarily totally correct, but that the meander line referred to is the one fixed by the cadastral surveyors and approved under the survey plat regardless of whether it was 1855, 1883 or 1914? In addition, the language of the bill appears to require a complete new survey of the meander line. Can you provide an estimate of how much that would cost and advise me whether such costs would be added to the amount the State must pay? If the State takes the present meander line and such expense were eliminated, could it be deducted from the amount that the State is required to pay to the Federal Government? The whole meander line question should be clarified, it seems to me.

Mr. JACKSON. I concur with the Senator's belief that the different dates used in the report with respect to the meander line might be a basis for some

confusion. The line contemplated by the committee's bill is the line of the public land survey which has been in the process of determination ever since 1855. The most recent extension was made in 1928, at least, so I am informed. There remains a gap of a few miles along the western boundary in Box Elder County.

Section 4 of the bill directs the Secretary to complete this line. Thus, the existing meander line would be closed and present uncertainties as to whether the Federal Government or the State had title to a particular tract would be resolved. Since, as the hearings and reports make clear, a public land survey is a function of the Federal Government, the State would not bear any of the costs of completing and closing the line.

Mr. BENNETT. Mr. President, I appreciate the cooperation of the chairman of the Committee on Interior and Insular Affairs, and his very gracious manner in handling the problems I have raised. My questions were answered in writing, and the answers submitted to me for further check. That has made this particular exercise very useful and satisfying, and I am grateful for the Senator's cooperation.

Mr. JACKSON. Mr. President, the questions certainly have been most helpful. One cannot go too far in trying to clarify a subject as complicated, complex, and drawn out in debate and discussion as the measure now before the Senate. I trust and believe that the colloquy here will further clarify the specific intent of the Senate.

I also wish to make known to the Senators my strong feelings about the fine help that the junior Senator from Utah [Mr. Moss] has given in connection with the pending measure. He has been involved in a long series of discussions in connection with the pending bill; and it has been, as has been brought out, a very complicated matter. The effort has been made to try to find a resolution of the problem by which the interests of the Federal Government will be properly protected, and that at the same time the interests of the State of Utah are adequately protected. I wish to commend him as well as the distinguished senior Senator from Utah for his assistance and cooperation.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter from Ramsey Clark, Deputy Attorney General, dated February 18, 1966, which arrived too late for inclusion in the report accompanying the bill.

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

U.S. DEPARTMENT OF JUSTICE,
Washington, D.C., February 18, 1966.

HON. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for the comments of the Department of Justice on the substitute language of S. 265 (Committee Print No. 3), a bill "To confirm in the State of Utah title to lands lying below the meander line of the Great Salt Lake in such State." As originally drafted, S. 265 proposed that the United States convey to the State of Utah title to all lands below the meander line of the Great Salt Lake as established in the past or as established in accordance with future surveys without reserving the minerals in and under such lands. The United States would then retain title to all lands above the meander line.

This Department consistently has objected to such language because we could perceive no justification of this outright gift of an unassailable Federal title and because such legislation, if passed, might serve as a precedent for bills seeking to dispose of other littoral areas of inestimable extent and value.

At the same time, however, we recognize the desirability of establishing a fixed boundary for Federal and State lands in the vicinity of the Great Salt Lake. And, although the Federal title unquestionably extends down to the present waterline, and since the amended bill provides for reservation of the minerals in the lands being conveyed by the United States, for payment by the State of Utah of the fair market value of such lands, and further conditions the grant by the United States upon the State of Utah's relinquishing all claims in lands upland from the meander line which the State may have by reason of said lands having been or which may hereafter become submerged by the waters of the Great Salt Lake, it would appear that our prior objections in this regard have been satisfied.

There is, however, some language in the amended bill which we think is unsatisfactory. The title of the bill states that title to the lands involved is being "confirmed" in the State of Utah. As we have previously asserted, the State of Utah presently has no title to confirm; this legislation is a grant of Federal lands to the State of Utah, for which the United States will receive certain compensation and a reciprocal relinquishment of the State's claims to lands upland from the meander line, in order to establish a definite boundary line. Consequently, we recommend that the title of the amended bill be changed to conform to the nature of the proposed legislation.

