investigation and study of the moral character of Justice William O. Douglas; to the Committee on Rules.

By Mr. WILLIAMS:

H. Res. 921. Resolution to authorize the Committee on the Judiciary to conduct an investigation and study of the moral character of Justice William O. Douglas; to the Committee on Rules.

By Mr. MOELLER:

H. Res. 922. Resolution to authorize the Committee on the Judiciary to conduct an investigation and study of the moral character of Justice William O. Douglas; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. JONES of Missouri:

H.R. 16309. A bill for the relief of Sherman Webb and others; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 16310. A bill for the relief of Athanasios Angelopoulos; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 16311. A bill for the relief of Francesco Campanile; to the Committee on the Judiciary.

H.R. 16312. A bill for the relief of Antonio Iocco; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 16313. A bill for the relief of Isaac Chervony, M.D.; to the Committee on the Judiciary.

H.R. 16314. A bill for the relief of Josefina Fulgueira; to the Committee on the Judiciary.

H.R. 16315. A bill for the relief of Sherif Shafey, M.D.; to the Committee on the Judiciary.

By Mr. SISK:

H.R. 16316. A bill for the relief of Antonio I. Villarreal; to the Committee on the Judiciary.

By Mr. YOUNGER:

H.R. 16317. A bill for the relief of the William Wallace Co.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

413. By the SPEAKER: Petition of Henry Stoner, Portland, Oreg., relative to the free distribution of the CONGRESSIONAL RECORD to Defense component libraries in the United States and abroad; to the Committee on House Administration.

414. Also, petition of City Council of the City of Chicago, Ill., relative to the removal of the prohibition ordered by the Federal Aviation Administrator against the landing of certain flights at National Airport, Washington, D.C.; to the Committee on Interstate and Foreign Commerce.

SENATE

MONDAY, JULY 18, 1966

The Senate met at 12 o'clock meridian, and was called to order by Hon. JOHN O. PASTORE, a Senator from the State of Rhode Island.

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

Almighty God, in whom we live and move and have our being: We humbly beseech Thee to direct us in all our doings, with Thy most gracious favor, and to further us with Thy continual help; that in all our works begun, continued, and ended in Thee we may glorify Thy holy name.

In these times of tension and strain, keep us calm in temper, clear in mind, sound of heart, in spite of ingratitude, meanness, or even treachery. In these crucial and creative days, enable Thy servants here, in posts of high public office, to perform faithfully and well what Thou dost require, even to do justly, to love mercy, and to walk humbly with Thee, our God.

Thus, may we be true to all truth the world denies, not tonguetied by its gilded lies; not always right in all men's eyes, but faithful to the light within. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., July 18, 1966.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JOHN O. PASTORE, a Senator from the State of Rhode Island, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. PASTORE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, July 15, 1966, was dispensed with.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills;

H.R. 8337. An act to amend the District of Columbia Practical Nurses' Licensing Act, and for other purposes; and

H.R. 15860. An act to establish the District of Columbia Bail Agency, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF FOOD STAMP ACT OF 1964

A letter from the Acting Secretary of Agriculture, transmitting a draft of proposed legislation to amend the Food Stamp Act of 1964 for the purpose of authorizing appropriations for fiscal years subsequent to the fiscal year ending June 30, 1967 (with an accompanying paper); to the Committee on Agriculture and Forestry.

DELETION OF INTEREST RATE LIMITATION ON DEBENTURES ISSUED BY FEDERAL INTERMEDIATE CREDIT BANKS

A letter from the Governor, Farm Credit Administration, Washington, D.C., transmitting a draft of proposed legislation to delete the interest rate limitation on debentures issued by Federal intermediate credit banks and on loans made by Federal land banks and banks for cooperatives, and for other purposes (with an accompanying paper); to the Committee on Agriculture and Forestry.

RELIEF OF CERTAIN ENLISTED MEMBERS OF THE MILITARY SERVICES

A letter from the Secretary of the Army, transmitting a draft of proposed legislation for the relief of certain enlisted members of the military services who lost interest on amounts deposited under section 1035 of title 10, United States Code, or prior laws authorizing enlisted members' deposits, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

REPORT ON DEFENSE PROCUREMENT FROM SMALL AND OTHER BUSINESS FIRMS

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on defense procurement from small and other business firms, for the period July 1965–May 1966 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON RELATIVE COST OF SHIPBUILDING IN THE VARIOUS COASTAL DISTRICTS OF THE UNITED STATES

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on the relative cost of shipbuilding in the various coastal districts of the United States, dated June 1966 (with an accompanying report); to the Committee on Commerce.

REPORT OF CULTURAL PRESENTATIONS PROGRAM, DEPARTMENT OF STATE

A letter from the Chairman, Advisory Committee on the Arts, transmitting, pursuant to law, a report on the cultural presentations program, Department of State, for the year July 1, 1964, to June 30, 1965 (with an accompanying report); to the Committee on Foreign Relations.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. MONRONEY, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated July 8, 1966, that appeared to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

BILLS INTRODUCED

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

By Mr. SMATHERS:

S. 3621. A bill for the relief of Timothy Joseph Shea and Elsie Annet Shea; to the Committee on the Judiciary.

By Mr. MOSS:

S. 3622. A bill to amend the Mineral Leasing Act of February 25, 1920, as amended; to the Committee on Interior and Insular Affairs.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

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

RESOLUTION

EXPRESSION OF THE SENATE THAT RAILROADS AND THE PUBLIC RECEIVE EQUAL RIGHTS OF JUDICIAL APPEAL

Mr. AIKEN (for himself, Mr. PROUTY, and Mr. KUCHEL) submitted a resolution (S. Res. 284) expressing the sense of the Senate that railroads and the public receive equal rights of judicial appeal, which was referred to the Committee on Commerce.

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

COMMITTEE MEETING DURING SENATE SESSION TOMORROW

On request of Mr. INOUYE, and by unanimous consent, the Committee on Finance was authorized to meet during the session of the Senate tomorrow.

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.

TRIBUTE TO PROF. D. C. McAULIFFE

Mr. MANSFIELD. Mr. President, when I think of the Montana School of Mines, I automatically think of Prof. D. C. McAuliffe, vice president and dean of that school. Last year the name was changed from the Montana School of Mines to the Montana College of Mineral Science and Technology.

Charlie McAuliffe has served that institution, the Butte-Anaconda area, and the State of Montana for more than four decades. As a graduate of the institution, he was for many years its football and basketball coach and athletic director, and he has carried his burdens with cheerful optimism and good-natured determination.

When I attended the School of Mines in 1927 and 1928, Charlie McAuliffe was then an instructor in mathematics as well as athletic coach. In that school year we had an enrollment of approximately 120 students, and included in that student body were approximately 25 girls from the Butte and Anaconda area who were admitted to the school for the first time. Today, Montana Tech has an enrollment of approximately 600 and is continuing to grow.

Getting back to Charlie McAuliffe, he was born in Butte and enrolled in the School of Mines prior to World War I. After the war, in which he served in France—where he was gassed, wounded, and highly decorated—he returned to the School of Mines to complete his degree. He has contributed significantly and on a wholesome basis to the development and outlook not only of young Montanans attending the school but also to young men and women from every other State in the Union, almost all the Canadian Provinces, and many foreign countries.

Those of us who knew him well appreciated the patience and understanding he has always shown. He was an inspirational teacher and coach and a kind, considerate, and unusually understanding professor. Charlie McAuliffe will be missed from the faculty of the Montana College of Mineral Science and Technology. But he, as have many of his colleagues, has done more than his share to make this institution one of the greatest, if not the best school of its kind, in the world. I do not make this statement on the basis of State pride. But I do make this declaration on the basis of the fact that this institution is so recognized, and its standing has been proved not only by its many graduates scattered throughout the world, but by the number of foreign students who seek admittance to the school each year.

As I say, it is hard to differentiate between the School of Mines—now Montana Tech—and Charlie McAuliffe. They are synonymous in the minds of most of Montana's people, and their twin reputations are of the highest caliber.

Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Montana Standard-Post of June 27, 1966, about Professor McAuliffe.

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

PROFESSOR McAULIFFE—HE WILL BE MISSED AT MONTANA TECH

In the retirement of Prof. D. C. McAuliffe, vice president, dean and placement director, Montana College of Mineral Science and Technology loses an able administrator, and teacher, and former athletic director and coach of extensive, dedicated experience.

Prof. McAuliffe, a native of Butte, is a graduate of the college he served so long and so well. His studies were interrupted by service in France in World War I service for which he was highly decorated. The professor has devoted his talents and energy to education in Montana for 45 years, 43 of those years at the famed Butte institution. He contributed significantly to the stature of the college in that long tenure.

Prof. McAuliffe is one of those rare individuals who constantly displays patience and understanding, especially where students are concerned. Hundreds of those he taught and coached long will remember him for these qualities and as a kind, considerate instructor and inspiration.

To Butte people, his name, popularized through athletics, is almost synonymous with that of the School of Mines, the institution's title until last year.

To fellow educators and those in the engineering profession, Prof. McAuliffe is deeply appreciated for his devoted service and abiding interest.

Long after he leaves the campus July 1, his name will be recalled in the halls of learning and especially on the athletic field, for he coached the Miners for almost a quarter of a century.

OIL SANDS AMENDMENT TO MINERAL LEASING ACT

Mr. MOSS. Mr. President, I introduce, for appropriate reference, a bill to delete the provisions of the Mineral Leasing Act which require separate mineral leases for oil sand materials on Federal lands, and establish instead a single lease for all hydrocarbon deposits with the exception of coal, oil shale, and helium. This would change the present system of separate leases for oil and oil sands on the same tract to a system of a single lease for both types.

This bill grew out of the problems arising when oil and gas and bituminous sands leases are held on the same land and both lessees wish to develop the oil by the in situ method. Because of this problem the Department of Interior has refrained from issuing any more bituminous sands leases. The Utah State Land Board is also facing this problem and is considering the recommendation of a single hydrocarbon lease by a committee of the Rocky Mountain Oil & Gas Association.

Among the questions which arise from separate leases are these:

Can a bituminous leaseholder turn sands which lie below the surface into liquid and pump the oil to the surface?

If so, does this conflict with rights of the oil and gas leaseholder who under the terms of his lease already has the right to pump liquid oil to the surface?

What happens when oil with a viscosity that allows it to flow to the oil bore is mixed with sands that will release liquids under certain circumstances?

Because the Utah State Land Board has been unable to find a solution to this problem, the board is now declining to issue any more bituminous sand leases and oil and gas leases where they would be in conflict.

Extensive bituminous sand deposits are known to exist in eastern Utah and other sections of the West but until satisfactory leasing arrangements can be made, their development will be held in abeyance. The bill I am introducing today will provide a vehicle for further discussion of the problem, and, I hope, a solution.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3622) to amend the Mineral Leasing Act of February 25, 1920, as amended, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

EQUAL RIGHTS FOR RAILROADS AND THE PUBLIC

Mr. AIKEN. Mr. President, as a rule, I have great resepect for the agencies of our Federal Government, including the quasi-judicial agencies.

When they deal with borderline cases, I am inclined to give them the benefit of the doubt.

However, two recent decisions of the ICC have been so unfair and illogical as to greatly weaken my confidence in that agency.

On April 27, 1966, the Interstate Commerce Commission gave its approval to the merger of the Pennsylvania, the New York Central, and the New Haven railroads.

I do not intend to go into the terms of this approval except in one particular—that which relates to the order that the New Haven road be required to continue to operate three passenger trains commonly known as the "Federal," the "Gilt Edge," and the "Montrealer."

The particular concern of my State happens to be with the Montrealer, which operates daily between Montreal and Washington, D.C., and return.

This train provides the only through passenger rail service between Washington and Montreal and thence to Ottawa, the Capital of Canada.

It operates over the tracks of the Central Vermont Railroad, a Canadian National subsidiary, the Boston and Maine, the New Haven, and the Pennsylvania.

In announcing its approval of the merger of the Pennsylvania, the New York Central, and the New Haven roads, the ICC said this about the "Montrealer," or the "Washingtonian," as it is called:

> The "Washingtonian," arriving in New New York at 8:10 a.m., has generally light patronage and and low passenger train mile earnings, but it does handle a quite high volume of through passengers in through train service from Montreal and Boston & Maine origins, as well as a high volume of passengers moving beyond New York City. The "Washingtonian," a conveniently scheduled through Montreal-to-Washington, D.C., train, should not be discontinued in the absence of clear evidence that it has no potential for economic viability.

The ICC further ruled that:

> Examining the patronage and revenue levels, scheduling, alternative train service and feasibility for use in connecting carrier service of all of these evening through trains, we conclude that the New Haven should be required to continue to operate only trains Nos. 28 (the "Gilt Edge"), 168 ("Montrealer"), 176 (the "Federal").

Thus, on April 27, the ICC held that the operations of the Montrealer should be continued.

On July 6, 1966, only a few weeks after this finding, the ICC issued an order relative to the proposed discontinuance of passenger service between Springfield, Mass., and White River Junction, Vt., by the Boston & Maine Corp., wherein the Commission stated as a conclusion of law that four passenger trains, including the "Washingtonian" and "Montrealer," were indeed a burden upon interstate commerce, and authorized their discontinuance, but issued no report in connection with this finding at the time.

Almost immediately, the Boston & Maine announced its intention to discontinue operating these trains on July 11, and was only prevented from doing so by a temporary restraining order issued by U.S. District Judge Ernest W. Gibson.

The validity of this order will be considered by a three-man panel of the U.S. Second Circuit Court of Appeals today, July 18.

Thus, we find now that the New Haven road is directed to continue to operate the same trains that the Boston & Maine is authorized to discontinue, although the tracks of both lines are necessary to the operation of the trains.

It is not my purpose today to pass on the essentiality of operating these trains, although, as I have pointed out, they constitute the only rail passenger link between Washington and Montreal and Ottawa.

I shall not dwell on the national security aspects of this service—although the State of Vermont is expected to accept refugees from southern New England in time of crisis.

Nor do I know how thousands of persons from southern New England and the eastern seaboard, will get to the Montreal World's Fair next year if all train service is discontinued.

The point which I wish to stress today is much more important than the operation of one, two, three, or four trains.

It concerns either an indictment of the Congress or a misinterpretation of the intent of Congress.

It may be that the Second Circuit Court of Appeals will find that it has no jurisdiction over this matter—since in a previous case—State of New Hampshire against Boston & Maine Corp., United States of America and Interstate Commerce Commission, civil action No. 2570, the court held:

> While Congress did not expressly deny judicial review of § 13(a)(1) proceedings, we find apart from the terms of § 13(a)(1) the difference between subsections (1) and (2) highly persuasive that Congress did, indeed, intend that result.
>
> The most appealing argument in support of jurisdiction on these facts is one based simply on fairness and equity. Since the railroad would have a right to appeal the Commissions order that seven trains are required by the public convenience and necessity and must, therefore, be continued in service, the public should have a right to judicial review with respect to the discontinued trains as well. But the short answer to this argument is that Congress does not have to be fair.

By this decision, it was held that while the railroads under the law have the right to appeal certain decisions of the ICC, the public has no similar rights.

Please note the last sentence of this quotation from the court decision:

> But the short answer to this argument is that Congress does not have to be fair.

The implication of this sentence is that Congress, in amending the ICC Act in 1958, either was not fair, did not intend to be fair or was not aware of the implication if its acts.

This indictment of the Congress should not be permitted to stand unchallenged.

The very first line of the Interstate Commerce Act, as amended, reads:

> It is hereby declared to be the national transportation policy of the Congress to provide for fair and impartial regulation of all mode of transportation, etc.

The Congress today stands indicted of perpetrating an outrageous and unfair act on the people of the United States.

Congress should refute this indictment without delay.

For that reason, I am submitting a resolution expressing the sense of the Senate that this body does intend to be fair and that both the public and the railroads should be accorded fair and equal recourse to the courts.

Mr. President, I wish to add that a long time ago President Johnson asked for the establishment of a Department of Transportation. This followed a recommendation by the Hoover Commission in 1948 that transportation should not be separated into several sections, each regulated by a different agency of Government, with each agency strongly suspected of promoting the particular mode of transportation they are charged with regulating.

I believe it is time for us to give serious consideration to the President's recommendation for the establishment of a Department of Transportation.

So far as I know, there has not been a waterway authorized or really improved for the last 3 years due to the opposition of other modes of transportation.

I think it is time for us to look into the entire situation and do something about it. In the meantime, I could not resist calling to the attention of the Senate the indictment which has been made against the Congress, an indictment of being unfair to the public and that is why I am asking the Committee on Commerce to correct that situation, either by statement or legislation.

I do not vouch for the proper wording of the resolution which I am introducing on behalf of myself and Senator PROUTY, but I do vouch for the statement that the situation is very bad. Congress cannot afford to let this charge against it go unchallenged.

The ACTING PRESIDENT pro tempore. The resolution will be received and appropriately referred.

The resolution (S. Res. 284) was referred to the Committee on Commerce, as follows:

> Whereas, in 1958 the Congress enacted 49 U.S.C. 13(a) giving to the Interstate Commerce Commission power to investigate passenger discontinuance cases;
>
> Whereas, certain federal courts have so interpreted said law so as to give private railroad companies a right of appeal to the district courts when the decision of the Commission is adverse to them but denied the right of appeal to the public protesting such discontinuance when the Commission's decision favors private railroad companies;
>
> Whereas, on April 5, 1966, the Interstate Commerce Commission in Finance Docket No. 23831 ordered the New York, New Haven and Hartford Railroad Company to continue passenger service provided by the "Washingtonian" from Springfield, Mass. to New York City, and as reason for such decision stated:
>
> "Three daily morning trains, Nos. 169 (the 'Washingtonian'), 67 (the 'Bankers'), and 69 (the 'Nathan Hale'), provide inbound service during New York's long rush period and we conclude that these trains should be continued. The 'Washingtonian,' arriving in New York at 8:10 a.m., has generally light patronage and low passenger train mile earnings, but it does handle a quite high volume of through passengers in through train service from Montreal and Boston & Maine origins, as well as a high volume of passengers moving beyond New York City. The 'Washingtonian,' a conveniently scheduled through Montreal-to-Washington, D.C. train, should not be discontinued in the absence of clear evidence that it has no potential for economic viability." Page 214.
>
> The Interstate Commerce Commission further ruled that the "Montrealer" providing passenger service from New York City to

Springfield, Mass. should be continued and as reason, therefore, held:

"Examining the patronage and revenue levels, scheduling, alternative train service and feasibility for use in connecting carrier service of all of these evening through trains, we conclude that the New Haven should be required to continue to operate only trains Nos. 28 (the 'Gilt Edge'), 168 (the 'Montrealer'), 176 (the 'Federal')." Page 210.

Whereas, on July 6, 1966, the Interstate Commerce Commission issued an order relative to the proposed discontinuance of passenger service between Springfield, Mass. and White River Junction, Vermont, by the Boston & Maine Corporation, Finance Docket No. 24000, wherein the Commission stated as a conclusion of law that four passenger trains including the "Washingtonian" and the "Montrealer" were indeed a burden upon interstate commerce but delayed issuing a report until some time in the future. Said "Washingtonian" and "Montrealer" are the very same trains which the Commission ordered the New Haven to continue in April of this year because of through service from Washington and New York to Montreal;

Whereas, in certain federal cases, the public has protested unfair treatment by the Interstate Commerce Commission but certain federal courts have held that there is no requirement for a right of appeal as far as the public is concerned and that the federal courts have no jurisdiction to hear such appeals. Thus, in *State of New Hampshire vs Boston & Maine Corporation, United States of America and Interstate Commerce Commission,* Civil Action No. 2570, the Court held:

"While Congress did not expressly deny judicial review of S13(a)(1) proceedings, we find apart from the terms of S13(a)(1) the difference between subsections (1) and (2) highly persuasive that Congress did, indeed, intend that result.

"The most appealing argument in support of jurisdiction on these facts is one based simply on fairness and equity. Since the railroad would have a right to appeal, the Commission's order that seven trains are required by the public convenience and necessity and must, therefore, be continued in service, the public should have a right to judicial review with respect to the discontinued trains as well. *But the short answer to this argument is that Congress does not have to be fair.*" (Pages 11 and 12).

Now, therefore, it is hereby *resolved* that Congress in enacting 49 U.S.C. 13(a) intended to be fair and to give the same right of appeal to the public as to private railroad companies;

Resolved, That Congress in enacting 49 U.S.C. 13(a) did not intend and does not intend to give the Interstate Commerce Commission the right of decision without review;

Resolved, That Congress intends the Interstate Commerce Commission to treat members of the public in Vermont with the same degree of fairness as members of the public in any other State.

Resolved, That Congress intends that the Interstate Commerce Commission treat private railroad companies, such as the New York New Haven and Hartford Railroad, with the same degree of fairness as when dealing with the Boston and Maine Corporation;

Resolved, That if the Interstate Commerce Commission cannot, or will not, fairly treat all private railroad companies equally and if said Commission cannot, or will not, treat all members of the public with equal fairness, that Congress will duly consider the necessary steps to restrict the powers of the Commission or to abolish it.

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

Mr. AIKEN. I yield.

Mr. KUCHEL. Mr. President, I would be honored if the Senator from Vermont [Mr. AIKEN] included his friend, the Senator from California [Mr. KUCHEL] as a cosponsor of the resolution.

Mr. AIKEN. I am delighted to add the name of the Senator from California [Mr. KUCHEL] as a cosponsor of the resolution.

Although this is a New England situation that brought the matter up, I have no doubt that other parts of the country have similar situations.

I am delighted to add the name of the Senator from California [Mr. KUCHEL] as a cosponsor of the resolution.

FOREIGN ASSISTANCE ACT OF 1966—AMENDMENTS

AMENDMENT NO. 650

Mr. HICKENLOOPER. Mr. President, I submit an amendment, intended to be proposed by me, to the bill (S. 3584) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes. I ask unanimous consent that the amendment be printed in the RECORD, together with a proposed revision as it would read with matter in brackets eliminated.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and will lie on the table; and, without objection, the amendment and proposed revision will be printed in the RECORD.

The amendment (No. 650) is as follows:

On page 16, in lines 2, 7, 8, and 9, strike out "RECONSTRUCTION" and insert "DEVELOPMENT".

In line 10, strike out "underdeveloped" and insert "less developed".

In line 10, strike out "in Asia and Africa".

In line 12, strike out "Reconstruction" and insert "Development".

In line 13, strike out "two" and insert "one or more".

In line 14, strike out "three" and insert "one or more".

In line 15, after "established." insert "A majority of the members of each such Commission shall be citizens of the country in which it is established.".

In line 16, strike out "that" and insert "for the selection of".

In line 17, after "established" insert "who wherever feasible".

In line 20, insert a period after "office" and strike out the rest of the sentence.

In line 24, strike out "reconstruction in" and insert "development of".

In line 25, strike out "shall" and insert "may".

On page 17, insert a comma after "research"; strike out "and"; after "training" insert "and other".

In line 2, strike out "reconstruction" and insert "development".

In line 12, strike out the quotation marks.

After line 12, add the following:

"'(e) Nothing in this chapter shall be construed to restrict the authority contained in any other chapters of this Act.'"

The proposed revision, presented by Mr. HICKENLOOPER, is as follows:

PROPOSED REVISION OF HICKENLOOPER AMENDMENT AS IT WOULD READ WITH MATTER IN BRACKETS ELIMINATED

CHAPTER 7—JOINT COMMISSIONS ON RURAL [RECONSTRUCTION] DEVELOPMENT

SEC. 471. Joint Commissions on Rural [Reconstruction] *Development* (a) the President is authorized to conclude agreements with [under-] *less* developed countries [in Asia and Africa] providing for the establishment in such countries of Joint Commissions on Rural [Reconstruction] *Development* each of which shall be composed of *one or more* [two] citizens of the United States appointed by the President and *one or more* [three] citizens of the country in which the Commission is established. *A majority of the members of each such Commission shall be citizens of the country in which it is established.* Each such agreement shall provide *for the selection of* [that] the members who are citizens of the country in which the Commission is established *who wherever feasible* shall be selected in such manner and for such terms of office as will insure to the maximum extent possible their tenure and continuity in office. [independently of any changes in political regimes in such country.]

(b) A commission established pursuant to an agreement authorized by this section shall be authorized to formulate and carry out programs for [reconstruction in] *development of* rural areas in the country in which it is established, which [shall] *may* include such research, [and] training *and other* activities as may be necessary or appropriate for such [reconstruction] *development.*

(c) Not to exceed 10 per centum of the funds made available pursuant to section 212 shall be available to the President in negotiating and carrying out agreements entered into under this section, including the financing of appropriate activities of Commissions established pursuant to such agreements.

(d) The furnishing of assistance under this section shall not be construed as an express or implied assumption by the United States of any responsibility for making further contributions for such purpose.

(e) *Nothing in this chapter shall be construed to restrict the authority contained in any other chapters of this Act.*

AMENDMENT NO. 652

Mr. BAYH. Mr. President, I submit an amendment intended to be proposed by me to the foreign aid bill, S. 3584. The purpose of this amendment would be to assure that the Agency for International Development, in purchasing iron and steel products for Vietnam's commodities import program, would implement congressional policy in a manner which would benefit our balance of payments. If adopted this amendment would prevent the payment of exorbitant prices for inferior steel at a time when our own steel industry has been confronted with serious foreign competition.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and lie on the table.

AMENDMENT NO. 653

Mr. JAVITS (for himself and Mr. GRUENING) submitted an amendment, intended to be proposed by them, jointly, to Senate bill 3584, supra, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 654

Mr. McGEE (on behalf of himself, Mr. SPARKMAN, and Mr. CLARK) proposed an amendment to Senate bill 3584, supra, which was ordered to be printed.

AMENDMENT NO. 655

Mr. MILLER submitted an amendment, intended to be proposed by him, to Senate bill 3584, supra, which was

ordered to lie on the table and to be printed.

AMENDMENTS NOS. 656 THROUGH 665

Mr. DIRKSEN submitted 10 amendments, intended to be proposed by him, to Senate bill 3584, supra, which were ordered to lie on the table and to be printed.

AMENDMENTS NOS. 666 THROUGH 671

Mr. MORSE submitted six amendments, intended to be proposed by him, to Senate bill 3584, supra, which were ordered to lie on the table and to be printed, and to be printed in the RECORD.

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

ESTABLISHMENT OF A DEPARTMENT OF TRANSPORTATION—AMENDMENTS

AMENDMENT NO. 651

Mr. MANSFIELD. Mr. President, the senior Senator from Michigan [Mr. HART], had intended to be present today to introduce for himself and the other Senators from the Great Lakes States an amendment to S. 3010, the bill proposing the establishment of a Department of Transportation.

This amendment would place the St. Lawrence Seaway Development Corporation in the proposed new Department by specific statutory provision. It is consistent with the intent of Congress at the time the St. Lawrence Seaway Development Corporation was first established in 1954.

Every year it is becoming increasingly clear that the seaway is of the greatest importance to the growth of commerce, industry, and agriculture in the heartland of the United States. It is imperative that the management and operations of the U.S. portion of the seaway be given a significant statutory position in the new Department to enable it to work effectively with other Federal agencies and with agencies of the Canadian Government.

I ask unanimous consent, Mr. President, that the text of the letter we have sent to Chairman JOHN MCCLELLAN, of the Government Operations Committee, together with the text of the amendment, be printed at this point in my remarks.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment and letter will be printed in the RECORD.

The amendment (No. 651) was referred to the Committee on Government Operations, as follows:

On page 15, between lines 13 and 14 insert the following new subsection:

"(c)(1) The Saint Lawrence Seaway Development Corporation is hereby transferred to the Department, where it shall be subject to the direction and supervision of the Secretary, and there are hereby transferred to and vested in the Secretary all functions, powers, and duties, relating to the Saint Lawrence Seaway Development Corporation, of the Secretary of Commerce, the Administrator of the Saint Lawrence Seaway Development Corporation and other officers thereof.

"(2) Notwithstanding any other provision of this Act, the Administrator shall report directly to the Secretary.

"On page 15, line 14, strike out '(c)' and substitute '(d)'.

"On page 15, line 18, strike out '(d)' and substitute '(e)'.

"On page 15, line 23, strike out '(e)' and substitute '(f)'.

"On page 18, line 6, strike out '(f)' and substitute '(g)'.

"On page 26, line 19, strike out '6(c)' and substitute '6(d)'."

The letter, presented by Mr. MANSFIELD, is as follows:

JULY 18, 1966.

Hon. JOHN L. MCCLELLAN,
Chairman, Committee on Government Operations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: As your Committee begins its consideration of the proposed Department of Transportation, we would like to have before the Committee the enclosed amendment which would place in the new Department the St. Lawrence Seaway Development Corporation.

In 1954, with the enactment of PL 83-358, the Congress established this Corporation, and provided that:

"There is hereby created, subject to the direction and supervision of the President, or the head of such agency as he may designate, a body corporate to be known as the Saint Lawrence Seaway Development Corporation."

There is no question but that enormous benefit has accrued to the commerce, industry and agriculture of the Great Lakes-midcontinent region because of the growing utilization of this transportation facility. The prospects for the future, given proper coordination of U.S. transportation policy and continued cooperation with the Canadian Government, can mean that even more benefits will accrue from commerce flowing to and from this fourth seacoast.

Recently, Departmental Order 185, placing the St. Lawrence Seaway Development Corporation under a Deputy Assistant Secretary of Commerce, and considering it a primal unit for organization purposes, has raised serious doubts in our minds that the intent of the Congress as expressed in PL 83-358 is being carried out. We believe that a reaffirmation of this intent is essential at the time that the new Department of Transportation is created and organized. It is not sufficient to leave this problem to be resolved by Executive Order following establishment of the new Department; past experience indicates that this will not provide adequate remedy for the organizational down-grading of an agency which must play a very important role in national as well as international transportation policy.

Hopefully, your Committee will have the opportunity to review this problem fully. The future of the United States' participation in the growth of the Seaway could well be affected by this decision, and failure to provide for this agency within the legislation establishing the Department of Transportation would materially lessen the desirability of the bill from our point of view.

Admittedly, we speak with a regional voice, but believe with deep conviction the national interest will be served by insuring primary recognition to the St. Lawrence Seaway Development Corporation.

Sincerely,

Senator BIRCH BAYH, Senator PHILIP A. HART, Senator ROBERT GRIFFIN, Senator GAYLORD NELSON, Senator EVERETT DIRKSEN, Senator STEPHEN M. YOUNG, SENATOR PAUL H. DOUGLAS, Senator FRANK J. LAUSCHE, Senator EUGENE MCCARTHY, Senator WILLIAM PROXMIRE, Senator VANCE HARTKE, Senator WALTER F. MONDALE.

ADDITIONAL COSPONSORS OF BILLS AND AMENDMENT

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

Authority of June 28, 1966:

S. 3565. A bill to amend the Internal Revenue Code of 1954 to provide for deduction of certain education expenses of teachers: Mr. ALLOTT, Mr. BENNETT, Mr. BOGGS, Mr. BREWSTER, Mr. CASE, Mr. COOPER, Mr. DOMINICK, Mr. FANNIN, Mr. GRUENING, Mr. HRUSKA, Mr. INOUYE, Mr. JORDAN of Idaho, Mr. MORTON, Mr. MURPHY, Mr. PELL, Mr. PROUTY, and Mr. SCOTT.

Authority of June 30, 1966:

S. 3578. A bill to amend title XVIII of the Social Security Act to provide coverage, under the program of supplementary medical insurance benefits established by part B thereof, of certain expenses incurred by an insured individual in obtaining certain drugs: Mr. GRUENING.

S. 3579. A bill to establish a Judicial Service Commission: Mr. DOMINICK, Mr. MILLER, Mr. PEARSON, Mr. PROUTY, and Mr. SIMPSON.

S. 3580. A bill to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes: Mr. AIKEN, Mr. ANDERSON, Mr. BARTLETT, Mr. BASS, Mr. BAYH, Mr. BIBLE, Mr. BOGGS, Mr. BREWSTER, Mr. BURDICK, Mr. BYRD of Virginia, Mr. CANNON, Mr. CARLSON, Mr. CHURCH, Mr. CLARK, Mr. COOPER, Mr. COTTON, Mr. DODD, Mr. DOUGLAS, Mr. EASTLAND, Mr. FONG, Mr. GRUENING, Mr. HARRIS, Mr. HART, Mr. HARTKE, Mr. HOLLAND, Mr. HRUSKA, Mr. JACKSON, Mr. JAVITS, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of New York, Mr. KUCHEL, Mr. LONG of Missouri, Mr. MAGNUSON, Mr. MANSFIELD, Mr. MCCARTHY, Mr. MCGEE, Mr. MCGOVERN, Mr. METCALF, Mr. MONDALE, Mr. MUNDT, Mr. PELL, Mr. PROUTY, Mr. PROXMIRE, Mr. RANDOLPH, Mr. RIBICOFF, Mr. SCOTT, Mr. TOWER, Mr. TYDINGS, Mr. YARBOROUGH, and Mr. YOUNG of North Dakota.

Authority of July 12, 1966:

S. 3602. A bill to prohibit, without the express approval of Congress, any construction which would result in altering the proportions, changing the size, or modifying the U.S. Capitol Building in any substantial manner, and to establish a commission to study the existing and future needs of the Congress with respect to such building: Mr. MCGOVERN.

Amendment No. 638, intended to be proposed by Mr. KUCHEL, to the bill (S. 3164) to provide for continued progress in the Nation's war on poverty: Mr. BENNETT, Mr. COOPER, Mr. GRIFFIN, Mr. HRUSKA, Mr. JAVITS, Mr. JORDAN of Idaho, Mr. MURPHY, Mr. PROUTY, Mr. SALTONSTALL, Mr. SCOTT, and Mr. THURMOND.

ADDITIONAL COSPONSOR OF BILL

Mr. JAVITS. Mr. President, I ask unanimous consent that, at its next printing, my name be added as a cosponsor to S. 3408, the Intergovernmental Personnel Act. This has the approval of the Senator from Maine [Mr. MUSKIE].

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

ADDITIONAL COSPONSOR OF AMENDMENT

Mr. JAVITS. Mr. President, I ask unanimous consent that the name of the

Senator from Illinois [Mr. DOUGLAS] be added as a cosponsor to my amendment No. 639 to S. 3584, the foreign aid bill.

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

NOTICE OF PUBLIC HEARING ON CATV

Mr. McCLELLAN. Mr. President, as chairman of the standing Subcommittee on Patents, Trademarks, and Copyrights of the Committee on the Judiciary, I wish to announce that the subcommittee has scheduled a public hearing on S. 1006, the copyright revision bill, as it relates to community antenna television systems.

These hearings will be held on Tuesday, August 2; Wednesday, August 3; and Thursday, August 4, commencing at 10 a.m. in room 1318, New Senate Office Building.

Anyone who wishes to testify or file a statement for the record should communicate immediately with the office of the subcommittee, room 349-A, Senate Office Building, Washington, D.C., telephone 225-2268.

The subcommittee consists of the Senator from Michigan [Mr. HART], the Senator from North Dakota [Mr. BURDICK], the Senator from Pennsylvania [Mr. SCOTT], the Senator from Hawaii [Mr. FONG], and myself.

JIM RYUN SETS 3:51.3 WORLD RECORD FOR MILE RUN

Mr. CARLSON. Mr. President, I call to the attention of the Senate the outstanding achievement of one of our State's young men.

Yesterday another Kansan, Jim Ryun, a 19-year-old Kansas freshman, set a world record of 3:51.3 for the mile run at the All American Track Meet at the University of California.

In 1934 Glenn Cunningham, another Kansan, became the first American holder of the world mile record, which he ran in 4:06.8.

In addition to Ryun and Cunningham, Kansas has produced other outstanding nationally and internationally known mile runners, such as San Romani and Wes Santee.

Kansans are all proud of the outstanding achievement of this young man.

I ask unanimous consent to have printed in the RECORD an article from the Washington Post of July 18, 1966, entitled "Ryun Predicts 3:50 Before Year Is Out."

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

RYUN PREDICTS 3:50 BEFORE YEAR IS OUT BUT NOT BY HIM

BERKELEY, Calif., July 17.—Jim Ryun, Kansas' amazing 19-year-old freshman, ran man's greatest mile today and then predicted, "Someone will run a 3:50 mile this year."

But it won't be Ryun, the 6-foot-2, 155-pound super athlete whose 3:51.3 was 2.3 seconds faster than Frenchman Michel Jazy's world record of 3:53.6 set last year.

"This is my last mile race this year," Ryun said, explaining that he has been anxiously looking forward to a vacation "when I can be human again."

Human?

"There are so many things you can't do in training," said the blond young man who rises early and runs as many as 80 miles a week, divided among sprints and distances.

Ryun, who will run a half mile in Los Angeles next week and then lay off until cross-country season, ran his record mile with two taped blisters on the inside of his right foot and developed another on the inside of his left foot during the race. He said they didn't bother him.

He termed everything just great—the track, the weather, the mild breeze.

He said his race was run almost ideally. He always felt there was a chance for a record and was encouraged by the loudspeaker's blaring of his quarter mile times, by his competitors who set the pace until he took over just after the midpoint and by the 15,000 fans in California's Edwards Stadium who stood and cheered throughout the race.

Ryun explained that all six runners in the race were determined to run their personal best. Cary Weisiger of San Diego, Calif., second in 3:58, and Richard Romo of Texas, fourth in 4:01.4, also did.

Ryun hasn't decided yet upon his major subject in college. This summer he is a newspaper photographer with the Topeka, Kan., Capital, where they say he is a good lensman.

But today he couldn't take what may be the sports picture of the year.

RAPID HOUSE ACTION NEEDED ON CHILD NUTRITION LEGISLATION

Mr. PROXMIRE. Mr. President, last week the Senate passed legislation extending the school milk program for 4 years. This proposal was quite similar to a bill introduced by me, and cosponsored by 67 of my Senate colleagues, which would have made the school milk program permanent. However, it was only part of a more inclusive bill introduced by the distinguished chairman of the Senate Agriculture Committee [Mr. ELLENDER], extending and revising both the school lunch and school milk programs.

At the time this legislation was ordered reported to the floor of the Senate I congratulated the Senate Agriculture Committee for taking speedy action to extend the school milk program, but expressed concern over the possibility that the program might become simply an adjunct of the lunch program. I was quite pleased when I read language in the committee's report on the bill making it crystal clear that the milk program was to continue to be administered as in the past.

Subsequent events, however, have unfortunately served to confirm my fears. Had my bill, S. 2921, been reported from the Committee on Agriculture and Forestry of the Senate and passed on the floor it would have undoubtedly been referred to the Agriculture Committee of the House of Representatives where more than 50 bills similar to mine are pending and where we could have expected speedy action. However, because the child nutrition legislation passed by the Senate concentrated on the school lunch program, the Senate bill was referred to the House Education and Labor Committee.

I certainly would not want to imply, Mr. President, that the Education and Labor Committee of the other body will be slow to act on this matter. But where the Agriculture Committee of the other body has held hearings on this legislative area earlier in the year and is presumably ready to move, the Education and Labor Committee of the House of Representatives will have to take the matter up de novo.

I deeply hope that the House of Representatives will move quickly to affirm the Senate's recently expressed support for the milk program. The House of Representatives can do this either by reporting a bill similar to S. 2921, making the school milk program permanent, from its Agriculture Committee or by taking speedy action to approve the Ellender bill in its Education and Labor Committee.

House Agriculture Committee action might well be the quickest road to the goal of an extended program. Certainly a school milk bill reported by the House Agriculture Committee and passed by the full House of Representatives would receive speedy Senate approval. After all, 68 Senators have sponsored similar legislation. In any event, I wish to emphasize the importance of rapid action in the House of Representatives to resolve any doubts the Nation may have about the future of the school milk program.

DRAMATIC ECONOMIC SLOWDOWN IN SECOND QUARTER SHOWS TAX HIKE, INTEREST RATE INCREASE COULD BE DISASTROUS

Mr. PROXMIRE. Mr. President, this weekend America's newspaper readers and television viewers were almost buried under stories about inflationary pressure on the economy, and the threat of rising prices.

This morning's poll by Louis Harris on President Johnson's popularity, in my judgment, turned on the same theme—the public concern with the rise in the cost of living.

To read the news of the weekend most persons would have received the impression that the economy is roaring ahead as never before, that Americans are recklessly stepping on the gas and wildly careening into a boom that must end in a bust unless further restraints are promptly slapped on by the Government.

Mr. President, the only trouble with this picture is that it is wrong, almost completely wrong.

This great American economy is not accelerating. It is slowing down. And this morning's news shows it. The Department of Commerce's announcement on what happened to the country's business activity in the second 3 months of 1966—that is, April, May, and June—was released for this morning's newspapers. This was the report on the gross national product, the GNP, the prime measure of economic activity.

Did it show a runaway boom?

Consider that in the final quarter of 1965 and the first quarter of 1966, growth had averaged $17 billion in money terms but $6 billion of this was because of the rise in prices, the growth in real terms, the actual economic growth in the last quarter of 1965 and the first quarter of 1966, was $11 billion per quarter.

Now, consider what has actually happened to the American economy in the past 3 months ending June 30th. Instead of the earlier money growth of $17 billion, the economy did not speed up. It actually slowed down to a growth rate of $10.8 billion; and instead of a real growth rate of $11 billion as in the two preceding quarters, the economy only increased its growth by $3.7 billion or one-half of 1 percent.

Incidentally, that real growth rate of one-half of 1 percent for the immediate past quarter would mean an annual growth rate of only about 2 percent which compares with the 1965 real growth of 5.9 percent.

Mr. President, we should start becoming alarmed at that 2-percent growth figure. It is not enough for this great economy of ours. It means that during the last quarter we not only did not go too fast, it means we did not go nearly fast enough. We stagnated.

Mr. President, can anyone doubt that the economy has slowed down and sharply slowed down in the actual production of goods and services. It has. The statistics are clear and undeniable.

Now, Mr. President, prominent Members of Congress, and even competent economists, nod yes, this is true and then turn around and suggest that because of rising prices we need further economic brakes; we need to slow down the economy further to prevent prices from rising.

What these slap-on-the-brakes advocates overlook is that a 2-percent real growth rate in this economy of ours in which one and a half million new workers are pouring into our economy each year, an economy that has expanded its plant and equipment to increase its production as never before, that has vastly upgraded its skills and intensely automated its production, that this 2-percent real growth rate is not enough to keep us busy, to keep our men and our plant occupied. It spells, unless it is reversed, unemployment. That is right. It means unemployment.

Mr. President, this is not to say that we should not be concerned about rising prices. Of course, we should. Prices may rise more rapidly than before. But not because of excessive demand, and not because of Vietnam pressures. We are producing all the planes, ammunition, ships, helicopters, and manpower we can use in Vietnam, but our economy is producing all this and yet so immensely productive that it is actually slowing down for lack of demand.

No, demand is not excessive. It is deficient. The times do not call for a tax increase or a further tightening of the interest rate screws to hold down prices.

The times call for restraint on the part of labor in their wage demands, and I say this although labor has been amazingly restrained for the past 3 years. They have done a remarkable job of keeping wages down to the wage price guidelines with few exceptions. Wages have risen far, far less rapidly than profits. Labor has shown continuing statesmanship in exercising this restraint at a time when profits were soaring way out beyond what American business had ever seen before, and when the growing shortages of skilled labor could have provided the basis for sharp wage hikes.

The times even more emphatically call for restraint on the part of business. Many contend that if what we say about the GNP continues to be true—if the economy does slow down—that competition will take care of prices; that prices will not go up in the face of a continuing slowdown in growth.

Mr. President, the answer is that prices can and very well might rise more rapidly in the face of a slowdown in growth. This is what happened in the late fifties and it could happen again, particularly in the big industries where a few giants exercise effective domination of the market or a price leadership power that virtually fixes prices.

This is why price restraint is so important, and why the Johnson administration is playing such a vital role in holding down prices by such actions as the molybdenum incident of last week.

This is why the settlements that emerge from labor management negotiations are so crucial to our price future.

Mr. President I ask unanimous consent to have printed in the Record articles from the Washington Post and the New York Times reporting the slowdown in the gross national product.

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

[From the Washington Post]

ECONOMIC SLOWDOWN SUBSTANTIAL—CONSUMERS SPEND LESS AS LARGER TAX BITE IS FELT

The economy showed a "substantial slowdown" in the second quarter of 1966, primarily because Americans finally were ending a months-long spending spree.

The Commerce Department reported yesterday that the Gross National Product (GNP)—the price tag on the Nation's total output of goods and services—increased in April, May and June by only $10.8 billion. This was the smallest gain since the fall of 1964, and put the GNP at a seasonally adjusted annual rate of $732 billion.

While the economy was slackening, prices were rising as fast as the previous three months. In fact, inflation ate up $6.5 billion of the $10.8 billion second-quarter gain, leaving only $4.3 billion as a "real" increase.

The slowdown is pointed up by comparing the $4.3 billion figure with the first quarter, when the real gain was $10.8 billion, and the last quarter of 1965, when it was $14.5 billion.

Although the real growth has slowed, the amount of the GNP reflecting inflation has climbed from $3.4 billion in the fourth quarter of 1965 to $6 billion in the January–March period and to the $6.5 billion in the second quarter.

While the inflation bothers Administration economists, the slowing real growth will contribute to the already substantial evidence that President Johnson will not seek a tax increase this year.

In making the newest figures public, the Commerce Department said the economy over the last 3½ years has grown at a faster clip than Government economists previously thought. It revised upward all quarterly GNP figures beginning in 1963.

The new revision—based mainly on more up-to-date data from the Internal Revenue Service, State Unemployment Insurance payrolls and the Census Bureau—boosted GNP for the first quarter of this year to a seasonally adjusted annual level of $721.2 billion. It had earlier been estimated at $713.9 billion.

The $10.8 billion increase during the second quarter of this year was the smallest since the last three months of 1964, but it was more in line with what the Administration anticipated last January in projecting an increase from 1965 to 1966 of about $46.5 billion.

Some economic indicators for June, the Commerce Department said, show that business conditions at the end of the second quarter may have been stronger than for the quarter as a whole.

The main reason for the second-quarter slowdown was "a marked tapering in consumer spending" following a long period of rapid gains, the Government said. Automobile sales alone dropped $3 billion at an annual rate.

Behind the drop in consumer spending were increased payroll withholding and Social Security taxes, the latter to help finance Medicare. The auto safety controversy also might have played a role.

Other elements in GNP showed mixed trends. Homebuilding declined slightly, and officials predicted a bigger drop this summer as the shortage of home mortgage money is felt in construction.

Businessmen invested less in new plant and equipment but more in inventories, reflecting bigger stocks of unsold cars. Imports rose faster than exports.

As a result of higher taxes and lower economic activity, disposable personal income advanced only $4.6 billion, less than in any other quarter since the spring of 1963.

[From the New York Times]

SLACKENING SEEN IN GROSS PRODUCT—GROWTH IN TOTAL FOR QUARTER WELL BELOW HECTIC PACE FOR PRECEDING PERIODS—PRICE UPTURN IS CITED—RISE IN U.S. OUTPUT OF GOODS AND SERVICES IN 3 MONTHS IS SET AT $10.8 BILLION

WASHINGTON, July 17.—The second-quarter growth in the nation's total output of goods and services, the gross national product, was $10.8-billion, well below the hectic pace of the preceding two quarters, the Commerce Department reported today.

About two-thirds of the rise in the dollar value of the gross product in the second quarter simply represented higher prices, the report said. The "real" growth was about $3.7-billion, or one-half of one per cent.

In the final quarter of 1965 and the first quarter of this year, growth had averaged $17-billion in dollar terms and $11-billion in "real" terms.

Today's report also contained the regular July revisions of the G.N.P. for several previous years. It showed that total output last year, at $681.2-billion, was $4.9-billion higher than the earlier estimates had indicated. Real growth last year turns out to have been 5.9 per cent, the highest among the leading industrial countries.

UPWARD REVISIONS

For the second quarter of this year, the gross national product was put at an annual rate of $732-billion, compared with the revised figure of $721.2-billion in the first quarter and $704.3-billion in the last quarter of 1965.

The upward revisions in the nation's total output help account for the spectacular growth in government revenues, which have been running well ahead of estimates.

The slowing of the rate of growth in the second quarter was generally welcomed both in and out of government. It meant some reduction in inflationary pressure, which had begun to reach dangerous proportions in the six-month period from last October to March.

The G.N.P. measures output by measuring total spending in the economy. By far the

most important factor in slowing the expansion in the second quarter was a dip in consumer spending, concentrated on automobiles.

PERSONAL CONSUMPTION

Total personal consumption expenditures in the second quarter were at a rate of $458.9-billion, up only $3.3-billion from the first quarter. This compares with increases of $10-billion in the two previous quarters.

There was an actual decline of $3.5-billion in purchases of durable goods dominated by autos. Consumer spending on "soft" goods and on services continued to rise, though the rise in purchases of soft goods was less than in previous quarters.

Possibly because of delivery delays, business investment in plant and equipment apparently fell below the average quarterly gains of last year and the first quarter of this year. Housing construction also declined slightly in the second quarter.

The report put defense outlays in the second quarter at an annual rate of $57-billion, up $2.4-billion from the first quarter and $8-billion above the second quarter of last year before the major military commitment to Vietnam was made.

The defense figure in the G.N.P. accounts is not precisely the same as the military budget, but it gives a good picture of the growth in the cost of the war. On a G.N.P. basis, defense spending rose $16-billion in the third quarter of last year, $1.8-billion in the fourth quarter, $2.1-billion in the first quarter of this year and $2.4-billion in the second quarter.

One unusual feature of the second quarter was a very large rise in business inventories, at an annual rate of $12-billion, compared with less than $10-billion in the previous two quarters. The chief reason was a buildup of stocks of autos at the dealer level.

[From the New York Times]

PRICE INDEX CRITICIZED

WASHINGTON, July 17.—The Government's system for keeping an eye on inflation came under fire today in a special economic study that recommended an urgent overhaul of the system to permit advance warning of rising prices.

The study, "Inflation and Price Indexes," was released by the Joint Congressional Economic Committee, which already has criticized handling of Government statistics used by President Johnson in fighting inflation.

The study was made by Jules Backman of New York University and Martin Gainsbrugh of the National Industry Conference Board for the Life Insurance Association of America.

Senator WILLIAM PROXMIRE, Democrat of Wisconsin, said the committee was releasing the study because "evidences of price inflation are prompting widespread concern as to the possible need for its control by added fiscal measures, selective controls or an even more restrictive monetary policy."

Breaking with current economic thinking, the report gave top billing to the consumer price index—the cost-of-living guide—over the wholesale price index as an inflation spotter.

Most government economists contend the wholesale index is a more accurate indicator of inflation. They contend the consumer index fails to account for quality in product improvement and over-states price increases.

Although the report said the wholesale index provided an earlier inflation warning than the consumer guide, it said the latter "provides the best measure of magnitude of price inflation."

ADMINISTRATION MUST NOT PLAY POLITICS WITH U.S. ECONOMY

Mr. JAVITS. Mr. President, I ask unanimous consent that I may proceed for 9 minutes.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I have heard with deep interest what the Senator from Wisconsin [Mr. PROXMIRE] has just stated. Interestingly enough, I came to the floor prepared to address myself to the same subject, but with a different conclusion.

The administration's unwillingness or inability to stop the present drift in economic policy and to deal with inflation effectively is threatening a major crisis for the United States.

The administration never hesitates to take credit for the expansionary effects of the tax cut of 1964; now it should be prepared to take the necessary difficult and politically sensitive fiscal actions before this fall's elections. Unfortunately, the American economy will not stand still while the administration awaits the outcome of the November elections, and continues to rely almost solely on a tight money policy as a means to stabilize the economy.

The administration was quick to criticize the Federal Reserve Board for increasing the rediscount rate December last. Since then, it has abdicated its commanding role in economic policy-making and left the main burden on the shoulders of the Federal Reserve Board. The result has been that credit has become unnecessarily and dangerously tight and interest rates today are at their highest point since World War II. This has already caused serious distortions in key sectors of the economy, such as the home building industry, small business, State and local governments; and has started an undesirable rate war between savings and loan associations and savings banks and other credit institutions. Unless the credit situation eases soon we may soon be faced with something far more serious—a recession.

The administration's most recent response to the problem of rising interest rates has been to suggest that the House Banking and Currency Committee begin work on legislation to limit temporarily the amount of interest which commercial banks and other financial institutions can pay on certain types of deposits. Should Congress act on this recommendation, it would be like clamping the lid on a boiling pot without turning down the heat. If study by appropriate congressional committees indicates, however, that this would be an appropriate action to take, it is my view that this action must be coupled with basic fiscal action to moderate the demand for credit, which is one basis of our high interest structure.

Credit demand for marginal projects can be reduced by a more restrictive fiscal policy. Improving the mix between fiscal policy and monetary policy would result in reducing the overall level of demand but at a lower structure of interest rates than in the present situation. where emphasis is placed on restrictive monetary policy alone.

While the rate of increase in the price level appears to have diminished in recent weeks, the inflation hazard is by no means a thing of the past. We are in the midst of a guideline—jettisoning machinists' strike against one-half of the major domestic airline carriers, right now. Next year, labor contract negotiations are scheduled involving 3 million workers in a number of key industries, such as rubber, trucking, communications, paper, construction, and automobiles. Vietnam costs are certain to increase before the year is out, and capital spending is not diminishing. The administration cannot permit any further delay in adopting a policy mix that will permit continued economic growth in the United States without inflation.

This policy mix, in my view, calls for an easing of credit and lowering of interest rates balanced by an increase in both individual and corporate tax rates totaling about $6 billion.

Mr. President, the administration is way behind the times—a matter of 6 months behind. Even now, it is questionable whether the danger will be met by an increase in taxes, even though it comes at least 6 months too late. If the administration would take the lead in fiscal policy, the Federal Reserve Board would, I believe, be ready to adjust monetary policy accordingly. If administration-Federal Reserve Board coordination has any meaning whatever it means just such cooperation and Congress has every right to expect this from the Federal Reserve Board.

It is fair to say that our current economic outlook is cloudy and there are no quick or easy policy solutions. Nevertheless, the administration's abdication of economic leadership over the past 6 months has aggravated the uncertainty about the economic outlook and made the selection of an appropriate policy response more difficult and hazardous than would have been the case early this year.

Further delay in making hard economic decisions would be the worst solution. A modest increase in individual income taxes—1½ or 2 percentage points—coupled with an increase in corporate income taxes—2½ to 3 percentage points—would yield $5.5 to $7 billion in Government revenues and would affect the economy across the board more equitably than a tight money policy; a policy which is essentially nonselective except as individual banking institutions carry out selectivity. A corresponding easing of credit and a fall of interest rates would at the same time improve the situation of those credit institutions and businesses which today are carrying the main burden of the administration's unwillingness to "face the music."

Mr. President, I understand very clearly why the attitude taken is the one which has been designated by my good friend, the Senator from Wisconsin. I understand it politically, but it is unsound economically. It is the duty of the

minority to protest against it. Notwithstanding the fact that I and others are going to vote yea and nay on such a proposal, it will be infinitely less costly and less dangerous to the American people than the present policy with the salve put over it, on the ground that in one quarter the gross national product has gone down. Why? Because money is tight, and building construction is going down? For the wrong reasons, Mr. President, because the administration will not face the music. It is 6 months late now.

Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "Economic Impact—L.B.J. To Blame for Churning Interest Rates," written by Hobart Rowen, and published in the Washington Post on yesterday.

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

[From the Washington (D.C.) Post, July 17, 1966]

L.B.J. TO BLAME FOR CHURNING INTEREST RATES

(By Hobart Rowen)

More than it cares to admit, the Johnson Administration is worried about price inflation, which resumed a dangerous upward course last month. Yet, the President stubbornly resists a tax increase that would slow the boom, especially in business investment.

As Gov. Sherman J. Maisel of the Federal Reserve Board said in a speech last week, that would have been "the simplest . . . the most direct" way of holding things in check.

Instead, President Johnson—who was supposed to have had a Populist abhorrence of high interest rates—has allowed monetary policy to carry the ball.

We have had, as a result, a disastrous "rate war", with interest charges leap-frogging out of sight. Banks, savings institutions, and Uncle Sam himself are in a mad competition for money.

Interest and dividend rates of 5¼ and 5½ per cent are now common. One Alaska savings bank offers depositors 5.65 per cent. Shrewd investors can get around 5.7 per cent on some Government issues. Home mortgage rates under 6 per cent are almost nonexistent.

And the end is not in sight, although on Friday, the Federal Reserve moved to clip back some of the more tantalizing rates banks have offered small depositors.

While money is "tight", in the sense that interest rates are high, the traditional impact of costlier money has been absent. The money supply, since the Federal Reserve raised the discount rate last December, has actually been increasing faster than before.

The classic expectation was that costlier money would discourage borrowing. But it simply hasn't worked out that way. Convinced of good markets and boom times, businessmen have willing paid the price—higher interest rates—to expand their operations and build up inventories.

So what we have is an economy crying for restraint through fiscal policy or monetary policy—and getting neither. The only restraint that LBJ's present policy (or nonpolicy) is enforcing is excessive trouble for the housing and construction industry.

At some point in this process, unless the Administration acts on the fiscal side, the Federal Reserve Board may be tempted to do what it has resisted so far—and that is to make interest rates frighteningly high.

The discount rate is now 4½ per cent. In the present circumstances, one could justify a 5 or 5¼ per cent discount rate. The banks' prime lending rate, now 5¾ percent, could go to 6¼ or 6½ per cent. Loans to smaller customers could go to 7 per cent.

All of this could also knock the economy into a cocked hat, and the FRB fears it may be tagged with responsibility for a recession.

But what are the other options?

The Administration seems to be sitting around waiting for "good news" in the form of a slow-down in some important sector of the economy. For example, officials take cheer that the Gross National Product apparently rose only $10–$11 billion (at annual rates) in the second quarter, compared with $17 billions in the first.

But the drift of the war in Vietnam—and perhaps, ultimately elsewhere in Asia—leads everyone in Washington to the conclusion that the arms spending will move up, not down in the year ahead.

Thus, the "comfort" from a slower-paced GNP in the second quarter may dissipate with a new bulge in the third.

Nevertheless, high-placed insiders in the Administration told me in the past few days, that there will be no move toward higher taxes at this time.

They profess to fear that Congress might stall on a tax bill, and pass it only after the peak of inflationary pressures has past.

The only anti-inflationary action which the Administration has summoned courage recently was a roll-back of a 5 per cent increase in the alloying metal, molybdenum.

There, it had a sitting duck in a two-company industry where the leader had an outstanding profit record. In thousands of other situations, more meaningful to be consumer, prices are escalating, and the Administration has no plan or program to keep them in check.

The economy today is a complex of record profits, rising prices, record interest rates. There is an open invitation to labor to translate 1966's price inflation into 1967's wage inflation.

It's not anything this Administration can be proud of. What we have here is not "new", nor "old", just bad economics.

BROOKHAVEN NATIONAL LABORATORY—SITE FOR PROPOSED ATOM SMASHER

Mr. JAVITS. Mr. President, I invite the attention of the Senate to the approaching decision by the Atomic Energy Commission concerning a location for their proposed 200-billion-electron-volt particle accelerator. This atom smasher, when completed, will be the world's largest scientific instrument, and will further strengthen U.S. world leadership in basic science. The AEC, after studying more than 150 sites for the accelerator, has narrowed down its final consideration to six locations throughout the Nation, including the Brookhaven National Laboratory at Upton, Long Island, which I have had the pleasure of personally inspecting earlier this year.

The Brookhaven Laboratory is the location most ideally situated for the project. Basic economic considerations suggest the choice of Brookhaven. It is the only site for which the accelerator would not require the establishment of a giant new Federal laboratory, with the attendant delay and high costs. By coordinating the new atom smasher with a smaller 33-billion accelerator already in use at the laboratory, it is estimated that approximately $60 million in construction costs could be saved, and that when complete it can be operated at a $9,500,000 annual saving.

A completely new staff would not need to be trained. As the National Academy of Sciences reported,

> The highly competent accelerator design group already there could serve as a nucleus for the staff of the 200-Bev facility. While the new accelerator is being built, experimental physicists would be able to use the 33 Bev machine that is now operating. This would materially aid in the recruitment of staff.

However, it is not only in economic considerations in which Brookhaven excels. The facility is also presently situated in the middle of one of the greatest complexes of scientific talent for research and technology. The laboratory itself is now operated for the Atomic Energy Commission by a group of universities called Associated Universities, Inc., which is composed of Columbia University, Cornell, Harvard, Johns Hopkins, Massachusetts Institute of Technology, Princeton, the University of Pennsylvania, the University of Rochester and Yale.

The close ties of the Brookhaven scientists and additional distinguished universities in the area should also be recognized. More institutions use these atomic facilities than use any other in the Nation. Over 65 percent of all the research performed there is carried on by visiting scientists from 35 outside institutions. It was the Seaborg Panel of the President's Science Advisory Committee which stressed that basic research and graduate education should remain intimately coupled. In short, the wealth of scientific personnel in the universities which manage Brookhaven, and in the other universities within easy reach of it, represents by far the greatest concentration of brain power available to utilize this accelerator anywhere in the United States.

Added to the strong educational support is the support of the business community. Industries and business groups on Long Island, throughout New York State, and indeed throughout the eastern seaboard have joined in their support for this advance of science. Particularly strong is the Long Island-wide support for the accelerator, including that of the Nassau-Suffolk Regional Planning Commission, the Long Island Association, as well as representatives of financial, labor, and industrial groups. Statewide, the New York State Science Foundation and the New York State Advisory Council for the Advancement of Industrial Research and Development, among others, have assured the AEC of their complete willingness to assist in strengthening the coordination of the educational institutions with Brookhaven.

This support by both educational and business groups is unusual and indeed significant. Furthermore, the added advantage of the superb transportation system in the area makes the Brookhaven

site unparalleled. Because of the excellent rail, highway, and shipping networks of which New York is the focal point, the new atom smasher at Brookhaven would be uniquely accessible to scientists from all over the United States and the world.

In fact, Brookhaven is already an established center for the world scientific community, with over 350 visiting scientists participating in its research programs each year.

In summary, with its obvious advantages of the nearby universities, an available, federally owned location, a nucleus of experienced nuclear scientists, strong support from the business and academic communities, and an outstanding transportation system, Brookhaven clearly is the superior location for the atom smasher.

And, these factors will, I am sure, be given the fullest consideration by the Atomic Energy Commission and by the President in reaching a decision.

At this point I ask unanimous consent to have printed in the RECORD, an article published in the New York Times of June 30, regarding a meeting which I attended under the auspicies of the Long Island Association of Commerce and the First National City Bank, in which leading executives of some 250 New York and New England corporations participated. Presiding at this conference were Richard S. Perkins, chairman of the executive committee of the First National City Bank and Carlyle H. Jones, president of the Long Island Association of Commerce and Industry and vice president of Sperry Gyroscope Division of Sperry Rand Corp. Presentations were made by Dr. John Baiardi, Provost of the Brookhaven campus of Long Island University; Joseph F. Dytra, Jr., executive vice president of the Long Island Association of Commerce and Industry; and John F. Woog, Esq., Legislative Counsel of the association.

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

[From the New York (N.Y.) Times, June 30, 1966]

LONG ISLAND IS URGED AS SITE FOR A HUGE REACTOR

Leading executives of some 250 New England corporations were urged yesterday to lend their influence and prestige to a drive to locate a $370-million atomic accelerator on Long Island.

The accelerator, a 200-billion electron volt reactor, commonly called an atom smasher, is to be constructed by the Federal Government at one of six sites across the country.

Already, some government and business leaders in 13 northeastern states have endorsed a bid to locate the reactor at the Brookhaven National Laboratory in Suffolk County. A 33-billion electron volt reactor is now in operation at Brookhaven.

Yesterday's meeting of executives—one of the rare efforts to organize the usually independent Atlantic states into a political bloc—was held in an auditorium of the First National City Bank at 339 Park Avenue near 51st Street.

Mayor Lindsay and Senator JACOB K. JAVITS were both on hand to urge the business leaders to support the drive, aimed at influencing the Atomic Energy Commission and President Johnson to choose the Long Island location.

Officials of the Long Island Association of Commerce and Industry told the group that construction of the world's largest reactor at Brookhaven would mean an "economic fallout" in the Northeast of $1.25-billion in building and operating costs over a 10-year period.

The businessmen were asked to write to their Congressmen, key government officials and the presidents of universities and colleges in their areas asking for support for the Brookhaven project.

Mr. JAVITS. Mr. President, I also ask unanimous consent to have printed in the RECORD an editorial published in Newsday, the Long Island newspaper, of June 27, entitled "One More Push."

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

[From Newsday, June 27, 1966]

ONE MORE PUSH

The Atomic Energy Commission is now making its final consideration of six possible sites for a $375,000,000 atom smasher, by far the largest in the world. These sites are at Brookhaven, on Long Island; at Ann Arbor, Mich.; at Madison, Wis.; at Weston, Ill.; at Denver, Colo., and at Sacramento, Calif. Each has certain features that recommend it, but the Brookhaven site is the only one that has all of them in abundance.

The basic criteria are (1) land suitability; (2) availability of electric power and clean water; (3) cost of construction; (4) cost of operation; (5) fast transportation, both local and nationwide; (6) proximity to colleges and universities; and (7) suitable surrounding communities to house 2,400 resident scientists and technicians. On the evidence, Brookhaven excels on every count.

Most of the land required is already owned by the federal government, and excellent for construction. Electric power and water to spare are close at hand. The atom site can be built at a savings of $59,000,000 at Brookhaven because of supporting facilities which are already in place. When complete, it can be operated at a $9,500,000 annual savings—a total of $154,000,000 over ten years.

Overriding all these favorable factors, which include the scientific nucleus already created by the State University at Stony Brook, other colleges, defense production plants and the national laboratory, is the political pressure that is being brought by every area being considered. The governors of many northeastern states and the members of Congress from those states are pushing hard for Brookhaven. That pressure must be intensified, for the final decision is to be made in two stages—first by the Joint Congressional Committee for Atomic Energy, and finally by President Johnson.

On the merits, Brookhaven should win the award of the atom smasher. On the basis of practical politics, every ethical effort should be made to insure that the whole of the northeastern U.S., with its unmatched scientific and educational facilities, benefits by the location of this new facility on Long Island.

CAPTIVE NATIONS WEEK

Mr. JAVITS. Mr. President, the celebration of Captive Nations Week expresses the determination of this Government to keep alive the hope of freedom in the hearts of the captive peoples of Eastern Europe.

Communist tyranny has enslaved millions of Europeans for two decades. No one regrets more than I the necessity for a Captive Nations Week; yet until national independence is restored to these East European countries, the American people will continue to take the opportunity every year to publicly recommit ourselves and our Nation to a policy whose ultimate goal is the restoration of human freedom.

The United States has been founded on principles of independence, personal liberty, and human dignity—those very principles now denied our friends and relatives in Eastern Europe. Indeed, many of those who helped found these principles in America are heroes of now captive nations—heroes as illustrious as Kosciusko and Pulaski. The United States thus shares with these Eastern European people ties of history and cultures, as well as ties of sympathy and understanding.

Captive Nations Week has acquired an added significance now in view of events in Vietnam and east-central Europe. Most recently in the press we read of Rumania's attempts to introduce some flexibility in the tightly controlled eastern bloc and Warsaw Pact. This is a positive sign and we can assist such moves toward independence by trade, cultural exchanges, and moral encouragement. In East Germany, despite a manmade barrier to freedom, people daily seek asylum and a new life in the West. Indeed, in each satellite country, one can find inspiring examples of restlessness and a search for freedom. We particularly note these events during Captive Nations Week, and we pray for the time when all these people can be restored to the ranks of the free, and a Captive Nations Week will no longer be necessary.

AGRICULTURE APPROPRIATIONS FOR FISCAL YEAR 1967

Mr. JAVITS. Mr. President, I should like to make some observations regarding the agriculture appropriation bill the Senate passed last Friday, and which will soon be the subject of a Senate-House conference. First, I wish to commend the Appropriations Committee for restoring the administration's proposed cutbacks in the school milk, school lunch, land-grant college and agricultural research programs. Certainly, these long-existing, vital programs deserve the full support of the Congress. By recommending cuts in these valuable programs, the administration, which should have known full well that the Congress would surely restore the cuts, in effect attempted to make the Congress appear to be the "big spenders."

I hope that the Senate conferees will press for adoption of the sums allotted by this body particularly in regard to the following two programs:

First. Rural Community Development Service:

I believe that the Senate provided a valuable service when it increased the funds available to the Rural Community Development Service from last year's $637,000 to $2.5 million. Unfortunately, the House agreed only to maintain the fiscal 1966 level. I would like to add my support to the Senate figure and would hope that the distinguished Senator

from Florida [Mr. HOLLAND] will urge the House to take the $2.5 million figure. The Rural Community Development Service provides a force of specialists in rural development thoroughly trained in the procedures of other Federal agencies—as well as the Department of Agriculture programs—assigned a clear and full-time responsibility of helping rural communities in each State make full use of available forms of assistance. Our Federal programs are of inadequate value if we cannot make them reach the rural citizen who has little access to information concerning the various aid available. The $2.5 million appropriated by the Senate will allow this agency to expand its services beyond the 23 States in which it now has offices. The agency had estimated that it would need at least $1,750,000 to maintain the present level of operation. Thus, by giving added life to this service we are pursuing the goal of seeing that rural people share equitably in our Federal system.

Second. School lunch program for needy children:

I was glad to see the Senate adopt an amendment to increase to $4.5 million funds available for section 11 of the school lunch program. That section authorizes special assistance in the form of a larger subsidy to schools in low-income areas. This added sum will allow needy children to receive more well-rounded nutritional diets. The House merely continued the $2 million appropriated last year.

At the same time I hope the conferees will be sympathetic to the views of the House with regard to new starts in watershed planning. Whereas the House allowed for 100 new starts for this important program to increase our flood prevention methods, the Senate has allowed for only 60 new starts. I am informed the actual building of the various watershed projects has been bogged down and I hope that an increased effort within the Department of Agriculture will be made to push this program along at a faster pace.

I am also pleased to point out that although only $50 million was allocated for expenses for the cropland adjustment program, the committee in its report states that should it be determined later that actual needs for fiscal 1967 are much greater, additional funds will be sought in a supplementary appropriation bill. The cropland adjustment program was created as a result of the 1965 Agriculture Act and it is still unfamiliar to many farmers. However, as the word spreads across the country, I believe that there will be great demand by farmers who may wish to divert land from the production of unneeded crops to uses that will promote the development and conservation of our soil. Also the program may be used to preserve open spaces, promote natural beauty, and for rural recreation facilities.

Earlier in the session, the Senate passed S. 902, a bill sponsored by Senator ELLENDER and myself to authorize the Secretary of Agriculture to cooperate with State and other public agencies in planning for changes in the use of agricultural land in rapidly expanding areas and other agriculture use areas. We can ill afford to make mistakes in land development as the cities expand into our rural areas. I am informed that community planners have expressed great interest in the aid given them by the soil maps resulting from surveys conducted by the Soil Conservation Services. I had hoped that the committee would have seen fit to restore the entire $3.6 million which the administration sought to cut from this year's budget. However, the Senate did restore $2 million of that amount which is the sum agreed to by the House.

Finally, I should mention that by restoring the funds which the administration would have cut in agricultural research, the committee returned $320,000 to the joint Federal-State fight against the golden nematode—an insect which has the capability of destroying the entire Long Island potato crop. Such destruction would result in the loss to New York State of over $25 million annually. I am informed that the combined Federal-State effort over the past 20 years is within 3 or 4 years of containing this infestation. It would be tragic if the Federal Government were to withdraw its support at this time.

STEINBECK REPLIES TO YEVTUSHENKO ON VIETNAM

Mr. JAVITS. Mr. President, in a poem published July 7 in a Moscow literary newspaper, Yevgeny Yevtushenko chided Pulitzer and Nobel Prize-winning Author John Steinbeck for his silence on Vietnam and urged him to deplore the recent bombing raids.

Mr. Steinbeck, who has a son in Vietnam, turned the tables on Yevtushenko. He said that he does not "know a single American who is for (the war in Vietnam). But, my beloved friend, you ask me to denounce half a war, our half."

Steinbeck called the war Chinese-inspired and insisted that the United States would not be there in the first place were it not for the fact that others began the conflict.

Instead, Steinbeck called on Yevtushenko to use his influence in the Soviet Union to get the Moscow government to "stop sending the murderous merchandise through North Vietnam to be used against the South."

I ask unanimous consent to have the full text of John Steinbeck's letter printed in the RECORD.

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

Following is the full text of Steinbeck's open letter to Yevtushenko:

"MY DEAR FRIEND GENYA:

"I have just now read those parts of your poem printed in the New York Times. I have no way of knowing how good the translation is, but I am pleased and flattered by your devotion.

"In your poem, you ask me to speak out against the war in Vietnam. You know well how I detest all war, but for this one I have a particular and personal hatred. I am against this Chinese-inspired war. I don't know a single American who is for it. But, my beloved friend, you asked me to denounce half a war, our half. I appeal to you to join me in denouncing the whole war.

"Surely you don't believe that our 'pilots fly to bomb children,' that we send bombs and heavy equipment against innocent civilians? This is not East Berlin in 1953, Budapest in 1956, nor Tibet in 1959.

"You know as well as I do, Genya, that we are bombing oil storage, transport and the heavy and sophisticated weapons they carry to kill our sons. And where that oil and those weapons come from, you probably know better than I. They are marked in pictograph and in Cyrillic characters.

"I hope you also know that if those weapons were not being sent, we would not be in Vietnam at all. If this were a disagreement between Vietnamese people, we surely would not be there, but it is not, and since I have never found you to be naive you must be aware that it is not.

"This war is the work of Chairman Mao, designed and generalled by him in absentia, advised by Peking and cynically supplied with brutal weapons by foreigners who set it up. Let us denounce this also, my friend, but even more, let us together undertake a program more effective than denunciation.

"I beg you to use your very considerable influence on your people, your government, and on those who look to the Soviet Union for direction, to stop sending the murderous merchandise through North Vietnam to be used against the South.

"For my part, I will devote every resource I have to persuade my government to withdraw troops and weapons from the South, leaving only money and help for rebuilding. And, do you know, Genya, if you could accomplish your part, my part would follow immediately and automatically.

"But even this is not necessary to stop the war. If you could persuade North Vietnam to agree in good faith to negotiate, the bombing would stop instantly. The guns would fall silent and our dear sons could come home. It is as simple as that, my friend, as simple as that, I promise you. I hope to see you and your lovely wife Galya soon.

"With all respect and affection,

"JOHN STEINBECK."

THE AIRLINES STRIKE

Mr. JAVITS. Mr. President, last week, I called upon the administration to make proposals to Congress for the revision and strengthening of the emergency labor dispute provisions of our national labor laws—proposals which the President assured us, in his state of the Union message, he would deliver but which have never been presented.

The airlines strike is but one more example of the critical weakness in our labor laws which periodically and regularly subjects us to strikes endangering the national health and safety.

Mr. President, yesterday the Washington Post published an excellent editorial, reiterating my call for legislative action. I ask unanimous consent that this editorial be printed in the RECORD.

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

[From the Washington (D.C.) Post, July 17, 1966]

EMERGENCY STRIKE VOID

Senator JAVITS has issued a timely reminder that the promised recommendations for emergency strike legislation have never been forthcoming. The President indicated in his state of the Union message last January that he would have proposals to make on the subject. At the time the country was much concerned about the helplessness of Government in the face of stalled public services

because of the New York subway strike. The crisis passed, however, and nothing was done. Now the country is face to face with a similar crisis in the airlines strike, and there is no legislation on the books through which the public interest can be protected.

This newspaper has often noted the inadequacies of the emergency strike provisions of the Taft-Hartley Act. The airline strike has once more demonstrated the similar weaknesses of the Railway Labor Act. So long as these defects remain uncorrected the public must expect periodic crises resulting in the suspension of services that, in our modern civilization, must be deemed essential.

Mr. JAVITS is not asking others to rush into a delicate legislative field which he himself avoids. On the contrary, he has long sponsored legislation that would give the President what he calls "one last-resort weapon" that could be used after all else had failed. If fact-finding with recommendations and a cooling-off period for additional negotiations should fail, he would authorize the President to go to court and ask for the appointment of a special receiver to operate the struck property whenever necessary to protect the public health and safety.

Whether or not this is the right approach, it would be a useful starting-off place for discussion of an extremely difficult problem. It is a grave illusion to suppose that the problem will go away if the Congress and the White House continue to ignore it. On the contrary, it is likely to get worse.

DEATH OF POLICE CHIEF WILLIAM H. PARKER, OF LOS ANGELES, CALIF.

Mr. KUCHEL. Mr. President, last Saturday night, a distinguished American, Chief of Police William H. Parker, of Los Angeles, died suddenly of a heart attack. He was 64. My wife and I send to his widow our most heartful condolences.

I have no doubt that his reputation is known to all the Members of the Senate who would wish to join with me in extending sincere sympathies.

Chief of Police Parker was a man of unswerving loyalty to the enforcement of the law. If a crime were committed, or suspected, in the city of Los Angeles, he considered it his bounden duty to ferret out the guilty, no matter who they were, nor what their reputation might be.

Bill Parker brought honor and courage and devotion to the public trust and to all of his official labors.

He reorganized the police department of the great city of Los Angeles into one of the finest law enforcement agencies in this Nation.

He would remove an incompetent or one derelict to his duty as instantly as he would honor a member of his department for valor in line of duty. He was impervious to both politics and threats.

Chief Parker sought no public laurels. He had no political ambitions. He was content with his lot, and eternally proud of it. He was not interested in winning popularity contests. When he spoke, he spoke bluntly. He did not seek a reputation as a public speaker, or as a raconteur, or as a clubman. First and last, it was the enforcement of the law and the protection of the innocent which marked the bounds of his duties and his days as chief of police.

For the last many months, Bill Parker was not well. He underwent heart surgery last October. But he stuck to his duty, for duty, as he saw it, was his guide. He feared God, but nothing else.

I had the pleasure of knowing the late Chief Parker since the end of the Second World War. In the intervening years, I came to know him as a friend. But seared into my soul is the eternal gratitude which I shall have for him because of the superb professional investigation which he and the members of his excellent police department undertook many months ago when I became the victim of a criminal libel. Chief Parker ordered a complete inquiry, and his police force proceeded precisely as he ordered. Unquestionably, the truth would not have been known, nor would justice have prevailed, in this instance, were it not for Bill Parker's penchant for law enforcement all across the board. Here, as in every other instance he confronted in his official labors, it was the law of organized society that Bill Parker viewed as supreme.

Mr. President, I ask unanimous consent that the text of a letter which I wrote to him on February 25, 1965, and his answer to me on March 2, 1965, may appear in the RECORD at this point.

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

FEBRUARY 25, 1965.

Hon. WILLIAM H. PARKER,
Chief of Police,
City of Los Angeles,
Los Angeles, Calif.

DEAR CHIEF PARKER: I wish to repeat what I told you at lunch last week. As a Californian, I take great pride in the integrity and the ability of the Los Angeles Police Department under your leadership. I have abundant reason to know what I say. The recent investigation which your Department undertook, at my request, demonstrated a high degree of skill in uncovering a complex series of well hidden facts, by which your Department established the commission of an evil crime against society.

The investigation did more. It reflected a dedicated devotion by your Department to its public trust.

With my sincere thanks,

Very sincerely yours,

THOMAS H. KUCHEL,
U.S. Senator.

CITY OF LOS ANGELES, CALIF.,
OFFICE OF THE CHIEF OF POLICE,
W. H. PARKER,

March 2, 1965.

Hon. THOMAS H. KUCHEL,
The U.S. Senate,
Washington, D.C.

DEAR SENATOR KUCHEL: Thank you so very much for your expression of confidence and support concerning the manner in which officers of this Department are performing their duties.

I am uncommonly proud of the especial tribute you have paid to the officers who were assigned to the recent investigation.

Be assured that they shall know of your gratefulness for their efforts in your behalf.

Sincerely yours,

W. H. PARKER,
Chief of Police.

THE AIRLINES STRIKE

Mr. LAUSCHE. Mr. President, in the President's message on the state of the Union he said:

I also intend to ask the Congress to consider measures which, without improperly invading State and local authority will enable us to deal effectively with strikes which threaten irreparable damage to the national interest.

That message was delivered last January. No implementing legislation was recommended.

The status of the Nation in being at the mercy of labor leaders is now identical with what it was on the night the message on the state of the Union was presented to Congress. Undoubtedly, when the President made that statement, he had in mind the paralysis that the city of New York suffered when it was subjected to a strike against the metropolitan transportation system. The impact of that strike was still vivid with the President and the people of the Nation, and, in my opinion, it was on that basis that he said he would present to the Congress ways and means of protecting the country against work stoppages which caused irreparable damage to the economy.

The question now is, Does the strike of the airlines involve a national interest? My position is that to contend to the contrary is ridiculous. The strike does involve the national interest. It comes completely within the letter and the spirit of what the President said to the Congress last January.

That the national interest is involved is quite pointedly demonstrated when we recognize that the Continental Air Command has had to institute an emergency airlift to carry soldiers returning from or en route to South Vietnam and to facilitate other military operations.

However, even apart from the problem of transporting military men, the strike has caused economic damage in untold amounts and has subjected the citizenry to an inconvenience which is wholly unjustified.

Last week I presented to the Senate a bill the provisions of which declared that after conciliation and mediation, under the Railway Labor Act, a finding had been——

The ACTING PRESIDENT pro tempore. The Senator's 3 minutes have expired.

Mr. LAUSCHE. Mr. President, I ask unanimous consent to have 2 or 3 additional minutes.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, the Senator may proceed.

Mr. LAUSCHE. After the preliminary instrumentality had been exercised and no adjustment had been made of the dispute, the President, under my bill, would be empowered to create a five-man board, three to represent the public, one the striking unit, and one the employers.

That five-man board is granted plenary powers to take testimony and finally render judgment on what has been done. That judgment is final, except if there be a digression from the procedural provisions of the law.

On the following day, the Senator from New York [Mr. JAVITS] introduced a bill, contemplating creating an instrumentality of the Government that would make possible the termination of a dispute of the type involved. I shall not attempt to describe the provisions of his bill. My understanding is that certain prelimi-

nary instrumentalities are used, and if those instrumentalities do not produce a settlement, he would then give jurisdiction to the U.S. courts to appoint a receiver and operate the system, with all parties being in status quo except that the receiver is operating the system.

The point I wish to make is this: Not one word is heard from the White House about either Senator JAVIT's bill or mine. I know of no condition that would more urgently demand some expression. The White House cannot say, "We will not intervene." The problem is too serious.

I say to the Senator from New York, it is my hope that we will not, at the end of this strike, find ourselves in the same position that we were in at the end of the New York metropolitan transportation strike. Something must be done to permanently deal with this problem, and I intend to continue speaking on the subject. I have one view of how it should be done, the Senator from New York has another; others may propose other means. But some effective instrumentality must be created.

Mr. JAVITS. Mr. President, we Senators generally get to know one another pretty well, and it is well known that my views on social welfare and even on labor questions often differ from those of the distinguished Senator and my beloved friend from Ohio [Mr. LAUSCHE]. But that does not detract one iota from my respect and affection for him.

One matter on which we see eye to eye is that at no time must the United States be powerless. A great sovereign government with enormous responsibilities cannot be stricken powerless, Mr. President. Upon this issue liberals, conservatives, and all parties must agree.

That is the issue in a strike such as this: Does the United States have any residual authority remaining? The answer under the present state of the law is that it does not. Mr. President, I respectfully submit that to this issue the President of the United States must address himself. The Nation cannot be left powerless. Whatever may be the formula, the Nation must have a remedy.

I look with no pride upon the flap we got into on this floor when we faced the firemen's and enginemen's strike and, at the last minute, some action had to be taken. I had to vote for a bill I despised, because it involved what I thought was compulsory arbitration. The Senator from Ohio [Mr. LAUSCHE] had to vote for a bill he despised, because it was a laggard improvisation in the face of a terrible national emergency.

It is painful, Mr. President, that we are in this position. It is a manmade crisis. We could easily work out legislation which would put us in a position where we can act. I think it is the bounden duty of the President of the United States to come through this time, so that, as the Senator from Ohio has said, this strike may be ended in some fashion. Otherwise, again and again, we shall find ourselves as vulnerable as we are now. It is a shameful situation.

Mr. LAUSCHE. Mr. President, I should like to take note of the fact that the Teamsters Union, within the past few weeks, has voted plenary powers to Hoffa, if and when he deems it advisable, to declare a nationwide strike of that union. Effective power, in such circumstances, is taken away from the Government and transferred to labor leaders.

The ACTING PRESIDENT pro tempore. The Chair hopes Senators will restrain themselves in debating during the morning hour.

Mr. McCARTHY. Mr. President, is this the morning hour?

The ACTING PRESIDENT pro tempore. It is.

Mr. McCARTHY. Are we subject to the 3-minute limitation?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. McCARTHY. Does that apply to all Senators?

The ACTING PRESIDENT pro tempore. To all Senators.

Mr. WILLIAMS of Delaware. Mr. President, I wish to join the Senator from Ohio and the Senator from New York in their remarks. The President and Congress have a responsibility to act in this field.

We had an example a few months ago of what a crippling transportation strike could do to a metropolitan city. We have an example today in the airlines strike of what can happen to the entire Nation. We faced a similar emergency a few months ago in the threatened rail strike.

I believe that both Congress and the executive branch have a responsibility to propose and enact legislation to give the Government adequate authority to act in such a crisis.

The interests of the public must be paramount to that of either management or labor.

DEATH OF F. EDWARD KERNAN

Mr. YOUNG of Ohio. Mr. President, my colleague, the distinguished senior Senator from Ohio [Mr. LAUSCHE] and I were both shocked and saddened last Friday when we learned of the death of F. Edward Kernan, a member of the Cleveland Plain Dealer Washington Bureau, at the early age of only 59 years.

Eddie Kernan, as both of us affectionately knew him, was a fine, gracious gentleman, our friend for more than 20 years, and, throughout his lifetime an objective and fine news reporter. Ohio and the Nation have suffered a loss by reason of his passing.

He was for many years a leading member of the Gridiron Club of Washington. There is very little one can say about a tragedy such as this, but I ask unanimous consent, in behalf of my colleague [Mr. LAUSCHE] and myself, to have printed in the RECORD an article entitled "Edward Kernan, Plain Dealer Writer, Dies," and an article entitled "Statesmen Pay Kernan Tribute," published in the Cleveland Plain Dealer of July 16, 1966.

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

WASHINGTON BUREAU MEMBER EDWARD KERNAN, PLAIN DEALER WRITER, DIES

WASHINGTON.—F. Edward Kernan, veteran member of The Plain Dealer Washington bureau, died yesterday in Holy Cross Hospital, Silver Spring, Md. He was 59.

Mr. Kernan had been on sick leave for nearly two years. He was hospitalized July 7 after suffering a cerebral hemorrhage which caused his death.

Francis Edward Michael Kernan, in his 22 years in The Plain Dealer Washington Bureau, was known affectionately throughout the huge press corps in the nation's capital as "Eddie—with 1,000 friends," among them five presidents.

Amiable, shrewd and gregarious, Eddie landed in Washington in 1944 after reporting stints on newspapers in his native Red Wing, Minn., Minneapolis and The Plain Dealer's Akron bureau.

Walker S. Buel, the late chief of the Washington bureau, used to tell the story of how Eddie worked himself into the Washington staff "as a natural, because he could not stay away from political conventions."

Eddie spent his 1944 vacation doing odd chores for the bureau staff at the 1944 Democratic national convention in Chicago, which brought him to Buel's attention.

In Washington, Eddie covered the funeral procession of President Franklin D. Roosevelt and confessed he wept just like the throngs who watched the cortege roll by. He was one of the original staff of newsmen who covered the beginnings of the United Nations when it was situated at Lake Success, N.Y.

Innumerable other reporters borrowed his "blacks," or carbon copies of his articles, on the campaign trips with presidential candidates on trains before the jet age.

A classic story in Washington was the air trip in more recent times when the presidential tour had stopped in Cleveland, where the other reporters had read Eddie's story in The Plain Dealer, and then arrived in another great midwestern city.

There in the eminent local journal was Eddie's article, word for word, except for the byline. Fletcher Knebel, a writer for Look Magazine and a Plain Dealer alumnus and former bureau colleague of Eddie's cracked:

"They sure worked Eddie to a fare-thee-well last night."

Eddie, in particular, knew Congress like the back of his hand. Innumerable representatives and senators alone knew Eddie, and from time to time used to try to steal him away from The Plain Dealer to serve as their press aides.

But Eddie preferred the glamor and excitement of newspaper life and used to spend hour after hour with cronies at the National Press Club bar recounting wild and woolly tales of an era of newspapering that today has just about died out.

In 1954, Eddie was elected a member of the Gridiron Club, the famed dining organization limited to 50 top Washington correspondents. Eddie achieved fame in the club by being the annual crier of the classic opening line for some of the organization's star skits. Eddie's role was to cry, "Make way!" in a stentorian voice, as he ushered in the actors to parody the famous and near-great "victims" of the club's satire.

None of the many notables who attended the club's luxurious banquets was ever happier to see Eddie than his old high school football teammate, Gen. Lauris E. Norstad, former commander-in-chief of NATO forces in Europe.

In fact, many Washington correspondents who went to Paris to see Gen. Norstad use to ask Eddie for an introduction.

But, as many later humorously told Eddie, they lived to regret it. The characteristic complaint was:

"Norstad spent 20 minutes of my half hour's allotted time talking about Eddie and Red Wing."

In recent years Eddie cultivated a light touch in pinpointing the human side of political figures in the news and wrote many columns in that vein for The Plain Dealer.

From 1937 until 1944, when he joined the Washington bureau, Kernan covered the news in Akron. He was in charge of the Akron bureau during World War II. There his knowledge of the rubber industry and labor relations gave The Plain Dealer a widely respected reporter.

He had been ill for the last two years and had planned to retire Dec. 1.

Visiting hours for Mr. Kernan will be at the Warner E. Pumphrey funeral home, 8434 Georgia Avenue, Silver Spring, from 7 to 9 p.m. today and 3 to 5 and 7 to 9 p.m. tomorrow.

The body will be taken to his home town of Red Wing, Minn., arriving there Tuesday evening.

Visiting hours will be at the Ferrin funeral home, 301 Main Street, Red Wing, from 9 a.m. to 9 p.m. Wednesday. Services will be in Red Wing, Thursday morning at a time and place to be announced.

Interment will be in Calvary Cemetery, Red Wing.

Mr. Kernan is survived by his wife, Dorothy; two daughters, Mrs. Herbert Hertz and Mrs. James E. Smith, both of Silver Spring; two grandchildren; two sisters, Mrs. David Budensiek and Mrs. Jeannette Kalland, both of St. Louis Park, Minn.; and two brothers, Joseph, of Red Wing and John K. of Miami Beach, Fla.

STATESMEN PAY KERNAN TRIBUTE—HUMPHREY SADDENED

WASHINGTON.—Vice President HUMPHREY and House Speaker JOHN W. MCCORMACK joined Ohio Congressmen yesterday in paying tribute to "Eddie" Kernan, Plain Dealer reporter who died yesterday.

The vice president said: "Eddie Kernan was a dear friend of mine for many years. I am terribly saddened by his death, for I will miss his friendship and his excellent abilities as a journalist."

The Speaker said: "The newspaper profession has lost one of its most dedicated persons. Eddie was known not only for his brilliance but also for his fair play."

Among other tributes:

U.S. Senator FRANK J. LAUSCHE, D-O.—"Mrs. Lausche and I are both sorry to learn of the passing of Eddie Kernan. He was a very intimate friend of both of us. He was a devoted reporter and an extremely objective one."

U.S. Senator STEPHEN M. YOUNG, D-O.—"He was a delightful, jovial friend—a most personable, generous and kindly individual. He was also a great news reporter."

U.S. Representative MICHAEL A. FEIGHAN, D-O.—"His straightforward and accurate reporting made him stand out among the Washington press corps. He was one of the fairest newsgatherers I've ever known."

U.S. Representative CHARLES A. VANIK, D-21.—"I came to know him for his devotion to the highest traditions of the Fourth Estate. The Washington beat is shadowed by his passing."

U.S. Representative FRANCES P. BOLTON, R-22—"All of us who have depended on The Plain Dealer for many years are deeply grieved that Eddie Kernan's days have come to an end. I'll miss him very much."

U.S. Representative WILLIAM E. MINSHALL, R-23—"A capable and lovable man, trusted by all, has been lost to the Washington scene. He had a quick grasp of national trends and problems, particularly as they affected Ohio."

U.S. Representative ROBERT E. SWEENEY, D-at large.—"Eddie Kernan was a veteran here. He had a way of endearing himself to everyone he encountered. His personality and ready wit will be missed."

U.S. Representative MICHAEL J. KIRWAN, D-19—"Not only as a newsman but also as a good American, I've never known Eddie to break a confidence. He was a true, good friend."

J.R. Wiggins, editor of Washington Post and president of the Gridiron Club, an exclusive association of Washington newsmen—"For more than 10 years he was one of our esteemed and admired members. He carried on a long tradition of membership in our organization by Plain Dealer staff members."

Mr. LAUSCHE. Mr. President, I wish to join in the remarks made by my colleagues. To me, Edward Kernan was a true and devoted member of the journalistic profession. The best tribute that I can pay to him is to take note of his complete objectivity. No consideration or purpose could persuade him to color his stories. He wrote them factually. He presented both sides.

I respected him deeply, and I mourn his loss. My condolences go to his wife and to the members of his family.

J. ROBERT LOFTIS

Mr. WILLIAMS of Delaware. Mr. President, in the July 13, 1966, issue of the Des Moines Register there appears an article by Mr. Clark Mollenhoff concerning the case of a former McNamara $20,000 aid who quit after a fund shortage in his department was discovered.

This same man is now drawing an income of $33,820 per year, which includes a $25,000 salary from the Communications Satellite Corporation and an $8,820 Government pension.

His lucrative position with Communications Satellite Corporation, a company in which the Government has a substantial interest, was obtained upon the recommendation of his former superiors who were in charge of the Defense Department during the embezzlement in which he was alleged to have been involved, and the $8,820 retirement was obtained as the result of a series of strange maneuvers at the time of his separation in 1964.

At this point I ask unanimous consent to have printed in the RECORD excerpts of my remarks in the CONGRESSIONAL RECORD, volume 111, part 9, pages 12214 to 12217, in which I outlined the strange circumstances of Mr. Loftis' separation and the special arrangements made to enable him to get an $8,820 annual retirement benefit 10 years earlier than a normal employee, who did not have such influential friends, would have received.

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

JAMES ROBERT LOFTIS

Mr. Loftis was the second employee to get kid-glove treatment after being suspected of embezzlement.

At the time of the audit of the Office of the Comptroller of the Department of Defense on October 31, 1963, which revealed possible irregularities in the handling of certain funds in the Office of the Secretary of Defense, Mr. John A. Wylie was serving as the Head of the Budget and Finance Branch. This was the office in charge of these funds, and the Budget and Finance Branch was a component of the office of Mr. J. Robert Loftis, the Administrative Assistant to the Secretary of Defense.

Let us follow the extraordinary procedure which was followed in order to boost Mr. Loftis' retirement benefits after his part in this embezzlement was suspected. This time they shuffled the duties of his office, changed a few titles, and then presumably abolished his old job thus making it possible for Mr. Loftis to retire on the basis of reduction in force.

Beginning on *January 13, 1964* (6 days after Mr. Wylie had been notified of his pending separation), all functions of the Budget and Finance Branch were transferred to the Comptroller of the Department of Defense. This was just three days before the case was referred to the F.B.I.

January 31, 1964. All remaining functions of the Administrative Assistant (Mr. Loftis) were transferred to the Assistant Secretary (Manpower).

February 3, 1964. The position of Administrative Assistant to the Secretary of Defense was abolished, and on the same date Mr. Loftis was given notice of separation due to reduction in force pursuant to the abolishment of the position he had been holding.

March 27, 1964. Mr. Loftis was officially separated and elected optional retirement as a result of reduction in force separation. This sounded so much better than being fired under suspicion of embezzlement.

The next day, *March 28, 1964,* Mr. Loftis elected optional retirement as a result of reduction in force separation and was granted an immediate annuity of $735 per month on the basis of his *involuntary separation* (by the abolishment of his position or reduction in force).

Had these special arrangements not been made whereby Mr. Loftis could have qualified for an involuntary separation he would not have been eligible for retirement until March 10, 1974, at which time he would have reached the age of 62. Then he would have received $795 per month.

However, Mr. Loftis is now receiving an annuity of $735 per month which began March 28, 1964. As a result of qualifying for retirement benefits under an arranged reduction in force procedure Mr. Loftis will, for the remainder of his life, now receive an annuity of $735 per month or $8,820 per year. Mr. Loftis upon his retirement was 52 years of age and, assuming a normal life span of 77 years, this means that he will for the next 25 years collect $8,820 per year, or a grand total of $220,500.

Had he not been dismissed under this reduction in force arrangement but merely separated he would not have been eligible for retirement until 1974, when he would reach the age of 62. Then he would have been eligible for retirement benefits of $795 per month. Still assuming the same 77-year normal age, this would have meant that he would have received $9,540 annual retirement ($795 per month) for 15 years or a total of $143,100 instead of the $220,500 which he will now get.

Thus we find that as a result of this special arrangement, all of which took place after the embezzlement was discovered, Mr. Loftis will be able to collect an additional $77,400 (assuming the normal span of life).

The Great Society has been boasting that it will eliminate poverty, and based on these two examples who can say that they have not started?

On *December 16, 1964,* Mr. James Robert Loftis, Mr. Wylie, and one other employee, were indicted in the Federal Court for participation in the embezzlement of about $66,000 in Government funds.

Here we find two men who in October 1963 were in the Office of the Secretary of Defense, suspected of embezzlement of government funds, a suspicion which in January 1964 developed to the point where one of the men was notified of his suspension. Both men were carried on the payroll until one could qualify for total disability retirement benefits and the job of the second man could be abolished in order that he could qualify for immediate retirement benefits as a victim of reduction in force. The result was that

these two men, both of whom are now under Federal indictment for misappropriation of approximately $66,000 in government funds, will draw approximately $120,000 in additional retirement benefits from the United States Government.

Mr. WILLIAMS of Delaware. Next I ask unanimous consent to have printed in the RECORD an article by Clark Mollenhoff published in the Des Moines Register of July 13, 1966, entitled "A $25,000 Job for McNamara Aid Who Quit After Fund Shortage."

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

[From the Des Moines (Iowa) Register, July 13, 1966]

A $25,000 JOB FOR MCNAMARA AID WHO QUIT AFTER FUND SHORTAGE

(By Clark Mollenhoff)

WASHINGTON, D.C.—J. Robert Loftis, who resigned from the Pentagon following a controversy over disappearance of thousands of dollars in "confidential" funds, is now serving as the $25,000-a-year director of organization and manpower planning for the Communication Satellite Corp.

Loftis was involved in the controversy which resulted in his indictment with two other high Pentagon officials on charges of embezzlement and false statements.