Also, the language in section 2, providing that the minerals reserved to the United States may be disposed of under the mineral leasing laws but containing the restriction that any such lease shall not be inconsistent with other uses of said lands by the State of Utah, its grantees, lessees, or permittees, could prevent the United States from properly utilizing its resources without conferring a corresponding benefit on the State of Utah. We think that this difficulty could be obviated to accommodate the U.S. policies of developing its resources without hindering the State's surface use of such lands by changing the language of the proviso to read as follows:

"*Provided,* That no such lease shall be issued until the Secretary, in his discretion, has determined that the lease will not be inconsistent with the other uses of said lands by the State of Utah, its grantees, lessees or permittees."

Section 7(b) provides that the commission, established by the amended bill to determine the fair market value of the lands being conveyed by the United States, shall report its findings and recommendations to the Secretary and the Governor of the State of Utah not later than 1 year after the effective date of the act. The Secretary shall thereupon transmit copies to the President of the Senate and the Speaker of the House of Representatives, and, within 60 days thereafter, shall proceed forthwith to execute the conveyance authorized on behalf of the United States. The amended bill, however, does not contain any provisions specifying when the relinquishment of upland rights by the State of Utah shall be made and does not contain any time limitations upon payment of the fair market value as established by the commission. Consequently, to clear up this ambiguity, we recommend that section 7(b) be amended by adding the following language:

"*Provided,* That the State of Utah has executed the quitclaim provided for in section (a) of this Act: *And provided further,* That the State of Utah has tendered payment pursuant to section 3(b) of this Act in an amount and in the manner determined by the Commission."

Subject to the above qualifications, we have no objections to the enactment of S. 265 as amended by committee print No. 3.

The Bureau of the Budget has advised that while there is no objection to the submission of this report, its views are as set out in its report to the committee.

Sincerely yours,

RAMSEY CLARK,
Deputy Attorney General.

Mr. JACKSON. I yield to my distinguished fellow member of the committee, the junior Senator from Utah.

Mr. MOSS. I thank the chairman of the committee for yielding to me. I wish to express to him my appreciation for his diligent efforts on the committee, and the recent hard work that has gone into perfecting the bill before us today.

The bill has indeed been before the Committee on Interior and Insular Affairs for a long time. S. 265 was introduced by me on the first day that bills could be introduced in the Senate last year. Since that time, I think we have worked on it rather continuously. Hearings were held more than a year ago. Since then, there have been numerous conferences with the Department of the Interior, the Department of Justice, and the Bureau of the Budget. There have been on-site inspections. There has been almost continuous work. We considered many drafts of the bill before arriving at the compromise before the Senate today.

As my senior colleague pointed out, this is a compromise bill, considerably different from the one that we began working on in the first place; but it represents what was necessary in order to bring together all of the divergent interests involved.

The Great Salt Lake is a residual body of water with no outlet. Therefore, it is governed by the inflow of water from snows and rains in the mountains. The only outflow is through evaporation.

Consequently, the lake changes its shoreline almost from day to day. I have some interesting figures which I received by telephone today from the Geological Survey, a projection on the area of the Great Salt Lake. Their estimate is that the Great Salt Lake now covers 700,000 acres. By July of this year, because they expect a 3-foot rise in the lake, it will cover an additional 150,000 acres; and the Survey predicts that within 10 years the lake will cover 1,050,000 acres.

So, although the lake, in recent years has declined, it has now started back up again; and there is no way of being certain what it will be this year or next year, except that we know it will be up.

These figures highlight the problem of the fluctuating shoreline; and when we are confronted with the interpretation of the law which says that lands that become exposed belong to the adjacent landowner, we encounter the insecurity that is limiting our uses of the lake, which has become extremely valuable.

Several large firms are now beginning to extract from the lake, not only sodium chloride, which we have been doing for 100 years, but many other exotic minerals; and it is thought that the lake contains vast amounts of minerals which will be very valuable to the State.

I also point out that all of the income from either State-owned lands or minerals belonging to the State goes to the public schools of the State of Utah. Because we have a problem, as does every other State in the Union, of providing adequate schools for our children, it is of far-reaching importance to the State that we secure, as soon as possible, fixed title, to enable the minerals to be extracted from the lake. That is the reason for urgency on the bill.