Loftis, who in 1964 was making $20,000 a year at the Pentagon in addition to the new job draws a government pension of about $9,000 a year.

The other two men indicted with him, John A. Wylie, former director of budget and finance in the office of Secretary of Defense Robert McNamara, and William H. Godel, deputy director of the Advanced Research Projects Agency were convicted on charges of embezzlement and false statements involving more than $50,000 that disappeared from the so-called "confidential cash" account in McNamara's office.

Both Wylie and Godel have been sentenced to 5-year prison terms.

Loftis was the administrative assistant to McNamara, and Wylie and Godel were subordinates who actually handled the "confidential cash."

OFFICIALS RECOMMEND

Officials of the Communications Satellite Corp. said Tuesday that Loftis was recommended for the newly created job by many high officials and former officials, including former Defense Secretary Neil McElroy, now chairman of the board of Procter & Gamble, and Cyrus Vance, the present Deputy Secretary of Defense.

Others recommending Loftis include W. J. McNeil, comptroller of the Defense Department in the Eisenhower administration and president of Grace Lines; Frank X. Brown, a Washington lawyer; Robert B. Anderson, the former deputy secretary of defense and former secretary of the treasury; Thomas D. Morris, an assistant secretary of defense, and Representative GERALD FORD (Rep., Mich.), the minority leader in the House.

Loftis asked for a separate trial. Wylie and Godel were convicted. When Loftis went to trial in the fall of 1965, Wylie appeared as a government witness against him. At the trial, Wylie stated that he loaned thousands of dollars to Loftis from the Defense Department funds, and that these funds were never repaid.

Wylie also testified that he bought expensive gifts, including cases of Scotch whisky, for Loftis from the funds.

Loftis did not take the stand in his own defense, but introduced the testimony of a number of character witnesses including McElroy. Also, his lawyer charged that Wylie committed perjury in denying that he had been offered a lighter sentence by Justice Department lawyers if he would give testimony to help convict Loftis.

OFFERED DEAL

James Fitzgerald, a lawyer for Wylie, testified that the government had offered light treatment of Wylie if he would cooperate in giving testimony involving Loftis.

Senator JOHN J. WILLIAMS (Rep., Del.) has been critical of McNamara for not firing Loftis or bringing charges against him. Instead, McNamara reorganized his office to abolish the job Loftis held. This permitted Loftis, who was then 52, to retire on a government pension of $735 a month.

Loftis said that he has never been criticized by McNamara for his handling of the funds, and that there had been only a few comments that he might have "been naive" in not being aware that Wylie and Godel were engaged in large-scale embezzlement.

"My lawyer proved that Wylie was a perjurer," Loftis said Tuesday. "He put Wylie's lawyer, Fitzgerald, on the stand and he said that there was a deal with the Justice Department."

Loftis said he did not make an explanation of the testimony by Wylie at the time because he felt that no explanation was needed in the light of the high caliber of the character witnesses he was able to produce.

OFFERED JOB BACK

Loftis said that since his acquittal, McNamara told him that he can come back to the Defense Department "at any time I want to go back."

"I wasn't forced out and I wasn't fired," Loftis said. "I just resigned because I had wanted to leave. The defense secretary told me I could have had another job at the time, but I didn't take it."

He said that Vance and others with whom he worked at the Defense Department had given him permission to use their names in seeking another job, and that they had made recommendations for him at his request.

Mr. WILLIAMS of Delaware. Mr. President, here we have a man who under charges of embezzlement 2 years ago left a Government position and a $20,000 salary and is now drawing a total of $33,820, including a Government pension and a salary from a semi-Government agency. Who said the Great Society is not generous—especially when spending the taxpayers' money.

THE RELIGIOUS FAITH OF ABRAHAM LINCOLN

Mr. ERVIN. Mr. President, I have long been interested in the religious faith of Abraham Lincoln, who was never a member of any church.

The literature which has grown up around Lincoln numbers thousands of volumes. Anyone who delves in this literature to any substantial extent is deeply impressed by the conflict in the testimony concerning his attitude toward religion.

William H. Herndon, his law partner of many years, asserts that Lincoln "was an infidel, sometimes bordering on atheism." Dr. Lyman Abbott declares that he was an agnostic. Dr. J. G. Holland, who visited Illinois soon after the assassination to collect material for his biography of Lincoln, informs us that residents of Springfield expressed these contradictory opinions in respect to Lincoln: "That he was very religious, but that he was not a Christian; that he was a Christian, but did not know it," and "that he was so far from being a religious man or a Christian that 'the less said upon the subject the better'." John Hay and John G. Nicolay, secretaries to Lincoln during his occupancy of the White House, assure us that "he was a man of profound and intense religious feeling." Moreover, a number of rigidly orthodox Christians recount various improbable stories about Lincoln to indicate that he embraced their orthodoxy in all its details.

Many persons of a philosophic turn maintain that every individual is the inevitable product of his heredity and environment.

Lincoln was cautious to a fault. As a consequence, he suffered at times from what has been aptly called "The obstinacy of irresolution." As Dr. William E. Barton says: "When he did not know what to do, he would not do anything."

This cautiousness had its origin in one of Lincoln's chief mental characteristics. He found it extremely difficult to accept as valid any proposition whose truth he could not prove by reasoning. Herndon described the effect of this mental characteristic upon Lincoln's attitude toward religion in these words:

> In order to believe, he must see and feel, and thrust his hand into the place.

Whether this mental characteristic was inherited from ancestors or acquired from environment we do not know. But we can trace with virtual certainty some of the effects of Lincoln's environment upon his attitude toward religion.

Abraham Lincoln spent his boyhood in the backwoods of Kentucky and Indiana. During this period, he received less than 12 months of schooling in the aggregate over a space of 9 years; read and reread the Bible, "Pilgrim's Progress," "Aesop's Fables," "Robinson Crusoe," Weems' "Life of Washington," and "Franklin's Autobiography"; assisted his poverty-stricken father in farming; and attended his family's Calvinistic Baptist Church, where he heard somewhat unlettered ministers preach many long sermons on predestination and eternal damnation.

This preaching left two indelible imprints on Lincoln's mind, one a belief in predestination and the other a disbelief in eternal punishment. The strength of his belief in predestination caused Herndon to assert that "in philosophy Lincoln was a fatalist."

Lincoln's disbelief in eternal punishment constituted a reaction to the hell-fire sermons he heard in his youth and was based on his conviction that punishment was "intended for the good of the offender" and "must cease when justice is satisfied." He often manifested his disbelief in endless punishment by quoting this paraphrase of Martin Elginbrod's famous epitaph:

> Here lies poor Johnny Kongapod;
> Have mercy on him, Gracious God,
> As he would do if he was God,
> And you were Johnny Kongapod.

Abraham Lincoln spent his young manhood at New Salem, Ill., a long since vanished village which stood beside the Sangamon River about 15 miles from Springfield.

During this period, he engaged in merchandising and surveying; won election to the Illinois Legislature and to the captaincy of a military company which saw noncombatant service in the Black Hawk War; read law, the Bible, Shakespeare, and such supposedly heretical books as Paine's "Age of Reason" and Volney's "Ruins of Time"; expressed very decided and somewhat radical views to his contemporaries on the subject of religion; and formed the habit of attempting to clarify his thoughts by committing them to writing.

Herndon says that Lincoln assimilated Paine's "Age of Reason" and Volney's "Ruins of Time" into his own being. Acting under the influence of their teachings, he allegedly wrote two papers, one defending universal salvation, and other asserting "that the Bible was not God's revelation" and "that Jesus was not the Son of God." Be that as it may, circumstances indicate that while living in New Salem "he was surrounded by a class of people exceedingly liberal in matters of religion" and became acquainted with all of the arguments advanced against the major tenets of Christianity.

Abraham Lincoln was admitted to the Illinois bar in 1837. He forthwith removed from New Salem to Springfield, where he resided and practiced law until his departure for Washington to be inaugurated as 16th President of the United States. He spent the remainder of his life in Washington.

If we are to understand his attitude toward religion, we must understand the mind of Lincoln and the methods by which he reached conclusions in that area of life.

Lincoln judged most things by his simple sense of justice. He subjected religious dogmas to these additional tests: First, his belief in predestination, which he absorbed from the Calvinistic sermons he heard; and, second, his inherent rationalism, which was strengthened by his reading of Paine. Whether his belief in predestination and his rationalism were consistent Lincoln did not inquire. He was not a theologian, and did not attempt to construct a consistent creed.

His rationalism engendered in his mind the conviction that all things in the universe were governed by absolute and eternal laws. He read books on the natural sciences and became a convert to the theory of evolution.

These things being true, it is not altogether surprising that Lincoln entertained negative doubts and positive disbeliefs concerning the literal truth of some passages of the Bible and some of the generally accepted theological dogmas of the Christian churches.

Note has been taken of his disbelief in eternal punishment, which was repugnant to his simple sense of justice. As a rationalist, he was unable to prove by reasoning the dogma of the supernatural birth of Christ and in consequence doubted, if he did not disbelieve, that dogma. As a believer in an ordered universe governed by absolute and eternal laws, there was no place in his philosophy for accidents or miracles. As an evolutionist, he could not accept as literal truth the Biblical story of the creation. He may also have questioned at times the divine revelation of the Scriptures. At least an inference to that effect is justified by his own statement attributing his defeat in his first race for Congress to churchmen who opposed him because he was reputed to be a deist and did not attend church.

During his sojourn in New Salem and his early years in Springfield, Lincoln expressed his doubts and disbeliefs rather freely. As a consequence, many of his contemporaries characterized him as an infidel.

In so doing, they did not imply that he denied the existence of God. They meant that he did not accept the Bible as literally true in its entirety and had doubts and disbeliefs as to certain religious dogmas. This is made plain by Herndon. Although he asserts that Lincoln was an infidel, he assures us that "Lincoln believed in God and immortality as well as heaven—a place."

As he grew older, Lincoln became extremely reticent about matters of religion.

All Americans are familiar with Lincoln's remarkable evolution as a lawyer, orator, writer, and statesman. He underwent an equally remarkable evolution in religion. As Herndon observes, "he gradually rose up, more spiritualistic."

Contrary to the popular impression, Lincoln was a man of few books. Herndon tells us that he read less and thought more than any other prominent person of his day. A few of the books he read impresed him profoundly, and assisted him in concluding that Christianity is essentially a way of life rather than a creed.

One of these books was "Vestiges of the Natural History of Creation" by the Scottish author, Robert Chambers, which came to his hands a few years after his removal to Springfield. According to its author, this book constituted "the first attempt to connect the natural sciences with the history of creation." It convinced Lincoln that the theory of evolution was consistent with faith in God and the Bible.

The religious faith of Lincoln was profoundly deepened and ripened by the discipline of sorrow and its consequences.

On February 1, 1850, Abraham and Mary Todd Lincoln were bereaved by the death of their second son, Eddie, who was between 3 and 4 years of age. At that time Lincoln was virtually out of the habit of attending church, and Mrs. Lincoln's pastor, the Episcopal minister, was absent from Springfield. Under these circumstances, they asked Dr. James Smith, the pastor of the First Presbyterian Church of Springfield, to conduct funeral services for Eddie.

Dr. Smith complied with the request, and a strong bond of mutual respect grew up between him and Lincoln. Lincoln discussed his doubts and disbeliefs with Dr. Smith, and read Dr. Smith's book entitled "The Christian's Defense," which gave the arguments for and against the divine authority and inspiration of the Scriptures.

This was one of the books which profoundly influenced Lincoln, who made this statement to his brother-in-law, Ninian W. Edwards:

> I have been reading a work of Dr. Smith on the evidences of Christianity, and have heard him preach and converse on this subject, and am now convinced of the truth of the Christian religion.

As a consequence of these things, Lincoln became a pewholder in the First Presbyterian Church of Springfield. Mrs. Lincoln transferred her membership from the Episcopal Church to that church, and the Lincolns worshipped there with regularity until they took up their residence in the White House. After that time they consistently attended the New York Avenue Presbyterian Church, whose pastor, Dr. Phineas D. Gurley, was a source of much spiritual support to Lincoln during the dark days of the Civil War.

Notwithstanding these events, Lincoln did not seek membership in any church. He simply could not give intellectual assent to all the articles in any orthodox creed. Paradoxical as it may seem, the requirements prescribed by the theology of his day for admission to church membership were stricter than those established by the good Lord for entrance to the Kingdom of Heaven.

As the result of his spiritual evolution, Lincoln became a deeply religious man. While we cannot say with certainty that his every doubt was satisfied and that his every disbelief was removed, we can affirm these things with assurance: He believed in God. He had faith in the Bible. He accepted the doctrine of the immortality of the soul. He practiced prayer. He revered Christ.

His belief in God as the Creator of the Universe and as the Sovereign Ruler of men and nations was attested time and again in his Presidential papers and public speeches.

His faith in the Bible was demonstrated in emphatic words used by him during the summer before he was assassinated. On that occasion he gave his longtime friend, Joshua Fry Speed, this advice and assurance concerning the Bible: "Take all of this Book upon reason that you can, and the balance on faith, and you will live and die a happier man."

His belief in the immortality of the soul was reflected with clarity in his letter which he wrote to his stepbrother, John D. Johnson, while his father, Thomas Lincoln, was dying:

> I sincerely hope father may recover his health, but, tell him to remember to call upon and confide in our great and good and merciful Maker, who will not turn away from him in any extremity. He notes the fall of a sparrow, and numbers the hairs of our head, and He will not forget the dying man who puts his trust in Him. Say to him that . . . . if it be his lot to go now, he will soon have a joyous meeting with many loved ones gone before, and where the rest of us, through the help of God, hope ere long to join them.

The testimony concerning his disposition of mind toward prayer before his elevation to the Presidency is somewhat scant. After that event, however, he resorted to prayer with increasing frequency. He explained this practice by saying that many times he was forced to

his knees, "not knowing where else to go."

His reverence for Christ was well illustrated by two statements made by him near the end of his life.

In accepting the gift of a Bible from a committee representing the Negroes of Baltimore, he said:

In regard to this great Book, I have but to say, it is the best gift God has given to man. All the good Savior gave to the world was communicated through this Book.

In answering a question of Congressman Henry C. Deming as to why he had never united with a church, he said:

I have never united myself to any church because I have found difficulty in giving my assent, without mental reservation, to the long, complicated statements of Christian doctrine which characterize their articles of belief and confessions of faith. When any church will inscribe over its altar, as its sole qualification for membership, the Savior's condensed statement of the substance of both law and gospel "Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind, and thy neighbor as thyself," that church I will join with all my heart and all my soul.

When all is said, his secretary, John G. Nicolay, was not in error in his declaration that Lincoln "had faith in the eternal justice and boundless mercy of Providence, and made the golden rule of Christ his practical creed."

SECRETARY HENRY H. FOWLER'S SPEECH AT WINSTON-SALEM, N.C., COMMEMORATING THE FIRST OFFICIAL FOURTH OF JULY CELEBRATION

Mr. ERVIN. Mr. President, the celebration of this country's Declaration of Independence from Great Britain is the most cherished of our national holidays. The date of this declaration, July 4, 1776, marked the spiritual union of the 13 colonies as a Nation. All North Carolinians are particularly proud that the first official celebration of the Fourth of July was in Salem Square, Winston-Salem, and we were indeed fortunate in having one of the United States' most dedicated public servants, Secretary of the Treasury, Henry H. Fowler, to help us commemorate this significant event.

I recommend Secretary Fowler's address because it illustrates the permanence of those ideas contained in the Declaration of Independence and the thought and deliberation with which our Founding Fathers approached the formation of our Nation.

Mr. President, I ask unanimous consent that Secretary Fowler's remarks be printed at this point in the RECORD.

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

REMARKS BY THE HONORABLE HENRY H. FOWLER, SECRETARY OF THE TREASURY, AT CEREMONIES COMMEMORATING THE FIRST OFFICIAL FOURTH OF JULY CELEBRATION IN AMERICA IN SALEM SQUARE, WINSTON-SALEM, N.C., JULY 4, 1966

It is with a very deep sense of honor and privilege that I come here today, on behalf of President Johnson, to share with you so meaningful and memorable an occasion for Winston-Salem, for North Carolina and for America.

No American could fail to understand your intense pride in the knowledge that one hundred and eighty three years ago, in this square, in what was once the city of Old Salem, your forefathers gathered for the first official celebration of the Declaration of Independence—a celebration whose original simplicity and splendor came to life once more only moments ago as we listened and were moved by the same Moravian music that once long ago filled this square and the hearts of all here assembled.

And no American could fail to understand the intense pride of all North Carolinians in the knowledge that, in the Halifax Resolves of April 12, 1776, North Carolina became the first colony to declare, officially and explicitly, its support for absolute separation from Great Britain and for full national independence.

No American could fail to understand—for in those few, familiar words of the Declaration of Independence—". . . that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness—That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed . . ."—in those few, familiar words are embodied those ideas and ideals that underlie all we are as Americans and all we aspire to be.

The act of Independence on July 2, 1776—and the Declaration of Independence on July 4, 1776—marked one of those moments in history which was radically to alter the entire course of history—a moment that was to have a profound impact not only upon the lives of all generations of Americans to come, but upon the lives of all mankind as well.

I do not think we are always aware of how extraordinary that moment was in the history of man—and how unique is America and all it means.

"America," wrote the Englishman G. K. Chesterton, "is the only nation in the world that is founded on a creed. That creed is set forth with dogmatic and even theological lucidity in the Declaration of Independence; perhaps the only piece of practical politics that is also theoretical politics and also great literature."

Or to quote the words of a contemporary American scholar: ". . . it can be said that the revolution which gave birth to the United States is the only true revolution in history, because it is the only one in which men as creatures of history rationally chose to become its creators, to start history afresh by ridding themselves of its burdens and heeding its lessons, to give their nation a novel purpose. . . . The American revolution was an attempt not at restoring an ancient order that was supposed to have existed previously, but at creating a new order of things the like of which had never been seen before."

That revolution, therefore, did not end with the surrender of Cornwallis. It continues and will never cease to continue as each generation of Americans seeks, in the context of its own times, to bring the America it knows closer to the America it dreams. It continues and will never cease to continue as each generation of Americans seeks, in the context of its own times, to give new life to those beliefs that first gave life to the nation in which we live.

Today, as nearly two centuries ago, that revolution rests upon the conviction that all men equally and alike are members of the same human race, no man more than any other—that all men equally and alike share those rights and those responsibilities that are inherently human—and beyond this, that every man, in common with every other man, has a unique dignity and destiny.

This, then, is our faith—that all men are equal and that every man is unique, that all men have an equal right to the freedom and the opportunity to fulfill themselves both as men sharing a common humanity and as men possessing a distinct and unique individuality.

We know as our forefathers knew, that no man is exactly like another—one is brighter than another, one has different interests than another, one works harder than another. These are natural differences—the very differences we seek to afford the freedom and the opportunity to flourish and, so, immeasurably to enrich our lives as individuals and as a people.

We must also know, as our forefathers knew, that these differences cannot flourish—that we cannot fulfill ourselves as individuals—unless we are all assured the full and free exercise of those rights we all share in common. We must know that these differences cannot flourish—that we cannot fulfill ourselves as individuals—when we seize upon other differences, of race, of religion, of economic circumstances—differences innocent enough in themselves until we make of them artificial barriers that stifle talent, that diminish individual opportunity and deny human rights.

If we would live by the faith that is ours, we cannot deny to others the rights we demand for ourselves—we cannot deny the dignity of another as an individual or as a man without demeaning our own.

For this is our creed, if it has not always been our conduct. In that, we are no different from other men—for it has always been in the history of man that between the creed and the conduct, the ideal and the deed, the distance is often very great. But we do differ from other men in that we are the direct heirs of a revolution that requires of us, as it gives us, more than is required of others or given to them.

And it can be said of us that if the distance is still great between what our deeds and what our ideals declare, it is not as great today as it was five or ten or twenty years ago—and it is growing smaller day by day.

We are, in our own land, continuing to break down the barriers of poverty and prejudice and ignorance. We are continuing to hasten the day when ability to learn rather than ability to pay will be the sole standard of educational opportunity in America—when no American need fear the economic consequences of unemployment, of old age, or of ill health—when our political, our social, our moral and our physical environment shall offer to every American, of every race, creed and color, abundant incentive and opportunity for a full and free life.

And we are, in the world we share with other nations, continuing to do all we can to extend the frontiers and the fruits of freedom and to advance the prospects of peace. We are continuing to do all we can to help others in their struggle to achieve for themselves the independence and the abundance that we have achieved.

We are therefore doing in our time what is asked of all Americans in their time: that with all our resources we wrestle with the problems of our time, that with all our resolve we seek to realize in our time the ideals that are America's for all time, so that our lives and the lives of those after us will be fuller and more free.

We are struggling, like all generations of Americans before us and all generations to come, to bring to life what Abraham Lincoln once called that ". . . something in the Declaration giving liberty, not alone to the people of this country, but hope to the world for all future time . . . that which gave promise that in due time the weight should be lifted from the shoulders of all men, and that *all* should have an equal chance."

In closing, may I congratulate you who are midway in this year of commemoration,

marking the 200th Anniversary of the founding of a new community in a new world seeking a great society.

Think of the spirit—the religious faith and the regard for each other that moved those early Americans to this spot.

What a day it must have been—a bare seventeen years later—when they came together here to celebrate not just the end of a long war—but the birth of a new society dedicated to a new creed embodied in a Declaration of Independence.

This was a belief men could not only die for but live by.

Indeed, it was a belief that fitted the way of life of these Moravians who celebrated on that fourth of July. Bound together by deep religious feeling and a tradition of community responsibility that esteemed each man or woman a child of God—they reflected in their lives the very tenets of the Declaration they celebrated.

So, my friends, it is peculiarly fitting that we assemble at this particular place on this especial day to dedicate an enduring symbol. It is a high honor for me to join you in this act of dedication for us all by unveiling this plaque on the very site those early Americans conducted the first official celebration of the fourth of July.

SAIGON TAKES REINS OF CIA'S SCHOOL

Mr. McCARTHY. Mr. President, the New York Times of this morning publishes a somewhat serious and confused story about the CIA school in Saigon.

I find it rather difficult to understand just what happened. However, as nearly as I can understand, the school run by the CIA was infiltrated and taken over by a third force group which was conducting propaganda against the propaganda line being presented by the CIA.

I read a paragraph from the article:

The changeover of the training program took place in mid-June in a dramatic confrontation at the seaside city of Vungtau. It came after political instructors in the rural pacification training school there seized a supply of arms and threatened to resist a change in the leadership of the school.

It seems rather contradictory that a pacifist school group should seize the arms in order to take over the leadership of the school.

The article further states, quoting in this case a Vietnamese source:

"But we cannot have the cadre controlled by one political party," said one Vietnamese source. He added: "Also, there could never be success in this program as long as Americans seem to run it, and this is no criticism of the CIA. It has to be our program."

The final paragraph reads:

Actually, many employees of the agency remain in the training and field supervision program because there is no one to replace them. But informed sources said the agency was not happy to take a less prominent part in what has become the largest overt program in its history.

Since this is described as an overt program, I assume that information about it could probably be given to the Senate by those Members of the Senate whom the Senate last week decided could be trusted with the deep secrets of the CIA.

I hope that the members of that committee will look into this matter and, if possible, satisfy themselves about it. If they see no danger in the security of the country, I hope they will inform the Senate as to the facts of this situation.

Mr. President, I ask unanimous consent that the article entitled "Saigon Takes Reins of CIA's School," written by Charles Mohr, and published in the New York Times of July 18, 1966, be printed at this point in the RECORD.

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

[From the New York (N.Y.) Times, July 18, 1966]

SAIGON TAKES REINS OF C.I.A.'S SCHOOL

(By Charles Mohr)

SAIGON, SOUTH VIETNAM, July 17.—Large numbers of South Vietnamese who had been hired to preach support of the Saigon Government were secretly indoctrinated to believe the Government was unworthy of support, it was disclosed today by South Vietnamese sources.

As a result, Saigon Government officials have taken control from the Central Intelligence Agency of the program for training the "revolutionary development cadre"—armed experts in political propaganda.

The anti-Government indoctrination was conducted by a South Vietnamese army major, employed by the C.I.A., who spread the doctrine of a highly nationalistic political society of the Dai Viet political party. The doctrine was neither pro-Communist nor did it subscribe to salvation through the present Government.

South Vietnamese sources consider this to be a third-force doctrine that waits only for a propitious moment to seize power.

The major, Le Xuan Mai, is believed to have infiltrated a considerable part of South Vietnam's propaganda and pacification teams with cells of workers indoctrinated in this third-force philosophy.

The changeover of the training program took place in mid-June in a dramatic confrontation at the seaside city of Vungtau. It came after political instructors in the rural-pacification training school there seized a supply of arms and threatened to resist a change in the leadership of the school.

In the end, the "struggle force" formed by the instructors bowed without violence to the wishes of the Saigon Government.

TAKEOVER FROM C.I.A.

The most important result of the affair appears to be that the South Vietnamese officials have taken from the hands of the United States Central Intelligence Agency, which financed and controlled the program, primary responsibility for the training of members of a rural pacification cadre.

United States officials do not appear to have consciously fostered the kind of political indoctrination of the cadre that Maj. Gen. Nguyen Duc Thang, Minister of Revolutionary Development, found offensive or dangerous.

The training program and secret indoctrination had been devised by Major Mai, Vietnamese sources said.

Major Mai has been dismissed as director of the Vungtau training center, along with two captains and about five political instructors. Other instructors may be dismissed in the future.

An important South Vietnamese official said today, "I will work with anybody and I will take support from any American group, but we must have control of this program."

HOW PROBLEM DEVELOPED

As pieced together from various informants, this is the story:

Other United States and South Vietnamese agencies could not forsee or appreciate the necessity for armed propaganda teams to combat similar Vietcong organizations. But the C.I.A. did grasp this need. By the end of 1965, the agency had trained about 19,000 members of Political Action Teams.

Although their effectiveness may have been exaggerated, the teams were impressively effective in some areas. When a new rural pacification program was evolved late last year by South Vietnamese and United States officials, both the existing Political Action Teams and their training center at Vungtau were visualized as the core of the new program.

General Thang was appointed Minister of Revolutionary Development, or pacification. He in turn appointed Col. Tran Ngoc Chau, a respected thinker on guerrilla warfare, as director of cadre.

According to some South Vietnamese sources, it came to the attention of these officials that Major Mai was a member of something called the Duy Tan sect of the Dai Viet or Greater Vietnam political party.

As interpreted by Major Mai, the doctrine of this political society was that neither Communism nor the series of "ineffective" governments in Saigon offered salvation to the Vietnamese people.

THIRD-FORCE PHILOSOPHY

He is thus accused of having taught a third-force philosophy at Vungtau, centered on the idea that members of a political action team should appear to support the Government but wait for the right moment when it could be replaced with a more idealistic movement.

There may have been a certain anti-American tone to this indoctrination, but it was neither pro-Vietcong nor corrupt, observers concede.

According to unverifiable reports, Major Mai and his assistants may have placed four-man Duy Tan cells in each Political Action Team platoon graduated from Vungtau and in each 59-man rural pacification team graduated from the first class of 4,500 such workers. This is in addition to open training and spare-time indoctrination of all other members in aspects of the sect's philosophy.

LINK TO PARTY REPORTED

Major Mai, the sources said, also built subtly for the future. He conceived an emblem for the Political Action Teams built around the letter "T" superimposed on the letter "H," which ostensibly represented a Vietnamese slogan meaning "Service Through Sacrifice."

But the "T-H" symbol is also that of the Duy Tan sect of the Dai Viet party.

General Thang moved cautiously at first but in mid-June, after the first class of the pacification cadre had been graduated and before the second enrolled, General Thang sent Colonel Chau to be commandant of the camp over Major Mai.

Different versions of the events that followed can be heard. The versions generously agree that Major Mai's subordinates formed a "struggle" group to demand that Colonel Chau return to Saigon and that the camp be left undisturbed. They also agree that political instructors seized some arms.

C.I.A. officials urged a compromise under which Major Mai would have been retained in a job at Vungtau. But when this proved unacceptable to General Thang, the agency agreed to the change and to an assumption of much greater South Vietnamese control of the whole program.

It should not be thought that Major Mai succeeded in turning all of his cadre into members of his political party. Many were already under strong political influence from other groups in their home provinces. It is difficult, in fact, to assess accurately just how much effect the indoctrination had.

"But we cannot have the cadre controlled by one political party," said one Vietnamese source. He added: "Also, there could never be success in this program as long as Ameri-

cans seem to run it, and this is no criticism of the C.I.A. It has to be our program."

Actually, many employes of the agency remain in the training and field supervision program because there is no one to replace them. But informed sources said the agency was not unhappy to take a less prominent part in what has become the largest overt program in its history.

THE HIGH COST OF THE AIRLINE STRIKE

Mr. SYMINGTON. Mr. President as I am sure telegrams, letters and telephone calls received by every Member of Congress reveal, the general public is becoming more insistent on action to bring to an end the national airlines strike, now in its 11th day.

In my own State of Missouri, Trans World Airlines has furloughed 5,977 employees, meaning an immediate loss, until the strike is settled, of $3,740,000 in monthly payroll.

This one airline has 9,000 employees in Missouri with an $80 million annual payroll. If the labor dispute continues, it is only a question of time until others will have to be furloughed, and the value of this payroll in our State will further decline.

The president of the Kansas City Hotel Association called Friday to report business in the hotels there was off one-third to one-half. One national convention had booked 450 rooms in his hotel. Because these five major airlines are not flying, 150 rooms had been cancelled the day before the convention opened, and management expected a great many more "no shows."

The Merchants Association in Kansas City also reports that business is off considerably now and will suffer for months to come because store buyers are not able to make their annual trips for winter merchandise.

Other businesses all over Missouri report difficulty because it is impossible to get or send air freight. Machines cannot be repaired so promptly, scarce supplies cannot be obtained or shipped to meet the current tempo in our business activities.

Over the years, both labor and management have been opposed to compulsory arbitration, but demands for legislation to that end are increasing every day.

If negotiators for labor and management in the current dispute do not get the airlines back into operation in the very near future, demands for the Congress to act will continue to mount until the Congress will have to respond.

Mr. President, I ask unanimous consent that some of the scores of telegrams and letters I have received be inserted at this point in the RECORD.

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

KANSAS CITY, MO.,
July 12, 1966.

Senator STUART SYMINGTON,
Senate Building,
Washington, D.C.:

The National Association of Machinists strike against the five major airlines is substantially affecting the business and economy of the Greater Kansas City area. I know that you are concerned about this national emergency and I hope that you, in your legislative role and collectively with your colleagues will take every possible action to bring this national crisis to an early and successful conclusion. In a separate communication I have advised the President of the United States of my interest in this matter for I am convinced that this should be a concern of all levels and divisions of government. I want you to know that this office stands willing to be of assistance in resolving this serious labor dispute.

ILUS W. DAVIS, *Mayor.*

ST. LOUIS, MO., *July 14,1966.*

Senator STUART SYMINGTON,
Senate Office Buillding,
Washington, D.C.:

We operate 517 stores and leased departments in 42 States from our headquarters. The airline strike is doing untold damage to the economy and requires government action of the most intense nature. We will appreciate your help.

EDISON BROS. STORES, INC.,
IRVING EDISON, *President.*

KANSAS CITY, MO., *July 15, 1966.*

Senator STUART B. SYMINGTON,
Senate Office Building,
Washington, D.C.:

We want to express our deep concern over the impact that the strike against the airlines is having on the more than 1,000 employees of Automatique, Inc., and on its suppliers and subcontractor we urge the total effort of your office for an early settlement.

DON COUSINS,
Director of Marketing Services,
Automatique, Inc.

KANSAS CITY, MO.,
July 15, 1966.

Senator STUART SYMINGTON,
U.S. Senate,
Washington, D.C.:

Prolonged airline strike causing serious delays in essential business travel and air freight. Economy of area adversely affected. Imperative you intercede and urge prompt steps to restore service to public.

GUSTIN-BACON MFG. CO.,
J. O. BIGGS, *President.*

ST. LOUIS, MO.,
July 16, 1966.

STUART SYMINGTON,
Senate Office Building,
Washington, D.C.:

Strike by machinists against 5 airlines is severely damaging our business in St. Louis. Please use your good offices and bring all influence to bear to end strike promptly.

DONALD J. KILEY,
City Manager, Avis Rent-a-Car, St. Louis.

ST. LOUIS, MO.,
July 16,1966.

Senator STUART SYMINGTON,
Senate Office Building,
Washington, D.C.:

Your concern and action is urgently requested in the interest of the settlement of the disastrous airline work stoppage now in progress.

B. J. GROFF.

KANSAS CITY, MO.,
July 16, 1966.

Hon. STUART SYMINGTON,
Senate Office Building,
Washington, D.C.:

Please suggest Government operate airline immediately to end this unwarranted strike affecting entire Nation.

HELEN and RALPH SAUNDERS.

MARCELINE, MO.,
July 15, 1966.

Hon. STUART SYMINGTON,
U.S. Senate,
Washington, D.C.:

Our firm would greatly appreciate anything your office can do to quickly settle the airline strike.

Walsworth Publishing Co., Marceline, Mo., Do Walter, Rush Johnson, Jr., Herald Davolt.

KANSAS CITY, MO.,
July 14, 1966.

Senator STUART SYMINGTON,
Senate Office Building,
Washington, D.C.:

The air strike is beginning to hurt the country. Can't some way be found to make the unions work while differences are being arbitrated.

LEWIS KITCHEN.

KANSAS CITY, MO.,
July 15, 1966.

Hon. STUART SYMINGTON,
U.S. Senate,
Washington, D.C.:

The continued work stoppage at TWA and other airlines is seriously interfering with production of our important Department of Defense contracts. Please use your good offices to insure an early settlement.

WILCOX ELECTRIC CO.,
JAMES E. GARDNER.

KANSAS CITY, MO.,
July 15, 1966.

Hon. STUART SYMINGTON,
Senate Office Building,
Washington, D.C.:

Due to airline strike our company is losing many hundreds of dollars daily because of inability to get air freight shipments on much needed and critical tools and equipment. Anything you can do to influence the President to intercede to get this airline strike settled, which unduly works a hardship on the midwest, will be appreciated.

C. N. OUTMAN.

KANSAS CITY, MO.,
July 14, 1966.

Hon. STUART SYMINGTON,
Senate Office Building,
Washington, D.C.:

Six thousand airline employees in this area are out of work as a result of the mechanics strike millions of dollars of payroll is lost to local economy this has a damaging effect on the economy plus great inconvenience and loss of time to many of our citizens I urge your influence in any way possible to bring the disastrous strike to an early end.

SMITH GRIEVES CO.,
EARL SMITH.

KANSAS CITY, MO.,
July 14, 1966.

Hon. STUART SYMINGTON,
Hon. EDWARD V. LONG,
House of Representatives,
Washington, D.C.:

Airline strike causing curtailment our business due to not receiving daily shipments fresh fish and live lobsters from East Coast. Urgent you exert all pressure possible to get this strike settled that is so damaging to our entire country.

MID-CENTRAL FISH &
FROZEN FOODS, INC.,
E. S. GRAHAM,
Vice President.

KANSAS CITY, MO.,
July 14, 1966.

Senator STUART SYMINGTON,
Senate Office Building,
Washington, D.C.:

Respectively request your utmost effort to promote agreement in strike of five major

airlines permitting settlement satisfactory to union, management and our country. Each passing day multiplies hardships seriously affecting business and the national economy.

A. C. SWANSON,
President, Western Auto Supply Co.

ST. LOUIS, MO.,
July 14, 1966.

Hon. STUART SYMINGTON,
U.S. Senate, Washington, D.C.:

Please use your powers to have Government intercede in settling airlines strike. A few people disrupting the entire Nation, costing billions of dollars, will prove more disastrous to our economy and efficiency if allowed to continue.

W. M. UPTHEGROVE,
President, the Grove Co.

KANSAS CITY, MO.,

Senator STUART SYMINGTON,
Senate Office Building,
Washington, D.C.:

Airline strike is causing severe problems in transporting both personnel and material. Would appreciate any intercession or help you are able to provide to bring air strike to a close. Thank you.

COOK CHEMICAL CO.,
ROBERT C. CONN,
Director of Transportation.

KANSAS CITY, MO.,
July 15, 1965.

Senator STUART SYMINGTON,
Old Senate Office Building, Washington, D.C.:

The airline strike has moved into its seventh day it is seriously affecting the normal operation of our company which depends heavily on serving its customer emergency spare parts needs via air freight and dispatches service personnel to points all around the country via commercial airlines. Inability to provide parts and service means envelope manufacturers throughout the country are deprived of machine productivity and hence revenue even as small operation as our is being seriously handicapped in its normal operation with much more serious consequences to our customers. We urge you to intercede for rapid settlement of the airline strike.

JAMES W. LENK,
Vice President, Berkley Machine Co.

July 14, 1696.

Attention Senator SYMINGTON:

Please do everything in your power to press that the air strike end as soon as possible. It is causing us and our customers undue delays.

CENTURY ELECTRIC CO.,
GLEN REINHOLD.

BLUE SPRINGS, MO.,
July 14, 1966.

Hon. STUART SYMINGTON,
Senator, Missouri,
Senate Office Building:

This wire is to make you aware of the fact that we along with all service industries like ourselves are at a great disadvantage to continue giving our normal air freight shipments due to the machinists strike against the airlines. We normally have a minimum of two air freight pickups per day and a great percentage of this freight goes and must go via TWA anything you can do to expedite an equitable fair settlement will be greatly appreciated and much help.

FIKE METAL PRODUCTS CORP.,
L. L. FIKE, *President.*

KANSAS CITY, MO.,
July 14, 1966.

Senator STUART SYMINGTON,
Senate Office Building,
Washington, D.C.:

Our firm depends on air freight service into Kansas City for 85 percent of our shipping. Please do what you can to help in this air strike.

EARL G. LACEY,
Wholesale Florist.

KANSAS CITY, MO., *July 12, 1966.*

Hon. STUART SYMINGTON,
Senate Office Building, Washington, D.C.:

Greater Kansas City business community deeply concerned about deleterious impact on area economy resulting from continuation of airlines strike. Urge your influence and assistance in whatever manner possible to bring about a speedy termination to this increasingly grave situation.

LOUIS P. ABRAMS,
Executive Vice President, Chamber of Commerce of Greater Kansas City, Missouri.

ST. LOUIS, MO., *July 12, 1966.*

Senator STUART SYMINGTON,
Senate Office Building, Washington, D.C.:

Travelling public here severely inconvenienced by airlines strike. Urgently request use of your good offices towards settlement of dispute.

ALOYS P. KAUFMANN,
President, Chamber of Commerce, Metropolitan St. Louis.

ST. LOUIS, MO.,
July 15, 1966.

Senator STUART SYMINGTON,
Senate Office Building,
Washington, D.C.:

The disruption of commercial air service due to mechanics strike is imposing greater and greater financial burdens as well as intolerable inconveniences and delays upon business travelers. The loss of time and money due to the strike is becoming alarming. We urgently request that you do everything in your power to help end this damaging service stoppage as quickly as possible.

GORDON ELLIS,
Executive Vice President, Operations, Pet Milk Co., St. Louis, Mo..

ST. JOSEPH, MO.,
July 15, 1966.

Hon. STUART SYMINGTON,
Senate Office Building,
Washington, D.C.:

In the name of Philips Roxane Inc. subsidiary companies Anchor Serum Company Research Laboratories Inc., we kindly request your assistance every way possible to solve problem of the airline strike which is causing difficulties in our business mainly export operations which hurting U.S. balance payments situation also cannot fill requirements from friendly countries for medicines vaccines urgently needed.

Respectfully,

PHILIPS ROXANE, INC.,
MARIANO J. BOSISIO.

A. P. GREEN REFRACTORIES CO.,
Mexico, Mo., July 14, 1966.

Hon STUART SYMINGTON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SYMINGTON: The strike that has grounded several airlines appears to have reached a stalemate.

In the interest of restoring somewhat normal fast travel and freight service on which we can rely on international business, I appeal to you to lend our influence in bringing about a solution of this dispute.

The present situation intereferes with travel by our men who are regularly engaged in selling our products for export. For example, our District Sales Manager of San Juan was scheduled to come here July 24, but he has advised that he is unable to arrange for space until August 4. He attributes this delay to the strike of several of the airlines. He will thus have to postpone going to Latin countries to solicit customers.

Your consideration will be appreciated.

Yours very truly,

HAZEL VINYL PRODUCTS,
Washington, Mo., July 14, 1966.

Senator STUART SYMINGTON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: The current airline mechanic strike is causing all of us a great deal of hardship and inconvenience.

To travel and ship cargo by air, which was once considered a luxury, is now an everyday necessity.

Our Company strongly urges you to use your strong influence in settling this dispute.

Sincerely,

GLEN HOLT, CAS,
Vice President, Sales, Hazel Vinyl Products.

THE OHIO RIVER VALLEY

Mr. COOPER. Mr. President, the New York Times of yesterday, July 17, 1966, devoted the front page of its travel section to the Ohio River Valley. The article is headed by a picture of a sweeping bend of the Ohio River as it passes through the rolling countryside between Cincinnati and Louisville, and the newspaper calls both this view and the one from a trip up the Kentucky River a "panorama of gentle peace and beauty."

The article itself, entitled "New Era on the Ohio River," describes the importance of this vital waterway in regard to commerce, recreation, and general river travel. While the author, Mr. Underwood, notes the great expansion of industry and commerce, as well as the rise in recreation use, he also describes the steady reduction in pollution of the Ohio and its tributaries, many of which flow through Kentucky.

The Senate last week passed legislation designed to increase sharply the efforts being made to abate pollution in waterways all across the land and, as a member of the Senate Public Works Committee which reported the bill, I was glad to support it in the Senate. This article particularly discusses abatement of pollution throughout this great valley.

At a time when attention is being given in the Congress to a coordinated program of cleaning the rivers of the Nation, I think it good to note the work that has been done over the last 20 years on the Ohio River and on the tributaries in its basin. In this period, more than $1 billion has also been spent on sewage treatment facilities by towns and communities in the basin, and the compact between the States—the Ohio River Valley Water Sanitation Commission—has established basic controls for the river.

I also want to call attention to the work of the U.S. Army Corps of Engineers in replacing the old system of locks and dams with modern structures, which are larger and which are establishing, in effect, a chain of connecting lakes along the Ohio.

The Senate Public Works Committee has given support year in and year out to the replacement of the old traffic system

along the 2336 navigable miles of the river. Senator ELLENDER, chairman of the Subcommittee on Appropriations, has worked for many, many years to insure that construction go forward regularly and rapidly on the system, and I recall that it was my opportunity in 1953, with former Senator Bricker of Ohio, and the late Congressman Tom Jenkins of Ohio, to help secure the first appropriation for the modernization program for this great river system.

I am glad that a large part of the development program is being completed or is now underway along the Ohio, and I ask unanimous consent that the article, "New Era on the Ohio River," be printed at this point in the RECORD.

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

NEW ERA ON THE OHIO RIVER—RECREATION IS ON RISE AS CLEAN-UP DRIVE REDUCES POLLUTION

(By Paul Underwood)

PITTSBURGH.—In the moonlight, the city rides like a ship at anchor. Faint in the distance—beyond the dark, sharp prow where the two tides rush together—the hoarse blast of a diesel towboat reverberates up the deep V of the hill-jostled valley.

Here, just below the massive, shadowed piles of the handsome new complex of buildings in Pittsburgh's "Golden Triangle," the Monongahela and Alleghany Rivers join to form the mighty Ohio. From here, the moon-silvered flood rolls—past cities and hamlets, open farmland and dark-forested hills—981 miles westward to the Mississippi at Cairo, Ill.

A vital artery in the westward push of our pioneer forefathers and a commercial waterway of major importance since before the days of the Revolutionary War, the Ohio is now becoming also a playground for pleasure-boat owners.

Before World War II, except for canoes and rowboats used mainly for fishing, there were comparatively few private pleasure boats in the basin. Today, the Army Engineers' headquarters in Cincinnati estimates there are at least 730,000, and the number increases daily.

EMPIRE TO EXPLORE

The Ohio Valley is not unique in this, of course. The expansion of private boating in recent years has been nationwide. But here, the main river and tributaries such as the Beaver, Kanawha, Big Sandy, Muskingum, Scioto, Great Miami, Kentucky, Wabash, Cumberland and Tennessee open a vast empire for exploration.

The entire basin of the Ohio covers 163,000 square miles. It includes major portions of the states of Ohio, Indiana, Kentucky, West Virginia, substantial parts of Pennsylvania, Illinois and Tennessee and smaller areas of New York, Maryland, Virginia and even North Carolina.

Counting only channels with a controlled depth of nine feet or more, the Ohio navigation system is 2,336 miles long. For small boats, which draw less water than commercial craft, the possibilities are many times that figure.

COMMERCIAL WATERWAYS

The main stream and several of its major tributaries are important commercial waterways and are canalized; that is, they have dams built across them at intervals in order to maintain a minimum depth.

As a result, the Ohio River system carries more commercial traffic than either the Panama Canal or the St. Lawrence Seaway, and almost as much as the two combined. Some of the tows are enormous. It is not unusual to see a 9,000-horsepower towboat pushing a cluster of barges that covers 11 acres of water.

Some stretches of the river are heavily industrialized. The Ohio River basin is one of the great industrial centers of the world, producing far more coal and steel than Germany's famous Ruhr Valley and more chemicals than the Rhine area.

VAST REGION

So vast is the area reached by the river system that industry has scarred only a comparatively small part.

For a panorama of gentle peace and beauty, it would be difficult to top a trip by boat up the winding Kentucky River, which flows 225 miles through the heart of the famous bluegrass country. The deep, narrow Kentucky is canalized, but the works were completed more than 100 years ago and are too small for most commercial use today.

Operators of small boats have the river almost to themselves as they sail past some of the most beautiful farmland in America, past wooded hills and alongside the place where, according to folklore, Daniel Boone, with a mighty bound, leaped the river—to the amazement of his scalp-seeking Indian pursuers.

A dam means a wait, for traffic is so slight that lockkeeping is not a fulltime duty. But a honk of the boat's horn will call the keeper from a nearby field to open the antique locks and let the craft move on to other scenes.

In accounting for the vast increase in private boating in the Ohio basin, one development that has passed with little notice elsewhere is of major importance. This is an almost spectacular decline in the pollution of the basin's waters.

Twenty years ago, the Ohio and several of its major tributaries were so polluted that use of their water was becoming hazardous. Many of the channels looked and smelled like open sewers. The fish were dying, swimming was out of the question, and it was no place for boating.

In such a situation, there was little attraction in having a boat. People who now flock to the river to enjoy it avoided it at that time.

SANITATION COMPULSION

Alarmed by the deterioration of the waters, the eight states in the Ohio watershed entered into a compact in 1948 to clean up the valley. They set up the Ohio River Valley Water Sanitation Commission, popularly known as ORSANCO, with the duty of establishing regulations and coordinating state efforts at control.

Since then, more than $1 billion—roughly $100 per capita for every man, woman and child living in the Ohio Valley—has been spent on sewage-treatment facilities. Today, 99.5 per cent of the sewage from towns and villages in the basin undergoes at least primary treatment, and larger communities all have secondary-treatment capacity.

The fight against pollution has not ended yet, but the results so far include a river that looks clean and sparkling, a river that now offers many wide stretches for safe swimming. Fishing has come back with a bang. Experienced anglers say the Ohio is as good fishing today as it was when they were boys.

Now, water-skiing is a popular sport on the Ohio. Marinas and docking facilities are springing up, and restaurants and other services are moving to riverside locations in order to cash in on the booming boating trade.

Every indication is that this is only the beginning. Careful estimates are that more than a million privately owned boats will be registered in the basin before many years.

COMPLETELY CANALIZED

The Ohio has been completely canalized since the 1920's. Forty-six low-lift dams scattered along its course maintained a minimum nine-foot channel from Pittsburgh to Cairo; however, the growth of commercial traffic on the river since World War II has been so great that it has outgrown the system.

The Army Engineers are gradually replacing the old locks and dams. This time, however, they are building much larger dams—dams with 1,200-foot locks, or twice the size of the old ones. There will be only 19 of these, and they will be spread much farther apart than the old ones.

When the project is completed—sometime in the 1970's, if the present schedule is met—the river will become, in effect, a chain of connected lakes, each about 50 miles long and about a mile wide. The minimum depth of the channel will be 12 feet.

A preview of what the river will look like then is provided by the stretch above and below Cincinnati. Two of the new dams are already in place there—one 34 miles upstream and the other more than 60 miles downstream. The resulting pool is wide enough not only for the commercial traffic and power boating, but even for sailboat racing.

AUTHORITY OF POLICE OFFICERS

Mr. BYRD of West Virginia. Mr. President, the Washington press recently carried a newsstory regarding the opinion which was prepared for the District of Columbia Commissioners by Acting Corporation Counsel Milton D. Korman in connection with the portions of disorderly conduct laws relating to the authority of police officers to order persons in public places to "move on."

I have asked Mr. Korman for a copy of the opinion, and I ask unanimous consent that it be printed in the RECORD.

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

JUNE 7, 1966.

IN RE AUTHORITY OF POLICE OFFICER TO ORDER PERSONS CONGREGATING ON PUBLIC STREETS TO MOVE ON

[CCO: 3.P6.1—Congregation on public streets]

The Commissioners of the District of Columbia.

GENTLEMEN: I have been requested by the Chief of Police to furnish to him a summary of the law pertaining to the authority of a police officer to order to "move on" persons congregating on public streets. I deem the matter of sufficient importance, particularly in the light of subsequent comment thereon by the Complaint Review Board, to draft a formal opinion on the subject.