As our Governor, in testifying before a committee of the House of Representatives on this same bill, said, it is urgent that we have a bill this year, and not postpone its enactment trying to refine it further.

I am therefore very grateful that the chairman has called the bill up now, and that I believe Senate action will be completed today.

I do not propose to discuss the sections of the bill unless questions arise. The bill provides for the appointment of a reliction commission to determine the values of the lands which will be transferred, so that the State may accommodate to that. But the bill further provides—and I emphasize this for the record—that the management of the bed of the lake passes immediately to the State, so that the State may begin to operate at once as a landlord in working out its contracts with the various extraction industries around its perimeter.

Therefore, there should be no delay at all in the economic developments that are projected for the Great Salt Lake. Within a year's time, the question of payment to be made, if any, will be settled, and the matter will come back before the committees of Congress, so that we shall have an opportunity to look at it and be sure that this obligation is satisfactorily carried out. Then the matter will finally be concluded, and there will be a line, once and for all, between the State of Utah and the Federal Government as to the shoreline of the Great Salt Lake.

The meander line, I might point out, is a line which shows on every plat which is filed in every county courthouse which abuts the Great Salt Lake. Therefore, it is a known and fixed line, one to which we have always repaired. It is a logical line to be drawn and the bill does draw that as the dividing line.

I appreciate the courtesy of the chairman and the many hours which he has put in, as well as other members on the committee, in working out this compromise.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill to authorize conveyance of certain lands to the State of Utah based upon fair market value."

Mr. JACKSON. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MOSS. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

THE INVESTMENT CREDIT SHOULD NOT BE REPEALED

Mr. SCOTT. Mr. President, I rise to express my opposition to the proposals to repeal or suspend the investment credit which is now a part of our revenue code. It is neither necessary nor desirable for the following reasons:

First. Investment credit is a sound long-range measure. The investment credit was adopted to provide a long-range incentive for growth and modernization of our productive capacity. It has been eminently successful. The added capacity and efficiency that have resulted from the operation of the credit along with the new depreciation guidelines since 1962 are of tremendous value to our economy and our defense effort now. The credit is one of the key weapons in assuring a strong and sustainable level of investment to add to our productive capacity and efficiency. Such growth in capacity is the ultimate weapon against inflation. The repeal of the credit would discourage new long-range orders and commitments and this in turn would result in a cutback in investment and capacity at a later period. That result may be entirely inappropriate at that time—for we will want a high level of investment in the years ahead after Vietnam is in back of us.

Second. Repeal of investment credit not suitable as short-term restraining factor. There is a considerable "lead-time" in carrying out investment projects. The investment credit becomes available when assets are put in service and hence present contracts are being undertaken in reliance on the availability of the credit when the project is completed. Any repeal of the credit would have to provide an exception for projects already under commitment, but which will be completed in the future. Thus repeal of the investment credit would generally not alter investment expenditures or tax revenues for a substantial period of time.

Third. Current situation does not require changes in final income tax liabilities. As the President has stated, it is not necessary or desirable to change individual or corporate final tax liabilities at this time in response to the current economic situation associated with Vietnam expenditures. Since the investment credit is a component of final income tax liabilities, it follows that the current situation does not require a repeal of the investment credit.

Fourth. Balance of payments. The investment credit helps the balance of payments in two direct ways: First, it makes investment here in the United States more attractive, and second, it encourages modernization and cost cutting to strengthen our export position—including our defensive position vis-a-vis imports. Removal or reduction of the investment credit in a world in which investment incentives are widely used in foreign tax systems under which our friendly international competitors operate would weaken our international competitive position.

Mr. President, the Secretary of the Treasury, Mr. Fowler, in testimony before the Finance Committee on the Tax Adjustment Act of 1966, in dealing with the proposal to suspend or repeal the investment credit stated, on page 93 of the hearings—and in quoting him let me indicate that I am in entire agreement with him—as follows:

> There were three principal reasons why we—
>
> That is the Treasury—
>
> rejected suspension or repeal of the investment credit.
>
> First, we feel the investment credit is a sound, long-range measure in that its basic purpose was to produce an incentive to increase productive capacity. An increase of productive capacity, and an increase in supply, is one of the best answers to increased demand or inflationary tendencies.
>
> Second, we felt the investment credit will induce more efficient processes resulting in an increase in the rate of productivity. This will not only produce overall efficiency to the system, but it will also enable us to provide regular wage increases that are characteristic of our system without inducing price increases that might undermine our competitive position in dealing with our balance of payments.
>
> For those two long-range reasons, we felt a retention of the investment credit was desirable.
>
> Looking at the investment credit on a short-term basis, we felt that suspension or repeal of it was not particularly useful as a short-term restraint. The credit, as you will remember, becomes available when a project is completed. Therefore, if Congress moved to suspend or eliminate it, in good faith and fairness it would have to make some exception for projects that have been initiated in reliance of the availability of the investment credit.
>
> Therefore, the impact in terms of revenue, assuming provision would be made to exempt those projects already underway, would be very much delayed. Moreover, the impact in terms of current activity would not be nearly as great as one would anticipate and it would probably hit us some time next year or so rather than today.

Mr. President, for these and numerous other reasons which have been cited by other speakers and will be cited again, I am sure—I intend to oppose any amendments to H.R. 12752 which would have the purpose of either repealing or suspending investment credit.

KWAME NKRUMAH BECOMES GUINEA HEAD OF STATE

Mr. SCOTT. Mr. President, all Senators have heard of the unusual developments in Ghana and Guinea whereby Kwame Nkrumah, the deposed President of Ghana, pops up as the new President of adjoining Guinea.

Mr. President, Ghana has just succeeded in freeing itself from Communist infiltrations which have been so successful there heretofore, especially by Soviet Russia, but I believe much more importantly in this context; namely, the virtual domination of some of the actions of the Republic of Ghana by the Red Chinese.

The Red Chinese are losing a lot of bouts right now around the world. They have been kicked out of several African nations recently, under the principle that to know the Red Chinese is to wish to get rid of them immediately. I am glad that tendency is showing up in Africa today. I believe it stems from the ill-conceived remarks some time ago of Chou En-lai when he stated that what was needed in Africa were more revolutions.

The armies took him at his word, evidently, and the heads of states were terribly upset, because Chou En-lai had forgotten that when he was advocating revolution he was advocating revolution against incumbent dictators.

The recent coups in Africa have been directed at the attempt by Red China to subvert and control one government after another.

I may be able to add something here which I have not seen in the press, because to underestimate the skill of various African leaders would be to make a great mistake.

One of the most brilliant diplomats in the world today lives in Africa. Many in America have not heard much about him, but they are going to be hearing very much more from him in the future. His name is Alpha Ibrahima Diallo.

Mr. Diallo manages to bring together, as he has done in this case with at least two other African countries, the various African countries where recently the influence of the Red Chinese has been strongly felt.

Mr. Diallo was Guinea's delegate to the International Telecommunications Union Conference at Montreux, Switzerland, in September and October of last year. At that time he persuaded 32 African countries to vote against the United States and other nations on matters which the United States felt were in violation of the constitution of that 100-year-old organization—the oldest international organization, I believe.

The United States took a setback on this; Mr. Diallo advanced.

I observed Mr. Diallo at Montreux, and I do not underestimate him. Mr. Diallo is the man who brought about the return of Kwame Nkrumah, not to Ghana, which kicked him out, but to Guinea, nearby, where Communist influence is still very strong.

Mr. Diallo was there. There are others. But he is the leader and the front for whatever activities they may undertake there.

So now we see Kwame Nkrumah, kicked out of his own country, now operating in neighboring Guinea. This will probably bring about more violence, more bloodshed, which may result in Guinea throwing Nkrumah out, and which would be a sort of double bounce, since he appeared there on the rebound.

On the other hand, Guinea—there was once a union between the two countries—may decide to make war on Ghana.

The reason I rose to make this statement is to point out that a new figure is on the scene, which can be added to the names of Stalin, Khrushchev, Mao Tse-tung, Chou En-lai, and the rest of the Communist leaders.

He has fully matched them in shrewdness, ability, and ingenuity, and his purpose is to turn black Africa Red.

As I have said, he and his Chinese allies have been losing a number of battles, but he should be exposed for what he is. I would like to see somebody do a profile of him. I suggest the press have an opportunity to look up Mr. Diallo. They will be surprised—keeping aside for the moment the Vietnam war—at his activities with respect to a revolution in Guinea or a fight between Guinea and Ghana. The "Grey Eminence," as Cardinal Richelieu used to be termed, will be there in the presence of Mr. Diallo.

I hope the United States will not fall for some scheme to send economic or military aid to Guinea on the ground that it is really a fine, independent country, which is in control of its own affairs, because it is not. It is strongly dominated by Red Chinese influence. Chances are that the people of Guinea do not like it that way, but they are not being consulted.

At the same time the new Government of Ghana appears to be turning to the West. If we give aid to Ghana, we had better give it in a form where it cannot be stolen or taken by force under the aegis of Kwame Nkrumah or Sekou Toure or Mr. Diallo.

The outcome of this is obviously something which no one can foretell, but in the past it has been our experience that our country frequently rushes to the aid of the wrong side, or that we are not sure which tiger to ride, or even whether it is a tiger, or a pussycat. Our Government had better look at these countries and ask, "What's new Pussycat?" because this is a critical and dangerous situation.

Somebody will suggest, "Take it up with the United Nations." That is all right with me. My guess is it will not do any good. While the United Nations needs the practice, and it costs a lot to keep the U.N. going. If it did any good, I would be the first to cheer. But I would have my country recognize that we are not dealing with a free, independent country in the form of Guinea, but one of the last strongholds in the world where the Chinese Communists have not been defeated, denounced, or kicked out. Ghana seems to be pretty much rid of them.

I reserve any comments on Vietnam. I do not want to go into that now. But I refer to what the Chinese Communists may be doing in the way of economic, political, and diversionary actions. They are not doing very well.

I hope our Government makes sure it does not do anything which, unwittingly, or through overcomplacency or overgenerosity, may lead us into this particular tiger's cage.

ADJOURNMENT

Mr. BREWSTER. Mr. President, under the previous order, I move that the Senate stand adjourned until 12 noon on Monday next.

The motion was agreed to; and (at 3 o'clock and 29 minutes p.m.) the Senate, under the previous order, took an adjournment until Monday, March 7, 1966, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 4, 1966:

IN THE AIR FORCE

Maj. Gen. Richard L. Bohannon, FR19067, Regular Air Force, Medical, for appointment as Surgeon General of the Air Force in the grade of lieutenant general. This nomination is made under the provisions of section 8036, title 10 of the United States Code.

I nominate the following-named officers for temporary appointment in the U.S. Air Force under the provisions of chapter 839, title 10 of the United States Code:

To be major generals

Brig. Gen. Philip H. Greasley, FR1821, Regular Air Force.

Brig. Gen. Kenneth R. Powell, FR1614, Regular Air Force.

Brig. Gen. Richard O. Hunziker, FR4164, Regular Air Force.

Brig. Gen. John L. McCoy, FR1705, Regular Air Force.

Brig. Gen. Charles G. Chandler, Jr., FR1842, Regular Air Force.

Brig. Gen. Michael J. Ingelido, FR4295, Regular Air Force.

Brig. Gen. Harry L. Evans, FR4619, Regular Air Force.

Brig. Gen. Louis E. Coira, FR1429, Regular Air Force.

Brig. Gen. William T. Smith, FR1689, Regular Air Force.

Brig. Gen. Glenn A. Kent, FR3701, Regular Air Force.

Brig. Gen. Woodrow P. Swancutt, FR3729, Regular Air Force.

Brig. Gen. Wendell E. Carter, FR3848, Regular Air Force.

Brig. Gen. Stebbins W. Griffith, FR3944, Regular Air Force.

Brig. Gen. Luther H. Richmond, FR4133, Regular Air Force.

Brig. Gen. Grover C. Brown, FR4144, Regular Air Force.

Brig. Gen. William T. Daly, FR3947, Regular Air Force.

Brig. Gen. Oris B. Johnson, FR5025, Regular Air Force.

Brig. Gen. Lawrence F. Tanberg, FR8286, Regular Air Force.

Brig. Gen. Royal N. Baker, FR8315, Regular Air Force.

Brig. Gen. Jewell C. Maxwell, FR8393, Regular Air Force.

Brig. Gen. Royal B. Allison, FR8451, Regular Air Force.

Brig. Gen. Chesley G. Peterson, FR9383, Regular Air Force.

Brig. Gen. Hugh B. Manson, FR1800, Regular Air Force.