Section 22–1121(2), D.C. Code, 1961 ed., defines one type of disorderly conducts as follows: "Whoever, with intent to provoke a breach of the peace, or under circumstances such that a breach of the peace may be occasioned thereby * * * congregates with others on a public street and refuses to move on when ordered by the police."

It should be clear from a reading of the quoted Code Section that the mere refusal to obey a policeman's order to move on, without more, is not sufficient to make out a case of disorderly conduct. The statute would be unconstitutionally broad if its purpose was to sanction standing on a public sidewalk only at the whim of a police officer. *Shuttlesworth* v. *Birmingham*, 382 U.S. 87 (1965). There must be both an actual or impending breach of the peace *and* the refusal to obey the order. Cf., *Brown* v. *Louisiana*, 15 L. Ed. 2d 637, 643 (1966).

The refusal to obey an order to move does not necessarily constitute a breach of the peace. *Wright* v. *Georgia*, 373 U.S. 284, 291 (1963). For instance, if the police order is violative of the Constitution and consequently unlawful, there is no duty to obey it,

and a person who so refuses cannot be punished for disorderly conduct. *Wright* v. *Georgia, supra* at 292. Indeed, if a person's presence in a public place is lawful and there are no other special circumstances, there would be no basis for an order to move on. *Brown* v. *Louisiana, supra.*

Additionally, to support a finding of guilt under Code Section 22–1121(2) it must be established that one *"congregates with others* on a public street." It has been held by some courts that to establish this element of the offense at least three persons must be present. *People* v. *LoVechhio,* 56 N.Y.S. 2d 354, 358 (1945); *People* v. *Carcel,* 165 N.Y.S. 2d 113, 144 N.E. 2d 81, 65 ALR 2d 1145 (1957).

The appropriateness of a police command given to persons congregating in a public street is dependent upon a showing of an actual or potential breech of the peace. See *People* v. *Turner,* 265 N.Y.S. 2d 841, 855 (Sup. Ct. 1965). The question of what conduct is necessary to satisfy the breach of the peace element of the statute is therefore not easy to resolve. In *Cantwell* v. *Connecticut,* 310 U.S. 296, 300 (1940) the Supreme Court set forth a fairly comprehensive definition of breach of the peace: "The offense known as breach of the peace embraces a great variety of conduct destroying or menacing public order and tranquility. It includes not only violent acts but acts and words likely to produce violence in others. No one would have the hardihood to suggest that the principle of freedom of speech sanctions incitement to riot or that religious liberty connotes the privilege to exhort others to physical attack upon those belonging to another sect. When clear and present danger of riot, disorder, interference with traffic upon the public streets, or other immediate threat to public safety, peace, or order, appears, the power of the state to prevent or punish is obvious."

On the other hand, the term breach of the peace cannot be construed so broadly so as to include innocent conduct. For instance, if the conduct in question merely "stirs the public to anger, invites dispute, [or] brings about a condition of unrest," it cannot be made the basis of a crime, since that would violate rights protected by the First and Fourteenth amends of the United States Constitution. *Terminiello* v. *Chicago,* 337 U.S. 1, 5 (1949). This is so because: "[A] function of free speech under our system of government is to invite dispute. It may indeed best serve its high purpose when it induces a condition of unrest, creates dissatisfaction with conditions as they are, or even stirs people to anger. Speech is often provocative and challenging. It may strike at prejudices and preconceptions and have profound unsettling effects as it presses for acceptance of an idea. That is why freedom of speech, though not absolute, *Chaplinsky* v. *New Hampshire,* supra, pp. 571–572, is nevertheless protected against censorship or punishment, unless shown likely to produce a clear and present danger of a serious substantive evil that rises far above public inconvenience, annoyance, or unrest". 337 U.S. at 4.

It has also been held that "to agitate, to arouse from a state of repose, to interrupt, to hinder, to disquiet" does not necessarily constitute a breach of the peace since to construe the term thusly would "allow persons to be punished merely for peacefully expressing unpopular views." *Cox* v. *Louisiana,* 379 U.S. 536, 551 (1965).

Clearly, acts of violence constitute a breach of the peace. Additionally, acts or words which are likely to produce violence in others have been held to constitute a breach of the peace. For instance, where demonstrators sat in front of and under the wheels of trucks at the entrance to a building site and refused to move, the court found that their acts would tend to "possible violence on the part of those against whom the acts were directed and thereby breach the peace." *People* v. *Penn,* 265 N.Y.S. 2d 155, 160 (Sup. Ct. 1964) aff'd 260 N.Y.S. 2d 874, 208 N.E. 2d 789 (Ct. App. 1965). In *Chaplinsky* v. *New Hampshire,* 315 U.S. 568, 574 (1942) the Supreme Court recognized that certain types of speech which "include the lewd or obscene, the profane, the libelous and the insulting or 'fighting' words" are likely to provoke the average person to retaliate and create a breach of the peace.

On the other hand, the fact that certain conduct may provoke others to violence is not always determinative on the breach of the peace issue. For instance, if a person's actions or presence on a public street are orderly and peaceable, the fact that others may resent or be violently opposed to that person's presence or viewpoint would not necessarily justify a police order removing such a person from the public street. See *Wright* v. *Georgia,* 373 U.S. 284, 292–293 (1963); *Cox* v. *Louisiana,* 379 U.S. 536, 550–551 (1965).

The possibility of disorder by others then should not be used as a sole test as to whether a breach of the peace has or is likely to occur. It is, of course, one factor which should be considered; but normally to constitute an actual or impending breach of the peace, other conduct of a disturbing nature must also be manifested. For instance, in the *Chaplinsky* case the other conduct was highly insulting and profane language. In the *Penn* case the other conduct was the obstruction of vehicular traffic.

The obstruction of or interference with vehicular or pedestrian traffic in combination with a congregation of persons will nearly always justify a police officer in ordering dispersal. See *Schneider* v. *State of New Jersey,* 308 U.S. 147, 160 (1939): "Municipal authorities, as trustees for the public, have the duty to keep their communities' streets open and available for movement of people and property, the primary purpose to which the streets are dedicated. So long as legislation to this end does not abridge the constitutional liberty of one rightfully upon the street to impart information through speech or the distribution of literature, it may lawfully regulate the conduct of those using the streets."

See also *Cox* v. *New Hampshire,* 312 U.S. 569, 574 (1941), holding: "Civil liberties, as guaranteed by the Constitution, imply the existence of an organized society maintaining public order without which liberty itself would be lost in the excesses of unrestrained abuse. The authority of the municipality to impose regulations in order to assure the safety and convenience of the people in the use of public highways has never been regarded as inconsistent with civil liberties, but rather as one of the means of safeguarding the good order upon which they ultimately depend. The control of travel on the streets of the cities is the most familiar illustration of this recognition of social need. Where a restriction of the use of the highways in that relation is designed to promote the public convenience in the interest of all, it cannot be disregarded by the attempted exercise of some civil right which in other circumstances might be entitled to protection."

Thus, a police request to disperse made in the line of a "duty and responsibility to keep the streets open for movement" (*Cox* v. *Louisiana.* 379 U.S. at p. 555) would be proper.

D.C. Code Section 22–1121(2) was patterned upon Section 722 of the New York Penal Law. Sen. Rep. No. 364, 83rd Cong., 1st Sess., p. 9; H.R. Rep. No. 514, 83rd Cong., 1st Sess, p. 8. In the case of *Feiner* v. *New York,* 340 U.S. 315 (1951) the Supreme Court upheld a conviction for disorderly conduct under that particular section of the New York law.

In *Feiner,* the petitioner had been arrested in the early evening hours at an open air meeting at which he had been addressing a mixed audience of about 75 to 80 people who were filling the sidewalk and spreading into the streets causing pedestrians to walk into the roadway in order to avoid the crowd. In his speech Feiner gave the impression that he was endeavoring to arouse Negro people against the whites and there was pushing, shoving and milling around, and one member of the crowd threatened violence if the police did not act. An officer had several times requested Feiner to break up the crowd which had become unruly but the petitioner had refused and continued speaking to the crowd.

In holding that the conviction did not exceed the bounds of proper state police action the Court said [citing *Schneider* v. *State,* 308 U.S. 147, 160 (1939); *Kovacs* v. *Cooper,* 336 U.S. 77, 82 (1949)] that it must respect "the interests of the community in maintaining peace and order on its streets."

"* * * It is one thing to say that the police cannot be used as an instrument for the suppression of unpopular views, and another to say that, when as here the speaker passes the bounds of argument of persuasion and undertakes incitement to riot, they are powerless to prevent a breach of the peace. Nor in this case can we condemn the considered judgment of three New York courts approving the means which the police, faced with a crisis, used in the exercise of their power and duty to preserve peace and order.

"The findings of the state courts as to the existing situation and the imminence of greater disorder coupled with petitioner's deliberate defiance of the police officers convince us that we should not reverse this conviction in the name of free speech." 340 U.S. at 320–21.

In two recent cases arising out of civil rights demonstrations in southern states, the Supreme Court found the conduct upon which the convictions were based to fall short of breach of the peace even though the demonstrations caused disorder and required extra police protection.

Edwards v. *South Carolina,* 372 U.S. 229 (1963) involved a group of 187 Negro students who had assembled on the State House grounds and marched through the area carrying signs. Some 200 to 300 onlookers were present but had not threatened trouble. Although traffic was somewhat slowed, the Court found that there was no actual obstruction of pedestrian or vehicular traffic. The City Manager had advised the leader of the group that, in view of the circumstances, the students should disperse and leave the Capitol grounds within fifteen minutes or face arrest. Upon failing to comply with this order, they were arrested and convicted of common law breach of the peace. The Supreme Court reversed the conviction on the grounds that the charge was unconstitutionally vague and that evidence showed that the demonstrators had done nothing more than peaceably express their views which were "sufficiently opposed to the views of the majority of the community to attract a crowd and necessitate police protection". 372 U.S. at 237.

In *Cox* v. *Lousiana,* 379 U.S. 536 (1965) the conviction was for violation of La. Rev. Stat., Sec. 14.103.1, a statute strikingly similar to D. C. Code Section 22–1121(2). The statute read: "Whoever with intent to provoke a breach of the peace, or under circumstances such that a breach of the peace may be occasioned thereby . . . crowds or congregates with others . . . in or upon . . . a public street or public highway, or upon a public sidewalk, or any other public place or building . . . and who fails or refuses to disperse and move on . . . when ordered so to do by any law enforcement officer . . . shall be guilty of disturbing the peace."

The leader of a group of civil rights demonstrators had been arrested the day following a demonstration of approximately 1500 students who had gathered near the Baton Rouge Court House. The students had dem-

onstrated against discrimination and the jailing of twenty-three fellow students. Cox, the leader of the demonstrators, had refused the sheriff's order to break up the demonstration and, when the demonstration was broken up by tear gas, had urged the students to go uptown to several luncheon counters and sit-in. In reversing, the Court held that the petitioner could not constitutionally be punished for this type of conduct, revealed in the record.

The case of *Feiner* v. *New York, supra,* was neither overruled nor modified by the decisions in the *Edwards* or *Cox* cases. The Supreme Court observed that the factual situations were "a far cry from the situation in *Feiner* v. *New York.*" *Edwards* v. *South Carolina,* 372 U.S. at 236; *Cox* v. *Louisiana,* 379 U.S. at 551. See also *People* v. *Turner,* 265 N.Y.S. 2d 841, 855 wherein the court, after a lengthy analysis, concluded that the *Cox* and *Edwards* cases had not undermined the *Feiner* decision which upheld the constitutionality of subdivision 3 of section 722 of the New York Penal Law.

Another question pertinent to this discussion concerns the discretion of a police officer in ordering citizens on a public sidewalk to move on, and the corresponding obligation of the persons so ordered to comply. For instance, if the surrounding circumstances fall short of an actual or impending breach of the peace, must a person still comply with the police order to move on? The [illegible] must comply with an order to move on unless the order is shown to be clearly arbitrary. In *People* v. *Galpern,* 181 N.E. 572, 83 ALR 785 (Ct. App. 1932) the defendant had stopped on the sidewalk with five or six other persons at an entrance to a restaurant and engaged in social conversation. A police officer had ordered the group to disperse, the defendant refused and was arrested for disorderly conduct. The court found that, although the actions of the defendant and his companions on the sidewalk were not unreasonable and there was no indication of disorderly or offensive conduct, it was the duty of the police officer to see that the pedestrian passage was not unreasonably obstructed. Even if the police officer's interference was unnecessary or ill advised, the court decided that it must uphold the officer's discretion since the law authorized the officer to use his judgment under such circumstances. The court stated: "A refusal to obey such an order can be justified only where the circumstances show conclusively that the police officer's direction was purely arbitrary and was not calculated in any way to promote the public order.". 181 N.E. at 574.

This position was reiterated by a New York court as recently as 1965 in *People* v. *Turner,* 265 N.Y.S. 2d 841, 855.

The *Galpern* case was heavily relied upon by a New Jersey court in *State* v. *Taylor,* 118 A. 2d 36 (1955) in finding a defendant guilty of interfering with a police officer in the lawful discharge of his duty. In *Taylor* the defendant had approached two police officers who were questioning a group of persons on a sidewalk, had demanded to know what was going on, and had refused to move on when ordered by the officers. The court, recognizing the discretion of police officers to give reasonable directions to citizens, applied the *Galpern* test of arbitrariness and took the position that courts should not second guess the "wisdom of a police officer's directions when he is called upon to decide whether the time has come in which some directions are called for". 118 A. 2d at 49.

A D.C. case, *Scott* v. *District of Columbia,* 184 A. 2d 849 (1962) cites with approval the *Galpern* case and seems to indicate that a conviction for failure to move on after an order by the police can be upheld without proof of an actual or impending breach of the peace. There was in that case, however, proof that the demonstrators had assembled at the northwest gate of the White House which the court judicially noticed is used by visitors and others on official business. The court further noted that the police had adopted reasonable measures to keep that area free of congregants while permitting pickets and demonstrators to use a large area on the sidewalk to the east of the gate. The deliberate refusal of the defendants to comply with these reasonable police measures might well establish "circumstances under which a breach of the peace may be occasioned thereby."

The New York test that a citizen is justified in not obeying a police order to move on only if that order is arbitrary may not be good law. In several recent Supreme Court cases arising from convictions of Negroes in southern states, the Court has indicated that a police order to move on must be justifiable and in all respects lawful before a person may be punished for failing to obey that order. See *Wright* v. *Georgia,* 373 U.S. 284, 292 (1963); *Brown* v. *Louisiana,* 15 L. Ed. 2d 637, 643 (1966); *Shuttleworth* v. *Birmingham,* 382 U.S. 87, 96 (1965) (concurring opinion); *Edwards* v. *South Carolina,* 372 U.S. 229, 241 (1963) (dissenting opinion).

Whether the referred-to New York test is valid in the District of Columbia need not, however, be finally resolved in this opinion. On the contrary, it is my view that, because of the language of the District Code provision and in the interests of good police-community relations, the Metropolitan Police Department should operate on the assumption that a police officer must have a substantial basis for his order *before* ordering citizens to move on. Such a basis would necessarily involve an observation of a congregation on a public street and of additional circumstances which would measure up to the legal definition of breach of the peace as hereinabove outlined.

Note should also be taken of a related disorderly conduct statute found in Section 22–1107, D.C. Code, 1961 ed. It reads: "It shall not be lawful for any person or persons within the District of Columbia to congregate and assemble in any street, avenue, alley, road, or highway, or in or around any public building or inclosure, or any park or reservation, or at the entrance of any private building or inclosure, and engage in loud and boisterous talking or other disorderly conduct, or to insult or make rude or obscene gestures or comments or observations on persons passing by, or in their hearing, or to crowd, obstruct, or incommode, the free use of any such street, avenue, alley, road, highway, or any of the foot pavements thereof, or the free entrance into any public or private building or inclosure; it shall not be lawful for any person or persons to curse, swear, or make use of any profane language or indecent or obscene words, or engage in any disorderly conduct in any street, avenue, alley, road, highway, public park or inclosure, public building, church, or assembly room, or in any other public place, or in any place wherefrom the same may be heard in any street, avenue, alley, road, highway, public park or inclosure, or other building, or in any premises other than those where the offense was committed, under a penalty," etc.

It may well be that in some instances there will be a congregation which will result in the incommoding of the sidewalk or the entrance to a building constituting a violation of the above-quoted section.

If the Chief of Police desires a short summary of the foregoing to disseminate among members of the force, I suggest the following for distribution. It sets forth principles or general guidelines to be followed by police officers in the enforcement of the applicable Code provisions.

When a police officer may order citizens to "move on."

Code Section 22–1121(2) reads, in pertinent part, as follows: "Whoever, with intent to provoke a breach of the peace, or under circumstances such that a breach of the peace may be occasioned thereby * * * congregates with others on a public street and refuses to move on when ordered by the police; * * * shall be fined * * * or imprisoned * * * or both."

Section 22–1107 of the Code reads, in pertinent part: "It shall not be lawful for any person or persons within the District of Columbia to congregate and assemble in any street, avenue, alley, road, or highway, or in or around any public building or inclosure, or any park or reservation, or at the entrance of any private building or inclosure, and * * * incommode, the free use of any such street, avenue, alley, road, highway, or any of the foot pavements thereof, or the free entrance into any public or private building or inclosure."

Neither the foregoing partial quotations nor that which follows relates to other forms of disorderly conduct such as boisterousness, obscenity, etc., nor to other violations of law.

1. A congregation of persons on a public street is not, in and of itself, sufficient to justify a police order to "move on". There must, *in addition to the congregation, be* other circumstances which (a) amount to an actual obstruction of vehicular or pedestrian traffic, *or* (b) constitute an immediate threat to public safety, public peace or public order. Such threat need not necessarily be verbal; it may derive from the particular surrounding circumstances, and obscenities and the use of so-called "fighting words" *may* be included amongst the circumstances.

2. In the event the activities of a congregation of persons involve the exercise of some constitutionally protected right, such as freedom of speech, religion or assembly, police officers should endeavor to protect the participants and prevent any violence from occurring. However, if the assemblage of people around a speaker should result in obstruction to pedestrian or vehicular traffic, or if there are manifestations of anger and hostility in such a manner as to clearly indicate that a disorder is imminent, the police officer should instruct the speaker to stop speaking, break up the crowd, and distinctly give other appropriate orders for the preservation of public safety and order. If such orders are not complied with, then an arrest for disorderly conduct under Section 22–1121 (2) may properly be made.

3. If a congregation of persons on a public street *actually incommodes* the sidewalk or the entrances to a building and constitutes a substantive violation of Section 22–1107, and the persons refuse to comply with a police order to move on, the police officer may, even in the absence of an actual or impending breach of the peace, charge the offenders under Code Section 22–1107—not under Code Section 22–1121(2).

4. Proceed always upon the principle that a police officer has no more *inherent* right than a civilian to order persons to "move on". His authority to do so depends upon special circumstances outlined in paragraphs 1, 2 and 3 hereof and, in the interest of police-community relations, should be exercised only when it appears that Code Section 22–1107 has been violated *or* that there is a *clear and present danger* that a breach of the peace will result if the order is not issued and obeyed.

Respectfully,

MILTON D. KORMAN,
Acting Corporation Counsel,
District of Columbia.

SENATOR MONDALE'S FAIR WARNING ACT

Mr. NELSON. Mr. President, on June 24 the Senate passed the Traffic Safety Act of 1966 by a unanimous vote of 70

to 0. The Senate bill included a classic piece of consumer protection legislation originally proposed by Senator WALTER F. MONDALE as the Fair Warning Act. As a cosponsor of the subsequent fair warning amendment to the traffic safety bill, I am most pleased that the Senate Commerce Committee and the administration supported its inclusion in that bill.

This legislation simply requires the automobile manufacturer to notify car owners of any safety-related defects which are discovered by the manufacturer. It asks nothing more than that the car owner, who has made a substantial investment in that purchase, be told as quickly as possible if it is known that the car contains a defect which threatens safe travel.

As Senator MONDALE points out in an American Trial Lawyers' recent article published in Trial, the publication:

A fundamental right of consumers is the right to know about any hidden hazards associated with products they buy.

This fair warning provision has been recognized nationally as one of the important features of the Senate traffic safety bill. I am hopeful that our colleagues in the House of Representatives will see fit to make it a part of the bill they are considering.

I ask unanimous consent that Senator MONDALE's explanation of this measure, as published in Trial, be printed in the RECORD at this point.

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

FUNDAMENTAL: CONSUMERS HAVE RIGHT TO KNOW HIDDEN HAZARDS

(By U.S. Senator WALTER F. MONDALE, Democrat, of Minnesota)

A fundamental right of consumers is the right to know about any hidden hazards associated with products they buy.

This right has long been recognized through laws and regulations requiring warning notices on such items as drugs, chemicals, inflammables, and other products which are inherently or potentially dangerous.

There are no warning labels on many dangerous items, of course, because the hazards associated with their use are inherent in the nature of the products and are assumed to be well-known, for example, guns—and automobiles.

But not all of the hazards of the automobile, it seems, are so obvious. Recent disclosures indicate that this intricate piece of machinery containing almost 15,000 parts is frequently subject to hazards which may not be apparent until too late—if then.

These are the so-called safety defects which have been so much in the news recently. The include design faults such as improper weight distribution which would cause the rear wheels to leave the ground in emergency stops; engineering defects such as a brake line which comes into contact with a wheel where it may be weakened and ruptured when braking pressure is applied; and construction deficiencies such as an inadequately secured steering linkage which could fall apart causing complete loss of control.

Quite obviously, things like this can cause serious accidents. And when they are discovered, it seems to me, the manufacturer has an obligation to warn those who might be injured or killed by them.

Nonetheless, Congressional inquiries last year and again this year—plus the private research of auto critic and attorney Ralph Nader—have revealed case after case where automobile manufacturers have not issued such warnings. The evidence accumulated to date includes instances where nothing whatsoever was done, except perhaps to correct the defect in next year's model; instances where only dealers were notified to make modifications on cars in their possession, and instances where cars were recalled for inspection or correction of a defect—but without telling the owner of the hazard involved.

As a result of these disclosures, I have introduced a proposed "Fair Warning" law in the U.S. Senate to require that car makers notify both owners and dealers by registered mail of any safety defect which might exist in their cars. The notice would contain a description of the defect, an evaluation of the safety risk involved, and a statement of the measures which should be taken to correct the problem.

No one knows, of course, exactly what percentage of traffic accidents are caused by safety defects of this kind. Available statistics—which are suspect in view of our almost total preoccupation with driver error to date—indicate the percentage is small.

The question, however, is irrelevant. We have a right to know about defects which could cause death and injury, regardless of the number of accidents they may have caused in the past.

And the fact remains that there is growing evidence that the possibility of vehicle failure has been grossly underestimated. For example, my own investigatory efforts turned up the startling fact that more than 20% of all new cars inspected by the District of Columbia and New Jersey are rejected for safety deficiencies, mostly minor, but some major. The District and New Jersey are the only jurisdictions with government-owned and operated inspection systems which require inspection of new cars. Thus they are the best guides we have as to the condition of new cars when they begin their life on our streets and highways.

There is also the data the auto industry supplied Senator RIBICOFF last month showing that over the past six years, some 8.5 million cars have been recalled for inspection or correction of defects—about half of which involved a possible safety factor.

The auto industry has argued that these recalls show their concern for safety. This may be true, but it is also true that in many other instances involving safety defects cars were not recalled, while in those instances where cars were recalled, the owners were not told of a safety hazard.

There have been indications recently that some segments of the auto industry are ready to improve defect notification procedures, including telling the owner whether or not safety is involved. The importance of such information is obvious. A representative of one company emphasized recently, in his zeal to show the industry's concern about car owners who fail to respond to recall notices: "Some people think the letter we send them to bring their cars in are just gimmicks to get business." Little wonder when one considers the kind of letter the industry has been sending out.

For example, here is the key paragraph of a recall letter Ford Motor Co. sent some 5,500 owners of 1965 Comets last year:

"As part of the continuing effort of the Lincoln-Mercury Division to provide owners of our products with the highest quality standards, an improvement has been made in the 1965 Comet, and is currently being incorporated in production. It is our desire to similarly modify your car, at no cost to you, whatsoever. The changes are calculated to improve your enjoyment and contribute to continued satisfaction with your 1965 Comet."

And what was the "improvement?" According to information recently made available by Ford Motor Co., the rocker arm cover and the brake tube on 8-cylinder power brake equipped vehicles were too close together. "This condition," the company said, "could result in brake tube abrasion during engine roll"—and also, it would seem fair to assume, brake failure when the rubbing action wore through or weakened the brake tube.

Yet this information, which might have conveyed a more appropriate sense of urgency than commercials about changes "to improve your enjoyment and contribute to continued satisfaction," was totally absent from the Ford letter—as it also has been totally absent from recall letters sent out by General Motors, American Motors and Chrysler.

It has been absent, one assumes, because of fears that admitting the existence of a safety defect might hurt new car sales or be used as evidence in lawsuits arising out of accidents.

And well it might—in both instances.

Thus the question becomes: Who should bear the risks of safety defects—the manufacturer, who has economic considerations at stake, or the motorist, who has his life at stake? I don't think there is much room for argument.

Human life is more important than corporate profits.

PACIFIC TRUST TERRITORY

Mr. FONG. Mr. President, congressional hearings are scheduled this week on proposed legislation to authorize increased appropriations for the Trust Territory of the Pacific Islands. The bill, introduced in both Houses at the request of the Department of the Interior, would authorize a ceiling of $172 million for a 5-year capital improvement and public works program in the fields of health and education, utilities, roads, transportation, communications, and public buildings. The bill also authorizes additional Federal funds for the administration of the trust territory.

As the administering authority under agreement with the United Nations Security Council, the United States has committed itself to promote the political, economic, and social development of the people of the trust territory.

Some progress in this direction has been made since our Government assumed responsibility for the Micronesian people in the western Pacific. But much more needs to be done; therefore, the request for authority to expend the increased sum of Federal funds to step up the tempo of progress in the trust territory.

The Honolulu Star-Bulletin, Hawaii's largest newspaper, has begun a timely series of articles on American-controlled territories in the western Pacific. The series is being written by the editor, A. A. Smyser, a capable, longtime newsman familiar with Pacific affairs, who is on a 3-week trip of the area.

I call attention to the first article over "Bud" Smyser's byline. It describes the staggering problems of communications and transportation facing the farflung Pacific islands. It furnishes strong arguments why more must be done to promote the development of Micronesia.

I ask unanimous consent to have "Bud" Smyser's article printed in the RECORD at this point.

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

GUAM AND MICRONESIA

(By A. A. Smyser)

(The editor of the Star-Bulletin is on a 3-week trip to the Western Pacific to write about topics of interest to Hawaii. Here is the first article of a series on Guam and Micronesia.)

The great—almost desperate—need of American-controlled territories in the Western Pacific is for communications and transportation.

An area bigger than the continental U.S. now can be entered by commercial air passengers only eight times a week—four flights in from Honolulu, two from Manila, two from Saigon.

Pan American is the only carrier serving Guam, which is the gateway to the whole area, and its space has been fully booked three and four weeks in advance.

A Trust Territory doctor who won a fellowship to Manila found, after he left his home in Palau, that he had to sit in Guam three weeks waiting for a plane.

New Guinea is only 1,500 miles from Guam but Governor Manuel Guerrero recently had to travel 7,500 miles to get there: Guam to Manila, to Sydney and back to Lae in New Guinea.

Tokyo is only 1,600 miles away—and a potential source of thousands of tourists for Guam and the Trust Territory, which badly need economic bolstering—yet the shortest way to fly there now is 3,400 miles via Manila.

If a Pan American plane is delayed—as all planes sometimes are—there is nothing to do but grin and bear it.

One day this month an important Japanese businessman missed a long-standing appointment with President Marcos of the Philippines because the PAA flight out of Guam was delayed 24 hours.

There is no other line to turn to. Some 20 have applied for certification to serve Guam in the pending transpacific air route case, but solution of that case is years away.

In the meantime, Pan Am—which has authority to add a Guam-Tokyo service anytime it wants—has not yet elected to do so. It has suggested a late 1966 date for the start of this service but has mentioned that equipment pressures of the Viet Nam war could delay this. Guam also could use direct links to points like Taiwan, Okinawa and Sydney (via New Guinea).

A final frustration for some would-be travelers is that a reservation is no absolute guarantee of space. Reservation-holders both in and out of Guam can and have been "bumped" even after their long waits for space.

Reach Guam and then you face new frustrations—trying to reach the widely-separated island districts that make up the Trust Territory of the Pacific Islands.

Service into the six areas is weekly in most cases—which means that your visit must be limited to the time of a plane-stop or stretched to a week. There can be no middle ground—and here, too, space often is at a premium.

Low priority passengers often get "bumped" and have to wait for the next plane.

This service is a responsibility of the Trust Territory government which obtains it at present on a charter contract from Pan American. (Hawaiian Airlines is bidding to take over this operation, or operate its own scheduled service in the area—and says it could both improve frequency and lower costs to the Trust Territory, which, in turn, sets passenger fares.)

TERRITORY'S AIR FLEET

The Trust Territory air fleet consists of two DC-4's and two amphibians. Frequently one plane will be tied up ferrying parts to another one, stranded at some remote base.

Civilian officers of both Guam and the Trust Territory are upset about the transportation troubles and pushing for better service.

They see improvement as essential if Guam and the Trust Territory are to develop tourism and otherwise bolster their economies. (There will be more on this in later articles.)

Almost as frustrating as the transportation problem is the communication problem—not in Guam, but in the Trust Territory.

America prides itself on its great worldwide communication network. Mainland TV already spans the Atlantic. Soon it will add the Pacific. The Navy boasts it can get messages to any ship anywhere almost instantaneously.

From Camp Smith in Honolulu, Admiral U. S. Grant Sharp can talk promptly with President Johnson in the White House or General Westmoreland in Saigon.

Hawaii Space tracking stations are part of a worldwide network that has facilities for conferences by people spread around the globe.

PRE-WORLD WAR II STANDARD

Despite the million or billions invested in these systems or others like them, the strategic islands of the Pacific that make up the Trust Territory still have communications of about a pre-World War II standard. Incongruously this is so even though Guam and Micronesia provide antenna sites for some of the more advanced systems.

Message traffic can go out by radio from Saipan, the Micronesian capital, to the five other district headquarters—if someone in the other headquarters is listening. But its travel from the six district headquarters to outlying areas in the districts can be slow indeed.

One key figure in the Congress of Micronesia, now meeting in Saipan, said it will be a week before much news of the Congress will filter even to the central island in his district (Truk), another week before it reaches the outer islands.

Since the Congress lasts only a month, this does not allow for much political give-and-take, communication with the folks back home.

News of the Congress isn't going out over the central radio system. That is reserved for official message traffic. Congressional news will go mostly by plane—in the form of press releases and radio tapes. The further point that both of these will leave much to be desired is not a technical problem of the communications system.

Not many people will disagree with the proposition that transportation and communications are a major headache for the area, a major shortcoming, a major bar to progress in other areas.

But Guam and Micronesia are far away from the center of power in Washington and usually they have trouble being heard. That is just what the trouble is.

WEST TEXAS CHAMBER OF COMMERCE CALLS FOR AGRICULTURAL IMPROVEMENT

Mr. YARBOROUGH. Mr. President, the West Texas Chamber of Commerce held it 48th annual convention at Fort Worth on April 21, 22, and 23. At this meeting the delegates passed a number of important resolutions which directly affect the agricultural economy of west Texas, the most important single facet of the west Texas economy. I ask unanimous consent that these resolutions be printed at this point in the RECORD.

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

RESOLUTION OF THE WEST TEXAS CHAMBER OF COMMERCE

Whereas, to improve the agricultural income of West Texas, the West Texas Chamber of Commerce believes one of the most urgent needs is to develop adequate research and demonstrations in the field of range management, forage crops, and mesquite and brush eradication. Such research and demonstrations will result in more efficient utilization of available moisture and a more productive West Texas agriculture,

Therefore, be it resolved, that the West Texas Chamber of Commerce continue its efforts to see that the necessary research is established to accomplish this objective.

Attest:

BEEMAN FISHER,
President.
JACK G. SPRINGER,
Executive Vice President.

Adopted at the 48th Annual Convention in session at Fort Worth, Texas, April 21-22-23, 1966.

RESOLUTION OF THE WEST TEXAS CHAMBER OF COMMERCE

Whereas, the policy of the United States Department of Agriculture and the Agricultural Stabilization and Conservation Service presently allows the planting of edible field peas on normal conserving base acreage, but prohibits the sale of said peas for any purpose, and

Whereas, there exists a nation-wide shortage of edible peas, and there are adequate normal conserving base acres in West Texas to greatly alleviate the shortage of this nourishing food, and

Whereas, field peas are recognized as the soil building legume best adapted to the soils and climate of West Texas, and the harvesting, processing, marketing, and transportation of this crop would greatly help the economy of a large area of the nation, and

Whereas, the sale of field peas for human consumption would not adversely affect the price structure of any allotted or price-supported crop, and normal conserving base acres consist of land on which our government is not making any type payment whatever,

Therefore, be it resolved, that the West Texas Chamber of Commerce in their annual meeting in Fort Worth, Texas, requests the United States Department of Agriculture and/or Congress to take such action as needed to allow the sale on the open market of all edible peas produced on normal conserving base acres.

(Edible field peas defined as: included blackeyed, purple hulls, cream and all crowder type peas.)

Attest:

JACK G. SPRINGER,
Executive Vice President.
BEEMAN FISHER,
President.

Adopted at the 48th Annual Convention in session at Fort Worth, Texas, April 21-22-23, 1966.

RESOLUTION OF THE WEST TEXAS CHAMBER OF COMMERCE

Whereas, on numerous occasions agricultural leaders have made reference to the agricultural income of Texas in comparison to other states, particularly California.

Whereas, in 1949 according to agricultural statistics, Texas and California agricultural income were equal,

Whereas, in 1963 Texas agricultural income was $2,600,000,000—California was $3,400,000,000. The spread in income has continued to widen since 1963,

Therefore, be it resolved, that the West Texas Chamber of Commerce Board of Directors endorse a special study group composed of leaders from business, industry, and agriculture to make a detailed study by personal visitation to California to determine why Texas lags behind in agricultural income,

Be it further resolved, that the West Texas Chamber of Commerce initiate this program by contacting the three other Regional Chambers of Commerce to determine if they will join WTCC in a state-wide coordinated effort to make this study possible.

Attest:

JACK G. SPRINGER,
Executive Vice President.
BEEMAN FISHER,
President.

Adopted at the 48th Annual Convention in session at Fort Worth, Texas, April 21–22–23, 1966.

RESOLUTION OF THE WEST TEXAS CHAMBER OF COMMERCE

Whereas, soybeans are a high nitrogen producing soil-building crop and are ideally suited in crop rotation, and

Whereas, the current cotton program will materially reduce the production of vegetable oil and protein in the United States, and

Whereas, the need for additional vegetable oil and protein is being anticipated by the U.S. Department of Agriculture in meeting commitments to foreign countries, and

Whereas, the planting of soybeans on diverted acres will fulfill this great need and at the same time bolster the general economy, and

Be it, therefore, resolved, that the West Texas Chamber of Commerce is now urging the USDA and the Congress to recognize these needs and make provision for soybeans to be planted on acreage on which diversion payments of feed grains and cotton have been made.

Attest:

JACK G. SPRINGER,
Executive Vice President.
BEEMAN FISHER,
President.

Adopted at the 48th Annual Convention in session at Fort Worth, Texas, April 21–22–23, 1966.

RESOLUTION OF THE WEST TEXAS CHAMBER OF COMMERCE

Be it resolved, that the West Texas Chamber of Commerce is on record in support of H.R. 13057 with the addition of the following commodities: non-textile cotton, soybeans, or any crop the Secretary of Agriculture finds in short supply.

Attest:

JACK G. SPRINGER,
Executive Vice President.
BEEMAN FISHER,
President.

Adopted at the 48th Annual Convention in session at Fort Worth, Texas, April 21–22–23, 1966.

ADDRESS OF ROBERT L. RIGGS BEFORE YOUNG REPUBLICANS OF KENTUCKY

Mr. COOPER. Mr. President, Robert L. Riggs, Washington bureau chief of the Louisville Courier-Journal and the Louisville Times, made an illuminating and entertaining speech on politics and government to the state convention of the Young Republicans of Kentucky on June 25. Mr. Riggs, who has been covering Washington since the early 1940's, is a past president of the Gridiron Club and a member of that able group of newsmen here who know what they are talking about. While I do not agree with everything he has said, the Senate will find his remarks interesting and useful, and I ask that the speech be printed in the RECORD.

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

SPEECH BY ROBERT L. RIGGS BEFORE THE STATE CONVENTION OF YOUNG REPUBLICANS OF KENTUCKY AT THE LAMPLIGHTERS INN, DIXIE HIGHWAY, COVINGTON, ON JUNE 25, 1966

My assigned topic calls on me to attempt to answer a doublebarreled question. First, can the "loyal opposition" survive? Second, should it survive?

The reply to both questions is, of course, an emphatic yes. It's a temptation to give that answer—and then sit down—instead of yapping at you for what may come to seem like an interminable period.

Such a course, however, would be a cowardly betrayal, a blow at the very foundations upon which political meetings are built. When an audience has come braced to sit through a long harangue, it would destroy public morale for the scheduled speaker to shirk his task.

Besides, this is a unique opportunity. For forty years as a reporter, I have listened to politicians. I have heard them on court house lawns, on street corners, in vast armories, in state conventions and national conventions. I have heard them in Madison Square Garden, in college auditoriums. I've heard them speak from piled up snow in New Hampshire and in the fog surrounding San Francisco's Cow Palace. I once heard Wendell Willkie speak from a manure spreader in Wisconsin. But this is the first opportunity I ever had to talk to them.

I'm sure there is no institution in the world quite like an American political party. That is one reason the citizens of other nations often have a hard time understanding what goes on in this country.

Our parties resemble neither the British system, with their strict control from the top, nor the French and Italian systems which produce a sort of planned political chaos with every little idea having a full-blown party of its own.

In the years during which our system has evolved, we have managed to work something of a miracle by combining two notions which, on the surface, seem to contradict each other.

First of those notions is that the chief function of a political party is to put into public office men and women who wear its label—from sheriff to governor, from member of Congress to President. A hard-and-fast adherence to this concept could mean—and often does mean—a total lack of interest in political philosophy.

The second notion is that the only excuse for the existence of a political party lies in its advocacy of a specific social or political doctrine. Full acceptance of this second concept would mean that membership in a party would be limited to those who share an undeviating devotion to a very narrow principle.

We have rejected rigid adherence to either of these notions. Had we accepted the first one without qualification, our political institutions would have been sterile organizations, entirely without philosophical justification.

Had we accepted the second one unmodified, had we approved the doctrinaire requirement for political affiliation, we would have been overrun with a multiplicity of ineffective parties. It is true, that over the last 150 years we have seen many parties born and die. We have had pro-prohibition parties, anti-prohibition, pro-slavery, anti-slavery, pro-income tax, anti-income tax, hard money, soft money and many others.

But it has been the genius of the American politician, and one of his great contributions to the art of self-government, that he has managed to wrap up each of those political off-shoots into the big package represented by one or the other of the two major parties. The ability to compromise, the willingness to reverse himself, the courage to advocate today what he opposed yesterday, the capacity to change horses in the middle of a stream—those are the qualities which distinguish the great politican, which mark the difference between the skilled craftsman and the amateur bungler who holds fast to a dead or dying philosophy. The greatest lesson of politics is contained in the cliche—if you can't whip 'em, join 'em.

Out of all the scores of "third parties" which have appeared on the American scene, only one has survived to become an instrument of national government. That party is the one under whose banner you assemble here today. The Republican Party was born of an evangelistic fervor for the flaming idea that all men should be free.

But it was nursed to effectiveness by men who understood the practical operations of politics, from the Senate floor to the precinct. But what really gave it strength was the utter ineptitude of the two major parties of that day.

The Democrats of the north stood helplessly by in 1860 while the pro-slavery wing of their party transformed it into an instrument with which to defend a doomed institution. By contrast, the Whig Party had neither the gumption to fight the pro-slavery forces nor the will to join them. Its managers yielded to the temptation, which so often confronts politicians, to ignore the problem, to hope that if no one noticed it, it would go away.

Problems do not go away, of course, and the Whigs managed to make of their party the prime example in American history of what happens to political institutions which do not advance with their times.

I know we all get tired of hearing what happened to the Whigs.

But it's important because it may have been that particular lesson which taught our two great parties what they needed to know to stay alive. Certainly nothing has taken hold like the idea that the major parties have more similarities than they have differences—that instead of being two neatly divided groups they are two big tents, each of which offers shelter to diverse elements or side shows.

Only an impractical theorist with a passion for neatness that outweighs his interest in political achievement would demand that the opposing parties be divided sharply against each other in interest and doctine.

In fact, when our system is working at its best, the party nominees put forward by the Democrats and Republicans do not differ so much from each other as do the Republicans who fought each other for the nomination and the Democrats who did the same within their party.

There may be many who bemoan the fact that so often there is little difference between the Democrat and the Republican. What they overlook is the fact that the winnowing and sifting process of American politics takes place, not in the general elections, but in the party primaries and party conventions. Those are the kettles in which the conflicting ideas simmer and boil until they are turned into a dish palatable to the American people.

It is not, in my opinion, the function of a political party to offer the voter a bill of fare radically different from that presented by the other party. Rather, it is the function of both parties to fight within their own

ranks until each has produced something that goes by that currently popular designation—concensus. Sometimes it's even called "Main stream Republicanism."

I know there are those who scorn this notion. They cry out for a choice, not an echo. They claim that what their party needs to assure it victory is to throw away the "me-too" role and to oppose nearly everything the other party espouses.

There is a certain attractiveness about this notion. It appeals to our love of spectator sports to envision the two great political forces providing a clear-cut test on every imaginable problem before the country from the repeal of all income taxes to providing hospital care for the aged.

Fortunately, that is not the sort of contest that appeals to the wise old professionals whose concept of duty to their party is to do everything possible to carry an election.

Hence, they usually manage to restrain the enthusiasts who want a clean-cut showdown. The professionals usually manage to fuzz up the differences and to emphasize the similarities of the two parties to such a point that the typical contest is between two similar viewpoints such as was offered in 1960 by Richard M. Nixon and John F. Kennedy.

So far as political attitudes go, there was not enough difference between Adlai E. Stevenson and Dwight D. Eisenhower in 1952 and 1956 to affect the outcome. We can all agree that what made the difference in those two elections was the special and peculiar place the Republican nominee occupied in the public's esteem.

There seems little doubt to me that Robert A. Taft could have been nominated at Chicago in 1952. I'm sure he was the choice of professionals who had enough influence to hand him the prize. But, devoted to him as were those pros, they preferred to have certainty of victory at the polls rather than to follow their own personal preferences.

They had become convinced that the conservative image which Mr. Taft bore before the country created too much of a bulge in the tent for them to risk nominating Mr. Republican.

I don't wish to tread on sore tores or to pour any salt on recent wounds. But I'm sure that within the memory of everyone here, there has been only one occasion on which control of one party has been seized by those demanding an end to me-tooism. That was only two years ago when, after more than three decades of frustration, the Republican Party put itself in the hands of those calling for a choice not an echo. I won't dwell upon the results of that election. Suffice it to say, I can't imagine the party pros consenting to another such showdown on a national scale any time soon.

I know of no other way to interpret what is going on among such eminent Republicans as Nelson A. Rockefeller, JACOB K. JAVITS, William W. Scranton, George Romney and Richard M. Nixon. Those of you who were in the Goldwater camp early in 1964 and those who suddenly found, to their surprise, that he was the Party nominee, will remember that the so-called moderates and liberals coasted through early 1964 on the calm assumption that the Arizona Senator would be stopped at the convention.

They assumed that after he had been stopped there would be plenty of time to select a nominee. Of course, it worked out just the opposite. Which accounts for the current early forming of lines. Of course, 1968 is a long way off, but you don't have to do much reading of tea leaves to see what is before the Party.

Mr. Nixon, who has had a foot in each camp, liberal, moderate and conservative, throughout his career, is unquestionably hoping to cash in on the fact that while he can lay claim to support from the moderates, he also has a right to expect the most devoted Goldwater followers to remember he rallied to their cause not only at the San Francisco convention but also throughout the campaign.

It's equally clear that the liberal wing of the Party is basing its current maneuvers on the assumption that Rockefeller has given up and that he and Scranton are getting ready, at least as a temporary maneuver, to form ranks behind a Romney-Javits ticket.

Of course, if Ronald Reagan defeats Pat Brown in California, he will be a strong competitor against Mr. Nixon for the affection of Senator Goldwater's followers. Mr. Reagan certainly has one trait that I have been praising this morning. He is showing every inclination to adjust to new conditions. Either on his own motion, or at the instigation of the smart public relations people who are handling him, Mr. Reagan is moving as rapidly as he can toward the center of the political spectrum. Without turning his back on the Goldwater wing, Mr. Reagan will, if he is elected governor, be on speaking terms with both center and the liberal wing of the party. An attractive new face in national politics, he will be in excellent position not only to usurp Mr. Nixon's former political base in California, but also to compete with the former vice president as the one best able to unite liberals, moderates and conservatives into an effective national opertion for 1968.

We all remember a Texas Congressman who helped write the Taft-Hartley Act, and sneered at liberals as pinkos. As Senate majority leader, he stole the pinkos' thunder and after he got to the White House, he adjusted himself into championship of the Great Society.

Hubert Humphrey has adjusted. In fact, some of his old liberal friends of the Minnesota Democratic Farmer-Labor Party think he has adjusted so well that they are calling him the late liberal.

On the other side, Robert Kennedy, known for years as the gutfighting, ruthless political ax-man, has adjusted so far that he is now the favorite of many liberal groups, even though the cynical dub him a "liberal-comelately."

This is as good a time as any to pay tribute to the professional politician. I have tremendous admiration for him whether he be a technician employed by the Republican or Democratic Congressional campaign committee, a national chairman such as Ray Bliss, or a ward or precinct leader.

When I want to employ someone to fill a political job, I prefer a man skilled in politics.

It's an odd thing that the people of this country take such a split view of politicians. They admire presidents, senators, mayors and governors—but they are inclined to look down upon the men who seek those offices. The worst thing they can say is "Oh, he's a politician," an expression which ought to be a tribute when you're seeking someone to fill a political office.

I don't mean to imply that simply because the Republican professionals are going to be leery about letting Senator Goldwater lead the party again he will be without influence in the party. Senator Goldwater's friends and his ideas certainly occupy a large space within the Republican tent.

When I have talked about the two great parties confronting each other with their similarities, I have had in mind the national political scene. There is, of course, no such thing as a national Democratic party or a national Republican party. What appears on the national scene every four years is a coalition of local, state and regional groups.

It is at the Congressional district level and state level that the conflicts are fought out. One district in a state will produce a member of congress who justly bears the label of liberal. An adjoining district may produce one who proudly boasts of being a conservative.

Nothing illustrates that better than the outcome of the Republican primary in the Congressional district where we stand today.

If there ever was an example of the all-embracing tent which gathers beneath it men of diverse political views, it is that of the Kentucky Republican Party offering to the voters a senatorial nominee in the person of JOHN SHERMAN COOPER and a nominee for the House of Representatives from the newly-created Fourth Congressional District in the person of "Gene Snyder."

Here we have the Ray Bliss theory in its finest flowering. If there is a bona fide, full-fledged, Barry Goldwater-type conservative outside of Arizona, it is Gene Snyder.

If there is a Republican dear to the hearts of the nation's liberals, it is JOHN COOPER. This is what Ray Bliss has been talking about when he kept urging Republicans to forget about conflicting philosophies at general election time and to work for the election of anyone willing to wear the party label.

I said a while ago that it is the ambition of the political pro to get all the ideological fighting done within the confines of the party and to present to the country a candidate not too far removed in philosophy from the one to be presented by the enemy. But I think all pros will agree that there comes a time when one side or the other has to be a bit different, has to offer something in contrast to the foe. The Fourth District of Kentucky certainly ought to offer such an opportunity this time. I am not so well acquainted with the views of the Democratic nominee for Congress, Mr. Maloney, but I take it they are sufficiently different from those of Mr. Snyder to offer the voters an opportunity to express their preferences.

The fact that the fourth district, as now constituted, has never been tested in a Democratic-Republican contest, makes the Snyder-Maloney showdown doubly interesting.

What about the suburbia that supplies the bedrooms for Cincinnati? Are they as conservative as such areas are reputed to be? What about the heavy liberal Democratic vote in Kenton, Boone and Campbell counties—the vote that kept New Dealer Brent Spence in office so long and which also has a habit of sneaking over into the Republican column to support JOHN COOPER. Will Mr. Snyder be able to share in that vote?

While I sympathize with the efforts of the professionals to get elections down to a point of precinct working, card indexing, get-out-the-vote efforts, I'm sure even they would agree that providing a vehicle on which candidates can ride is only part of the function of a political party. No matter how shiny and glistening and efficiently operated the machine may be, it can accomplish nothing without the fuel provided by ideas and concepts of government.

Which brings me again to the topic assigned to me by your national committeeman—"The Loyal Opposition, Can It and Should It Survive?"

I've heard many members of Congress, in both parties, say life is easier and simpler when you are in the minority than when your party holds the White House, Senate and House of Representatives, because the opposition serves a valuable purpose simply by existing, simply by opposing.

I know it's considered poor form to criticize without offering an alternative—I know it's considered unsporting simply to sit around and wait for the party in power to make mistakes. But, actually, it is one of the functions of the opposition just to wait for mistakes.

I suppose anyone who remembers the Hoover Administration is too aged to belong to the Young Republicans of Kentucky.