Brig. Gen. Robert L. Delashaw, FR1913, Regular Air Force.

Brig. Gen. Andrew J. Evans, Jr., FR4072, Regular Air Force.

Brig. Gen. Kenneth C. Dempster, FR4633, Regular Air Force.

Brig Gen. Edward H. Nigro, FR4889, Regular Air Force.

Brig. Gen. Robert F. Worley, FR4906, Regular Air Force.

Brig. Gen. William C. Lindley, Jr., FR5006, Regular Air Force.

Brig. Gen. James T. Stewart, FR8692, Regular Air Force.

Brig. Gen. George B. Simler, FR9236, Regular Air Force.

Brig. Gen. Norman S. Orwat, FR9489, Regular Air Force.

Brig. Gen. Russell E. Dougherty, FR9985, Regular Air Force.

Brig. Gen. Edwin R. Chess, FR55101 (Colonel, Regular Air Force, Chaplain) U.S. Air Force.

To be brigadier generals

Col. Roscoe C. Crawford, Jr., FR1639, Regular Air Force.

Col. William H. B. Erwin, FR3699, Regular Air Force.

Col. Robert A. Patterson, FR19250, Regular Air Force, Medical.

Col. William P. McBride, FR4179, Regular Air Force.

Col. Dudley E. Faver, FR4202, Regular Air Force.

Col. Edward W. Scott, Jr., FR4203, Regular Air Force.

Col. Richard L. Ault, FR4462, Regular Air Force.

Col. Timothy L. Dacey, Jr., FR4631, Regular Air Force.

Col. Gustav E. Lundquist, FR4710, Regular Air Force.

Col. Richard R. Stewart, FR5096, Regular Air Force.

Col. Sam L. Huey, FR5175, Regular Air Force.

Col. Harold V. Larson, FR5184, Regular Air Force.

Col. William S. Harrell, FR5240, Regular Air Force.

Col. Wright J. Sherrard, FR5249, Regular Air Force.

Col. Harold F. Funsch, FR19181, Regular Air Force, Medical.

Col. Franklin A. Nichols, FR4809, Regular Air Force.

Col. Jack Bollerud, FR19194, Regular Air Force, Medical.

Col. James S. Cheney, FR8336, Regular Air Force.

Col. Robert B. Hughes, FR7319, Regular Air Force.

Col. Gilbert L. Curtis, FR7448, Regular Air Force.

Col. Joe T. Scepansky, FR7879, Regular Air Force.

Col. Pete C. Sianis, FR7945, Regular Air Force.

Col. Harold C. Teubner, FR8145, Regular Air Force.

Col. Ralph D. Steakley, FR8241, Regular Air Force.

Col. William A. Hunter, FR8623, Regular Air Force.

Col. Joseph Myers, FR8661, Regular Air Force.

Col. Harmon E. Burns, FR8702, Regular Air Force.

Col. Courtney L. Faught, FR8781, Regular Air Force.

Col. John H. Herring, Jr., FR8800, Regular Air Force.

Col. Donald F. Blake, FR8926, Regular Air Force.

Col. Lester F. Miller, FR9004, Regular Air Force.

Col. Paul R. Stoney, FR9083, Regular Air Force.

Col. Kenneth W. Schultz, FR9096, Regular Air Force.

Col. Herbert G. Bench, FR9190, Regular Air Force.

Col. Walter R. Hedrick, Jr., FR9353, Regular Air Force.

Col. George J. Eade, FR9515, Regular Air Force.

Col. Joseph N. Donovan, FR9584, Regular Air Force.

Col. William F. Pitts, FR9796, Regular Air Force.

Col. Louis L. Wilson, Jr., FR9803, Regular Air Force.

Col. Edward A. McGough III, FR9819, Regular Air Force.

Col. James F. Hackler, Jr., FR9839, Regular Air Force.

Col. Carlos M. Talbott, FR9853, Regular Air Force.

Col. Winton W. Marshall, FR9999, Regular Air Force.

Col. Felix M. Rogers, FR10067, Regular Air Force.

Col. William W. Snavely, FR10177, Regular Air Force.

Col. James W. Little, FR8099, Regular Air Force.

Col. James O. Lindberg, FR8525, Regular Air Force.

Col. Carl W. Stapleton, FR8893, Regular Air Force.

Col. Paul N. Bacalis, FR9227, Regular Air Force.

Col. William C. Pratt, FR9722, Regular Air Force.

Col. Buddy R. Doughtrey, FR9984, Regular Air Force.

Col. Albert J. Bowley, FR10101, Regular Air Force.

Col. Augustus M. Hendry, Jr., FR8645, Regular Air Force.

Col. Robert E. Lee, FR32976, Regular Air Force.

Col. William L. Clark, FR48578, Regular Air Force, chaplain.

Col. Rene G. Dupont, FR11836, Regular Air Force.

Col. Donavon F. Smith, FR14577 (lieutenant colonel, Regular Air Force) U.S. Air Force.

Col. Dewitt S. Spain, FR36000 (major, Regular Air Force) U.S. Air Force.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 4, 1966:

FEDERAL RESERVE SYSTEM

Andrew F. Brimmer, of Pennsylvania, to be a member of the Board of Governors of the Federal Reserve System for a term of 14 years from February 1, 1966.

FEDERAL DEPOSIT INSURANCE CORPORATION

William W. Sherrill, of Texas, to be a member of the Board of Directors of the Federal Deposit Insurance Corporation for a term of 6 years.

COMPTROLLER GENERAL

Elmer Boyd Staats, of Kansas, to be Comptroller General of the United States for a term of 15 years.

FOREIGN CLAIMS SETTLEMENT COMMISSION

Theodore Jaffe, of Rhode Island, to be a member of the Foreign Claims Settlement Commission of the United States for a term of 3 years from October 22, 1965, to which office he was appointed during the last recess of the Senate.

DEPARTMENT OF JUSTICE

James L. Watson, of New York, to be judge of the U.S. Customs Court.

Wilfred Feinberg, of New York, to be U.S. circuit judge, second circuit.

William K. Thomas, of Ohio, to be U.S. district judge for the northern district of Ohio.

William J. Lynch, of Illinois, to be U.S. district judge for the northern district of Illinois.

Gilbert S. Merritt, Jr., of Tennessee, to be U.S. attorney for the middle district of Tennessee for the term of 4 years.

Anthony J. Furka, of Pennsylvania, to be U.S. marshal for the western district of Pennsylvania for the term of 4 years.

Archie Craft, of Kentucky, to be U.S. marshal for the eastern district of Kentucky for the term of 4 years.

James J. Moos, of Illinois, to be U.S. marshal for the southern district of Illinois for the term of 4 years.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 7, 1966

The House met at 12 o'clock noon.

Reverend Father Michael Urbanowich, Marianapolis Preparatory School, Thompson, Conn., offered the following prayer:

Let us pray in the name of the Father, and of the Son, and of the Holy Spirit.

Almighty God, the Lord and Ruler of all nations, today in this glorious House of Representatives of the United States of America we glorify Thee on behalf of the people who, led by Thy providential hand, came to this country from Byelorussia.

We thank Thee for the blessings Thou hast bestowed upon America.

Bless, O Lord, our President, our Speaker, our legislators, our clergy, and the Armed Forces of this land of freedom.

Bless the freedom-loving people of Byelorussia who 48 years ago on March 25, 1918, proclaimed the independence of their Byelorussian Democratic Republic. Freedom and democracy were short-lived in Byelorussia, because the Red army drove them out. Still, the Byelorussian people never lost their hopes for national independence and each year commemorate proclamation of independence—the historic March 25.

As we once more commemorate Byelorussian Independence Day here in these glorious United States, we pray Thee, O loving Father, to give the entire Byelorussian people spiritual strength to resist godless communism and preserve their ideals of liberty. Look down with favor, O Lord, upon Thy children who cry out to Thee in anguish for their deliverance.

We humbly beg Thee to grant that they may soon see the dawn of a better day, when together with all free men they might live in peace and prosperity, worshiping Thee, their only true God and Redeemer, with dignity and honor.

Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, March 3, 1966, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was 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 without amendment bills of the House of the following titles:

H.R. 1484. An act for the relief of Mrs. Loneta Hackney;

H.R. 1918. An act for the relief of Eligio Ciardiello;

H.R. 2627. An act for the relief of certain classes of civilian employees of naval installations erroneously in receipt of certain