But I remember the era well and I don't recall anything the Democratic Party did except needle the Republicans about the depression and wait for a frustrated country to throw the G.O.P. out in 1932.

I'm sure you've read enough about that campaign to know that there was nothing radical about the Democratic Party before election day. There was no hint of the New Deal, the welfare state in Franklin D. Roosevelt's campaign. Yet, just by waiting for hard luck to overtake the Republicans, the Democrats gave the country a chance to vote its lack of confidence in the people who had the misfortune to be in office when the depression struck and who gave the impression of not knowing what to do next.

There is no reason to believe that Mr. Roosevelt's people had any plans less vague than those of the Hoover Administration. The truth is, that in its stumbling, fumbling effort to find some way to restore our economy, the New Dealers hit upon a number of welfare measures. Some of them were so popular that the nation will never surrender them. Some, including the N.R.A., lasted so briefly that they are gone from memory.

I'm sure no professional politician would be caught today recommending the repeal of a long list of welfare measures which deal with education, with pensions for the aged, with medical and hospital care, with housing, with the right to belong to a labor union. Every now and then, a voice is raised to call for wiping out everything that has happened since 1932. But people who like to be elected to office—which is the first duty of the practicing politician—don't do that. There are a lot of politicians in the loyal opposition who are ready to swallow what already has been done, so long as they can hope that the tide of welfarism can be checked eventually.

The hard fact of life is—as was so forcibly demonstrated in 1964—the Republican Party is going to remain permanently in opposition if it permits the voters to get the notion that it is unfriendly toward what already has been done to increase the services each citizen can expect from a beneficient government. How well it can succeed in convincing the public that there must be a limit to all these good things is yet another matter. But on that subject, I take my text from a well-known Republican, former Governor Thomas E. Dewey. He said—"Free nations do not go backward. They may abandon their follies, but rarely their successes. The only way the opposition party can prepare itself to be recalled to power is by offering better solutions for the problems of the day than are offered by the party in power."

It has been noted that whenever the parties of the left in Australia or New Zealand or in Great Britain have been ousted by conservative parties, the victors have made no attempt to repeal the social legislation of the labor or socialist regimes. So-called socialized medicine was practiced as extensively in England under the Tories as under the Laborites.

While it is true that the Eisenhower Administration showed little enthusiasm for new social welfare legislation, it did nothing to remove the programs started by Roosevelt and Truman.

In fact, I believe we can arrive at a description of the differences between the Democratic Party and the Republican Party. People are always complaining they can't tell the difference. But I say the difference is that the Democrats spend the nation's money for welfare services gladly, happily, eagerly, with the conviction they are doing a fine thing and with their eyes peeled for new ways to help the citizen.

On the other hand, the Republicans, spending the same amount of money for the identical purposes, go about the task with obvious reluctance, with shame, with regret, with feelings of guilt, all the while groaning that the country is on the way to economic ruin, that it is destroying the character of its citizens by encouraging them to look to the federal government for handouts.

Republicans look upon participation in political affairs as a grim necessity, a duty forced upon them because they need to protect their property from creeping socialists.

By contrast, the Democrats bring to politics a lusty, brawling, joy of battle that makes their gatherings zestful and interesting, except in those cases, such as Atlantic City, when Lyndon Johnson squelches the life out of them.

There can be no doubt that the Democrats, at least in the last three decades, have shown more expertise than have the Republicans. It's inexcusable that the Republicans, who kept their party in power nationally from 1860 to 1932, with sixteen years out for Grover Cleveland and Woodrow Wilson, should let themselves be put into the minority position they hold today. It is nothing short of an outrage that the party of Abraham Lincoln should let the Democrats—the party of the slaveholder—steal the Negro vote on the bread-and-butter issue of economic assistance, as well as on the emotional issue of civil rights. The fantastic thing about this Democratic performance has been that the party captured the Negro vote while still holding on, most of the time, to the support of its Southern wing.

Where the Democrats showed their expertise as a national party was in never letting the Southern conservative bloc win out over its liberal northern wing on economic or social issues—particularly those dealing with the racial issue.

But now what is happening. The Southerner who clings to his social and economic conservatism and to his segregationist prejudices is moving into the Republican Party. And what is happening to the Democratic Party in the South? It is becoming the home of the reenfranchised Negro. And the first thing you know, the Republicans nationally are going to have to carry the burden of being the party of Southern conservatism and racialism, with no indication that they can juggle that problem so adroitly as did the Democrats for so many years.

Let it be said to the credit of the leaders of the Republican Party in Louisville that they have known how to win the Negro vote. They couldn't, of course, stem the 1964 tide in which their party was made to appear to be the enemy of civil rights legislation. Nor were they entirely to blame when the Republican nominee for Governor of Kentucky in 1963 made an all-out and nearly successful gamble by frightening voters with what the public accommodations act might do to their property in West End Louisville.

The Republican Party was born as a party of the rag-tag and the bob-tailed, the disadvantaged, the unorthodox and the unwashed. But somewhere along the line it acquired the curse of respectability. It never seems entirely at home among what the politicians like to call the common man.

By contrast, no matter how many millionaires the Democrats have in their ranks, no matter how many college professors they put in office, there is always room in it for the labor union stiff, the taxicab driver, the mill hand, the precinct captain and the ward heeler.

A multi-millionaire like Ave Harriman and an intellectual snob like Dean Acheson can, within the Democratic Party, form an attachment and admiration for Boss Pendergast's protege, Harry S. Truman, that is unmatched in history. That has been true of the Democratic Party ever since those eggheads Thomas Jefferson and James Madison took their trip to New York and formed an alliance with the city's machine bosses.

Well, after all that generalizing, we come face to face with a specific reality.

From the point of view of the practicing politician, there is only one thing on our minds this year—Vietnam. Everything that Washington touches, everything that is proposed, somehow or other winds up in talk about escalation, about de-escalation, about turning tail and running, about the will to win, about preventive war.

The size of appropriations for welfare programs at home, the question of inflation, what to do about the draft, whether to increase taxes—all these matters are controlled by what happens in the steaming jungles of Southeast Asia.

What is the function of the Opposition party in a situation like this? As you well know, the real opposition—or at least the vocal opposition—to the President's policies in Asia has come not from the Republican Party but from an extremely articulate group of dissenters in his own party, especially among Democrats on the Senate Foreign Relations Committee.

Speaking strictly from a point of view of political strategy, it seems to me that the Republicans, as members of the official opposition, have shown great wisdom on the Vietnam subject—that is, they have been content merely to stand and wait.

Of course, there wasn't much else the party could do, but that in no way detracts from the fact that the Opposition is performing a useful function simply by providing the vehicle through which the American people can express their dissatisfaction, their disapproval, their great frustration over the course of affairs.

The Vietnam problem could send dozens of Republicans into Congress in November in place of Democrats. If, by some miracle not now in the offing, we should find a solution to Vietnam before November arrives, President Johnson's party will benefit. But if things continue as they are, or get just a bit more discouraging, the Republican candidates, without commiting themselves either as hawks or doves, will get the votes of two groups of deeply unhappy people.

One group is composed of those who are impatient at the slow pace of the war, who demand that we display the will and purpose to win. The other group is composed of those at the other end of the row, those who think we never should have been in Vietnam in the first place and who believe that the thing to do now is get out, whether we can save face or not.

Those who remember the 1952 campaign will recall that the most popular promise candidate Eisenhower made was his pledge to go to Korea and bring the fighting to an end. He did just that, but people sometimes forget, in their delight over the cessation of combat, that that desirable end was achieved simply by agreeing to a military stalemate which has lasted from 1952 until this very day. If a stalemate was popular in 1952, why not in 1966?

Certainly, a stalemate is not what the hawks have been demanding, not what is in the minds of those who say we have to seize this opportunity to stop Red China. But it undoubtedly would be popular with a majority of the voters. From the Administration's point of view, the problem is that it may be just a bit early to negotiate a stalemated peace. After all, full scale fighting had been going on in Korea for nearly three years before it became just a "dirty little war" to be stopped on almost any terms.

Perhaps it is too early for even a political magician like Johnson to negotiate an end to the venture. All the loyal opposition can do about it is wait and see, ready to cash in at the polls if things get no better, resigned to seeing the Democrats retain their large majorities in House and Senate if the President passes no miracle.

So far as flat predictions go, it is, of course, mathematically impossible for the Republicans to capture the Senate. Nor do I think it likely, as things are today, that they could

gain a majority in the House. But it is entirely possible that many Northern Democrats, elected on Lyndon Johnson's coattails two years ago, will be beaten. If that happens, there could well be a return to control by the Republican-Southern coalition, a change that would make the House much more conservative than it now is.

But regardless of what your party's congressional nominees do this fall, I think there is one political fact of life we can be sure of. That is that in 1968, on the national front, your party is going to return to the policy of the all inclusive "tent." It's apparent that the people who, in 1964, finally got their chance to offer "a choice not an echo," are not going to get that chance again.

The "moderates," the "consensus people," who hung back last time in the delusion that Senator Goldwater would be stopped at the convention, obviously have learned their lesson. They are organizing early to make sure that they do not lose by default as they did in San Francisco. They are not going to be caught flat-footed again.

If this be offering the American people only a choice between a Democratic tweedledum and a Republican tweedledee, then that will be in the great tradition of American political parties.

AN END TO ARCHITECTURAL BARRIERS

Mr. BARTLETT. Mr. President, last Friday on the NBC "Today Show" there was a most interesting presentation on architectural barriers to the handicapped.

This is a subject which is receiving more and more attention, and justly so. In the past, we have given little thought to the needs of the handicapped—to the large percentage of our population which is unable to cope easily with large flights of steps, heavy doors, slippery floors, and improperly planned restroom facilities.

Many of these barriers are unnecessary. Most of them are the result of lack of thought and poor architecture. As has been readily demonstrated, a building can be designed for the use of all the people—including the elderly with heart conditions, the young expectant mother, and the person in the wheelchair—without additional cost and without harm to the esthetics of the structure.

All it takes is a little planning, a little forethought.

It was with this thought in mind the Congress last year created the National Commission on Architectural Barriers. This Commission although only now getting underway, promises to present at the conclusion of its studies a program for focusing national attention on the need for the elimination of unnecessary barriers in new construction. This Commission has my strong support. Its task is important and I urge officials both within and without government to give it their full cooperation and encouragement.

This is why I was pleased to hear Mrs. Aline Saarinen present the problem and discuss the possible solutions on the "Today Show." She is to be congratulated and so are the producers of the program. They have performed once again a public service.

A HOMETOWN TRIBUTE TO VIRGINIA KELLY

Mr. MUNDT. Mr. President, the Paris, Tenn., Post-Intelligencer is observing its centennial year of publication. The paper has conscientiously recorded the history of Paris, Henry County, Tenn., and the United States over the span of 100 years.

I would like to extend my good wishes and congratulations to Percy Williams, editor and president of the Paris Publishing Corp.; to his son, Bryant Williams, the publisher; to their staff; and to all the citizens of Paris and Henry County, Tenn.

This historic 100th anniversary edition of the Post-Intelligencer contains biographies of leading citizens of the past and present, members of pioneer families of Paris and Henry County. These citizens have contributed to the development of our Nation. I was pleased to read a story about a family friend, a respected member of the press, a member of the Congressional Press Gallery, Mrs. Virginia Weldon Kelly, wife of Rear Adm. Thomas J. Kelly, U.S. Navy, retired.

I have known Virginia Kelly for 20 years but have never heard her mention her own accomplishments or that she is a descendent of pioneers of this country. I believe her life story is typical of devotion to the highest principles and to love of the United States which motivates millions of good Americans. I believe this story will be of interest to the public. I ask 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:

[From the Paris (Tenn.) Post-Intelligencer, June 2, 1966]

WASHINGTON WRITER VIRGINIA KELLY COLUMNIST FOR P-I, BORN IN PARIS

Virginia Weldon Kelly, Washington newspaper correspondent who writes the "Wonderful Washington" column appearing in the Post-Intelligencer, was born in Paris, the daughter of the late Dr. John D. Weldon and Mrs. Weldon. Her mother makes her home with the Kellys in Washington.

Virginia was graduated from Grove High School and attended Ward-Belmont Junior College in Nashville.

She is the wife of Rear Admiral Thomas J. Kelly, USN, Retired. After her marriage to the then Lieutenant Kelly, she attended Peabody Conservatory in Baltimore, and the Pittsburgh Musical Institute. Before women were admitted to St. John's College, in Annapolis, Md., Mrs. Kelly and a small group of men and women were permitted to take evening classes in philosophy and literature at St. John's College.

After his retirement from the Navy at 50, Admiral Kelly served as Assistant to the Chairman of the Board of Socony Mobil Oil Company until mandatory retirement age at 65. He maintained offices in New York and Washington. Admiral Kelly presently has his own offices at 1028 Connecticut Avenue and is an international and national business consultant.

Until her marriage, Virginia lived in Paris and also in the family home, Paris Landing, which had been owned by her father, Dr. Weldon, her grandfather, Dr. Andrew Jackson Weldon, and her great grandfather, William E. Weldon.

The real Paris Landing, the ancestral home of Virginia, is now under the waters of the Kentucky-Tennessee Lake. For many years Paris Landing was noted for its rich farmland, and as a thriving business point and river landing. Mrs. Kelly's grandfather owned 5,000 acres of land there. Dr. A. J. Weldon, and Dr. J. D. Weldon also had extensive land holdings in Stewart County.

Mrs. Kelly, when she was five years old, attended Oak Hill School, for six weeks. Rural schools, at that time, opened in the mid-summer. Virginia has always maintained close ties with family friends not only in Paris but throughout the county. Her happiest memories are associated with Henry County. Her grandfather and her great grandmother Gillian Cooke Weldon were Tennessee pioneers. They were born in the Eighteenth Century in North Carolina and were close friends of President Andrew Jackson.

Mrs. Kelly is a direct descendant of Charles Calvert, the Lord Baltimore and of the Lady Anne Arundel, for whom the Maryland County was named. Annapolis is in Anne Arundel County. Virginia is also a direct descendant of Colonel Richard Owing, English officer who commanded British Rangers in 1696, in a fort on an island in the Potomac River, near Cabin John, now in the Metropolitan Washington area. She is a member of the Maryland Society of the National Society of the Colonial Dames of America; of the Club of Colonial Dames in Washington; and is a Past Regent of Manor House Chapter of the National Society of the Daughters of the American Revolution.

In Paris, Tennessee, Virginia started attending the First Methodist Church Sunday School when she was only two, and was a pupil of Miss Nina Wynn. She was active in that church until she was married. Virginia began to study piano, harmony and theory when she was six years old as a pupil of Miss Mae Corum.

Virginia is a member of Martha Chapter No. 155, Order of the Eastern Star in Paris, and her mother served as Third Worthy Matron of the Chapter. Mrs. Weldon is the only surviving fifty-year member of the Chapter. Virginia's father was Worthy Patron.

Virginia's late father was a 32nd degree Mason, and a Knight Templar. Her grandfather and great grandfather were also dedicated Masons who were members of the Mount Vernon, Virginia Chapter of which President George Washington was a member.

Virginia has always been an avid bookworm. The Paris public library was one of her favorite places. Every Saturday she trudged home from the library with as many books as she could carry. Even Virginia's fox terrier, Suzanne wore a harness and carried one or two books.

She was devoted to the faculty of Grove High School and enjoyed her four years there. She was Editor of "The Comet" and of the yearbook, and was an ardent debater. She participated in many of the activities at Grove, and took the classical scholastic course including four years of Latin. She mourned that there was no Greek. But since 1964, she has tried to remedy that lack in her education, and has been studying Classical Greek.

As a child and a young girl, Virginia liked horseback riding, fishing, dancing and bridge. Today, she is a naturalist, ornithologist, and is interested in Bible archeology, cooking, gardening, fine art and music. She is enthusiastic about Bible study.

Virginia started developing cataracts when she was in her twenties and had an operation at Johns Hopkins several years ago. She now has the informal Virginia Weldon Kelly Eye Club and devotes some time to encouraging eye patients. Virginia's particular interest is in hospital care. She has spent thousands of hours as a Red Cross Volunteer in military hospitals.

When Admiral Kelly was in the Navy, Virginia followed his ship whenever possible.

She has lived in San Diego, Coronado, Long Beach, Los Angeles, San Francisco, Vallejo, Seattle, Bremerton, Panama, Norfolk, Annapolis, Newport, and New York. She has traveled extensively in Central America, South America, Europe and the Middle East. She was a successful singer but, in the years she has lived in Washington, she has devoted her time to newspaper writing.

She is a Washington Correspondent for the Long Beach, California Independent and Press-Telegram; the St. Paul Pioneer Press-Dispatch; the Honolulu Star-Bulletin; the Pasadena Independent and Star-News; the Coffeyville, Kansas Daily Journal; and is Special Correspondent for the Memphis Commercial Appeal.

In 1965, the Associated Press News Features syndicated not only in the United States but in Canada, Europe and the Middle East, a series that she wrote.

Virginia is a member of the White House Correspondents Association; the Congressional Press Gallery; and the State Department's Correspondents Association. She is a member of the 1925 F Street Club; the Washington Club; the International Club; the Woman's National Democratic Club where she serves on the Hospitality and Legislative Committees; the Women's National Press Club; and the American Newspaper Women's Club.

She is a Red Cross Gray Lady and is a member of the Salvation Army Auxiliary.

Virginia was the first woman to receive the Navy's Meritorious Public Service Award given in recognition of her many years of service to the Navy, their dependents, aid to Navy widows and orphans.

In presenting the decoration, the then Secretary of the Navy Fred Korth said that the Navy Hospital now under construction in Long Beach, California, should be called "The Virginia Weldon Kelly Hospital."

She is a trustee of the Navy-Marine Residence Foundation which is constructing a 3.5 million dollar residence, Vinson Hall in nearby McLean, Virginia. Vinson Hall will house widows of Navy, Marine and Coast Guard officers. President and Mrs. Johnson; and Vice President and Mrs. HUBERT HUMPHREY serve as Chairmen of Honorary Sponsors of the Navy-Marine Residence Foundation.

Mrs. Kelly is a cousin of Mrs. Mary Weldon Williamson, of Paris. The late Charles E. Hastings and the late Mrs. Louise Weldon Robison were also first cousins.

SMOKING AND LUNG DAMAGE

Mr. MOSS. Mr. President, the most recent evidence that cigarette smoking causes lung damage comes from experiments conducted by Dr. Oscar Auerbach, a pathologist at the East Orange, N.J., veterans hospital.

Dr. Auerbach taught a number of beagles how to smoke and then checked the results. They were catastrophic. Five of the dogs died, and all exhibited lung damage.

I realize that what happens to a dog's lungs under heavy, steady smoking may not exactly parallel what will happen to a man's lungs. But granting every concession cigarette companies and smokers might request, the New Jersey experiment still adds significant data to the mounting evidence that the heavy cigarette smoker is asking for trouble.

I ask unanimous consent that an article from the July 15 issue of Time, discussing the Auerbach experiments, be printed in the CONGRESSIONAL RECORD.

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

RESEARCH: DOGS, DEATH, AND SMOKING

Medical researchers have tried for years to train laboratory animals to smoke. And as if in testament to the animals' innate wisdom, the training always failed. It did, that is, until Dr. Oscar Auerbach, a pathologist at the East Orange, N.J., Veterans Administration Hospital, finally found a way to force the habit. In relentless pursuit of a sure link between lung damage and smoking, Dr. Auerbach turned on man's best friend, specifically the trusting little beagle.

Willingly Hooked. For his experiments, he told the A.M.A., he opened the throats of nine males and one female with a tracheotomy. When they were assustomed to breathing through the permanent holes in their necks, the dogs were hooked up to a smoking machine every morning and afternoon. After a cigarette was lit, the dogs were permitted to inhale at will. After five straight puffs, they were given a few breaths of fresh air. They were broken in gently on just one filter-tip cigarette for the first few days; after seven months they worked up to as many as a dozen regular-length nonfilters a day. Beagles were chosen because their lung structure resembles humans', and the twelve-cigarette daily dosage was considered the equivalent of heavy smoking in a man.

Like any small boy, the beagles reacted to the initial cigarettes with tears and redness of the eyes, coughing and, sometimes, nausea. After a few weeks, many of them seemed to have developed a taste for tobacco. They wagged their tails and jumped willingly into the box where they were hooked up. Then, on the 24th day of the experiment, the first dog died. The second died 205 days later, and three more died before the experiment was ended after 14 months. The remaining five were sacrificed for autopsies. Ten nonsmoking control dogs, two of them with tacheotomies, were also sacrificed.

Massive Damage. Post-mortems revealed that the lungs of the nonsmokers were entirely healthy. Damage to the smokers' lungs was massive. The lung tissue of the last two to die spontaneously was so completely destroyed that doctors had difficulty evaluating what had happened. In the others, reported Dr. Auerbach, the changes in the lungs were remarkably similar to the effects of emphysema in man. The experiment had not continued long enough to see whether cancer would develop.

Critics, including the Tobacco Institute Inc., as well as many doctors, quickly pointed out that beagles are not humans, and more important, that humans smoke differently. They rarely inhale five times in a row, and they normally do not smoke butts down to less than a quarter of an inch, as the dogs did. Nonetheless, the dead beagles provided the first controlled experimental evidence of the relationship of cigarettes to lung damage.

OTHER CITIES FOLLOWING DISTRICT OF COLUMBIA IN GHETTO TREND

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that an interesting column, entitled "Other Cities Following District of Columbia in Ghetto Trend," by Joseph Alsop, which appeared in the July 15 edition of the Bluefield, W. Va., Sunset News-Observer, be inserted in the RECORD at this point.

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

OTHER CITIES FOLLOWING DISTRICT OF COLUMBIA IN GHETTO TREND

(By Joseph Alsop)

WASHINGTON.—Unless very radical measures are taken, the average, representative great American city will become a super-Watts—a Negro ghetto on a metropolitan scale—within the lifetime of the vast majority of our cities' present inhabitants.

If that forecast seems a bit startling, the reason is quite simple. In this statistically minded country we have been neglecting to gather and to interpret the most significant of all statistics—the figures on the population changes in the great cities with all their immense social, political and even economic implications.

WANTS FIGURES

Secretary John Gardner of the Department of Health, Education, and Welfare has just ordered the figures to be gathered for the 20 American cities that had populations above 500,000 in 1960. At present, figures are available for only nine cities, all in the East and Midwest, namely Baltimore, Boston, Chicago, Cleveland, Detroit, New York, Philadelphia, St. Louis, and Washington.

Of these nine, every single city except New York and Boston is clearly on the way to becoming a kind of super-Watts. The figures on the Negro-white proportions in the urban school systems are the real indicators, as already pointed out in earlier reports in this space. Additional figures have now been obtained by further spadework.

TWO POINTS

Two points must be understood to make the figures understandable. First, no one has been paying much attention to the population changes in the District of Columbia, partly because Washington is not self-governing and partly because it has been thought a special case. Second, however, Washington is not a special case. It is a typecase, though a more advanced case than the other cities on the list.

If this key fact is grasped, Washington can be used to provide the benchmarks that show the other cities where they are along the road. The turning point year was 1947 when the District of Columbia, with a population one-third Negro, had an elementary school population that was 50 per cent Negro.

PARALLEL CURVES

Thenceforward, the elementary school and city-wide populations changed on parallel curves. By 1957 the city was half-Negro, and the elementary school population was 75 per cent Negro. Today, the city is just under two-thirds Negro, and the elementary school population is 91 per cent Negro. Rather shortly, behind its fine federal facade, Washington is due to become an almost purely Negro city—a vast metropolitan ghetto in fact.

A table can thus be made, showing how far along the road Baltimore and the other cities were in 1960 and how far along the road they are today, in each case in terms of the record here in Washington. Beginning with 1960, the picture was as follows, for percentages of Negro children in the cities' elementary schools:

Baltimore, 52 per cent, equaled Washington in 1950.

Chicago, 44 per cent, equaled wartime Washington.

Cleveland, 47 per cent, equaled wartime Washington.

Detroit, 46 per cent, equaled wartime Washington.

Philadelphia, 50 per cent, equaled Washington in 1947.

St. Louis, 57 per cent, equaled Washington in 1953.

FIVE-YEAR JUMP

In all these cities, as in Washington, New York and Boston as well, the percentage of Negro children in the elementary school has increased materially since 1960. The same table, showing where the above-listed cities stand this year, looks as follows:

Baltimore, 64 per cent, equals Washington in 1954–55.

Chicago, 56 per cent, equals Washington in 1952–53.

Cleveland, 53 per cent, equals Washington in 1951.

Detroit, 57 per cent, equals Washington in 1953.

Philadelphia, 60 per cent, equals Washington in 1954.

St. Louis, 64 per cent, equals Washington in 1954–55.

Making the projection on the same curves, then, all of these cities are only a few years away—in one or two cases perhaps only two or three years away—from the moment Washington reached in 1957 when the population of its Negro ghetto amounted to half of the total city population. Using the school figures to predict this moment for the other cities is unquestionably reliable, moreover, simply because the school figures are one of the prime causes of the urban population curves.

EMIGRATION TO NORTH

The other prime cause, of course, is the emigration northward of Southern Negroes fleeing segregation. Some 12.5 million persons are thought to have joined this movement thus far. But mainly through the urban schools this movement has produced a secondary movement of greater magnitude. Briefly, as the percentage of Negro children has risen in the city school systems, more and more white families with children have emigrated to the suburbs.

In Washington we have almost literally reached the stage of having no white children of school age living in the city limits. That is what may be called the stage of full ripeness. For those who do not think anyone will benefit, and least of all the Negro people, when the average American great city has become a super Watts, the watchword is, "You should be warned."

TEXAS STATE HISTORICAL SURVEY COMMITTEE ENDORSES S. 3035, FOR THE PRESERVATION OF HISTORIC SITES

Mr. YARBOROUGH. Mr. President, the Texas State Historical Survey Committee recently passed two resolutions, one urging more funds for the National Park Service program of recording historic American buildings, and the other endorsing S. 3035, a bill to establish a program for the preservation of additional historic properties throughout the Nation.

S. 3035, which passed the Senate on July 11, 1966, was introduced by the distinguished junior Senator from Washington [Mr. JACKSON]. Senator JACKSON's leadership in this legislation has been outstanding, and I am honored to have my name appear on the bill as a cosponsor.

I ask unanimous consent that the two resolutions be printed in the RECORD.

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

RESOLUTION

Whereas the National Park Service has provided a greatly needed program of recording Historic American Buildings; and

Whereas it is recognized that all old buildings cannot be saved from destruction; but it is also recognized that those which illustrate the development of architectural taste and reflect the culture of all sections of the United Sttaes, should be recorded by measured drawings and photographs before they are destroyed; and

Whereas this recording program has not been expanded to its fullest capacity because of budgetary limitations; and

Whereas the appropriation requested by the National Park Service for 1967 would enable them to carry on this most worthwhile program at an accelerated rate: Now, therefore be it

Resolved, That the Texas State Historical Survey Committee, at its quarterly meeting in Fort Worth, Texas, on April 15, 1966, A.D., recognizes the need for a more realistic appropriation to carry out the program of recording Historic American Buildings, and thus urges the members of the House Appropriations Committee to give favorable consideration to an additional appropriation as requested by the National Park Service.

Done at Fort Worth, Texas, this 15th day of April, 1966.

JOHN BEN SHEPPERD,
President.
TRUETT LATIMER,
Executive Director.

RESOLUTION

Whereas President Johnson in his February 23, 1966, message to Congress dealing with the quality of our environment, said "Historic preservation is the goal of citizen groups in every part of the country. To help preserve buildings and sites of historic significance, I will recommend a program of matching grants to States and to the National Trust for Historic Preservation"; and

Whereas the recommendations of the President are embodied in H.R. 13491 and S. 3035, Second Session of the 89th Congress; and

Whereas the chief method of promoting historic preservation at the state, county, and municipal levels are the identification of the significant sites and their acquisition, rehabilitation, and maintenance; and

Whereas the proposed legislation authorizes the Secretary of the Interior to maintain a national register of sites, buildings, and objects significant in American history and culture including both historic and archeological sites; and

Whereas the bill would establish a program of matching grants-in-aid to States and the National Trust for Historic Preservation in the United States for projects having as their purpose the preservation for public benefit of properties that are significant in American history and culture; and

Whereas the program of grants-in-aid would begin with a statewide historic sites survey financed by the Federal Government and conducted according to standards and procedures reflecting those of the National Survey of Historic Sites and Buildings; and

Whereas the statewide surveys would include sites already determined to be of national significance by the Secretary of Interior but will be aimed primarily at identifying and evaluating other properties that are significant in American history and culture; and

Whereas on the basis of such survey, each State will prepare a comprehensive statewide historic preservation plan which, when approved by the Secretary of the Interior after considering its relationship to the statewide outdoor recreation plan, will form the basis for matching grants-in-aid to States for the acquisition and development of historical properties in non-Federal, public or private ownership; and

Whereas properties of national, regional, state, or local historical significance will be eligible for inclusion in the statewide plan, whether they are operated by a public agency or private organization or individual; and

Whereas grants to the National Trust under the proposed bill will enable the Trust to proceed to encourage on an accelerated basis the local initiative and support that is needed for preservation of our historic heritage; and

Whereas the estimated cost of the program authorized by the proposed legislation is $2,000,000 for the fiscal year 1967 and cost for succeeding fiscal years would depend upon the needs identified in the surveys: Now, therefore, be it

Resolved, That the Texas State Historical Survey Committee wholeheartedly endorse this legislation and urges members of the Texas Congressional delegation to vote for the bill; and be it further

Resolved, That a copy of this Resolution be forwarded to each member of the Texas Congressional delegation and each member of the House and Senate Appropriations Committees.

Done at Austin, Texas this 31st day of May, 1966, A.D.

JOHN BEN SHEPPERD,
President.
TRUETT LATIMER,
Executive Director.

WILLIE MAYS AIDS JOB CORPS

Mr. NELSON. Mr. President, I ask unanimous consent to insert in the RECORD an article from the July issue of the UAW Solidarity, entitled "Willie Mays' Heroes: The Job Corps Men."

The article, by Howard Lipton, describes the great interest that the famous baseball player has taken in the Job Corps program. Willie Mays was a poor boy who was fortunate to be born a gifted athlete and thereby able to achieve success in life. He has noted that the boys he grew up with have not been so fortunate. He has said:

> The Job Corps wasn't around when I was a boy. If it had been, a lot of kids I grew up with would be proud working people today.

Mays has met with boys from the Job Corps centers, spoken with them, and been most effective in encouraging them to continue in the program and realize their hopes for a better life. Willie's attitude toward the Corps importance can be best understood from his own words:

> This Job Corps is going to save these boys. They're going to make it. Without this chance they were dead.

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

WILLIE MAYS' HOMERS: THE JOB CORPS MEN

(By Howard Lipton)

"If I hadn't been able to play baseball," Willie Mays will tell you, "I might have been one of those kids."

"Those kids" are Job Corps youngsters. They were born with two strikes against them. Just like Willie. They were raised

with two strikes against them. Just like Willie. They feel as if life is ready to breeze that third strike past them any time.

They're in the Job Corps because they want to get at least to first base. On their own.

The biggest Giant of them all, Willie the Wonder, the Amazing Mays, has been trying to get through to them—and to a million or so others who still are outside the Job Corps program. He insists they can make it. Even to second or third and maybe all the way home.

The San Francisco Giant centerfielder—everybody's all-star—spent part of his winter visiting and talking with Job Corps youth. That's the first time Solidarity caught up with him.

"The Job Corps wasn't around when I was a boy" says Willie. "If it had been, a lot of kids I grew up with would be proud working people today. Instead . . ." and he must have thought hard of those years growing up in the streets of New York City.

From time to time during spring training, he took advantage of a day off to get together with the Job Corps boys. The visits were arranged by the Office of Economic Opportunity which runs the youth training program.

"Those kids" are tough. Life's a battle for them as well as a struggle. The blows leave scars, and hard callouses develop to cover over the steady hurt they feel inside.

Few people who haven't felt the same deep hurt for the same reasons can understand them. Few can get through to them.

They've heard talk before. They've heard promises. Dreams and hope too often become something to cuss at instead of realities, or maybe just something to cry yourself to sleep over.

It takes skill to get through to them. It takes sincerity. It takes "knowing"—knowing by the kids that you know what they feel, how they've been knocked around and what they've been up against.

Since he became interested in the youth program, Mays has talked to hundreds of youngsters. They've carried his words to thousands of others.

For there are currently about 26,000 Job Corps men in almost 100 centers throughout the U.S. and Puerto Rico. The program is designed to give them basic education, skill training and useful work experience.

It's also aimed at young men and women 16 to 21 years of age who need individual help to develop abilities, self-confidence and the incentive to improve themselves.

So-called "urban center" training includes such occupational skills as auto mechanics, office machine operation, appliance repair, machine tool operator, sales, shipping and file clerk, waiters and cooks, and laundry or custodial work.

Rural centers focus on forestry, insect control, surveying, farm skills, carpentry and masonry, and vehicle and heavy equipment operation and maintenance.

One Job Corps Center where kids talked with Willie Mays is at Heber, Ariz., in Sitgreaves National Forest. From there, six of the youths visited with the star outfielder while the Giants were at their Phoenix training camp this spring.

They were Richard Doise, 18, of Los Angeles; William Bosley, 18, of Lilbourn, Mo.; John Valenzuela, 18, of Los Angeles; Boyce Little, 18, of Athens, Ga.; Roland Upshur, 21, Oyster Bay, N.Y., and Anibal "Chico" Colon, 16, of New York City.

A corpsman receives $30 a month plus a readjustment allowance when he leaves of $50 for each month of satisfactory service. If a youth sends home a monthly allotment of up to $25 from his readjustment allowance, the corps matches the allotment.

Each of the six boys who visited Willie Mays at the ballclub's training camp was a dropout. They'd felt they "couldn't make it" in school. But the Job Corps is giving them an education they're interested in. They believe that with it, they'll be useful to themselves as well as society.

Doise, for instance is learning to be a welder. So are Bosley and Colon. Valenzuela is studying auto mechanics. Little is working on welding and truck driving, and Upshur on heavy equipment.

They'd heard about the corps in a variety of ways. Bosley and Valenzuela inquired about it after seeing a TV commercial. Doise became interested when he went to the state employment service office in search of work. Upshur and Colon were told of the corps by friends. Little's former teacher wrote to corps headquarters in Washington to get information for him.

But each had something in common: each was scrounging for some kind of break. They wanted to "make it." Not big. Just "make it."

A look at a Job Corps analysis of the first 10,000 enrollees tells why:

"Although they averaged 17 years in age, some were more like 13-year-olds in size. Most had never slept between sheets before, never shared a bedroom with only one other. Some had never had electric lights. Almost all had developed an acute resistance to conventional schooling.

"Nearly two-thirds had lived in substandard housing . . . almost 40 per cent were from families receiving public assistance . . . more than 60 per cent came from families where the primary wage earner was unemployed . . . half came from homes where the parents had less than an eighth grade education.

"The average enrollee had never completed the ninth grade, and he could read no better than a fifth grader. It was little wonder that fewer than one in 10 had ever held a job . . . although all had tried to find work."

Willie Mays turned out to be a giant in getting through to the kids.

He had trouble at first. The group he talked to before taking off on a tour of Job Corps centers was in Washington, D.C. They'd been bussed there from a nearby camp to sit down with him.

They were tough. They were listening as be began with the look on their faces that might as well say: "We're hearing the words man, but we're not getting the message."

Then a boy stood up. He wanted eagerly to say his piece. But his voice grew louder, more tense, as he venomed his anger at all the "they's" who, he said, wouldn't let him work to become what he most wanted—a minister.

He started naming the people he insisted were throwing roadblocks in his way. He began sputtering. He seemed about to explode with frustration and emotion.

Then Mays, as cool on the platform as he is on the ballfield, held up his hand. "Cool it, baby," he said. "I'm on your side."

The youth stopped, looked at him, quieted.

"If you want to be a minister," Willie said, "you can be. Don't let anybody stop you. I'd never listen to anybody who told me I couldn't do something. If you do, you're defeated right away.

"When I was 19—that's about how old you are now—I went zero for 24 with the Birmingham Giants. That was my first 24 times at bat, too. If I had listened to all the poormouths who were giving me advice, I'd have quit baseball right then.

"It takes a great deal of hardship to be a minister and you have to keep trying. But if you want to be one, you'll keep on trying and you'll fight and overcome."

They were listening to Willie Mays now. He was talking their language. I went zero for 24 and I kept trying. Cool it, baby, I'm on your side.

Another boy jumped to his feet, said he wanted to be an athlete "just like you, Willie."

"That's what you say," Mays challenged him. "But you're smoking and you ought to know you can't do that and be an athlete."

That wasn't what the boy expected to hear. But the idea got through. "Making it" when you've been down takes hard work. It takes giving up something you might not like to give up.

It was Willie Mays' personal message. Maybe they agreed with all he was telling them. Maybe not. But they were listening and trying to understand because he was saying these things to them—and he had come up from being "down," too.

Education is important, he told them—"the most important thing, and that's what the Job Corps is all about."

In that roomful of boys, maybe there were still a few who dreamed of making $100,000 a year like Willie. If there were, they didn't show it.

What they did show was a deep-down yearning to be somebody. And "somebody" for underprivileged kids is anybody with the talent to hold down a steady job. Not the drifters they've seen all their lives.

"Kids today are no different than they were when I was a boy. They see television and they've got a right to dream. I was the biggest dreamer on our block. Then, when you're out of school a few years and you find you're drifting just like a lot of the older people, that's the time a kid says to himself: I gotta get out of this. Out!"

Willie was standing now. His right foot moved back and forth, the spikes raking the hard ground just outside the Giant dugout.

"When a kid gets to the age—like these kids—when they say they've gotta get out, that's when society has to let them in. This Job Corps is going to save these boys. They're going to make it. Without this chance, they were dead.

"These kids are my heroes!"

THE STRIKE MUST END

Mr. CHURCH. Mr. President, the Nation is now suffering its 10th consecutive day of an almost-paralyzing airline strike. The effect of this stalemate upon the economy of many sections of the country is reaching grave proportions. It is having serious repercussions in my own State of Idaho, which is served by two of the major airlines, now strikebound. I bring this to the attention of the Senate with the hopes, Mr. President, that my colleagues on both sides of the aisle will join in an urgent plea to both parties in this dispute to come to immediate terms in the national interest.

I have received numerous requests from civic and business groups and individuals in Idaho to seek a means to early settlement of the airline dispute. The president of one of the largest corporations in the State as well as a major national corporation informs me that the operations of the company are seriously threatened by the critical lack of available air transportation in the Pacific Northwest.

For those of us in Idaho who rely greatly upon air transportation for much of our daily communication with the rest of the Nation, the strike has now worked severe hardships that will only be magnified with each day the walkout continues.

Our mails are delayed, employment is threatened by potential production cutbacks, perishable goods are not reaching their destinations despite the herculean efforts of the nonstruck airlines and other means of ground transportation, and

essential business travel is most severely and dangerously curtailed.

While I am in no position to pass judgment on the merits of this strike, I urge the disputants to heed public demands for an end to the growing strangulation of both air and surface transportation. In deference to national interests and in their accepted roles as public service functionaries, both sides must find a reasonable compromise soon.

THE MOTORCYCLE CRISIS

Mr. RIBICOFF. Mr. President, one of the Nation's leading health authorities—Dr. Howard A. Rusk—recently described the motorcycle as a "greater threat than autos in terms of accidents." Dr. Rusk cites National Safety Council statistics which show that there are 13 deaths for each 10,000 registered motorcycles in 1962, compared to 5.1 deaths for each 10,000 registered passenger cars, trucks, buses, and taxis.

The subject of motorcycle safety has been receiving increased attention of late. Just last week the senior Senator from Indiana [Mr. HARTKE] discussed the problem on the Senate floor and made certain recommendations which I endorse completely. I am most pleased that he pointed out that under the terms of the new Traffic Safety Act of 1966 it will be possible, for the first time, to set adequate safety standards for the design and construction of motorcycles.

In Connecticut the problem is receiving the prompt attention of State officials and private citizens alike. Richard E. Bastian, a staff reporter for the New Haven Register, has written an excellent two-part article on the problem in Connecticut and what is being done to combat it.

I ask unanimous consent to insert Mr. Bastian's articles in the RECORD at this point together with an article from the New York Times by Dr. Rusk and an article from the Wall Street Journal by Tim Metz entitled "Road Safety Forces Turn Their Attention to All Those Cycles."

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

[From the New Haven (Conn.) Register, June 30, 1966]

THE MOTORCYCLE CRISIS (1)—POLICE ATTACKING HAZARD SPAWNED BY 15,000 MOTORCYCLES IN STATE

(By Richard E. Bastian)

State Police will be opening a new era Friday in the battle to cut down on motorcycle accidents and fatalities. Stepped-up efforts come with the support of Gov. John N. Dempsey as complaints against two-wheel motor driven vehicles soar.

But the crackdown will not be limited to the stereotyped blackjacketed cyclist. With the sales and rental of motor bikes and scooters also booming, state and local officials are growing concerned about the need for stiffer law enforcement and regulations.

SEES HAZARD

Lt. Joseph Hart, commanding officer of the State Police Barracks in Westbrook, said he considers motorcycles and motor bikes "one of the greatest hazards that exist on the highway today."

Motorcycles and bikes are safe only if there are no vehicles on the road, Lt. Hart said.

State Police will launch an intensive program Friday aimed at reducing the growing number of motorcycle accidents.

The 10 persons killed so far this year is expected to exceed the 23 killed in 1965 before the end of the warm weather. During this time of year an overwhelming number of the deaths occur.

Gov. Dempsey has announced the creation of a special task force of State Police specialists, representing each of the 11 troops throughout the state who will undergo special safety enforcement training.

Each trooper taking the course Friday will be responsible for investigations of all accidents involving motorcycles at their barracks as well as handling complaints and enforcement of motorcycle regulations.

Meanwhile, State Motor Vehicle Commissioner John J. Tynan is looking into leasing practices involving two-wheeled motor vehicles since any one with a license to drive a car in Connecticut can rent a motor-driven two-wheel vehicle even without experience or schooling in actually operating one.

Motorcycle sales which have shown a marked increase in the past two years are one of the reasons for concern by police.

MORE REGISTERED

According to statistics provided by the State Motor Vehicles Department, there are 14,926 motorcycles registered in Connecticut, an increase of nearly 6,000 over last year. Registrations in 1965 totaled 9,017, a jump from 6,111 listed in 1964.

With this increase, calls by State Police Commissioner Leo J. Mulcahy to require crash helmets, restrict the number of motorcycles driving abreast and special licensing laws has drawn strong support from police chiefs throughout the area.

"I'm behind the commissioner 100 per cent," said East Haven Police Chief Joseph A. Pascarella Jr. He noted "quite a few more motorbikes than usual" in East Haven since spring.

The chief added that motorcycles in his area were making "much more noise than they should."

He said he was also concerned about the problem of the two-wheelers riding two or three abreast on the highways. "They should ride single file, just like cars. Otherwise it's very hard to get around them because you can't tell what they're going to do."

Lt. Hart who drove a motorcycle for three years as a trooper pointed out, "You don't have minor accidents with motorcycles. They don't exist."

West Haven Police Chief Michael Onofrio is also concerned about the large number of young motorcyclists attracted to the shores and beaches of his community.

"Some are gentlemen and all right," Chief Onofrio noted. "Others act like a bunch of maniacs. I'd say it's about 50-50." His department has been cracking down in recent weeks on violations by motorcyclists.

Motorcyclists in Southington have also been feeling the sting of the law where arrests are being made for riding three on a machine and lack of a rear view mirror.

In Hamden, Police Chief Robert S. Thatcher recently issued a warning to motorcyclists as he received increased complaints.

The chief said, "We received numerous complaints from residents all over town concerning the wild conduct of many motorcyclists. They are going wild, really hopping all over the place and it must be discontinued."

Old Saybrook Police Chief Walter Patti said he has experienced no major problem with motorcycles but is apprehensive about the future in his shoreline area.

ASKS LIMITS

Patti agrees that registration of motorcycles should be limited to persons 18 years of age and older. The number of persons on each motorcycle should also be strictly controlled, the chief contends.

Backing proposals to prohibit two-wheelers from going two abreast on any given highway, he recalls an incident when 16 Hartford area motorcyclists were issued written warnings for driving caravan-style down Route 1 making it virtually impossible for motorists to pass.

Patti is particularly concerned about the noise in the operation of the motorcycles.

Manufacturers make it relatively easy at present to remove the baffle plates in the motorcycle mufflers increasing the noise level of the two-wheelers on local highways.

There are two reasons for removing the baffles. One is an increase in thrust as compression gases pass unrestricted through the short tailpipe to the rear of the vehicle.

The second reason for removing the baffles is the increase in noise which younger drivers seem to enjoy. Someone seems to think there is fun in a loud roar of the two-cylinder engine.

[From the New Haven (Conn.) Register, July 1, 1966]

THE MOTORCYCLE CRISIS (2)—RISING CYCLIST TOLL LAID TO INEXPERIENCE, PASSENGER ERROR, ALCOHOL

(By Richard E. Bastian)

Driving inexperience, mistakes by rear passengers and, in some cases, alcohol are listed by State Police as causes for the upswing in fatal accidents throughout the state involving motor-driven cycles.

Lt. Walter Stecko and Trooper Joseph Bowan at State Police Headquarters in Hartford have been compiling statistics on the accidents provided by the Department of Motor Vehicles and other police agencies in addition to their own.

In addition, Lt. Joseph Hart, State Police commander in Westbrook, who drove a motorcycle as a trooper, contends two-wheelers on the road today are not as maneuverable as some advocates claim and have inferior braking systems compared to those of standard automobiles.

He added he will not permit his men to take the two-wheeled vehicles onto the Connecticut Turnpike.

Compilation of the statistics follows in the wake of a request by State Police Commissioner Leo J. Mulcahy for the passage of stiffer laws in the next session of the Connecticut General Assembly on motorcycles and their drivers.

Mulcahy, in a memorandum to Gov. John N. Dempsey, called for adoption of a law requiring special licenses for motorcycle drivers, another law to make crash helmets mandatory for drivers and passengers on the two-wheelers, and a law to prohibit two-abreast motorcycle driving on the state's highways.

Mulcahy taught rookie state troopers to drive motorcycles when the two-wheelers were a major part of patrol activity by the law enforcement agency, and today doesn't wish to discriminate against the cyclist who has been operating safely for 20 years.

"I don't want to blacken all drivers," the commissioner said in an interview.

The proposed laws would, however, crack down on the new cyclist and the exhibitionist, Mulcahy contends.

LAWS IN FOUR STATES

Four states presently have laws requiring special licensing for cyclists.

They are Oregon, New York, Vermont, and Maine. In Connecticut, anyone with a license to operate an automobile can drive a motorcycle.

Maine also prohibits a passenger on the rear seat unless he holds a motorcycle operator's license.

One State Police official said the law was most likely enacted because of the delicate balance necessary in the safe operation of the two-wheelers.

An accident on the Connecticut Turnpike last year was believed caused when the rear passenger shifted her weight, sending the two-wheeler out of control.

Alcohol plays a role in motorcycle deaths as it does in automobile fatalities, but probably not to the same degree.

In two of the 10 fatal crashes this year, the cause was attributed to alcohol, and it is suspected in two cases where investigations are incomplete.

INEXPERIENCE FACTOR

Inexperience is another factor. One driver was killed on his first motorcycle ride. Police theorize that another, with a minimum amount of experience, probably didn't "lean" into a curve, but simply turned the handlebars. He was killed in the resulting crash.

Then there are those accidents where the motorcyclist is not at fault. Lt. Stecko recalls one fatal accident where the driver of the two-wheeler was hit by a left-turning car.

But Dave Feinberg, co-owner of the Honda shop in Old Saybrook, takes issue with criticism being heaped on the two-wheelers.

Motorcycles and bikes are the third safest transportation vehicle, he contends, surpassed only by airplanes and boats. They feature a high degree of maneuverability combined with unlimited visibility, he pointed out.

However, he adds, "They are as safe as the guy that drives."

Insurance rates point up the safety of the motorbikes, Feinberg asserts. The current rates range from $38 to $60, depending on the weight. Comparable car liability insurance, he added, would be more than $300.

The driver of a motorbike doesn't ride the two-wheeler, Feinberg continued, "he drives it," always leaning his body and sometimes putting out a foot to help negotiate a turn easier.

Some degree of safety is indicated in the way sales have accelerated since last year, an increase of 30 per cent, Feinberg said. Honda has more than doubled the number of its facilities in the state, he noted, since 1964, when there were eight showrooms and sales outlets. At least one store will open before the end of the year to add to the present 17.

But the claims on the insurance rate is scoffed at by a state legislator who sells insurance.

State Rept. Earl Endrich of Old Saybrook notes that rates for liability insurance are indeed low but points out that collision insurance to cover the motorcycle and the rear passenger is more difficult to obtain. He does not know of any insurance firm writing insurance of this type.

CITY ACCIDENTS LEAD

Statistics provided by the Motor Vehicle Department show the largest number of accidents involving motorcycles occur in urban areas of the state. Hartford leads the list this year with 80 accidents listed to date. Bridgeport has recorded 49.

Poor visibility is a major factor for the high accident rate in the city, police believe, although higher speeds are possible in more rural areas.

While the total number of fatal accidents in the state is less than half of last year's figure, police point out that the late, cool spring this year cut down on motorcycling activity.

The first fatal accident this year occurred April 23 in Waterbury.

Crash helmets, Mulcahy said, would help only "on occasion" in an accident involving a motorcyclist. While regulations can be enacted without special legislation on equipment specifications, the helmet worn by a cyclist is not regarded as motorcycle equipment.

A law passed by the General Assembly in 1964 bans handlebars more than 15 inches above the seat "when depressed by the weight of the operator." No explanation is offered as to why the seat has to be depressed.

Restrictions on "ganging up" along the highways "is a must, with a requirement calling for a 20-foot separation between drivers," the State Police commissioner said. Motorcycle drivers should also be required to stay on the extreme right hand side of the roadway, he concluded.

[From the Wall Street Journal, July 15, 1966]

ROAD SAFETY FORCES TURN THEIR ATTENTION TO ALL THOSE CYCLES—BUT MOTORCYCLE MAKERS SEEK TO AID SAFETY ON THEIR OWN; SENATOR HARTKE CITES "EPIDEMIC"

(By Tim Metz)

Compared with the motorcycle, the automobile is as safe as a hobby horse.

That's what that growing band of vociferous road-safety advocates claims, and they propose to do something about it. But major makers of the motorcycles—aware of the hole auto makers put themselves into by seemingly ignoring initial safety outcries—hope to fend off the attack by doing something about safety themselves.

"You betcha we're worried about safety," says James E. Jingu, director of advertising and public relations for Yamaha International Corp. "If there's anything that could slow this great motorcycle boom, it would be legislation that might weaken the industry's sales." As a result, he says, Yamaha, a major seller of the cycles in the U.S., has started working on several safety innovations and plans a nationwide safety-education campaign for motorcyclists.

"We don't want to get caught flat-footed by any Governmental action," declares Matt I. Matsuoka, public relations director of American Honda Motor Corp., which has an estimated 65% of the U.S. motorcycle market. The company is readying a motorcycle safety program for high schools, and is preparing to set up the "first motorcycle accident research program ever undertaken in this country." The program, to be set up in conjunction with an arm of the University of California at Los Angeles, would be aimed at making the cycles safer. Says Mr. Matsuoka: "Our concern with safety has to increase as the number of cycles does."

IS IT TOO LATE?

But it may be too late. Only yesterday Sen. VANCE HARTKE, the Indiana Democrat, gave a Senate speech calling attention to the "epidemic of motorcycle mishaps." He recommended a seven-point program to reduce accidents, including Federal motorcycle-design standards.

There's no question that safety is a problem. A National Safety Council study of motorcycles, completed but not yet issued, will show that 1,580 cyclists were killed last year, up from 1,118 in 1964 and 882 in 1963. Deaths have increased faster than the number of cycles recently, say officials of several states.

The council also found that in many states motorcycle deaths "range between 20 and 40" per 100 million miles of travel, compared with a 5.6 death rate for automobiles. Says Dr. Paul W. Gikas, associate professor of pathology at the University of Michigan who has made a study of traffic accidents: "As things are now I believe the motorcycle safety situation is just about hopeless."

The motorcycle death rate has been high for many years, but the actual number of deaths has never been as startling as at present because only recently have motorcycles become really popular. Sales of the machines last year nearly doubled to 650,000 from 350,000 in 1964 and this year's total could exceed 700,000. The industry had been counting on volume of 800,000, but increased draft calls have cut into the list of potential buyers. The cycles now are used by commuters in some cities and by a growing number of high school and college students. It is estimated there are about 2 million motorcycles in use in the U.S.

FEELING THE PRESSURE

It isn't known just exactly what standards, if any, the governments finally will enact. "We've felt a pressure from governments with regard to noise, the wearing of protective headgear, licensing and other safety items. How much farther these will go we just don't know," says William H. Davidson, president of Harley-Davidson Motorcycle Co., the biggest U.S. maker. (Honda and Yamaha are Japanese companies.)

Some states are considering making the wearing of safety helmets mandatory ("Don't call them crash helmets," pleads one motorcycle dealer), and this already has shown up in the sales of the gear. American Safety Equipment Corp. says it sold almost as many helmets in the first half of this year as it sold in all 1965.

But making all cyclists wear them is controversial. "The motorcyclist uses his ears and his peripheral vision to a far greater extent than a car driver and some helmets would impede this," says an official of the American Motorcycle Association. Adds Thomas Johnson, vice president of American Safety Equipment: "There's the problem of defining a safety helmet. Hundreds of companies make them and a lot of cheap ones are virtually useless." (His company's model cost $20.)

Nevertheless, there is some feeling that legislation eventually will come. Dot Robinson, co-owner of a Detroit Harley-Davidson dealership, says: "With the terrific influx of new cyclists, it's impossible to adequately educate them about safety. So I guess the law will have to step in."

[From the New York (N.Y.) Times, July 17, 1966]

TRAFFIC SAFETY II—MOTORCYCLES POSE A GREATER THREAT THAN AUTOS IN TERMS OF ACCIDENTS

(By Howard A. Rusk, M.D.)

While charges and countercharges regarding the mechanical safety features of automobiles have made headlines in recent months, even more lethal highway vehicles have emerged in recent years—motorcycles and scooters.

According to the National Safety Council, there were 13 deaths for each 10,000 registered motorcycles in 1962, compared to 5.1 deaths for each 10,000 registered passenger cars, trucks, buses and taxis.

The Commerce Department reports that there was 984,800 motorcycles registered in 1964, as compared to 786,300 in 1963. Because sales exceed 300,000 a year the number of such vehicles on the highways of America is probably now approaching 1.5 million.

A study recently reported in the Journal of the American Medical Association showed that motorcycle accidents frequently resulted in particularly severe head and extremity injuries. As could be expected, the study also showed that teen-agers were the most frequently involved.

THREE DEATHS IN 38

In the 38 cases analyzed, there were three deaths and one case of total blindness, one of paraplegia and one of facial disfigurement. The last case involved a girl who was given a small motorcycle as a present on her 17th birthday and was injured the following day.

The study also disclosed that in most cases the parents had been opposed to letting their children have such vehicles, but reluctantly agreed after considerable pressure. When their children were involved in these severe

accidents, the parents naturally experienced a great deal of guilt.

The most frequent causes of injuries are hitting an automobile or loss of control of a vehicle and overturning. Falling off the vehicle, however, is not unusual, and two of the 38 cases resulted from hitting or swerving to miss a dog.

The findings in this study, which was conducted in Maine, confirmed an earlier study of 200 such victims in Minneapolis in 1964. In the Minneapolis group there were two deaths resulting from skull fracture with brain damage and a high percentage of single and multiple fractures of the tibia, femur and pelvis.

PROTECTION IS LIMITED

Researchers emphasize that although the use of helmets may reduce fatalities from skull fracture, there is no protection available for the extremities of drivers and passengers.

Studies in Britain have shown that protective helmets can reduce the risk of head injuries by about one-third. There are many states and communities, however, that do not make the use of such helmets compulsory.

The nature of motorcycle accidents is quite different from automobile accidents. In motorcycle accidents, head injuries tend to be much more severe because the head receives the full force of the impact when the cycle is in a collision and the cyclist is catapulted over the handlebars. Compounding and contamination of fractures are also more common.

Dr. Robert C. Waltz, chairman of the trauma committee of the Cleveland Academy of Medicine, has commented:

"We have seen few minor motorbike injuries. There is often horrible trauma involved, but the youngsters are in good physical condition and they usually remain alive."

Our experience in the United States in the increasing fatalities from motorcycles and motorscooters parallels that of Britain, where such vehicles have been in widespread use since World War II.

In 1951 there were 1,175 Britons killed and more than 30,000 injured in accidents involving two wheel vehicles. There were 1,743 persons killed and more than 97,000 injured in 1960.

The survey showed that in Britain a boy between the ages of 16 and 19 who owns a motorcycle has an 8 per cent probability of being killed or severely injured.

One effective means of reducing motorcycle and motorscooter accidents is through more effective licensing laws. Since last Oct. 1, New York State has required new drivers who wish to operate such vehicles to take special tests. Tests include road maneuvers such as "figure eights."

The state of Pennsylvania requires that all motorcycles and motorscooters pass a semiannual inspection. This includes the steering apparatus, tires, wheels, rims, exhaust and fuel systems, brakes, lighting and electrical systems.

Some researchers concerned with these problems have suggested that "buddy seats" should be prohibited and that these vehicles be limited to the driver.

TRAFFIC IS HAZARD

The drivers of cycles are particularly at a great disadvantage in heavy traffic. Even though his machine is more maneuverable than the automobile, it is also very unstable at a slow rate.

Shifting gears is a complex process on some scooters, requiring the use of both hands and one foot and excellent coordination. Slowing down and turning usually requires both hands and both feet, making it impossible to execute a hand signal.

Currently the Cleveland Health Museum, a pioneer in health education, is presenting an educational exhibit on motorcycle and motorscooter safety. The exhibit shows safety devices and the figure of a rider wearing proper protective clothing. It also includes a sound film on safety driving techniques.

The exhibit will tour high schools and colleges for several years. It emphasizes that in the slogan, "You May Meet the Nicest People on a Motorbike," the nicest people are quite likely to be surgeons, nurses, ambulance attendants, policemen, the makers of artificial limbs and sometimes undertakers.

Dr. James C. Drye, professor of surgery at the University of Louisville School of Medicine, calls the motorbike "the most lethal weapon on our highways and streets." He has also said:

"If you get a boy a motorcycle for his birthday, it may be his last birthday."

DANGERS OF COURT CURBS ON POLICE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD a timely and thought-provoking editorial entitled "Ohio Judge Cites Dangers of Court Curbs on Police," which appeared in the July 16 edition of the Huntington, W. Va., Advertiser.

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

OHIO JUDGE CITES DANGERS OF COURT CURBS ON POLICE

The public is indebted to Cleveland Juvenile Court Judge Angelo J. Gagliardo for his forthright and courageous statement calling attention to the shocking consequences of a recent decision of the U.S. Supreme Court.

The statement referred to the 5-4 split decision read by Chief Justice Earl Warren on June 13 holding that the constitutional prohibition against forcing a defendant to testify against himself applies to police questioning of a prisoner as well as to the conduct of a trial.

The ruling declared that before questioning begins police must warn a prisoner that he may remain silent, that anything he says may be used against him in a trial and that he has a right to the presence of an attorney during the interrogation.

If the prisoner desires counsel and is without funds for the fee, the questioning must wait until a court-appointed attorney is present. If at any time the prisoner declares he does not want to be questioned further, it must stop.

The increasingly dangerous national conditions into which the five majority members of the Supreme Court tossed this unprecedented gift to criminals has been made clear by daily news headlines telling of spreading crimes of violence.

The situation was emphasized in a New York address the other day by U.S. Associate Justice Tom C. Clark, who dissented from the majority opinion.

"The law today," he declared, "faces perilous times. Never before was it afforded less respect and expected to perform more miracles."

But it remained for Judge Gagliardo to point up the serious consequences of the specific application of the decision. An East Side juvenile already on probation for five violations had been brought into court on a murder charge.

He had made a statement admitting the fatal shooting on May 29 of Ronnie E. Abbott, 20. Presumably the police questioning had taken place before the Supreme Court's June 13 decision, for the prisoner had not been informed of all his so-called constitutional rights.

Consequently on the basis of the Supreme Court's subsequent ruling, Judge Gagliardo had to bar the confession, "with great regret."

The murder charge collapsed.

"There is no question in my mind," the judge declared, "that this is anything but a willful, deliberate act of homicide, murder in the first degree, committed by this minor without any justification."

Realizing the injustice of the decision he had to make and the consequences of possibly scores of decisions releasing dangerous criminals to prey upon society, the juvenile judge said further:

"Somewhere, someday, some illustrious members of the Supreme Court will engage themselves in the practical problems of life in a modern urban society and deal with realities, rather than theories that place individual rights above the rights of the community.

"I trust the day is not far off when the Supreme Court in its ivory tower can look upon the tremendous damage and the impossible task it has placed upon law enforcement agencies in bringing to the bar of justice perpetrators of crime."

In its concern for the rights of vandals, murderers, robbers and rapists, the court seems to have overlooked the major purposes of the Constitution as set forth in the preamble:

"We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution of the United States of America."

As the Cleveland case clearly demonstrated, the decision read by Chief Justice Warren will thwart the administration of justice and will encourage domestic violence rather than tranquillity.

Certainly it will not promote the general welfare of the nation.

Alarming as the decision is in opening the way for the release of habitual criminals, it is even more dangerous in its tendency to breed contempt for law enforcement officers and to promote defiance of authority.

Those responsible for this culmination of a series of restrictions upon police should take a good clear look at conditions in Chicago.

While the police department there was trying to solve the murder of eight nurses, one of the most revolting crimes of the century, it had to divert hundreds of officers to deal with the wanton violence and vandalism of rampaging mobs.

The only apparent solution to the alarming national situation lies in a public revolt against placing the rights of criminals before the right of law-abiding citizens to protection from them.

People alarmed by the growing rate of crime should lose no time in letting Congress know that it should submit a constitutional amendment setting forth in specific terms just what the rights of the police are in questioning prisoners.

There should be no brutality or undue coercion, of course, but neither should there be any modern-day liberality to prisoners that handcuffs police and courts in dealing with them.

Every community and state should join in a national organization to see that Congress responds promptly to correct the dangerous situation created by the bare majority of the Supreme Court.

THE STERLING CRISIS

Mr. HARTKE. Mr. President, Britain's troubles are our troubles. Americans came to realize this during that desperate period between the collapse of

the pound sterling in 1931 and the Battle of Britain in 1940. Today, Britain's back is once more against the wall. Our first enemy and our closest friend is today faced with the cruel dilemma: deflate the economy to the point of economic distress—or devalue the pound.

Neither method of dealing with Britain's economic problems offers anything but trouble for the United States. An underemployed British economy raises the threat of export dumping to keep surplus men and machines busy and poses the certainty of a reduction in Britain's purchases of American exports. A devalued pound—with the rest of Europe following the move—will tear the fabric of our entire international monetary system at the same time as it confronts the United States with the undervalued currencies and exports of our major competitors.

The immediacy of the dilemma which faces Prime Minister Wilson's government is made clear by an article in the Washington Post of July 13, by Karl Meyer. Writing from London, Mr. Meyer reports:

Pessimistic speculation heightened today that Britain would be forced to resort to more severe deflationary measures or to face realistically the prospect of devaluing sterling.

The financial background for this depressing prognosis is laid out clearly in an article by Clyde Farnsworth in the New York Times for July 13. "Sterling," Mr. Farnsworth writes from London, "under heavy pressure, sank today to its lowest level since November 1964."

The facts are becoming clear. Having survived two crises—in November 1964 and August 1965—Britain is once more fighting a battle for economic survival. Quietly, almost unnoticed in America, obscured by more dramatic—and for Americans more immediate—events in Asia and at home, the free world's economy is reaching a crossroads. In 1931, the fate of the world economy was sealed by Britain's devaluation of the pound. The question and the crisis is with us once again: will Britain's defeat in a battle of finance signal the shattering of our prosperity and the free world's prosperity?

I ask unanimous consent that the article in the Washington Post of July 13, "Britain in Red, Faces Further Curbs," by Karl Meyer, and the article in the New York Times of July 13, "Pound Rate Sinks to 20-Month Low," by Clyde Farnsworth, be printed in the CONGRESSIONAL RECORD.

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

[From the Washington Post, July 13, 1966]

BRITAIN IN RED, FACES FURTHER CURBS

(By Karl E. Meyer)

(Washington Post Foreign Service)

LONDON, July 12.—Pessimistic speculation heightened today that Britain would be forced to resort to more severe deflationary measures or to face realistically the prospect of devaluing sterling.

The Government is braced for a fresh flurry of bad headlines on Wednesday, when the monthly trade figures for June are due to be released. The figures are certain to show that Britain is deeper in the red, even though much of the bad news can be attributed to the distortion of a 6½-week seamen's strike.

In Parliament today, Chancellor of the Exchequer James Callaghan said the strike, combined with rising prices for such commodities as copper, had the effect of putting the balance back.

But he said that Britain would move out of deficit during the course of next year, confirming that the Labor Government had abandoned hope of bringing trade accounts into balance by the end of this year.

DEFLATIONARY STEPS

The feeling in business circles is that the Chancellor will probably be impelled to take further deflationary steps soon, if only to counter speculative attacks on sterling during an uncertain and troubled few months.

One orthodox deflationary step would be to increase in the bank rate, and the well-informed Financial Times reported this morning that the odds in favor of such an increase are mounting daily.

As it is, the Chancellor told Parliament today that he was extending until the end of next year, and possibly longer, existing credit restrictions on bank loans.

The Government is counting on an additional deflationary squeeze this autumn when the new Selective Employment Tax begins to take money out of the economy. But this gain will be offset in November by the removal of the 10 per cent surcharge on industrial goods imported from Britain's partners in the European Free Trade Association.

SURCHARGE TO GO

Britain has told her EFTA partners that she will not reinstate the unpopular surcharge. If the import bill continues to rise while exports continue to lag, the country will be impelled to take more drastic countermeasures.

One possibility would be import controls, but the argument against them is that they are difficult to administer and take time to put into legislative effect. Another possibility is devaluation of sterling.

Inquiries suggest that a majority of British economists favor devaluation. If the pound were devalued by 15 per cent, the immediate effect would be to send a rush of foreign exchange into the British market.

The argument against devaluation are both economic and political. It is contended that other countries would promptly follow suit, wiping out Britain's temporary advantage.

OBJECTIONS POLITICAL

The most frequently heard objection is political—that Prime Minister Harold Wilson is committed to defend sterling, and that he is determined to prove that Labor can manage the currency. A Labor Prime Minister was in office on the two previous occasions—in 1931 and 1949—that sterling was devalued.

Moreover, there are strong American objections to devaluation on the grounds that the first result would be to bring intense pressure on the dollar.

But the step cannot be wholly ruled out. If it happened, it would be announced without warning on a Saturday, which is how it happened twice before.

[From the New York Times, July 13, 1966]

POUND RATE SINKS TO 20-MONTH LOW: PRICE OF GOLD EDGES UP AND STOCK MARKET IS SHAKY—SILVER DEMAND CLIMBS—CALLAGHAN QUESTIONED—CHANCELLOR TELLS COMMONS LENDING CURB WILL STAY—TAX AID IS DOUBTED

(By Clyde H. Farnsworth)

LONDON, July 12.—Sterling, under heavy pressure, sank today to its lowest level since November, 1964. The price of gold edged higher. Silver was in great demand. The stock and Government bond markets continued shaky.

This was the background as Chancellor of the Exchequer James Callaghan walked into the House of Commons. The questions came from all sides of the House.

He parried them, then made two pronouncements, both of which affect the future more than the current period of trial for the pound:

The squeeze on bank lending is to continue "until the end of March, 1967, and until further notice thereafter." Banks have been ordered to restrict lending to no more than 5 percent above the levels of March, 1965. There had been no question the order would be rescinded in the near future.

There will be no temporary easing of the squeeze to help companies meet new deflationary tax payments beginning in September An employment tax will extract £300-million ($840-million) from the economy between September and the end of the financial year next April.

Mr. Callaghan had hinted in his last budget that he might help the companies over their liquidity pinch. Now he says there will be no help.

RATE CHANGE POSSIBLE

The Chancellor is reluctant to do more just now, but the state of the financial markets may well cause him to change his mind. A few days ago his officials were saying the situation was not serious enough to warrant any action.

There is the strong feeling he may have to order an increase in the bank rate from the present 6 per cent to 7 per cent this week to halt the exodus of short-term funds seeking better yielding investments abroad.

There is pressure on him also to act immediately to curb domestic consumption, which despite successive disinflationary budgets is still rising. Stiffer installment credit controls and higher taxes for consumer goods are being suggested as possible measures.

A high rate of consumption means high imports, which Britain cannot afford if she wants to balance her external accounts. She imports far more than she exports.

There was what was described as "considerable pressure" on the pound today in the foreign exchange market. The Bank of England intervened in the forward market offering dollars for delivery in three months, six months and a year.

These transactions had the effect of steadying the rate for both spot and forward sterling. The spot rate slipped 1/32 cent to $2.78656—a new 20-month low.

The Bank of England prefers forward market intervention because there is no immediate call on currency reserves. There is always the hope that dollars can be creamed off the exchange market before the forward obligations fall due.

The price of gold continued creeping toward its recent high, set last February reflecting over-all monetary uncertainties.

At today's "fixing," London bullion dealers set a working rate at $35.17 a fine ounce, up ¼ cent over yesterday.

There is as yet no sign of Soviet gold sales to finance recent wheat purchases from Canada. The possibility that such sales may be in the offing has kept the market quiet in recent weeks.

The sterling price for gold rose to 252 shillings and a pence ($35.34) today, a high since January 1961, reflecting the eroding sterling exchange rate.

The sterling price of silver also moved up reflecting both the weak exchange rate and speculative demand. Silver, unlike gold, can be bought in Britain as a hedge against currency devaluation.

The stock market continued to react to fears the government would take new meas-

ures to curb excessive demand. The financial Times index for common stocks fell 2.5 points to 354.2, its lowest point since May 2.

Government bonds weakened this morning, but the selling dried up in the afternoon about the time the Chancellor was speaking in the House of Commons.

LAKE POWELL

Mr. MOSS. Mr. President, Lake Powell is a beautiful blue-green lake extending more than 180 miles upstream from Glen Canyon Dam in the gorge of the Colorado River and the San Juan River. Many have tried to describe the beauties of this lake with its contrasting colors from the great, massive red sandstone cliffs that rise from the shoreline and the wondrous side canyons which may be entered now by boat. The lake is also the pathway to Rainbow Bridge, the world's greatest natural arch. Without exaggeration it can be said that Lake Powell is the most spectacular lake in all the world.

In the Washington Post of July 17, Merlo J. Pusey has written an article entitled "Artificial Lake Proves Man Can Enhance Nature." I ask unanimous consent that this article appear in full in the RECORD at this point, and I urge my colleagues to read it through. Especially do I urge reading by those people who say that building a dam on the Colorado River in some manner destroys or degrades scenic beauty. Mr. Pusey points out that the scenery has been enhanced and has been made available to all. In years gone by, I went down the river before the dam was built and camped on the sandbars, and I saw the beauties of the canyon then. But I went on a muddy river; it took me several days. I had to possess a degree of physical stamina and be prepared to camp out and to hike considerable distances to places like Rainbow Bridge. Now I can go on the surface of a great, clear lake and sail up the canyon in which Rainbow Bridge stands, disembark from my boat, and walk less than a mile to the base of this great sandstone arch. Not only I, but my friends, those who have physical impediments even to the exent that some are on crutches, can make the trip. So the dam and lake have made available to all the people of the United States a thing of beauty that belongs to them. No longer is it reserved to the rich and the hardy and those with time on their hands, who could make the arduous journey into the great scenic arch. The beauties of the great canyon gorge have been improved and enhanced by the filling of the lake. Those who wring their hands and claim destruction because of the building of reservoirs on the Colorado, simply have not been to see.

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

ARTIFICIAL LAKE PROVES MAN CAN ENHANCE NATURE

(By Merlo J. Pusey)

WAHWEAP, ARIZ.—Can man ever add anything to the beauty of nature? Most conservationists reply with an emphatic "no." Even the rank and file of outdoorsmen doubtless agree in principle that rivers, lakes, mountains, forests and wildlife should be left in their natural state. But in the minds of increasing thousands, Lake Powell is posing a formidable challenge to that sweeping generalization.

Lake Powell is the reservoir created by the Glen Canyon Dam in the Colorado River. It is probably the most beautiful artificial lake in the world. Extending 175 miles upstream from Glen Canyon, it has created a new aquatic paradise in one of the most arid parts of the country.

People not familiar with the Four Corners region, where Colorado, Utah, Arizona and New Mexico meet, can have little concept of its desolation. Bare clay hills and parched prairies extend for hundreds of miles. The recent addition of more than 72,000 acres of clear blue water to this blistered expanse is like creating a bit of heaven in the nether region.

REMINISCENT OF NORWAY

When the reservoir is full, its waters will cover more than 169,000 acres and the volume (now about 9.5 million acre-feet) will be tripled. It has both the size and the setting for a major recreational area, for Lake Powell has produced a new dimension in scenic beauty for the American West.

Fjords of idyllic loveliness have suddenly come into being where only dry and inaccessible chasms existed before. Although the setting is very different, many of these fjords are as spectacular as those of Norway.

It is doubtful, however, whether this particular combination of blue or deep green water, fantastic red cliffs and blue sky can be duplicated anywhere. The mountains—some weird, some beautiful—often appear to be a painted streak between infinite depths of blue, above and below.

The public response to this attraction speaks for itself. More than 300,000 visitors saw Lake Powell last year at a time when it was little known outside the area. At least half a million are expected in 1966. Despite the long trailer haul over desert country, about 11,000 boats were in the lake near the Wahweap marina on Memorial Day.

PHILSOSOPHY SECONDARY

Like canyonlands to the north, the country that has thus been transformed was extremely rough. For centuries it had repelled human invasion. But water in some measure subdued it, turning scorching and impassable canyons into cool coves where a person may fish or swim or sit and drink in the beauty around him.

The people who are flocking to Lake Powell, with its 1900 miles of shoreline, are little concerned over whether man can really add to the beauty of nature. Even the National Park Service, which administers the Glen Canyon National Recreation Area and which is extremely sensitive to any encroachment of artificiality, has put the philosophical question aside. The officials with whom I talked are delighted that the lake is here.

Of course, the Bureau of Reclamation, which built the Glen Canyon Dam, is deeply concerned with questions of water storage and the generation of electric power, but these aspects of the project are not overly conspicuous. The 710-foot dam obstructs a very narrow canyon at a point that has little natural attraction. Indeed, leaving the Wahweap marina on the first western arm of the lake, one need not even see the dam as his boat swings into the main channel of the tamed Colorado.

A FABULOUS FJORD

For some distance, the deep water is confined between relatively low walls of stone, then the lake widens with an excellent view of Gunsight Butte on the left and Tower Butte and the cliffs of Labyrinth Canyon on the right. Numerous arms of the lake extend in both directions with plenty of open water worth exploring.

Then comes a series of narrower deep-water canyons: Dungeon Canyon (about 45 miles by water from Wahweap), Cathedral Canyon, Driftwood Canyon, Twilight Canyon, Hidden Passage and many others. We concentrated on Cathedral Canyon, a fabulous fjord.

At first the canyon winds among immense sandstone boulders. Then it narrows until the lake becomes more like a quiet-flowing river between gigantic blocks of stone rising vertically from the water or in some places leaning out over it. As the boat glides from the deep shade of sheer walls hundreds of feet high into patches of sunlight and then into shade again, there is an everchanging series of superb views.

In the next canyon on the right, the Park Service has installed a "floating facility." This service station on the water is not only a marina with gasoline and supplies for visitors' boats; it also has a store and boat houses for the maintenance personnel who live in a fantastic stone-walled world.

A 278-FOOT BRIDGE

Just beyond the "floating facility" is the well-maintained trail to Rainbow Natural Bridge, which spans a ravine 309 feet above the streambed and has a span of 278 feet. It is the largest known natural bridge and would straddle the Capitol in Washington.

Although it has been the central attraction of the Rainbow Bridge National Monument since 1910, relatively few people have seen its delicate pink sandstone against the sky because it could be reached only by means of a wretched road and extended hiking. Now, with a good boat, the 58-mile trip from Wahweap to Rainbow can be made in a day.

Some visitors are inclined to think that after taking this trip and darting into one or two side canyons, they have seen Lake Powell. Actually they have seen only a small part of the area into which the lake reaches.

The San Juan Canyon arm of Lake Powell runs all the way to the Utah state park at the Goosenecks. On the west side of the Colorado in the same area are Reflection Canyon, Hidden Passages and Hole in the Rock, a seemingly impossible crossing of the Colorado used by the Mormons in 1879–80.

The Escalante River is now lake for a considerable distance before it joins the Colorado. On the main stem of the Colorado is the Waterpocket Fold, a doubling of the earth's crust of much interest to geologists.

INDIAN RUINS ACCESSIBLE

Lake Powell has also given easier access to some ruins of the ancient Indian cultures of this area while at the same time inundating some others. The Basketmakers inhabited much of this wild country in the early centuries of the Christian era, and they were followed by the cliff-dwelling Pueblos. These people left the region, probably because of drought, about 800 years ago, but remnants of their tools, pottery, weapons and baskets remain, along with ruins of their dwellings. The Navajo Canyon arm of Lake Powell leads to the Betatakin and Keet Seel ruins, which are some of the best specimens in the Southwest.

The biggest problem at Lake Powell now is accommodating the hordes of visitors. The National Park Service plans eight major centers to facilitate boating, exploring, fishing, camping and swimming. At most of these there will be information and ranger stations, camp grounds, picnic areas and boat-launching ramps.

The Glen Canyon Recreation Area, including the lake, is now administered by the National Park Service under agreement with the Bureau of Reclamation. However, the Johnson Administration has approved a bill by Sen. FRANK E. MOSS (D-Utah) to give statutory backing to the area.

With the establishment of this immense playground, all of the scenic parts of the

Colorado River system from Moab, Utah, to the California border, except Marble Canyon, would be brought under Federal control for recreation purposes. This series of parks includes in addition to Canyonlands National Park and Lake Powell, the Grand Canyon National Park, the Grand Canyon National Monument and the Lake Mead National Recreation Area. A strong argument can be made for adding Marble Canyon.

A PRETTIER LAKE

Lake Powell might well become the most used portion of this vast recreation system when its facilities are developed as fully as those of Lake Mead. Powell's scenery is greatly superior.

No doubt there will be some loss of beauty when the lake becomes subject to drawdown to meet water demands downstream. Drawdown will be less evident than in the case of most reservoirs, however, because of the many precipitous stone walls enclosing Lake Powell.

In the case of Lake Powell, therefore, it does appear that man has added an element of beauty as well as usefulness to this segment of the Colorado River, but no loose generalizations would be warranted from this result. Flooding of the Grand Canyon, for example, would be a totally different proposition.

THE PRESENT AIRLINE STRIKE

Mr. COOPER. Mr. President, we are now in the 11th day of the strike that has crippled the major airlines of the country, a strike that began on July 8. Although the parties—union and management—have been negotiating since August 1965 on the terms for a new contract, no agreement has yet been reached; the existing agreements expired on December 31, 1965.

Earlier this year, when negotiations failed, the parties applied to the National Mediation Board. When mediation proved to be unsuccessful, the Mediation Board offered the parties arbitration, but this process was not put into use. On April 21, the President appointed an Emergency Board to determine the facts and to recommend a settlement. These recommendations have been accepted by the carriers but rejected by the union.

Mr. President, I have received telegrams from the business, industrial, and hotel interests of my State pointing out the economic hardship to all businesses, large and small, that are dependent in some way on air transportation. This is particularly true for the metropolitan cities of Louisville and Lexington, Ky.

Mr. President, I ask unanimous consent that several of these telegrams be included at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. (See exhibit 1.)

Mr. COOPER. Mr. President, this is one of several strikes in the past year that has affected the Nation's entire transportation system. I believe it is time that the emergency dispute section of the Taft-Hartley Act should be overhauled, as pointed out by the distinguished Senator from Oregon [Mr. MORSE] the other day on the floor.

Where a dispute exists between a regulated industry and its employees and a national emergency is created, then certainly Congress has an obligation to establish, by legislation, some procedure for safeguarding the public interest. I am hopeful that the Senate Labor Subcommittee can begin hearings soon on bills now pending before the subcommittee.

The senior Senator from New York [Mr. JAVITS] has introduced a bill which would authorize a U.S. District Court to appoint receivers to manage such transportation facilities in a national emergency, pending a settlement of the issues. The senior Senator from Ohio [Mr. LAUSCHE] has introduced a bill which would authorize the President to appoint—when all else fails—a five-member Board, three from the public, one from the union, and one from management, and which provides for compulsory arbitration.

We cannot continue to limp along from crisis to crisis in the field of national transportation, when so many industries are affected and the livelihood of so many individuals beyond the parties to the dispute are involved.

EXHIBIT 1

LOUISVILLE, KY.,
July 14, 1966.

Hon. JOHN SHERMAN COOPER,
U.S. Senator from Kentucky,
Washington D.C.:

Louisville has been greatly hampered by lack of adequate air line service since the labor dispute July 8. The economics of this city greatly depend on commercial air service. Eastern Airlines which is now on strike is the principal air carrier serving this city and I would consider it a personal favor if you would do everything within your power to see that the air lines resume their regularly scheduled flights while negotiations between management and labor are going on. If I may be of any assistance whatsoever I will be more than pleased to do anything within my power to assist cordially.

KENNETH A. SCHMIED,
Mayor, City of Louisville.

LOUISVILLE, KY.,
July 12, 1966.

Senator JOHN SHERMAN COOPER,
Senate Office Building,
Washington, D.C.:

Economic effects of airline strike—disruption of business; loss of wages and income, and tourist and convention dollars; and personal inconvenience—becoming more severe here. We urge you to take all steps possible to effect a just and rapid settlement. Your help is needed and appreciated.

THOMAS A. BALLANTINE,
Chairman, Aviation Committee, Louisville, Chamber of Commerce.

LOUISVILLE, KY.,
July 14, 1966.

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

The strike against five domestic airlines is seriously affecting business and the public. Companies and their employees serving the carriers are at a disadvantage for planning purposes. Unfortunately it is necessary that we look to you for counsel in seeing that this strike is brought to a fair and equitable conclusion. I would appreciate your help so that we may advise our employees, whose duties are affected because of the strike relative to their continued employment status.

STANDARD OIL CO.,
KENTUCKY,
W. C. SMITH.

LEXINGTON, KY.,
July 11, 1966.

Hon. JOHN SHERMAN COOPER,
Senate Office Building,
Washington, D.C.:

I hope that you are urging all appropriate Federal agencies to do whatever is necessary to bring about an immediate end to the airline strike. Cannot the President involve the Taft-Hartley Act. A group of willful selfish union officials should not be able to paralyze the life of this Nation.

Dr. WESLEY YOUNG,
Department of Community Denistry College of Dentistry, University of Kentucky.

LOUISVILLE, KY.

Hon. JOHN SHERMAN COOPER,
Senate Office Building,
Washington, D.C.:

Urge your help if at all possible in resolving the airline dispute which is adversely affecting business in Kentucky.

LESTER M. NICHOLS,
Executive Secretary Kentucky Hotel and Motel Association.

LOUISVILLE, KY.
July 14, 1966.

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

Airlines strike imposing increasing difficulties in transaction of essential business of Brown and Williamson. Our dependence on commerical air travel makes settlement of strike of great concern. Hopeful your personel influence will be exerted in calling for early resumption of service.

Regards,

EDWIN P. FINCH,
President.

JEFFERSONVILLE, IND.,
July 15, 1966.

Senator JOHN SHERMAN COOPER,
Senate House, Washington, D.C.:

The strike of the five major domestic air lines have caused much suffering to many thousands of small businessmen such as myself all over the country. My office is faced with substantial losses because of the effects of this strike and we are faced with the possibility of laying off employees. As a small businessman I ask that you use all your available power to help bring this strike to a conclusion.

J. T. WATSON,
Fort Knox Travel Agency.

LOUISVILLE, KY.,
July 15, 1966.

Senator JOHN SHERMAN COOPER,
Senate Office Building,
Washington, D.C.:

While the citizens of Louisville are being inconvenienced by the strike, businesses like ours are losing considerable income because of it. Any assistance you might give toward getting the airplanes back in the air will be greatly appreciated by us.

Yours very truly,

LOUISVILLE TAXI CO. &
TRANSFER CO.,
J. A. GAMMON, *President.*

LOUISVILLE, KY.,
July 15, 1966.

Senator JOHN SHERMAN COOPER,
Senate Office Building,
Washington, D.C.:

The airline strike is causing a great hardship upon the business and commercial interest of the Commonwealth. We will be most grateful for your efforts in helping to bring this serious dilemma to a conclusion.

JOHN M. LEWIS,
Kentucky Chamber of Commerce.

TOURISM IN SOUTHERN INDIANA

Mr. HARTKE. Mr. President, southern Indiana has a tremendous amount to offer the tourist—abundant natural beauty, numerous areas of historical interest, and ever-increasing facilities for summer recreation. We in Indiana celebrate our sesquicentennial this year—150th year of statehood—and southern Indiana's residents invite the Nation's vacationers to come help us celebrate.

Southern Indiana is a land of rolling, wooded hills, covered bridges, and countless traces of a rich pioneer past. It was in southern Indiana, in towns like Vincennes and Corydon, that events of high significance to America's and Indiana's early history took place. Vincennes played many roles—territorial capital, civilization's last outpost in the early Northwest Territory—in the days before 1816, when Indiana won statehood. Corydon was the new State's first capital city. Today, tourists can travel the Lincoln Heritage Trail, a highway tracing the route taken by the Lincoln family from Kentucky through Indiana to Illinois. They can see the remnants of the Whitewater and the Wabash and Erie Canals, 19th century Indiana's most efficient forms of transportation. They can visit the old pioneer inns, homes, and courthouses, and the many museums testifying to the area's rich past.

Southern Indiana offers us more than a glimpse into a pioneer past, however; 15 of Indiana's 22 State parks are located in southern Indiana, and 11 of the State's 13 State forests. The southern Indiana area offers the tourist two national parks—one, the site of Lincoln's boyhood home; the other, created a national park by the Congress only a few days ago, the George Rogers Clark Memorial, at Vincennes.

An economic renaissance is predicted for the area's near future, with a reinvigorated limestone industry bringing the promise of greater prosperity to this land so full of history and natural beauty.

I commend Gov. Roger D. Branigin and Lt. Gov. Robert Rock, for their interest and assistance in the promotion of tourism in Indiana, and in the organizing of a Sesquicentennial celebration of which we can all be proud.

In view of our sesquicentennial year and the relatively limited knowledge by the general public of southern Indiana's many resources for summer enjoyment, I ask unanimous consent to insert in the RECORD an article describing southern Indiana's attractions written by Charles Yarbrough, an Indiana native and travel editor of the Washington Star, which appeared in the July 10 issue of the Sunday Star.

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

HOOSIER SESQUICENTENNIAL: INDIANA MAKING BID AS NEW FRONTIER OF TOURISM

(By Charles Yarbrough)

WASHINGTON, IND.—To a returning native, this pristine, 101-year-old city of 12,000 has a bountiful land around it, a militant civic pride and the rare distinction of claiming nothing to dangle before tourists except room and board.

This year, as the county seat of Daviess county, it joins in Indiana's statehood Sesquicentennial, lackadaisically proud of its long, but uneventful history; too modest to lay claim even as a "gateway" to the land of young Abraham Lincoln to the south; the rich history of Vincennes to the west.

"Frankly," says Brooks Allen, energetic chairman of the local Sesqui observance, "Daviess county just doesn't have anything to interest the tourist." He might have added—"except hospitality."

LINCOLNS WENT BY

Those early travelers, the Lincolns, in moving from the scenes of Abraham's childhood to Illinois, by-passed the area by 12 miles.

George Rodgers Clark's heroic conquest of the British at Vincennes, had no reason to push on another 18 miles to the east; they had all the wilderness they wanted.

But close by the eastern border of the State, near present day Aurora, 100 soldiers enroute to aid Clark at Vincennes were slaughtered by Indians. There is a marker commemorating Lochry's massacre.

The savages pounced on a small group of pioneers in the southeastern section and there's a 44-foot-high monument over their mass graves at today's Pigeon Roost State Memorial near Scottsburg.

AN EARLY ONE

It seems everyone was by-passing Washington in those days, with the possible exception of a hardy pioneer named William Ballow, who settled in the southeastern part of Daviess county in 1801.

History doesn't record whether he may have been one of three settlers picked off by the Indians, but three was too many and by the 1820s there were 10 forts ranging up and down the county.

In a way, Brooks Allen is right about the lack of tourist lures in Washington and Daviess county. The passing traveler, whizzing through town on U.S. 50 east or west; Highway 57 north or south or riding the Baltimore & Ohio's mainline to St. Louis or Cincinnati, is apt to dismiss it with fleeting compliment "my, what a well-kept town."

What's here is largely for the local trade. It's doubtful that anyone save the real and constant observer could scrape up anything distinguishing.

SOME DISTINCTION

The fact that for decades, Washington was one of the few places of its size in the world sporting two competing, afternoon daily newspapers meant little to the residents save a choice; even less to a tourist. After about 93 years as The Democrat, one of them suddenly decided the name might connote too close a connection with you-know-what-party and changed it to The Times.

Then it merged with The Herald, where this newspaper career began, and became The Washington Times Herald, which, to Washington, D.C., has a nostalgic ring.

At one time, when the population was about 7,000, this Washington had two high school gymnasiums that would seat the entire town. The basketball fever being what it is in Indiana, they often did.

But 150 years of Statehood and the attendant celebrations are focusing new attention on all parts of the State, long a tailender in the tourism industry.

If the occasion does nothing else for Washington, it has created the first Daviess County Historical Society. As Brooks Allen optimistically put it, 'with research and time, 10 years from now we may have uncovered something we've been sleeping on."

A new awareness of the tourism potential is spreading out from the Statehouse offices of Lieut. Gov. Robert L. Rock in Indianapolis.

Two years ago the State had $30,000 to spend to attract new money, industry and, almost as an after-thought, tourists.

This year, it has $150,000 and the welcome drums are beating.

"Indiana, State of Surprises," is the theme and a bag-full of excellent literature goes out to anyone who asks. The publicity department handled 27,000 requests in the early months; geared for 50,000 and received 86,000 in the first five months of this year.

Queries should go to the Indiana Division of Tourism, Department of Commerce, 333 State House, Indianapolis.

The attractions run a truly surprising range. Ask the average traveler about Indiana and he'll usually come up with the Indianapolis 500 Memorial Day Race, exciting grandpappy of them all, and Hoosier basketball.

I don't know what has happened to Indiana basketball, but it was a little depressing during a recent visit to Indianapolis to hear a taxi driver say he "couldn't remember who won the high school championship this year. I think it was some out-of-town team."

CROPS AND LIMESTONE

In between those interests, the potential tourist lures run from the dunes of Lake Michigan down through history started by the French explorer LaSalle to the Ohio river, pioneer waterway which opened the state to settlement and made Vincennes-on-the-Wabash an early cradle of culture of the Northwest Territory.

In the southeast is the land where Lincoln did that reading by firelight. His mother, Nancy Hanks, is buried at Lincoln City.

The variety is boundless from dunelands to the grottoes of Wyandotte; from the flat plains of wheat and corn to the scenic and rustic hills of Brown county, so reminiscent of the Ozarks.

Around Bedford, nature was lavish. Many a building in the Nation's Capital is built of Bedford limestone.

One of the last strongholds of the old covered bridge will be found in Parke county, which boasts of 38, many of them still in use.

There are more than a dozen State Forests; 17 State parks, a score or more areas for fish and game and recreation.

A new 2,500-acre lake is filling in southern Daviess County.

Corydon and New Harmony in Southern Indiana reek of rich history and legend. Corydon still has its aging documentation of the State's beginnings, including a part of the Constitutional Elm, under which the first constitution was drawn.

BEARDS AND RIFLES

New Harmony shows many vestiges of an era started in 1814 by a German religious sect, the Rappites. In sharp contrast to the many restored Rappite homes is the startingly modernistic "roofless" church which looks like a drooping mushroom.

The Sesquicentennial programs run the gamut from newly-grown beards and old long rifles and are as numerous over the State this year as they are diverse.

Some of the highlights:

Tell City's Swiss Schweizer Fest, Aug. 14–20; National Drag-Racing championships in Indianapolis Sept. 1–5; the Lincoln-land Fall Foilage tour out of Troy in the Ohio valley; the Indiana State Fair Aug. 26–Sept. 3; the Madison Regatta Sept. 3–4 and Parke County's Covered Bridge Festival at Rockville Oct. 7–16.

Indianapolis itself, once as somnolent a capital as you've ever seen, is bustling. Aside from Sequicentennial staging, the place comes alive with new apartment architecture, new motor hotels in the heart of the city; a throbbing economic vitality.

It may sound a bit incongruous to the former Hoosier to know there is a swank new area near the State Fairgrounds with the unlikely (for Indiana) name of Chateau de Ville with a street called Rue Flambeau.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is concluded.

PROTOCOLS TO THE NORTHWEST ATLANTIC FISHERIES CONVENTION OF 1949—UNANIMOUS-CONSENT AGREEMENT TO VOTE TOMORROW AT 12:30 P.M.

Mr. INOUYE. Mr. President, I ask unanimous consent that at 12:30 p.m. tomorrow, the Senate vote on the protocols to the Northwest Atlantic Fisheries Convention of 1949.

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

Mr. FULBRIGHT subsequently said: Mr. President, for the information of the Senate, set forth below are excerpts from the report of the Committee on Foreign Relations on the Protocols to the North Atlantic Fisheries Convention of 1949—Executive Report No. 7, 89th Congress, 2d session.

In accordance with an agreement entered into earlier today, these protocols will be voted on tomorrow at 12:30 p.m.

MAIN PURPOSE

The protocol on measures of control would amend the International Convention for the Northwest Atlantic Fisheries so as to permit the International Commission to propose inspection and enforcement measures to be considered by the contracting powers under terms proposed by the Commission.

The protocol on entry into force is designed to expedite the procedure for action on regulations proposed by the Commission.

BACKGROUND

The Northwest Atlantic Fisheries Convention of 1949 has as its aim the protection and preservation of the fisheries of the northwest Atlantic Ocean in order to make possible the maintenance of the maximum sustained catch from those fisheries. Territorial waters of the contracting parties are excluded from the provisions of the Convention. The 13 signatory states are Canada, Denmark, the Federal Republic of Germany, France, Iceland, Italy, Norway, Poland, Portugal, Spain, the U.S.S.R., the United Kingdom, and the United States.

The Convention established the International Commission for the Northwest Atlantic Fisheries, to which each participating government may appoint not more than three Commissioners who exercise one vote. The Convention divides the northwest Atlantic area (42° longitude west) into five subareas each of which has a special panel of Commissioners drawn from countries fishing in the subarea or adjacent to it. The principal fish involved are rosefish, cod, haddock, and flounder. Neither the Commission nor the panels have direct regulatory powers but they are authorized to make recommendations to the signatory nations. Some of these regulations, such as regulation by mesh size for certain fish, have been adopted by the parties to the Convention for certain of the subareas.

EXPLANATION OF THE PROTOCOLS

The protocol on measures of control was drafted, and is strongly supported, by the United States. At present, under the terms of the original Convention, each contracting state enforces the adopted conservation regulations with respect to its own nationals. Some European states far from the fishing grounds find it difficult to enforce the Convention in the convention area. Others, like the United States (through the U.S. Fish and Wildlife Service and the Coast Guard), enforce it both in port and at sea from enforcement vessels. As a result different degrees of enforcement are exercised to the disadvantage of some fishermen and the advantage of others. The protocol, therefore, will make it possible for the Commission to make proposals for international enforcement measures, as it does now for conservation regulations, to the member governments. The control measures to be proposed have not yet finally been decided. The protocol will enter into force when acceptance by all parties has been signified or, after the second protocol enters into force, in accordance with the new provisions.

The protocol relating to entry into force of proposals was also initiated by the United States. It provides for their entry into force in the absence of objection rather than upon notification of acceptance, thus assuring prompt action on such proposals, including the proposal for measures of control submitted under the first protocol. At the present time, a proposal for conservation must be accepted by each government participating in the panel for the subarea to which the proposal applies or in the case of proposals affecting the entire convention area by each contracting party. Due largely to inertia, some two dozen proposals dating back to 1957 are presently outstanding. Under the procedure proposed in the protocol, such proposals would enter into force after 6 months unless objection is made by one or more contracting parties. If objection is received, there would be an additional period of 60 days, or 30 days after receiving notice of an objection by another party—whichever date is later—during which other parties could reconsider their nonobjection in the light of the objection. After the period or periods for objecting expire, if a majority of contracting governments object the proposal would not enter into force. If less than a majority object, the proposal would enter into force but only for those parties which did not object. As far as the United States is concerned, this procedure fully protects its freedom to be bound or not to be bound by conservation proposals. Moreover, under the convention, a contracting party can give 1 year's notice of termination of its acceptance of a proposal any time after that proposal had been in force for 1 year.

COMMITTEE ACTION AND RECOMMENDATION

These protocols, dated November 29, 1965, were transmitted to the Senate on June 27, 1966, with the strong endorsement of the administration. This was reiterated by Burdick Brittin, Deputy Special Assistant for Fisheries and Wildlife at the Department of State, at the public hearing held by the Committee on Foreign Relations on July 12. His prepared statement is appended to this report.

Both protocols serve to strengthen the Convention on the Northwest Atlantic Fisheries and as such deserve the vigorous support of the U.S. Senate in line with the U.S. tradition of promoting conservation measures in the fisheries field, as well as in others.

Both protocols are based on precedents established in other fisheries conventions. The one relating to measures of control finds a basis in the International North Pacific Fisheries Convention, which, however, spells out the form of international inspection or enforcement to be followed. The protocol on entry into force is similar to the terms of the International Whaling Convention and the Northeast Atlantic Fisheries Convention to which the United States is not a signatory.

The Committee on Foreign Relations concurs with the recommendation of the President and urges the Senate to give its advice and consent to ratification of both protocols at an early date.

THE FOREIGN ASSISTANCE ACT OF 1966

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3584) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

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

Mr. FULBRIGHT. Mr. President, each year it becomes more difficult for those of us who believe in the desirability of a foreign assistance program to support a continuation of the program as now conceived and administered. The reports of the Foreign Relations Committee over the last few years have reflected our profound dissatisfaction with conduct of the aid program under the Foreign Assistance Act of 1961, as amended, and have suggested certain changes which we thought desirable.

Three years ago, in the Foreign Relations Committee's report on the foreign aid bill, the committee expressed the hope that the administration would submit to Congress the following year a program which had been revamped in major respects.

That report said:

> Specifically the committee believes that countries which can take care of themselves should be eliminated from the program, that even more selectivity among countries should be introduced, and that prompt and serious consideratian should be given to a greatly increased utilization of multilateral agencies, such as the International Bank for Reconstruction and Development and its subsidiaries, notably the International Development Association.

The hope that the administration would submit such a program proved to be in vain.

Last year, the committee reported and the Senate approved a bill which provided for a joint executive-legislative Foreign Aid Planning Committee to revamp the program and which laid down general guidelines for that committee to follow. Unfortunately, it proved to be impossible in conference to persuade the House of the merits of this approach.

Despite a number of fine pronouncements concerning the application of new criteria in the granting of foreign economic assistance, the legislative proposals submitted by the administration this year fell short, in many respects, of what the committee deemed desirable.

Therefore, Mr. President, the Foreign Relations Committee has itself undertaken the task of writing these revisions into law. They are generally consistent with what the Senate has approved in the past, and they are consistent with the discharge of the Congress' responsibility for establishing the terms of the program which the executive branch is to administer.

The committee has approved the administration's proposal to authorize economic and military assistance in separate bills. This is a reform which the Senate has itself previously supported and which will make it easier for the Senate and the public to consider each major type of aid on its own merits and to draw clearer distinctions between them. I want to emphasize that it will have no effect on the relative authorities and responsibilities of the Department of State and the Department of Defense.

The principal changes which the committee has made in the economic aid program are to concentrate it in fewer countries and to emphasize multilateral rather than bilateral administration.

One of the frequent criticisms that has been made of the aid program, by the Foreign Relations Committee as well as others, has been that it is too diffuse and spread too thinly over too many countries. In the Senate version of the foreign aid bill last year, one of the guidelines provided for revising the program was to limit aid to 50 countries. In their testimony before the Foreign Relations Committee this year, both AID Administrator Bell and Secretary Rusk have made much of the fact that a major proportion of aid is indeed concentrated in a mere handful of countries. In his message to Congress on foreign aid, the President himself said:

> We must concentrate on countries not hostile to us that give solid evidence that they are determined to help themselves.

The Foreign Relations Committee has made this a legal requirement as well as an administrative policy. The committee believes that this action is necessary in order to compel more careful and selective consideration of the assistance which we extend to those countries in which we have an overriding interest. There is clearly a need to arrest the tendency of the executive branch to consider foreign assistance as an inevitable and, indeed, automatic feature of our bilateral relations with developing nations. The numerical limitation will go far toward avoiding situations where an ill-considered reliance on aid as a short term expedient jeopardizes our long-range interests by creating complicating commitments and expectations.

This limitation need not unduly restrict the flexibility of the executive branch in dealing with unexpected situations. The bill provides two escape procedures for such situations—the executive branch may obtain additional authorization from the foreign policy committees of the Congress upon presentation of adequate justification, or it may proceed through multilateral channels, because the committee's limitations do not apply to aid furnished through the International Bank or its affiliates.

With respect to multilateralism as with concentration of effort, the administration has endorsed a principle which the committee has previously sought to promote. In his message to Congress, the President expressed his "confidence in the multilateral method of development finance." Both Mr. Bell and Secretary Rusk likewise endorsed an increasing emphasis on multilateral aid. The draft legislation submitted by the administration did not, however, reflect their statements.

The committee does not propose in this bill to turn the entire aid program over to the multilateral institutions but it has written into the bill several provisions which will push the program toward greater multilateralism. The most direct of these is the requirement that 15 percent of development loan funds be used through the International Bank or its affiliates, the International Development Association, and the International Finance Corporation. In addition, permissive authority—not a requirement—is provided for use of 15 percent of Alliance for Progress funds through the World Bank family or the Inter-American Development Bank. Finally, all Alliance for Progress loans are made contingent upon approval of individual country economic plans by the Alliance's multilateral review agency, the Inter-American Committee for the Alliance for Progress, or CIAP as it is known after its Spanish initials.

When aid passes through an international organization, such as the World Bank or the International Development Association, en route from the aid-supplying to the aid-receiving nation, it is denationalized and an international buffer is erected between lender and borrower, or between giver and receiver. This has great political advantages for both sides. It avoids the political problems which arise from the day-to-day involvement in the affairs of the recipient in the course of administering the aid. It avoids the physical presence in the territory of the recipient of large numbers of official Americans, and their dependents, inevitably calling attention—no matter how circumspect they might be—to their wealth contrasted with the poverty of the recipient. It avoids resentment on the part of the aid donor when he does not receive the gratitude which he expects, and it avoids the resentment on the part of aid recipients who often feel that in order to maintain their self-respect they must demonstrate their independence by rejecting the advice of the donor. Whoever heard of anybody being grateful to a bank—or of a bank expecting gratitude?

Finally, a multilateral lending agency, because it is nonnational and apolitical, is in a position to tie more sensible economic strings to its loans, to demand better economic performance, and to police that performance better. It is much easier for the political leaders of a poor country to accept and act on the unpalatable advice of an international agency than on that of a national government.

There are a number of other noteworthy innovations in the bill, notably more specific authority and expanded funds for population control work, and authority to apply to the other countries of Asia and Africa the technique of the joint commission on rural reconstruction which has been so successful on Formosa. These and other provisions are fully explained in the committee report, and I shall not detain the Senate with a further review of them at this time.

I do, however, want to comment briefly on the action of the committee in limiting the authorization of all aid programs to a single year. Until this year, I have myself advocated longer term authorizations, but recent events have persuaded me of the continuing necessity—time consuming as it is—for the annual review by Congress of our foreign aid activities.

The first factor influencing this decision is the astonishing assertion of the Secretary of State that the fact of U.S. aid to Vietnam is one of the bases for the commitment of 300,000 American troops there. The clearest statement of this point by the Secretary came in a speech before the national convention of Rural Electric Cooperative Associations in Las Vegas February 16. As reported in the Department of State's own press release, the Secretary said:

> We are committed to assist South Vietnam to resist aggression by the SEATO Treaty, which was approved by the Senate with only one dissenting vote; by the pledges of three successive Presidents; by the aid approved by bipartisan majorities in Congress over a period of 12 years; by joint declarations with our allies in Southeast Asia and the Western Pacific; and by the Resolution which Congress adopted in August 1964, with only two dissenting votes.

But there is more than our involvement in Vietnam which has brought about a change in my thinking on the question of multiyear authorizations. I am most apprehensive about the tendency in the executive branch of Government to escalate the extent of our aid commitments.

In a television interview April 19, the Vice President said of the Honolulu declaration resulting from the Johnson-Ky conference that it was the articulation of a Johnson doctrine for Asia, that "it was directed towards an Asia, a modern Asia, an Asia with abundance, an Asia with social justice, an Asia at peace, an Asia with tremendous programs of social, economic betterment." It was, he continued—

> A pledge to ourselves and to posterity to defeat aggression, to defeat social misery, to build viable, free political institutions, and to achieve peace. Now, those are broad terms, but these are great commitments. And then you add onto this, sir, our relationships with India and Pakistan, but particularly now India, where the discussions between our two governments have gone far beyond just food; they have gone into the whole matter of development of the economy, the social, political structure. I think there is a tremendous new opening here for realizing the dream of the Great Society in the great area of Asia, not just here at home.

It may well be that the Congress would agree on the desirability of a "Johnson doctrine for Asia." I do not believe, however, that it would be proper for the

executive branch to embark upon a program without thorough congressional review. I would be much more inclined to support multiyear authorizations if there were not this tendency to escalate our commitments by such statements. In the circumstances, I think it well to keep a tighter rein on the aid program than might otherwise be necessary, or even desirable.

Further, Mr. President, on the question of multiyear authorizations, it should be recalled that the Senate's action last year in voting a 2-year authorization was directly linked to a provision terminating the aid program in its present form at the end of fiscal year 1967, and the establishment of a Foreign Aid Planning Committee to undertake an exhaustive study of the premises and conduct of our foreign assistance programs. It was only under these conditions that the Foreign Relations Committee members were willing to approve a 2-year authorization. In the words of last year's committee report:

> These two major provisions were almost indissolubly connected with respect to the committee's heavy vote in favor of the bill.

Unfortunately, as I noted earlier, the House, which had voted a 1-year authorization, would not concur in these provisions of last year's Senate bill. The House bill this year, on the other hand, contains a 5-year authorization for development loans and the Alliance for Progress, and a 2-year authorization for the remainder without revision of the program or provision for its review.

Mr. President, the burden which has been carried by those of us who have supported this program in the past arises not from any basic fallacy in the principle of assisting other nations, but rather from the imperfections in the basic approach and administration of the program in the past. The extent of the present public and congressional dissatisfaction with our aid program is such that it cannot be overcome by administrative reforms and certainly it does not merit the confidence inherent in a long-term authorization.

As I have said before, the problem is simply that as long as we continue to go about foreign aid in the wrong way it will fail to produce the hoped-for results. I believe that the reforms which we have written into this bill are a step in the right direction, but until they have been tested, and other reforms made, and until the world situation stabilizes somewhat, I believe that we would be abdicating our responsibilities if we did not continue to conduct an annual review of our aid policies.

Finally, Mr. President, I want to conclude with the thought that what is at issue is not so much whether we have a foreign aid program as what kind of program it should be. Segments of the press have berated the Foreign Relations Committee rather severely because of its action with respect to this bill. Yet the committee has approved an authorization only $117 million less than the appropriation requested by the President. This is a cut of less than 5 percent, and is extremely moderate as foreign aid cuts go and less than I favor in this bill. This is evidence, I think, of the general conviction of the committee that some sort of foreign aid program is necessary. The committee believes it will be a more effective program if it is changed in the ways provided by the committee bill.

Speaking for myself alone, for reasons which I have indicated and shall develop more fully later on, I am willing to support more substantial contributions to development financing through multinational organizations, but am unwilling to continue indefinitely large scale binational aid programs.

Mr. President, in this connection I ask unanimous consent to have printed in the RECORD an article from the New York Times of this morning concerning a proposal of the President of the World Bank to ask the developed nations to contribute $1 billion a year—aside from whatever they may be doing bilaterally—for administration by the International Development Association.

This is an illustration of what I mean as a more effective procedure, and I favor the proposal of Mr. George Woods, who I believe is an extraordinarily able administrator of the World Bank and its affiliated organizations. This is precisely what I have in mind.

I favor the diversion of a major part of our development lending into this type of international lending. In fact, I would not hesitate to support a larger U.S. contribution to the IDA because I believe that this approach would be more effective. It would avoid our getting involved in the kind of controversies such as that facing us in Vietnam. That is an extreme example, but there are other instances of less serious involvement which, I believe, may lead to similar troubles if bilateral lending is continued.

I ask unanimous consent to have this article printed in the RECORD at this point in my remarks.

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

WORLD BANK SEEKS $1 BILLION TO LEND TO POOR COUNTRIES—RICH NATIONS TO BE ASKED TO QUADRUPLE CONTRIBUTIONS TO PROVIDE "EASY" LOANS

(By Edwin L. Dale, Jr.)

WASHINGTON, July 17.—The United States and the other industrial countries will shortly be asked to quadruple, to $1-billion a year, their contributions to the World Bank for "easy" loans to poor countries.

The request will probably be made this week by George D. Woods, the president of the bank. The formal title of the World Bank is the International Bank for Reconstruction and Development.

The contributions, now running at $250-million a year, would go to the bank's easy-loan subsidiary, known as the International Development Association. The bank itself raises funds by selling bonds on the world's capital markets.

NO INTEREST AND 50 YEARS TO PAY

The United States share of the contributions to the association would remain at about 40 per cent, or $400-million a year instead of the present $100-million. The money is lent to the world's poorest countries with no interest and 50 years to pay.

The Woods request will pose a major choice for the United States and the other rich countries. It will bring to a head the question of whether a much larger portion of economic aid to the poor countries should be given through international institutions instead of bilaterally.

It will also pose dramatically the question of the willingness of the rich countries to increase the total volume of aid to the developing countries. The World Bank has calculated that the developing countries are now in a position to absorb usefully from $3-billion to $4-billion more a year than they are currently receiving.

AID TOTALED 9.1 BILLION

In 1964, the last year for which figures are available, total government aid was $5.9-billion and private capital flow was $3.2-billion.

Mr. Woods has chosen this week to make his formal request for additional funds for the I.D.A. because the top foreign aid officials of 15 countries will be here for a meeting not directly connected with the World Bank.

This is a meeting of the Development Assistance Committee, an arm of the 21-country Organization for Economic Cooperation and Development. The committee seeks to coordinate the aid programs of individual aid-granting countries.

The member nations of this committee are also the main contributors to the I.D.A.

The bulk of support for the association comes from the United States, Britain, West Germany, France, Italy, Japan and Canada.

Mr. Woods will speak to the meeting, but he is expected to make his formal request for funds for the I.D.A. separately.

The donor countries have known for months that a request for a new round of contributions for the I.D.A. was impending because its association funds are running out. The last round of contributions was $750-million over a three-year period.

Mr. Woods has given no hint, however, of how much he will ask. His asking figure of $1-billion was learned from highly authoritative sources.

What the United States reaction to the request will be is not known. Top officials have indicated a definite sympathy with the idea that the rate of aid given by the association should be increased, but whether they will go along with a quadrupling of the aid is uncertain.

Furthermore, the United States is eager to find a device by which its contributions to the I.D.A. would not further worsen its deficit in the balance of international payments. Dollars donated to the association are disbursed by the bank on the basis of competitive world-wide biding, and thus many of them eventually flow by way of the poor countries to other developed countries.

RIGHT TO REDUCE

Mr. Woods is known to have strong reservations about two possible ways that the United States, or other donor countries, could be protected against any adverse balance-of-payments effect.

One would be to give a nation in balance-of-payments difficulty the right, at the time the money is disbursed by the I.D.A. several years from now, to reduce its contribution by some specified amount for the year in question. This poses for Mr. Woods the problem of not knowing precisely how much money he could commit for loans.

The second would be a requirement that the bank "tie" its disbursements to goods procured in the nation suffering payments difficulties. Dollars would have to be spent in the United States, for example. This would require a sharp revision of the bank's current practice.

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

Mr. FULBRIGHT. I yield.

Mr. CARLSON. Mr. President, I would not like this opportunity to pass without expressing my appreciation to the distinguished Chairman of the Com-

mittee on Foreign Relations for the outstanding service he has rendered in holding the hearings and in having this bill properly presented to the Senate for consideration.

I can think of no more difficult assignment in connection with legislative matters than one involving the handling of foreign aid legislation—which is always a controversial subject, in its least, in addition to involving the varied opinions of the members of the committee.

I state frankly that while the bill was reported, many different viewpoints were expressed on it, and still are being expressed. The Chairman is entitled to much credit for the fine way in which he conducted the hearings, for his thorough knowledge of the problems confronting us in the foreign aid field, and for his devotion to a cause that I believe is essential to our international interest.

Experience clearly demonstrates that friends and cooperation cannot be bought with money, and that neither people nor governments can be remade in our own image. That has been one of the problems confronting not only our Nation but also the committee in dealing with this problem. We have not hesitated to spend large sums of money, but in many instances the results have been far from satisfactory.

With that thought in mind, Mr. President, I wish to express my appreciation to the distinguished chairman of our committee.

Mr. FULBRIGHT. Mr. President, I appreciate the kind words of the Senator from Kansas. He has followed these hearings closely, and has made a great contribution to the consideration of what I regard to be one of the most difficult bills which has come before the Senate.

It is difficult because it undertakes to deal with what I believe is the major problem confronting the world—that is, the great disparity between the incomes and living standards of industrialized nations and the underdeveloped nations.

I recognize the problem. I have been criticized, as have other members, for not being fully conscious of this problem, and sympathetic to criticisms based on some of my actions and statements in the last 2 years on this subject. I believe that this is perhaps due to my failure to convey adequately to the press, who have commented on this, what I feel about the problem.

I have always supported foreign aid beginning with the Marshall plan. But as time passed, it became more evident, in my view, that something basic is wrong with the aid program.

The program has not achieved its purpose in the underdeveloped world, as it did in Europe. I believe that the experience with the Marshall plan misled some of us to believe that we can do with money what we did in Europe. The difference, of course, has been commented upon often: The situation in Europe involved a highly developed economy and society which was severely damaged by the war. That society contained the manpower, the know-how, the men and the traditions—everything except the capital. All it needed was the infusion of capital. We supplied that and the aid program worked well.

The situation in the rest of the world is not comparable to that in Europe after the war. I do not believe that a bilateral approach by a great nation assuming a kind of patronizing attitude—a new kind of colonial attitude, in which we undertake to supervise and tell the underdeveloped countries what to do—can succeed. The word "colonial" may not be proper, but I cannot think of a better word at the moment.

We are becoming involved in the internal affairs of a great many countries, and I do not believe we are capable of making the existing program work effectively. That is why, in frustration at the lack of success and also because of the involvement in such instances as in Vietnam, I have turned to the multilateral approach.

Within their respective areas of operation, the agencies such as—IDA, the United Nations Special Fund, IFC, the Inter-American Development Bank, and the Asian Development Bank—have done a good job. The Asian Development Bank has just been created, but the organizations that have operating experience have been doing a good job, free from the involvements and the difficulties that we are suffering from in our various aid relationships throughout the world.

This is the main point. I am not minimizing the importance of the developed countries doing something to bring about better conditions in the underdeveloped world. I believe we should. But we should do this in a more effective way than we have in the past.

In passing, I wish to say that economic aid, whether given bilaterally or multilaterally, is not the whole answer to the problems of the developing nations by any means. It is only a supplement. I believe that of far greater importance is the question of terms of trade—that is, how to stabilize and increase the income of underdeveloped countries for their basic raw materials.

It has always seemed very sad to me that great countries, like ours and those of Western Europe, use their ingenuity in trying to get commodities from the underdeveloped countries at the lowest possible cost, in the old tradition of our capitalistic system, and then have to turn around and supplement the economies of those underdeveloped countries with aid. It makes no sense for us to pay too low a price for the basic commodities—the minerals, the foodstuffs of the underdeveloped countries—and then give aid to the same countries. A way should be found to enable these countries to benefit more from their trade. This is what I mean when I say we need to improve the terms of trade.

A great disparity has developed between the prices of industrialized goods and raw materials. Of course, that same problem has afflicted us in the United States, as a result of which for many years our farmers, who produce the wheat, the cotton, the soybeans, and the corn, never received a fair price for their commodities. That is why the Federal Government had to step in with price support and other programs in an attempt to rectify the situation.

The same system cannot be applied internationally, but I do believe that a system should be instituted which would enable the developing countries to obtain better—and more stable—prices for their raw materials. This would be a far superior way in which to eliminate this great disparity in income between the rich and the poor nations than continuation of aid would be.

To me, aid is a temporary palliative, rather than a real solution to this problem. I have supported aid, and I support it now. However, I wish to say again that I shall not continue to support bilateral lending because of the unfortunate political results of it.

I believe bilateral aid contributes to making unsatisfactory relationships in many cases. We have had libraries burned. I do not know how many.

(At this point, Mr. BYRD of Virginia assumed the chair.)

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

Mr. FULBRIGHT. I yield.

Mr. AIKEN. I was interested in what the Senator said about raising the income of the people of the countries where we are doing business.

While our aid program has been unable to achieve that purpose in a material degree, some of our business concerns—and I am thinking particularly of Sears, Roebuck at this point, and others—have achieved that purpose and improved the lot of the people in the countries where they operate. They gradually produce more of what they sell. I believe that in one Latin American country they produced 100 percent of what they sold in that country. There is more business for the company, it improves the lot of the people, and it improves business generally.

I am sure that the chairman of our committee is familiar with the commencement address given by the Honorable Eugene Black at Wellesley College early in June, in which he pointed out many weaknesses in our methods of extending aid. That speech of Mr. Black was so good that it did not get the press coverage it deserved. I inserted it in the RECORD.

Mr. Black pointed out that our State Department is so busy conducting programs and they spend so much time at it that it detracts from their ability to carry out the normal functions of the Department of State.

He recommended that more of our aid be extended through international organizations, which the Senator from Arkansas [Mr. FULBRIGHT] referred to, and also through nonprofit organizations. He even went so far as to suggest that we could extend aid through some of our business organizations or corporations.

I realize that there are risks—political risks, at least—in the latter suggestion. However, we must admit that most of our big corporations are many times more efficient than Government agencies.

Mr. Black pointed out how many of our Government agencies spend so much

money competing with each other; issuing statements of what they are going to do in a country, and then not doing it. That does not make the people of the country feel good about the program.

I think we should pay more attention to the recommendations of Mr. Eugene Black. He has been reasonably successful with the International Bank which he headed for several years. It not only did a great deal of good throughout the world but accumulated a billion dollars in reserves at the same time, all of which was invested in U.S. securities, showing that somebody, at least, has some confidence in the financial position of the United States.

I think we should pay more attention to recommendations such as those made by Mr. Black.

Mr. FULBRIGHT. I wish to endorse what the Senator has said about Mr. Black. I have spoken with him many times in the past about this subject. Mr. Woods is now carrying on the tradition of the Bank.

Mr. John Rockefeller III, who has been very interested in Asia, made a speech recently in New York along the same lines. Many people with great experience in this field endorse the principle of providing aid through multilateral agencies.

Mr. AIKEN. While on a very fruitful trip, which was known as the Mansfield mission, we found that all countries in southeast Asia, bar none, excluding North Vietnam, of course, were very much interested in the cooperative proposals for improving the economy of the region.

Perhaps if that program were implemented they would not think so much about fighting or taking over a neighboring country.

I notice this morning in one of the news items that the Saigon government decided to take away the aid programs of South Vietnam from the CIA. I fear that not many people knew that the CIA was operating aid programs in many countries. I am not so sure that that is a good thing.

Mr. FULBRIGHT. Does the Senator mean take it away from them?

Mr. AIKEN. In this case the CIA seems to have operated efficiently.

I want to say that it was a pleasure to go on that trip under the leadership of Senator MANSFIELD, who is very much respected in every country of the world where we went.

But these southeastern Asian countries must have some means and plans to work together or they will constantly be at war with each other, and we may be at war with them.

There is, in my opinion, a great opportunity to carry out projects for raising the standard of living of the people in foreign countries through some of our business corporations.

I think that the Senator from Arkansas has done well to bring this subject up. A bilateral program has many drawbacks. Where there is a multilateral program we at least have several countries watching each other to see that this program is operated efficiently, fairly, and honestly.

Mr. FULBRIGHT. And there is taken away the idea that one country is seeking to dominate another. This is a complaint we get around the world. I do not believe the President had that intention in mind in carrying out our aid program. But conditions arise which give credence to this complaint, and it creates a bad relationship.

I appreciate the comments of the Senator from Vermont.

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

Mr. FULBRIGHT. I yield.

Mr. CARLSON. On the point that the distinguished Senator from Vermont [Mr. AIKEN] made, it seems to me that we should insist on private industry, both domestic and foreign participation, in these programs, and in these countries, in every way possible. I feel that that is the way that we get efficient management based on experience. That is true of domestic corporations, and I am sure it is true of foreign corporations as well. They can use this money to its greatest advantage. That is one of the problems facing me when it comes to voting on the foreign aid bill.

As the chairman of the committee and the Senator from Vermont [Mr. AIKEN] know, from June 30, 1965, to June 30, 1966, we spent $550 million in South Vietnam on the foreign aid program, all outside of the military.

In testimony before our committee—and it appears in the hearings—a man formerly in the AID program sent over as a consultant came back and said that only 10 or 20 percent of this money reached the people to render benefits to them that we really intended.

It has been a privilege to support foreign aid programs. I support them now.

I believe that our Nation can be of assistance to underdeveloped countries. It does concern me that we do not get more value for our money. Money does not seem to buy friends in this program.

Mr. FULBRIGHT. No.

Mr. CARLSON. We have to try to get the money out to the people themselves. In many instances we have been lacking. I regret it very much.

Mr. FULBRIGHT. I wonder if I might question the distinguished majority leader.

Does the Senator have any definite idea how we should proceed on this bill? Will we vote on it today? I am ready to proceed.

Mr. MANSFIELD. I understand that there are some Senators who have amendments, and I would hope that they offer them. It is my intention to ask for a live quorum, in order to get Members over here to offer their amendments which they supposedly have ready.

Let me ask the Chair, how many amendments are there at the desk?

The PRESIDING OFFICER. There are four printed amendments, and two additional were submitted today.

Mr. CARLSON. The Senator from New York [Mr. JAVITS] advised me before he left the Chamber that he would be anxious to come back within a short time, because he has some amendments to offer.

Mr. MANSFIELD. I believe that he has three.

Mr. President, I suggest the absence of a quorum.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 141 Leg.]

Aiken	Dominick	Mundt
Anderson	Fulbright	Neuberger
Burdick	Holland	Simpson
Byrd, Va.	Jordan, Idaho	Talmadge
Carlson	Mansfield	Young, Ohio
Church	McClellan	

Mr. INOUYE. I announce that the Senator from Tennessee [Mr. BASS], the Senator from Nevada [Mr. CANNON], the Senator from Connecticut [Mr. DODD], the Senator from Louisiana [Mr. ELLENDER], the Senator from Alaska [Mr. GRUENING], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], and the Senator from Washington [Mr. MAGNUSON] are absent on official business.

I also announce that the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from North Carolina [Mr. JORDAN], the Senator from New York [Mr. KENNEDY], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Minnesota [Mr. MONDALE], the Senator from Maine [Mr. MUSKIE], the Senator from Rhode Island [Mr. PELL], the Senator from South Carolian [Mr. RUSSELL], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Michigan [Mr. GRIFFIN], the Senator from Nebraska [Mr. HRUSKA], the Senator from California [Mr. MURPHY], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Pennsylvania [Mr. SCOTT] is absent because of illness.

The PRESIDING OFFICER. A quorum is not present.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

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

The motion is agreed to, and the Sergeant at Arms will carry out the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Allott	Hartke	Pastore
Bartlett	Hayden	Pearson
Bayh	Hickenlooper	Prouty
Bennett	Hill	Proxmire
Bible	Inouye	Randolph
Boggs	Jackson	Ribicoff
Brewster	Javits	Robertson
Byrd, W. Va.	Kuchel	Russell, Ga.
Case	Lausche	Saltonstall
Clark	McGee	Smathers
Cooper	McGovern	Smith
Cotton	McIntyre	Stennis
Curtis	Metcalf	Symington
Dirksen	Miller	Tydings
Ervin	Monroney	Williams, N.J.
Fannin	Montoya	Williams, Del.
Fong	Morse	Yarborough
Gore	Morton	Young, N. Dak.
Harris	Moss	
Hart	Nelson	

The PRESIDING OFFICER. A quorum is present.

Mr. JAVITS. Mr. President, I shall address myself to the pending measure and make some general observations about it and then speak specifically with regard to four amendments which I shall offer to the pending bill.

My first amendment is an effort to authorize the program for 2 years instead of for 1 year, as now set forth in the legislation.

The amendment is sponsored by Senators FONG, HARRIS, INOUYE, MORSE, NELSON, DOUGLAS, and myself.

The second amendment is to prohibit aid to military juntas that have undertaken takeovers of constitutional government—and Argentina, of course, is the prime, present example—unless they give appropriate assurances of the restoration of human and civil rights and of free election at the earliest possible date. The amendment contains the necessary escape clause of the President to certify to Congress that the national security requires the continuance of some aid.

The third amendment would deal with President Nasser and the United Arab Republic. Congress has dealt with that subject before. However, somehow or other we cannot get through to the administration that we cannot see the wisdom of giving aid to Nasser when he is working completely opposite to the interest of the United States in almost every department. The amendment is the same as the one agreed to by the House of Representatives. The Senator from Alaska [Mr. GRUENING] and I cosponsor that amendment.

The fourth amendment endeavors to incorporate in the Senate bill what I think was a very fine proposal in the bill just passed by the House of Representatives. I am somewhat at a loss to understand why this was not even referred to in the Senate committee. That proposal concerns the establishment of an International Private Investment Advisory Council in order to determine what part and whether an adequate part is being played in the foreign aid program by private enterprise.

A great, historic report was issued last August by a Committee headed by Mr. Arthur K. Watson, the Advisory Committee on Private Enterprise in Foreign Aid. This report concerned private enterprise in foreign aid.

The Committee was set up pursuant to an amendment which I offered to the foreign aid bill. That report requires extensive implementation. When the amendment is offered, I shall introduce two reports given to me by AID as to the extent to which the committee's recommendations have been implemented.

I think the idea of maintaining a private enterprise advisory committee and seeing to the further implementation of the Watson Committee is splendid. It seems to me that it should receive universal acclaim. I hope that the Senate thinks well enough of it to include it in the bill and thereby make the Congress unanimous on the subject.

Those are the four amendments to which I shall address myself in due course. Before I deal with the amendments, I wish to make an observation upon one matter which has been raised, rather importantly, by the Senator from Arkansas [Mr. FULBRIGHT], for whom I have the very highest regard.

I do not think the suggestion of the Senator from Arkansas renders good service to the foreign aid program. That suggestion involves the thesis that, because we give foreign aid to a nation, we become so involved with that nation that foreign aid leads to other involvement, and we find ourselves up to our necks in military involvement.

The Senator from Arkansas cites Vietnam as a prime example of how the foreign aid program can lead us into military involvement and war.

Indeed, this statement is given as one of the main reasons why the authorization for foreign aid is only on a 1-year basis. I think everybody realizes the completely valid arguments against the grave lack of flexibility which is attributable to the 1-year basis.

Mr. President, I have sought to find in the transcript of the foreign aid hearings the basis for the view of Senator FULBRIGHT. I do not find any real basis for it. In fact, I find the situation to be the opposite.

In a statement before the Foreign Relations Committee on May 9, 1966, at pages 549 to 554, Secretary Rusk offered substantial evidence showing that our involvement in Vietnam, whether it was good or bad judgment, was the result of a decision on the part of the United States that it has a vital stake in the security and independence of southeast Asia. Indeed, statistics show that United States economic aid to Vietnam followed rather than preceded the military escalation of that struggle.

Mr. President, I ask unanimous consent to include at this point in my remarks a table of total United States economic aid to Vietnam for the fiscal years 1958 to 1966.

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

Total U.S. economic aid to Vietnam, fiscal years 1958–66

[Millions of U.S. dollars]

1958	188.7
1959	207.1
1960	180.5
1961	144.6
1962	143.3
1963	197.5
1964	223.7
1965	268.9
1966 (estimated)	541.1

Mr. JAVITS. Mr. President, it appears that our aid remained relatively stable until after President Kennedy took his historic position on July 15, 1963, to increase our Vietnam troop strength from 2,000 to 16,000, and to change their status to combat troops. A material escalation occurred after December 12, 1965, when President Johnson increased our troop commitment to Vietnam by 175,000.

In other words, the situation did not change in magnitude in all the years down to about 1963, when a 25 percent increase occurred in economic aid to Vietnam, and in 1964, 1965, and 1966, when the figure was really high.

I cannot see the validity of this thesis, Mr. President, nor do I believe that it should have an influence—in this case, an adverse influence—upon our policy with respect to foreign aid, because it is not borne out by the facts.

The facts are that foreign aid is intended to endeavor to redress the balance in the world to some extent. The more developed countries are advancing at such a faster rate as to widen the gap with the underdeveloped countries, notwithstanding the revolution of rising expectations. In some effort to level off that situation, to close that gap, we and other industrialized nations give foreign aid, realizing that a relatively wealthy nation cannot live on a poverty-stricken street unless it does its share and its part in attempting to bring up the others who are not so fortunate.

One other feature that has come out of Senator FULBRIGHT'S thesis is the strong view that our aid should be placed on a multilateral basis. A strong argument exists for that view, and on the whole I am sympathetic to it. A great deal of experience in the World Bank, the Inter-American Development Bank, and the International Development Association has shown that aid handled through international agencies is effective in shielding us from criticisms and the antipathies which result on the part of the receiver toward the aid giver.

However, Mr. President, under present world conditions, it is impractical to expect the bulk of our foreign aid efforts and that of other countries to be made entirely on a multilateral basis.

The bill calls for 15 percent of the aid funds to go through international agencies. That is probably just about as much as can be expected.

I have a letter from the League of Women Voters of the State of New York, in which they state their objection to some of the limitations recommended by the Senate Foreign Relations Committee in S. 3584. Among them the league objects to the requirement in this bill that 15 percent of development loans be channeled via the IBRD and IDA—much as they favor the idea of aid through multilateral channels—on the grounds that it may lead to a further reduction of funds for development loans. However, whether or not the requirement is mandatory, it is just about as far as we can go.

In deference to the views of the League of Women Voters of New York State, I ask unanimous consent that this letter be made a part of my remarks.

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

(See exhibit 1.)

Mr. JAVITS. Similarly, I have a letter from the League of Women Voters of the City of New York. This organization feels more kindly toward the 15 percent requirement, but also joins the State league in protesting the 1-year authorization. I join them in considering that extremely unwise.

Mr. President, I ask unanimous consent that the letter from the League of Women Voters of the City of New York be printed in the RECORD as part of my remarks.

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

(See exhibit 2.)

Mr. JAVITS. The share of total free world economic assistance channeled through international agencies is about 17 percent of the total commitments, and has remained fairly constant in recent years. Thus, despite strenuous efforts on our part through the Development Assistance Committee of the OECD and other channels, the Governments of France, West Germany, the United Kingdom, and Japan have been unwilling to relinquish control over their AID funds to international lending institutions.

The reasons for this are varied. The French, for example, link their program closely to countries which they formerly administered and with which they now have a rather close political and economic relation. The United Kingdom gives assistance to former British possessions or territories, which makes the desire to keep it bilateral.

The German program is motivated not only by a genuine desire to assist in the social and economic progress of the less developed world, but also by strong emphasis both on the expansion of trade with Germany and on exercising political pressures in support of the so-called Hallstein doctrine—that is, the refusal of Germany to recognize a nation which recognizes East Germany.

I deeply regret that the Committee on Foreign Relations opposed a multiyear authorization in respect to the program. Indeed, the classic reasons given for multiyear authorizations are, in my judgment, extremely persuasive. In the first place, almost every administration has asked for it, and that includes Republican and Democratic administrations. The administration of President Eisenhower led in seeking a multiyear authorization here.

Indeed, in 1961, Congress approved a 5-year authorization for the development loan, part of it from the AID program. In 1962, Congress approved a 4-year authorization for the Alliance for Progress. Congress has also approved long-term authorizations for U.S. subscriptions to the World Bank, the International Development Association, the Inter-American Development Bank, and the Asian Development Bank in the shape of contributions to their basic capital.

Mr. President, the classic arguments for a 2-year authorization are, first, of course, the added flexibility which such an authorization will provide. Incidentally, 2 years is just about the basic minimum in which any flexibility at all could be experienced.

But it is essential that an effort be made to give some opportunity for planning, both to our own agencies and the recipients of aid, and it is the universal opinion of all of the technicians and the directors of these programs that at the very minimum a 2-year authorization is necessary to give some elbowroom for anybody to plan, including ourselves.

In fact, the need for the Committee on the Foreign Affairs and the Committee on Foreign Relations to deal with an authorization every year is one of the serious arguments against the single-year authorization because it impedes very materially their opportunity to probe the foreign aid program.

Indeed, there is no feeling, no particular grassroots feeling on the subject, for the other body just voted the other day 237 to 146 to give a 5-year authorization for development loans in the Alliance for Progress; and 2-year authorizations for the remainder of the aid program.

So, Mr. President, it seems to me very clear on all programs of efficiency of operation, the testimony of experts, the request of the administration, and the opportunity for the Senate and the other body to do their jobs, that at the very minimum we should have a 2-year authorization.

As I said before, I introduced an amendment sponsored by myself and Senators FONG, HARRIS, INOUYE, MOSS, NELSON, and DOUGLAS—completely bipartisan sponsorship—for a 2-year program across the board: military, economic, development loan, and all phases of the bill.

I am advised that two members of the committee are proposing to offer this amendment. Normally, we yield to members of the committee in the offering of amendments when they choose to do so.

I have decided, assuming these members go forward with an amendment which is in form satisfactory to me and the cosponsors of my amendment, that I would rest content with joining them, and I trust other cosponsors of my amendment will join, so that we may present a common effort to attain the 2-year authorization for the program.

After all, the 2-year authorization would be a very much reduced multiyear authorization than that already authorized in the House of Representatives.

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

Mr. JAVITS. I yield.

Mr. CARLSON. Mr. President, the Senator from New York [Mr. JAVITS] is making an effective argument why the period of time should be longer than 1 year, or possibly 2 or more years. I believe that the Senator from New York mentioned a vote taken in the other body on the 5-year extension, which I believe was a final vote. I wonder if it is not correct to say that there was a vote of 191 to 193 reducing the 5-year term.

Mr. JAVITS. The House rejected the motion to recommit containing a reduction from 2 years to 1 year all authorization, except for the 5-year authorization for the Development Loan Fund and the Alliance for Progress and a $256 million cut in the Development Loan Fund. There was a vote of 237 to 146. Support for the 2-year authorization principal was sustained on several other votes during this debate.

I was giving that vote as authority for the limited proposition that I was advancing rather than for more than I was contending for.

Mr. CARLSON. Has the Senator given thought to the fact that the House passed the 5-year extension and that is now the pending matter before the Senate? We have a 1-year extension. Would it not be reasonable to assume that in the conference the conference committee might agree to 2 or 3 years, and, therefore, it is not necessary to take action on the floor of the Senate?

Mr. JAVITS. I have always found when we legislate that way that we are likely to lose our position, because I have been in many conferences. I am the senior member of one of our important committees and I am in all of those conferences. I say that is sui generis, as lawyers say. Things that get traded off in conference might include something where the Senate conferees are in a position to say, "The position of the Senate is 1 year and we are going to stick to that." Therefore, unless it is challenged on the floor of the Senate and we get some consequences, what is the view of the Senate? There would be no reason why the conferees could not stand fast.

I do not believe that I am prepared to accept that alternative.

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

Mr. JAVITS. I yield.

Mr. CARLSON. As one who has served on conferences between the House of Representatives and the Senate, I can assure the Senator that House conferees are not only tough but they usually prevail. That is why I made that suggestion.

Mr. JAVITS. I thank the Senator, who is very capable. And knowing him and loving him as I do, it was my feeling that we would have to put this one to the test, because it is so important. I do not think there should be any room for doubt about it.

I value very much the intercession of the Senator from Kansas [Mr. CARLSON]. He is always most helpful and gracious. I agree that the foreign aid program in its present form is inadequate, principally because the total impact, in terms of public and private capital flowing to underdeveloped countries, is vastly below the needs of developing nations for development capital. This is a failure in terms of direct assistance and tends to encourage the flow of private capital and increased AID contributions to industrialized countries.

One of the prime arguments for multiyear authorization is the ability to get increased aid contributions from other industrialized countries.

The 10 principal aid givers in the world are members of the OECD and when you ask for more or for their part you are met with the argument: Who knows what the Congress of the United States is going to do next year; therefore, why ask us; why not see what your Congress is going to do?

This hampers and cripples the effort of the United States to bring up the level of countries. The level of countries needs eventually to be brought up. The United Nations' goal is that each industrialized country should make 1 percent of its national income available for assistance.

We are 15 percent short of the economic aid the world needs to make reasonable progress. GATT is increasing, not being lost. About 1 percent on the part of the United States would mean twice as much aid as authorized by this bill, something in the neighborhood of $6 billion.

In respect to Italy, its aid is fifteen-one hundredths of 1 percent of Italy's national income. In the case of Japan it is one-third of 1 percent. In the case of Canada it is about .39 of 1 percent. In the case of the United Kingdom it is more like our own, three-fourths of 1 percent. France is well over 1 percent—1.26 percent.

These deficiencies, Mr. President, indicate what can be done and what eventually needs to be done in terms of some kind of world peace and security.

I respectfully submit that one of the great keys to it is confidence in our own program and giving it some status which will enable our negotiators in the international negotiating forums of the world to seek additional aid from others because we are practicing what we preach, and that we give them some assurance over a period of time, which gives capability for negotiations instead of shutting the door to it.

I think that the argument for a 2-year authorization is absolutely irrefutable. I hope very much that the Senate will see the justice of the proposal and will vote, at the very least, for a 2-year authorization so that we may go into conference knowing how the Senate feels, instead of with the uncertainty, at the very least, and the ability, as it stands now, of the conferees coming out of the Foreign Relations Committee just saying, "Well, 1 year it is, and the Senate went along with us and so we are going to stick by it." I think this would be a great mistake for our country.

Now, Mr. President, the other amendment, aside from the 2-year proposal which I shall press, is an amendment to deal with the problems created by military juntas, particularly the Argentine takeover which has just occurred, followed with unseemly haste—and I say that advisedly—by recognition of the military regime on the part of the United States.

I say "unseemly haste," because only last November we adopted a resolution at Buenos Aires with the other American states, declaring that when such a military or nonconstitutional takeover occurred, we would consult with the other American states so that the assassination of democracy in the Western Hemisphere should not become fashionable, so that it should become unprofitable. We would consult with the other American states, we would not recognize, and we would not give aid unless there were reasonable assurances that free elections would be held as soon as possible, and that human and civil rights would be safeguarded.

Mr. President, so far as we know, no such assurances were given or are available in the Argentine coup. On the contrary, we hastened in to recognize General Ongania and his regime. I am well aware of the fact that many feel we could do worse in Argentina. Perhaps that is true. I was there not very long ago and I saw the situation. But, we have been suffering through Presidents and administrations which were unhappy for the country and which created difficulties, and because of other exigencies of the particular moment, or the particular months or years, and we know from experience, that to preserve the system is the highest calling of our society.

Thus, we must favor this kind of approach in Latin America which has been torn so bitterly for so long, the Caudillo system, the very system which we encourage by hasty recognition of governments which are taken over by nonconstitutional means. The amendment which I have proposed would sustain the Charter of the Organization of American States by demanding evidence of an early return to freely elected representative democracy in Argentina, and the extension of civil and human rights.

I was very much disquieted by the indications of a revival of anti-Semitic feeling in Argentina under the guise of this new regime, but I am very glad to report to the Senate that, so far, the evidence we have heard on that point is quite reassuring. However, the very existence of the disquiet, which was widely noted in the international press, demonstrates why we should insist on some agreement, or some understandings, or some reason to believe that there will be effective human and civil rights in connection with the situation where such a military coup has occurred.

Past foreign assistance acts have contained numerous provisions cutting off aid to Communist governments and governments which aid Communist governments. It seems to me that the United States should be against dictatorship in any form, military of the right or Communist of the left. I have strongly supported all of these prohibitions and I strongly support this one.

Of the 19 Democratic American states, 7 have still not recognized Argentina, Ecuador, Venezuela, Colombia, Costa Rica, El Salvador, the Dominican Republic, and Panama. They look to us for leadership. Those American states which have recognized Argentina may have some special reason for doing so.

Brazil is also governed by a military administration. Mexico has the Estrada doctrine, which requires recognition as soon as there is any effective government in control of a country. Chile, because of its physical contiguity, and so forth. Our country should try to hold some realization of principle and of the mistakes of broad policy for the other American states and for the temptation which always exists, apparently, in the military in so many of the beleaguered and troubled countries, where it is just a question of a takeover whenever they feel that things are not going exactly to their liking.

The amendment which I have proposed in this regard would direct the President to cut off aid unless he finds national security interests to require otherwise, and so certifies to the country.

Mr. President, I have no illusions about the fact that this is an aid cut-off amendment, or that the President may not very well almost immediately certify to us that he intends to continue giving some kind of aid to Argentina. But it is salutary when the President of the United States is put to his proof in matters of this kind, and it is salutary when Congress expresses in this way its displeasure with military or nonconstitutional takeovers, as we have expressed it so often with Communist takeovers or efforts at Communist takeovers.

Mr. President, I think that this is an extremely important amendment. I shall press it hard, and I hope that the Senate will adopt it.

Now, Mr. President, another amendment which I have put in for printing today would restrict aid to the United Arab Republic. This amendment is sponsored by the Senator from Alaska [Mr. GRUENING] and myself. The amendment is identical in language to the one adopted in the other body, and is similar to the amendment we adopted as part of the appropriations measure for fiscal year 1966.

There is a long catalog of how President Nasser has outraged his relations with the United States, treating us as suckers in regard to food aid—taking aid from us with one hand and torpedoing and destroying American policy with the other. What is even worse, he has dashed the hopes for peace in a critically important part of the world—to wit, the Middle East, as well as Africa—with Nasser literally thumbing his nose at the United States for so long.

As recently as June 21, 1965, the President of the United States thought that we were going to resolve our differences with the United Arab Republic. I quote from his message to the Congress: "to our mutual satisfaction." Therefore, that aid to the United Arab Republic was in the national interest.

Again, as it has time and again before, our hopes were dashed and the situation is stickier and worse today than it was before. I will deal with those points during detailed argument on the amendment. But, at the very least, we should put the President to his proof in this matter and indicate our displeasure with the way in which the situation with Mr. Nasser has been handled by the United States, and the inadvisability of continuing aid which has worked out in such a counter-productive way so far as the interests of this Nation are concerned.

Finally, I shall propose an amendment with respect to the inclusion of an excellent provision in the House bill for an International Private Investment Advisory Council, to be composed of elements of leading American business specialists, to make recommendations to the Administrator of the foreign aid program in connection with particular programs and activities where private enterprise can make an effective contribution, and serve as liaison for the administrator with specific private enterprises which may be interested or involved in the foreign aid program.

I shall do this to help implement the enormous, and I hope, historic labors of the so-called Watson committee which came into existence through an amendment which I sponsored to the Senate bill 2 years ago which, in a magnificent report, developed exactly what needed to be done to bring private enterprise more effectively into foreign aid.

Certainly, foreign aid needs it most urgently. I have reports from AID as to

the implementation of the Watson Committee report. I shall introduce them when I argue for this amendment.

I think the amendment is indispensable to the health of this bill and its future.

I hope very much the Committee on Foreign Relations will see fit to accept it. It certainly deserves to be accepted, rather than to be argued about, but I am quite prepared to bring the matter to a vote, if need be, because of the fact that it is so directly calculated to deal with the implementation of the report of the distinguished Watson Committee to which I have referred.

I wish to say to the manager of the bill that I am prepared to yield the floor, but I shall be ready, at a later time this afternoon, to bring up the amendment on an International Private Investment Advisory Council. I shall not prepare to do it for about an hour, but I shall be prepared thereafter.

I suggest to the manager of the bill that other Senators may wish to speak at this time, but I shall be back to present at least that amendment, if it meets with the convenience of the manager of the bill.

EXHIBIT 1

HON. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: The League of Women Voters of New York State views with deep concern the limitations which the Senate Foreign Relations Committee has recommended to the authorization for foreign aid. We have taken pride in the past in your staunch support of adequate and flexible aid programs. We hope very much that we may look to you now for support of moves to reconsider, on the Senate floor, some of the restrictions attached to the authorization by the Foreign Relations Committee.

We hope the Senate will reverse the cut of $117.1 million from the Administration request for economic aid, the one year limit, the fixed ceiling on the number of countries to receive aid and technical assistance, and the restriction of 15 percent of development loan funds for use through the World Bank group.

The League has been convinced over a period of years that economic aid is a long-term proposition. We believe that the House bill, which authorizes development loans and the Alliance for Progress funds for five years, and the rest of the program for two years, is a much sounder approach.

Assistance given to the underdeveloped nations should be proportionate to our national resources. The ratio of this aid to our Gross National Product has been declining, and will take a marked drop with the proposed cut. This we cannot justify.

The proposed increase in the interest rate on development loans after a 10-year grace period would have the effect of creating a greater debt burden in the developing countries. It is already costing the countries an increasing amount of money to service their foreign debts.

The recommendations for limiting long-term development loans, in any fiscal year, to ten countries, exclusive of the Alliance for Progress, except through multilateral organizations and except with the specific approval of the Senate Foreign Relations and House Foreign Affairs Committees is, we believe, an ineffective device for achieving the selectivity in aid programs which we have consistently supported. The same is true of the limitation to forty countries to which technical assistance grants may be made, with similar exceptions for increasing that number. The League is convinced that selectivity can be achieved effectively only if the President is given discretionary power to make assistance available to countries as conditions are altered and as they meet the criteria of self-help, etc.

Since the League has long supported greater use of multilateral channels for foreign assistance, it may surprise you that we do not applaud the move to require that 15% of development loans be channeled into the World Bank and International Development Association. We see this as another restriction which might further reduce the total of funds available for development loans, since the Appropriations Act has consistently prohibited the transfer of funds even when permitted under the Authorization bill.

We think you may be interested in the League's publications, *Foreign Aid at the Crossroads,* just off the press. I am delighted to enclose a copy.

Sincerely,
MRS. KENNETH W. GREENWALT,
President.

MRS. LANDON ROCKWELL,
Foreign Policy Chairman.

EXHIBIT 2

HON. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: The members of the League of Women Voters of the City of New York note with approval that the Senate Foreign Relations Committee has provided for the separation of military and economic aid in the Foreign Assistance Act of 1966.

We are, however, seriously concerned about the restrictions included in the bill. As you know, the members of the League, on the basis of their long interest in and study of United States foreign economic aid programs, have placed great importance on the programs' being long-range in character, recognizing that the problems involved require many years in their solution. For this reason, we are opposed to the Senate Committee's restriction to one-year for all programs and hope you will work to have this changed to the five-year authorization requested.

Furthermore, we believe the total amount requested is not adequate to meet the essential need for sustained and accelerated economic growth in the developing world. We hope you will consequently, not only work against any further cuts but will try to have those already made, restored.

It is our belief, also, that increasing the interest rate on development loans will have the effect of deterring development by creating a greater debt burden in the developing countries, forcing them to borrow more funds to pay for their imports. We would, consequently, urge you to seek to have the interest rate reduced to the present 2.5% on such loans.

Finally, we have long been in favor of greater use of multilateral channels for the distribution of aid and do, of course, *approve the move to direct 15% of development loans into the World Bank and the International Development Association.* However, we question whether the phrase "would be available *only*" might not result in further reduction of development loans, if action at the appropriation level follows that of previous years. We would prefer that permissive authority be provided the President for such transfers. This, we believe, would not tie his hands nor risk further reductions in the total amount of development loans available.

We will appreciate any efforts you may be able to make to change these provisions of the present Senate bill.

We are enclosing, herewith, the League's new pamphlet, "Foreign Aid at the Crossroads." We believe you will find it a useful, concise and comprehensive presentation of the foreign aid picture.

Cordially yours,
MRS. IRWIN TOBACK, *President.*

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER [Mr. MANSFIELD in the chair]. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INOUYE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BYRD of Virginia. Mr. President, I send to the desk an amendment to the foreign economic aid bill (S. 3584).

Mr. President, this amendment would prohibit U.S. economic assistance to countries which allow ships and aircraft under their registry to transport supplies to North Vietnam.

Existing law merely requires consideration of denying our assistance to such countries. This amendment makes denial mandatory. It corresponds to a prohibition written into the foreign aid bill as passed by the House of Representatives last Thursday.

The Vietnam war is costing the lives of nearly 100 Americans a week, and billions of American dollars. Yet, ships flying the flags of nations with whom we have mutual defense alliances have been delivering commodities and materials to North Vietnam ports.

The purpose of this amendment is to state the attitude of the people of the United States toward recipients of our assistance—past and present—who persist in supplying a Communist enemy.

While the number of allied ships going into Haiphong has declined in recent weeks, we should take all possible steps to assure that countries which have engaged in the trade before will not resume shipments, and to discourage other countries from starting to trade with North Vietnam.

The PRESIDING OFFICER. The amendment will be stated by the clerk.

The legislative clerk read the amendment, as follows:

On page 20, between lines 3 and 4, insert the following:

"(f) Section 620(n), which relates to prohibition on furnishing assistance to countries trading with North Vietnam, is amended to read as follows:

"'(n) In view of the aggression of North Vietnam, no assistance shall be furnished under this Act to any country which has failed to take appropriate steps, not later than sixty days after the date of enactment to the Foreign Assistance Act of 1966—

"'(A) to prevent ships or aircraft under its registry from transporting to North Vietnam—

"'(i) any items of economic assistance,

"'(ii) any items which are, for the purposes of title I of the Mutual Defense Assistance Control Act of 1951, as amended, arms, ammunition and implements of war, atomic energy materials, petroleum, transportation materials of strategic value, or items of primary strategic significance used in the production of arms, ammunition, and implements of war, or

"'(iii) any other equipment, materials, or commodities; and

"'(B) to prevent ships or aircraft under its registry from transporting any equipment, materials, or commodities from North Vietnam.'"

(Mr. BYRD of Virginia assumed the chair as Presiding Officer.)

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, I propose at this time to make my first speech in opposition to the report of the Foreign Relations Committee on economic aid, a report which I voted against and refused to sign. My speech will take the form, primarily but not entirely, of the minority views that I filed, a copy of which is on the desk of each Senator.

These minority views bear in part upon an amendment which I understand, but did not have the privilege of hearing, the Senator from New York [Mr. JAVITS] discussed earlier this afternoon, amendment No. 641, which reads that:

No assistance shall be furnished under this Act to any member state of the Organization of American States the government of which came into power by the constitutional overthrow of a freely elected, constitutional, democratic government which had been acting in accordance with its constitutional mandate, unless (1) the President finds that the prohibition against furnishing such assistance is contrary to the national security interest of the United States, or (2) the President is satisfied that the government of such member state has agreed to take appropriate steps, within a reasonable time, for the restoration of constitutional government, the holding of free elections, and application of human and civil rights and liberties within such member state.

Part of the amendment I thoroughly endorse. It seeks an objective I have sought in recent years, and accords with the principle I hold to, of being in opposition to aiding military dictatorships in Latin America. I am against any economic aid to any military dictatorship anywhere in the world, not only in Latin America, but it may be necessary to approach this problem piecewise.

I shall, in due course of time, after the Senator from New York offers the amendment—and the majority leader advises me the Senator from New York will do it—offer a substitute for the amendment.

Mr. President, I oppose now, as I have opposed before, giving an escape clause to the President of the United States in the field of foreign policy. That is part of our trouble. That is one of the reasons we are in the serious crisis we are in—because Congress, in my judgment, has not exercised its constitutional checks, but year after year has passed the buck to the President. In 1963, the Senate rejected an amendment I offered to the same effect as that now proposed by the Senator from New York [Mr. JAVITS]. Had it been adopted, the countries of Latin America and Presidents of the United States might have done better in protecting constitutionalism in the hemisphere.

The question of whether we shall support dictatorships or shall not support dictatorships is just that clear. I am just as much opposed to supporting dictators that the President of the United States thinks we should support as I am to supporting dictators the President of the United States might think we should not support. The issue here is whether or not the money of the American taxpayers shall be spent to support dictatorships.

What is the matter? Have we in Congress lost our courage? What is the matter? Have we become so partisan, in Congress, that we now support a President when he is wrong? What is the matter? I ask Members of my party. What has happened to the Democrats in Congress? Have we forgotten that we took the same oath the Republicans took to uphold the Constitution, and apply checks against the President when he is following a course of action in the field of foreign policy that cannot be reconciled with the public good?

Any time a President of the United States, after we have denied funds to a dictator, wishes to come to a joint session of Congress and make a case for legislation that will authorize him, on the basis of facts he presents, to support a dictator, let him do it. But this before-the-fact program which has come to be used in Congress to let the President do whatever he wishes to do, by giving him an escape clause, must stop. If we do not stop it, our failure to do so will result in the killing of Americans by the hundreds of thousands—whether we fail to check this President or any other President. This is the granting of an Executive power that never should be granted in a democracy to any President, be it Lyndon B. Johnson or any other. It is the responsibility of a Congress to check a President from following an unwise course of action.

At any time a President believes that a law on the books should be modified, because he has some facts that he thinks would justify modifying the law, let him come up here, either send up a message or come in person—and I should think in a situation such as this he would come in person—to a joint session, and set forth the facts as to why the taxpayers should be supporting a dictatorship, anywhere in the world, that has destroyed constitutional government.

The fact is, Mr. President, this is only another one of the places where we prove our hypocrisy. We talk a good game about freedom, and support dictatorships. We talk a good game about self-determination, and then we support dictators who trample freedom underfoot, and try to rationalize our support in the vague general terms that a President of the United States "has found it in the national interest."

Mr. President, that is the way to develop a dictatorship in our own country under a democratic label. I know that many do not like to hear these things said, but they need to be said. For American boys are dying, in my opinion, because Congress has not exercised the checks that it should exercise against the executive branch of the Government. American boys are dying in Asia today because the Congress of the United States has stood by and let the executive branch of the Government exercise unchecked powers. American boys are dying because in August 1964, Congress passed a resolution which, in my judgment, under the Constitution it cannot possibly justify; for I think it was clearly an unconstitutional resolution, seeking to give to the President the right to make war without a declaration of war.

What is the matter with us? What has happened to us, that we sit here and permit the building up of that kind of increasing unchecked power in the office of the Presidency of the United States, and through that office in the offices of the Secretary of State and the Secretary of Defense?

Mr. President, I shall offer, in due course, a substitute for the amendment of the Senator from New York, that will strike any provision in it that gives an escape clause through which Congress would escape its responsibilities and pass the buck to the President of the United States—any provision which in effect says, "Mr. President, you go right ahead. You just go right ahead, Mr. President. If you want to support a dictator who has thrown out a constitutional government, if you want to support a dictator in Latin America who is trampling freedom underfoot, that is all right with us. So long as you just tell us it is in our national interest, go ahead."

We cannot reconcile such action with the advice and consent clause in the Constitution in the field of foreign policy, Mr. President. For our constitutional fathers were more foresighted than I fear Congress is these days. Our constitutional fathers were foresighted enough that they wrote into that organic law the power of the U.S. Senate to advise and consent in the field of foreign policy. If you call such escapism advice and consent, then I say you abuse the meaning of the words "advice and consent." Advice and consent means that we advise and consent on the basis of a body of facts presented to us at the time we take legislative action. But what this type of amendment does is give us an opportunity to avoid facing up to the facts.

With a broad brush stroke, Congress passes a bill that says no support shall be given to military dictatorships which have overthrown constitutional governments. Fine. But then the Senator would add the destroyer clause, "But if the President wishes to do it, he can go ahead and do it if he says it is in the national interest."

We in Congress have a responsibility to take a look at the facts and decide whether or not it is in the national interest. And I wish to say, Mr. President, that unless I am growing deaf as far as American public opinion is concerned, what I am hearing from the grassroots of America is an increasing demand on the part of millions of Americans that Congress start living up to its responsibilities, and start exercising its duty to check the granting of more and more power to the executive branch of the Government; that Congress assume its responsibility, 100 percent, for the legislative process, but not, through an escape clause such as this, let the President do the legislating for us.

So, Mr. President, I say again, that Congress must check the President of the United States in the field of foreign

policy, or we shall find ourselves the most isolated nation on earth.

Mr. President, we are not getting support in the world for our undeclared war in Asia. The leaders of the world—and I do not like some of those leaders, but they happen to be leaders of their countries—are trying to warn us before it is too late that they are not going to give support to America's course of action in Asia in prosecuting outside of the framework of our own Constitution the undeclared war.

We now have it proposed in the early hours of the foreign aid debate this year that we will give blanket authority to the President of the United States. It will not be done with the vote of the senior Senator from Oregon at any time.

I want the majority and minority leaders to know that the senior Senator from Oregon will give no consent—as I have not for the last 2 years—at any time during the debate on foreign aid for any unanimous-consent agreement to limit debate or fix a time certain to vote.

Mr. President, once again the foreign aid bill, as far as the senior Senator from Oregon is concerned, will be considered under the rules of the Senate, with no unanimous-consent agreement whatsoever modifying the application of those rules.

To the extent that foreign aid has been the tool of American foreign policy, it has been a costly and highly ineffective tool.

I am so glad to see the chairman of my committee here, the great Senator from Arkansas [Mr. FULBRIGHT].

I do not expect that the Senator from Arkansas will agree with me on all of the details of my opposition to foreign aid on the floor of the Senate any more than in committee, economic or military. However, that is not necessary for there to exist a great respect, and I have the deepest of respect for the Senator from Arkansas.

I know of no one in the recent history of this Republic that has done more than has the Senator from Arkansas [Mr. FULBRIGHT] in carrying out his obligations as chairman of the Committee on Foreign Relations in an effort to warn the American people of the great and serious problems that face them in the field of American foreign policy.

If the American people do not receive the facts in regard to foreign aid and foreign policy, if they are not given reason to ponder and analyze with deep, penetrating thought the great problems of foreign aid that face the people of this country in hours of crises, it is not due to any fault of the Senator from Arkansas. He has had the courage and the brilliance to bring before the American people an elucidation of some of the great dangers that face us in the field of foreign policy.

I therefore take this opportunity to have the RECORD show my deep appreciation for his leadership and my sincere thanks for his statesmanship.

In some phases of the foreign aid program, as far as criticisms are concerned, the Senator from Oregon and the Senator from Arkansas agree. In fact, in committee, I approved and supported a series of amendments offered by the Senator from Arkansas. This history of our past years of debate on foreign aid show that many of the principles of those amendments were identical with the principles of amendments offered by me in the past.

I welcome someone's taking the lead this year in pressing some of the same viewpoints that I have pressed before. However, the Senator from Arkansas went much further. He improved greatly upon the past proposals of the Senator from Oregon. He presented new material and a new point of view in regard to many of them.

That causes me to be very enthusiastic in support of the position he took on issue after issue before the Committee on Foreign Relations.

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

Mr. MORSE. Mr. President, I yield to my chairman.

Mr. FULBRIGHT. Mr. President, I wish to thank the Senator for his kind remarks about the chairman, who appreciates a word of approval. There have been an ample number of words of a contrary nature in the past several months.

We are now operating in a very controversial era. The Senator from Oregon certainly has demonstrated great foresight in the last several years in regard to our present troubles in southeast Asia, and also I think with regard to the foreign aid program, even as disassociated from southeast Asia.

It is true that I have come around to a point of view that is very similar to that of the Senator from Oregon.

The change in my attitude has been greatly influenced by the course of events, particularly by policy developments in Asia and in the Caribbean.

I have tried to describe the drift of our policy in a number of speeches. The senior Senator from Oregon has described this trend in the past in much stronger and more colorful language than I have. I am concerned about this tendency for a great power—such as the United States—to lose its humility and to become arrogant in the use of its power.

This makes a difference as to whether I am willing to continue to support great additional power being given such as is represented by foreign aid. It is a substantial power, it is not a power such as is involved by the possession of the atomic bomb. However, it is a very important power, a power that can inject us into the internal affairs of many nations around the world.

That is one of the reasons that has brought me around to a point of view in respect to many of the aspects of this program that is similar to the point of view of the Senator from Oregon.

I am not sure that we have exactly the same basis for our views on these subjects. However, we come out at the same place on many programs and policies.

I still feel very strongly the need for assistance to the underdeveloped countries. I should prefer that it be in the form of better trade terms, but bringing about the needed changes will require a long time to accomplish. In the meantime, as an interim proposal, I am quite prepared to support more direct assistance through an international organization.

The Senator from Oregon has made a great contribution in foreseeing many of the developments that we are now experiencing. I believe that the Senator from Oregon has had greater foresight in southeast Asia than have most of us in the committee or in the Senate. I compliment him for it.

Mr. MORSE. Mr. President, the Senator is very kind. I want to say to the Senator from Arkansas that I am changing my viewpoint in some degree.

I have not gone as far as the Senator from Arkansas as yet. I may do so in regard to multilaterally administered foreign aid in place of the so-called bilaterally administered foreign aid. I intend in a part of my speech this afternoon to give some of my reasons why I think we will have to change the administrative format of our foreign aid if we are going, in my judgment, to avoid increasing the danger of our isolation in the world, as the result of the use of our bilateral economic aid eventually, and I think inevitably in most instances, leading us to military commitments along with them.

That is one of the great dangers in our aid program as it is now operated, and we are seeing the evidence of it in Vietnam and the Dominican Republic.

Mr. FULBRIGHT. Mr. President, I draw the attention of the Senator to the article I had printed in the RECORD today about Mr. Woods' International Bank making a proposal to increase the IDA fund.

This would be a step in the right direction. It is not a complete solution, but this approach to dispensing aid would help to insulate us from the political involvements which happen all too often under our bilateral aid program.

Mr. MORSE. As the Senator from Arkansas knows, one of my major problems with so-called multilateral aid programs under the World Bank or any of the other national financial obligations is the problem of Congress losing an effective check upon the use to which American money may be put in the field of foreign policy. Although the record of these international bodies to date is very good, nevertheless, we have no assurance that it will always be good.

The problem that concerns me is that large contributions of American money to a multilateral body, such as an international financial institution, may be used to support programs that do not enhance peace but can very well create the danger of war.

I believe that these proposed agreements should be examined very carefully, to determine what checks, if any, we can insist upon, within the charter of the bodies and within available principles of international law, to protect us from what I consider to be a misuse of the American contributions to those bodies.

That is why I am coming more and more to the point of view that in order to give assurance that we are not seeking our nationalistic interests in connection with the aid programs that we make available under bilateral arrange-

ments, we should give more thought to whether the organization can be strengthened and to having our aid made a part of a multilateral program that would be administered through the United Nations, of which the World Bank is an arm, rather than on a bilateral arrangement.

I plan to say later—I shall say this much now—that what worries me is that our President speaks over the television to a convention in West Virginia, and creates the impression in our country—with some different interpretation in emphasis in other parts of the world—that the United States is about to inaugurate on a unilateral basis, on the basis of our selectivity, an American "Great Society" program in Asia. The President seeks to give assurance that we seek to improve the lot of the people in Asia, not giving much thought to whether or not they like the format of his proposal.

Nothing contained in that speech indicated any assurance that the unilateral program of this country would be welcomed in Asia. Yet here is a proposal of the President of the United States that we are going to do it. We announce to the world that we are moving into Asia. What concerns me is the thought of the thousands of Americans who will die when Asia decides to move us out.

This assumption that our moving in will be welcomed, this assumption that we will be allowed to stay in, entails my fear—I make this interpretation myself, without attributing anything to anyone else—that if we go in with the kind of economic program that I believe is in capital letters between the lines of sentences after sentences in the President's speech, and it is challenged, we will be in with guns. We will decide our investment has to be defended with guns. We will be in to force our presence in Asia.

This practice must stop. The American people, in my judgment, must make clear to this administration that it must stop this executive branch deciding that we are going to move here, there, and beyond, in various parts of the world, and plant our presence in those places, on the basis of the fine-sounding rhetoric of the President in the West Virginia speech that it is good for them, that it is good for the world, and that this is the way to improve the lot of mankind.

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

Mr. MORSE. I yield.

Mr. FULBRIGHT. Is not this speech, though, quite consistent in carrying out the doctrine that the Vice President described, both in a communique from Bangkok and later, I believe, in an interview in Washington?

Mr. MORSE. Oh, yes.

Mr. FULBRIGHT. There is nothing new about it. He is just carrying it on.

Mr. MORSE. Oh, there is nothing new about it.

This is a developing program. They are ready for this chapter now.

The Bangkok proposal of the Vice President was a trial balloon. Some of the proposals of the administration in Latin America are trial balloons. Now we have the situation in which the President of the United States, in the West Virginia speech, seeks to prepare American public opinion for a longtime presence, emphasizing economic presence, emphasizing schools and food and dams and economic development, appealing to our humanitarianism.

But that is not answering the question of how you are going to do it, Mr. President. How are you going to enforce it, Mr. President? Oh, Mr. President, what worries me is that this unilateral economic aid program of our country is but a facade or a camouflage for our military presence in these underdeveloped areas of the world.

In the West Virginia speech, in the speech before the so-called Freedom Banquet in New York some weeks ago, and in none of his other speeches, has the President told the American people what would be involved in backing up American economic aid in trouble spots of the world where the aid is challenged.

The fear of the senior Senator from Oregon is not only that it will be challenged in Asia, but also that Asia will find that this kind of unilateral action, in the so-called economic format proposed by the President, means military bases and military personnel to guard it, to protect it, to carry it out.

It is just a finagle, semantically, for what I had believed was an outworn American foreign policy, that we would send in the troops to protect American economic interests when we decide that they are threatened, when the country in which they are located has decided it is time to get them out.

This situation raises some basic questions of national sovereignty. I see in the wings of this play of the administration, waiting for their entrance on the stage, as act after act progresses in the play, the maintaining in Asia, for decades to come, tens upon tens upon tens of thousands of American troops, if this unilateral program of the President of the United States is carried out.

That cannot be reconciled with peace. So, Mr. President, I think what we, the American people, should face up to is that we should join with countries in trying to bring the so-called good life to the suffering masses of Asia. But we cannot do this job alone.

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

Mr. MORSE. I yield.

Mr. FULBRIGHT. I think of what the Senator has said as a multilateral approach to it.

Mr. MORSE. That is why I said that I am coming over to the point of view that we have to have a multilateral foreign aid program; and at the present time I think the major difference between the Senator from Oregon and the Senator from Arkansas [Mr. FULBRIGHT]—if there is a difference it is minor—is the format, the instrumentality, the procedure for effectuating a multilateral worldwide foreign aid program.

I want to say, Mr. President, that there is a danger, if we continue this unilateral U.S. foreign aid program, it will take on, in fact, nationalistic characteristics and is going to be interpreted by our enemies and by neutral countries as nationalistically motivated. I ask this afternoon: How far wrong would they be?

If anyone thinks that the economic program of a Dean Rusk, or the military program of a Robert McNamara, or a combined economic-military program of both of them, is not nationalistically motivated, I do not think he could be more wrong. The sad thing is that much of our American foreign policy is nationalistically motivated. A nationalistically motivated foreign policy, in my judgment, is not going to stop us from being more and more isolated by more and more countries in this world.

That is why I am speaking in the very beginning of the speech this afternoon, presenting my opposing views to the economic aid program, in support of our bringing to an end the unilateral approach that the United States is making.

I wish to stress that that unilateral approach is bound to be characterized in no small degree by American military presence in countries in which we make the economic aid in one form or another, either directly or through our mercenary juntas we support in those countries.

That is what is involved in part in the Javits amendment—the general principle of which I support—and by the presidential escape clause provision—which I shall continue to oppose—and for that reason I will offer a substitute to it.

So, Mr. President, at best I wish to say that our foreign program has helped some countries at an extravagant price to the American taxpayer; at worst, it has sucked the military forces of the United States into foreign lands where we believed our prestige was involved because we had expended lavish aid on a particular political faction.

The Congress cannot escape the full responsibility for the direction, the effectiveness, and the cost of economic assistance. This is not foreign policy of the kind that the Constitution vests in the Executive. If it were, no legislation would be involved.

Economic assistance from the United States to any foreign country *requires* legislation, and while wide discretion may be given to the executive branch for its administration, the responsibility for its successes and failures will always lie with Congress.

In the recent past, indiscriminate aid programs have served to stimulate and underwrite the war between India and Pakistan, the near-war between Greece and Turkey, the growing arms race in the Middle East, widespread corruption in numerous countries, and a rash of military juntas in Latin America. So long as Congress fails to prescribe the terms and conditions that will curtail or suspend aid in these situations, and impose guidelines that will discourage our involvement in them in the future, we do not fulfill our legislative duty.

GOVERNMENT ACCOUNTING OFFICE REPORTS REMAIN CRITICAL

Sometime during this week in a speech in the course of this debate, I shall once again, as I have in the past several years, bring to the floor of the Senate all of the reports of the Government Accounting Office, setting forth its findings in its spot check investigations and surveys of foreign aid, both economic and military, around the world.

As we know, all the military reports are top secret and not one of them should be. I have read them all and I do not know of a single line in a single one of them that the American taxpayer is not entitled to know. I do not propose to let the Pentagon Building decide for me what should be disclosed to the American people in a democracy. That is the responsibility of the Congress.

Some of the economic aid reports of the Comptroller General's office are still not made available to the people, and there is not a sentence in a single one of them that should not be.

We on the Committee on Foreign Relations have discussed this matter with the AID people in the State Department. We have not had any firm commitments, but I think the transcript of the record is clear that at least the administration was going to make more of them available than in the past, but their pace is that of a turtle.

I was not there the other day but I understand when the new Director of AID was before the committee on his confirmation hearing, there was some discussion of this matter with him. I have read, however, the newspaper accounts. I could not see that Mr. Gaud sounded any different than Mr. Bell before him in regard to this matter because Mr. Bell was going to look into it and the newspapers report that Mr. Gaud is going to look into it, too

I wish to repeat to the American people that if they knew what was in those reports the senior Senator from Oregon would not have as much difficulty as he does in the Senate getting amendments adopted to the foreign aid bill.

If the American people knew the shocking waste the Comptroller General found, if the American people knew the gross inefficiency with which the Comptroller General found in investigation after investigation, if the American people knew the relationship between our foreign aid program and the cause of corruption in many of the underdeveloped countries of the world that get our foreign aid, I would not have so much trouble getting amendments to the foreign aid bill.

(At this point Mr. INOUYE took the chair as Presiding Officer.)

Mr. MORSE. In praise of Congress, let me say that last year some amendments to the bill were adopted by the Senate. The principal one was the Fulbright and the Morse amendment for a 2-year authorization, which would have brought foreign aid to an end at the beginning of fiscal year 1967, and have it start all over again on the basis of new regulations, procedures, and policies to be developed as a result of a special congressional committee contained in the program the Senator from Arkansas and I offered last year, which would make not a spot check investigation of foreign aid but would spend the 2 years up until the beginning of fiscal year 1967 conducting a study of foreign aid. The committee would then prepare a foreign aid program to be limited to some 50 countries instead of the 93 which were receiving foreign aid and which, as has been pointed out so many times, in many instances we have rammed that foreign aid down the so-called diplomatic gullets of a good many of the small countries of the world which would not have asked for it if we had not forced it upon them.

One of the major reasons why we received the votes we did, in my judgment, was that I brought to my desk in the Chamber last year—as I shall do again this year—all of the Comptroller General's reports. I piled them up in front of me and brought along a ruler—as I shall do again this year—and I measured the pile of documents for the sight of the Senate.

Each year the pile gets higher, and the reports get more damaging.

The titles I read at that time were illuminating. I had only to read the titles to have a Senator's curiosity whetted, because the titles used descriptive language which left no room for doubt that I was right in the general portrayal of the secrecy or limited investigation, in describing the nature of the report.

During the next few days after that, many Senators said they read them in the Foreign Relations Committee room. They were appalled. They did not realize the situation was that bad, and they wanted me to know they were going to support my amendment.

I should like to repeat that if Senators will go down to the Foreign Relations Committee room this year and read any of the reports they have not read heretofore, prior to this year, and read the new reports, they will understand why the pending foreign aid bill in its present form should be defeated.

Mr. President, do you think that the administration likes those reports from the Comptroller General? They certainly do not.

The Comptroller General of the United States is an agent of Congress, not the President. I think that we should change it so that the executive branch cannot put the stamp of "confidential" or "secret" upon a report from the Comptroller General.

Those reports are not made for the President, they are not made for the Secretary of State, they are not made for the Secretary of Defense; they are made for Congress.

This afternoon, let me say most respectfully that, in my judgment, Congress owes it to one of the most dedicated public officers I know—the Comptroller General of the United States—to read his reports on foreign aid. This man has been trying to protect the interests of the American taxpayers in administration after administration which has wasted hundreds and hundreds and hundreds of millions of dollars of the taxpayers' money, as they have poured military and economic aid money down one rathole after another all around the world. And they call it aid.

Mr. President, I want to point out that I think we owe it to the American taxpayers to stop some of the waste, the inefficiency, and the corruption which is flowing from our foreign aid program.

FOREIGN AID AND FOREIGN INTERVENTION

These objections are bad enough, but the objection that concerns me most this year more than any other heretofore, due to the announcements of the Johnson administration in the field of foreign policy, is that we are going to live to see a direct relationship between pouring into any underdeveloped area of the world billions of dollars of American taxpayers' money into foreign aid, with subsequent direct military intervention in order to protect the expenditure of that aid.

The Senator from Arkansas [Mr. FULBRIGHT] has put it a little differently in some of his public criticisms, although in presiding at the public hearings on South Vietnam, the Senator made statements—I do not quote him—but he presented points of view with which I found myself in complete agreement, expressing his concern over the possibility of a dangerous relationship between economic aid leading to military intervention.

To me, it will be perfectly clear when history of South Vietnam is written and America's inexcusable and unjustifiable participation in what started out to be a civil war in South Vietnam can be separated from the fact, that we proceeded to give President Diem millions and millions of dollars worth of economic aid, soon followed with military aid, and then followed with military support to the extent that we now have some 300,000 American boys in South Vietnam engaged in an ever-expanding and an ever-escalating war with very little support elsewhere in the world. Particularly no support, except lipservice, from a few Prime Ministers like Harold Wilson of Great Britain.

The last statistics I heard in the Foreign Relations Committee about British manpower participation in South Vietnam was that they had seven—seven—I do not misspeak myself—seven from the British military in South Vietnam, but provision was made that they would not be in the combat areas. Counsel has advised me that, in my behalf, the committee has checked with the Vietnamese desk in the State Department. They state that the only British military authorities, troops or otherwise, in Vietnam are attached to their own embassy in the capacity of military embassy personnel.

Mr. Marcy states that there are only five or six there in that capacity. The reason is that the British were cochairmen with the Russians at the Geneva Conference and so are maintaining an air of scrupulous noninvolvement.

The Prime Minister of Great Britain did not impress me very much with his lipservice concerning alleged support of the American policy in South Vietnam.

No British boys are dying in South Vietnam. It is easy for the British Prime Minister to make these statements from 10 Downing Street about approval of American foreign policy in South Vietnam. But, Mr. Prime Minister, may I say from the floor of the Senate today:

You do not impress me at all. You would impress me, as far as there being any weight to your statement, if you were in there—if you think it is the place for the United States to be—with your own troops, and let them do some of the dying,

although I do not think you could justify it any more than the President of the United States, in my opinion, can justify the killing of American boys in South Vietnam.

Let me say also, Mr. Prime Minister, that you would impress me a lot more if you were carrying the fight to the United Nations, representing a country that was one of the charter members at San Francisco, and doing what you could to have the United Nations carry out its treaty obligations to enforce the peace. Until you start reconciling your lipservice with your actions, Mr. Prime Minister, you will not make much of a favorable impression on the senior Senator from Oregon or on many others in the United States, whose criticism is mounting in regard to this so-called noncombatant activity of the British, while their Prime Minister says he approves of the course of action we are taking in Vietnam.

I have found nothing in any of the statements of the Prime Minister of Great Britain that gives me any enthusiasm for his alleged world statesmanship.

I make the point that if we continue this course of action, we shall continue to be isolated, because, after all, heads of other governments have a public opinion they have to deal with, and I find more and more people in other parts of the world are better informed as to what is going on in southeast Asia than are the American people, because their press prints more of the facts.

Mr. President, one cannot understand the objections to this bill that I am about to enumerate unless he understands my deep fear that if we continue the American policy of economic aid, we shall extend American policy of military intervention.

I think the American people should make perfectly clear to this administration that we should not be set up as the the military policeman of the world. That is a multilateral responsibility. If other nations of the world do want to join in a program that is worked out on a multilateral basis, then the United States should stop its policy of military intervention; and economic aid, in my judgment, is an inducement to eventual military intervention.

That is why I think a great many restrictions should be adopted in the debate that will take place in the next several days as amended after amendment is offered, seeking to restrict the executive branch of the Government from following a course of action which, in my opinion, if we do not stop it, will endanger the peace of the world.

If we want to support freedom in Latin America, we should not be rushing in to recognize military juntas in the Argentine, as we did over the weekend, without any guarantee of a return to constitutional government. All that course of action on the part of the President of the United States did was to encourage potential military juntas elsewhere in Latin America.

That is why I said to the press, when then asked me what I thought about the recognition of the military dictatorship in the Argentine, "Once again, as has so often been true, the United States walked out on freedom in Latin America when the chips were down."

A sorry and a sad mistake was made when the dictatorship of the Argentine was recognized. Of course, we expect the stereotyped alibi of the State Department that a good many other countries recognized it, too.

So what? I certainly do not think American foreign policy should be cut to fit the pattern of a wrong foreign policy adopted by some other country. No; we should have recognized a government in the Argentine when constitutionalism was returned.

The Congress cannot escape the full responsibility for the direction, the effectiveness, and the cost of the economic assistance. This is not foreign policy of the kind that the Constitution vests in the Executive.

As I said, if it were, no legislation would be involved.

Aside from partisans of aid who view it as an obligation owed the poor by the rich, there are partisans throughout the United States who view it as furnishing the United States a toehold for intervention. These partisans argue that aid is simply a tool of foreign policy which gives us the means to deal with situations which may occur in a foreign country.

This is a cynical exploitation of foreign people for alleged security interests of the United States. Worse, it will delay rather than advance the time when the people of these countries will have the home-grown institutions and conditions that will enable them to resist the lures or pressures of communism.

The only realistic test of sound economic aid is results. The major way to test results is to measure them against what was planned or anticipated when an aid program was begun. Where the results fail to measure up, Congress must write corrective measures into the program, for the American people will not support permanently a multibillion-dollar program that does not produce what is advertised for it.

This year, public confidence in foreign aid is sagging lower than ever. Results from many years of the program are coming in at a time of crisis in American foreign policy, and the public does not like what it sees. Public confidence will further deteriorate if Congress continues to relax its already lax guidance of the program.

IMPROVEMENTS IN COMMITTEE BILL

The committee has made some improvements in this year's bill. Fixing the number of countries in each category is the only way to assure that our financial efforts will be concentrated on countries where they have the best prospects for achievement.

But no loophole should have been left for supporting assistance to additional countries, for this is the worst rathole in the whole program. Moreover, the development lending, and technical assistance country limits are exclusive of Alliance for Progress countries. American foreign policy officials are so accustomed to offering money as an integral part of diplomatic relations with poor countries that $2 million for Guyana was announced before it had been independent a week and before a U.S. Ambassador had been confirmed. This assumption that establishing diplomatic relations or recognizing a government means adding that country to the U.S. dole is not one that will be abandoned readily by any administration. It can only be abandoned by strong congressional action.

Retaining annual review at the authorizing stage as well as the appropriation stage is the only way to notify recipients that the American people want performance and not promises as a condition of aid.

This represented one of the points I made earlier in my speech this afternoon, in my colloquy with the Senator from Arkansas [Mr. FULBRIGHT], with respect to the position he took on the bill this year, because he, too, came to the conclusion that we need an annual review of our foreign aid program and ascertain what the facts are to the simple question, "What have been the results? What are the weaknesses and shortcomings?" in order to see to it that Congress takes advantage of carrying out its duty and its checking power in connection with the new authorization bill.

Restoration of the $100 million limit on new programs or projects that may be undertaken without specific authorization by Congress will enable Congress to consider new directions or major new obligations of the aid program.

SHORTCOMINGS OF BILL

The bill's chief shortcoming is its failure to reduce the amounts in each category. Expansion of other channels of lending, the demands of the war, the threat to the balance of payments, and the lack of performance by many recipients, to say nothing about the great cutback in the Great Society program, justify marked reductions in all aid categories in the bill.

I shall give the Senate an opportunity to vote on reductions amendment by amendment, category by category, before we complete the debate on this legislation.

As reported, the bill also fails to put limits on economic aid to nations using our substance as a foundation for military establishments beyond their needs, and adventures aimed at non-Communist neighboring countries.

I shall read at this point the final paragraphs from my dissenting views on the military aid program—which I shall discuss fully when that bill is before the Senate. This excerpt fits into the point I have just made:

> The benign American attitude toward Latin American military establishments has just helped deprive Argentina of a constitutional government. The pattern whereby the United States extended both economic and military aid to juntas in the Dominican Republic, Guatemala, Honduras, Ecuador, and El Salvador helped bring about the Castelo Branco coup in Brazil. And when we rushed to approve and to stake the Castelo Branco junta with vast new sums of aid, we encouraged the Argentine military establishment to take over its Government.
>
> Argentine generals are quoted as believing that U.S. support of the Brazilian military junta meant that formal U.S. opposition to

a coup in Argentina was "just window dressing." They are right. It is just window dressing. We have been proving by our actions for 3 years that we have little interest in constitutionalism. Whatever our military missions in Latin America are teaching the Latins, it is encouraging and not discouraging their coups against constitutionalism.

The whole rationale that our military aid tends to teach civilians control of the military, and to interest them in civic action, has been totally refuted by events. It was bad enough when these coups occurred in the small nations of central America. Now they have engulfed Brazil and Argentina. They are fed by our military aid, and they are destroying the objectives of the Alliance for Progress in country after country.

That is why I said earlier in the day, in the absence of my friend the Senator from New York, that while I shall support the main objective of his amendment when it is offered, I shall seek to strike out the provision that gives the President the right to support, with military aid, a junta, if he, the President, decides it is in the national interest. I happen to believe that is a checking obligation of Congress. I feel that if the President, after we prohibit military aid to a junta, feels, in any particular situation that may develop, there is some need for him to give special consideration, let him come up or send up a message and prove his case. But I do not intend to vote to give to a President of the United States the right to give aid to any military junta in the light of what he considers to be our national interest. I believe we must have a check, and not grant this blanket authority, for it destroys much of the real import and soundness of the rest of the amendment. Therefore I shall offer a substitute, in due course of time, if the Senator's amendment is presented in the form I read it to the Senate.

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

Mr. MORSE. I yield to the Senator from New York.

Mr. JAVITS. I am glad to know the Senator's intentions. That knowledge is extremely helpful to me.

I shall offer the amendment in the form printed. I say to the Senator that rather long experience here leads me to believe this is the only kind of amendment likely to succeed, and I believe that success is imperative in this matter, so that we will be able at least to show, in whatever way is open to us, our disapproval of military takeovers, and our solidarity with those who oppose them.

I fully respect the Senator's view. With his customary graciousness to me, he has outlined a course of procedure which is entirely satisfactory to me, and which will put to the test, under the parliamentary situation, first any amendment or substitute to my amendment which he may propose, and then leave us the residual of my amendment for action.

Mr. MORSE. I thank the Senator. We certainly are not far apart in our ultimate objective of seeking to stop alining ourselves with juntas.

ECONOMIC AID OUTSIDE VIETNAM RISING

Mr. President, the separate provision of funds for southeast Asia and the Asian Bank have raised total economic assistance well above last year's level. In fact, if any Senator thinks the economic aid bill this year is less than last year, I assure him he is dead wrong. If Senators think the foreign assistance program proposed by the Johnson administration this year is less than last year, they are dead wrong. And I refer to aid exclusive of South Vietnam.

But, Mr. President, Senators would not be incorrect if they recognized that what is happening is that our domestic programs, important to large segments of our population, are being cut by this administration. As I said in the education hearing the other day, when the representatives of the American Council on Education were testifying, I did not intend to support a budget that would cause the schoolchildren of America to pay large sums for the cost of the war in Vietnam, by denying to them the authorizations and the appropriations necessary to meet the educational crisis in this country.

As I also said at that hearing, I repeat today, I do not propose to deny to the Negroes of America the funds to which they are entitled in order to properly carry out the Civil Rights Act, and thus have them pay for the cost of the war in South Vietnam. And as I further said in the hearing, I repeat today, that I do not propose to have the poverty-stricken people in this country pay for the war in South Vietnam, by denying to them the funds that are needed to carry out the Poverty Act, and to expand it.

Likewise, Mr. President, I do not propose to have the people of this country who are entitled under the Great Society program promises, to the development of our natural resources, to the elimination of pollution, to the giving of attention to the falling water table in many parts of the country, pay for the war in Vietnam by denying to them the funds needed domestically.

We are in much greater need of a domestic aid program than we are of a foreign aid program. Before the President of the United States talks about a foreign aid program, with the increases that he has in the bill this year in various forms, I wish to hear more from him in support of adequate funds for a domestic aid program which is so sorely needed.

But I am asked, "What are you going to say, Mr. Senator, about who should pay for that war?"

My position, Mr. President, is perfectly clear. We should pay for that war with a tax program based upon ability to pay, with special consideration to those who are making their profits out of blood money.

Let us pay for the war with a tax program, not by denying money sorely needed by the schoolchildren of the country, the poverty stricken people of the country, the Negroes of the country, and the people of the country who are entitled to have various essential domestic needs met.

I offered in the Foreign Relations Committee an amendment—and I shall offer it here on the floor—which in effect sought to cut down on foreign aid in the amount of the aid that we send into Vietnam. Mr. President, I think the other nations of the world, who have been the recipients of hundreds of millions of dollars of our largess, should be told that it cannot continue, with an undeclared war raging in Asia.

I believe, for example, that Russia and Great Britain, who are the cochairmen of the Geneva Conference, should be told that we cannot continue to spend the largess of our country elsewhere in the world while these billions have to go into Asia, when they have a treaty responsibility, in my judgment, to take the steps necessary at least to endeavor to reconvene the Geneva Conference.

I think the Security Council of the United Nations and the members of the General Assembly of the United Nations should have notice served on them that we cannot continue to make available to those members that are the recipients of our largess the millions of dollars they are now receiving while we spend these huge sums of money on the war in South Vietnam.

Oh, it can be answered that we ought to stop spending the money there and followed a different course of action. No one would welcome that more than would the senior Senator from Oregon. However, I am also realistic enough to know that is not going to happen, at least in the immediate future. In fact, I do not think it is going to happen until the other nations of the world that have treaty obligations to enforce, when there is a threat to the peace of the world, start living up to their treaty obligations, and that goes for every member of the United Nations.

The major point I am making here is that in my judgment we cannot justify the cuts that are being made in essentially needed domestic programs while, at the same time, our administration fails to move ahead with its obligation of putting this country on a war footing. A war footing means taxation. A war footing means inflation control. A war footing means a wartime procedure through legislation for the handling of disputes between management and labor. A war footing means that the administration must take the necessary steps to raise the money to pay for the war and to protect the greatest defense weapon we have; namely, our economy.

We cannot protect our economy by sitting back with a wait-and-see attitude. We already know that the economy is in trouble. We already know that Congress—in my judgment—cannot justify adjourning, whether it is recommended by the President or not, without passing some legislation aimed at protecting the value of the American dollar, for its value day by day is becoming more and more in danger.

Mr. President, there is no place in the Federal Government where the American citizen can go to get a reliable dollar figure on the total cost of the United States for any annual foreign activities. But the economic bill before the Senate, in the amount of $2.46 billion, is but a small portion of this Government's outlay for our economic aid purposes—or which have that effect.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a tabulation entitled, "Funds

Available or Requested for the Fiscal Year 1967."

The PRESIDING OFFICER (Mr. BURDICK in the chair). Is there objection?

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

Funds available or requested for fiscal year 1967 (in billions)

Agency for International Development	$2.460
Food for peace	1.600
Anticipated supplemental for southeast Asia	.500
Asian Bank	.120
Inter-American Bank	.250
International Development Association	.104
Total	5.034

Mr. MORSE. Mr. President, the total of $5,034 million still does not include such economic expenditures as the Peace Corps, the World Bank subscriptions sold to private investors, the United Nations Development Agencies, or the Federal Reserve and Export Bank contingency support of the British pound sterling. Nor does it include any military aid or expenditures abroad by 800,000 American servicemen and their families.

I will ask next year that the administration present the Senate with a bill of particulars and include in it the total amount of assistance of every kind in which we spend American dollars for what amounts to some form of foreign assistance.

I believe that the annual foreign drain on the budget of the United States, exclusive of the war in Vietnam, is in the magnitude of $10 billion a year. That is a far outcry from the $2.46 billion set forth in the pending bill.

It is an educated guess. Let the administration prove that the figure is too high or too low, and they have the figures and the personnel with which to do the job.

One of my reservations about increased aid through multilateral agencies is that it generally is only added on to bilateral programs. We should be subtracting the funds for the Inter-American Bank, the anticipated new request for the IDA window at the World Bank from the Alliance for Progress and the Development Loan Fund respectively. If it worked that way, I would be a much more enthusiastic advocate of the use of multilateral channels.

EFFECT OF AID ON BALANCE OF PAYMENTS

Mr. President, I opposed the bill in committee also because of its effect on our balance-of-payments problem. As the costs of the Vietnamese war accentuates the problem with our deficient international financial accounts, the Congress must examine more closely than ever the extent to which the aid program contributes to that problem.

Here is one of the key areas where we cannot afford a business-as-usual attitude toward foreign aid. That sector of American business which enjoys AID contracts to send its goods abroad at taxpayer expense has largely dominated the foreign aid debate within the business community.

But American business which exports for sale is making a stronger case each year against the effects of assistance which mean loss of cash business.

The International Economic Policy Association sets forth evidence on this point that Congress can continue to ignore only at real peril. The association's spokesman, N. R. Danielian, pointed out to the committee that voluntary restraint in oversea investment by U.S. business helped bring our deficit in 1965 down to $1.3 billion, compared with $2.8 billion in 1964.

But outlays for the Vietnam war, plus increased imports resulting from a high level of economic activity for which the war is also partly responsible, have worsened the outlook.

Despite assertions that AID lending is tied to American industry, the flight of foreign cash business away from the United States through substitution is alarming. Geographically, it is most acute in Latin America, and it is most acute financially where "program lending" is used.

Latin America, the Near East, and south Asian countries received 90 percent of program loans in fiscal 1964 and 1965. In 1965, 58 percent of U.S. aid in these areas took the form of program loans.

During the years 1958–64, our economic assistance exceeded our trade deficit by amounts running between $1.1 and $1.5 billion a year. Increased efforts to tie our assistance has not changed this picture.

Mr. Danielian stated the case in a nutshell when he said:

> Since we put a line of credit at their disposal against which they can charge anything they buy in this country, except some questionable items like luxury goods, they shift their cash purchases to purchases with aid money, and they use the resulting savings of their own foreign exchange to buy in other countries. * * *
>
> I think the first important point to realize is that development loans should be used for development purposes, and development is the creation of industrial capacity for production. This can only be accomplished by projects, whether they are powerplants, shoe factories, food processing plants, and so on, and if this is the purpose of the aid program, then let us put our money into these kinds of projects, incremental projects, that add to the capacity of the country to increase its production.

Mr. President, I could not agree more than I do with Mr. Danielian. This is the project approach that the senior Senator from Oregon has argued for in the Senate for the past several years in connection with foreign aid. That is why I frequently refer to myself as a project-to-project man, rather than a government-to-government man.

We should see to it that our AID dollars are invested in specific projects that will help the people living within the economic environment of those projects, in relationship to their standards of living. Our AID dollars should reflect improvement upon the standard of living of the people in the country, rather than the AID dollars being used on a government-to-government basis, which results in many instances, as Mr. Danielian pointed out in his testimony, of giving them a line of credit to draw upon for those goods that they buy in this country, and then enabling them to use the considerable benefits of our AID program—the so-called cash benefits, as he calls them—to buy goods from other countries.

So, what is happening is that we are hoping to subsidize various underdeveloped countries with the money that is used to the competitive disadvantage of American business. I do not know how shortsighted we can be. I do not know how we can exceed that for shortsightedness.

I point out again what Mr. Danielian has said:

> Since we put a line of credit at their disposal, against which they can charge anything they buy in this country, except some questionable items like luxury goods, they shift their cash purchases to purchases with aid money, and they use the resulting savings of their own foreign exchange to buy in other countries.

Mr. President, I ask unanimous consent to have printed in the RECORD at this time table 3 from Mr. Danielian's testimony to the Committee on Foreign Relations, entitled "U.S. Nonmilitary Foreign Assistance Net and Trade Balances by Countries, 1958–64."

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

TABLE 3.—*U.S. nonmilitary foreign assistance (net) and trade balances by countries, 1958–64*

[Millions of dollars]

Countries	1958		1959		1960		1961		1962		1963		1964	
	Economic aid	U.S. trade balance	Economic aid	U.S. trade balance	Economic aid	U.S. trade balance	Economic aid	U.S. trade balance	Economic aid	U.S. trade balance	Economic aid	U.S. trade balance	Economic aid	U.S. trade balance
Afghanistan	19	−4	19	−10	13	−10	30	6	13	−8	32	−3	37	6
Bolivia	22	17	22	14	13	14	23	16	29	20	44	18	33	17
Brazil	145	−33	35	−216	42	−147	270	−68	157	−117	138	−186	212	−148
Cambodia	37	−2	21	−7	25	----------	24	9	20	5	20	2	7	−1
Ceylon	20	−5	19	−12	8	−25	9	−17	8	−19	4	−21	4	−27
Chile	47	−7	33	−76	10	----------	121	43	87	−24	109	−32	96	−38
Colombia	92	−147	32	−134	7	−54	54	−31	43	−50	69	−9	38	−35
Ecuador	3	−9	2	−12	7	−11	11	−4	11	−26	14	−11	17	−4

TABLE 3.—*U.S. nonmilitary foreign assistance (net) and trade balances by countries, 1958–64*—Continued

[Millions of dollars]

Countries	1958		1959		1960		1961		1962		1963		1964	
	Economic aid	U.S. trade balance	Economic aid	U.S. trade balance	Economic aid	U.S. trade balance	Economic aid	U.S. trade balance	Economic aid	U.S. trade balance	Economic aid	U.S. trade balance	Economic aid	U.S. trade balance
India	243	63	320	129	523	412	370	230	528	411	736	509	864	651
Indonesia	24	−112	17	−123	45	−132	54	−29	88	−15	77	−7	32	−102
Jordan	57	10	60	16	62	17	61	24	53	20	54	37	45	20
Korea	311	213	232	131	261	148	228	155	233	204	231	211	157	169
Laos	30	2	35	3	33	1	51	2	30	4	31	6	39	7
Liberia	8	14	9	59	8	−4	19	17	35	20	11	4	12	−13
Malaysia	(1)	−85	(1)	−150	1	−138	2	−126	12	−155	6	−150	2	−82
Morocco	26	33	45	29	61	29	97	55	48	42	53	49	38	31
Nepal	6	(2)	3	(3)	8	(3)	10	(3)	9	(3)	14	(3)	17	(3)
Pakistan	145	81	142	65	229	131	218	158	322	243	378	341	377	336
Philippines	42	18	24	−36	24	−10	11	17	24	−59	8	−34	49	−27
Poland	99	75	66	43	127	111	57	34	60	48	46	66	52	84
Thailand	30	−4	48	−28	42	11	29	25	31	32	29	57	18	58
Tunisia	26	4	30	7	55	21	77	38	53	44	38	25	45	31
Turkey	122	72	111	44	101	66	153	69	202	106	173	154	126	96
Vietnam	204	57	168	46	186	48	144	62	148	101	189	114	221	131
Yemen	----------	(3)	5	(3)	5	(3)	6	(3)	6	(3)	8	(3)	6	(3)
Total	1,758	251	1,498	−218	1,882	478	2,129	685	2,250	827	2,512	1,140	2,544	1,160

[1] Less than $500,000.
[2] Not statistically significant.
[3] Not available.

Sources: International Monetary Fund, Direction of Trade, annual 1958–62, pp. 128–130; and March 1965, pp. 63–64; National Advisory Council, Semiannual Report to the President and Congress, January–June 1964, pp. 75–77; U.S. Department of Commerce, Foreign Grants and Credits (Washington: U.S. Government Printing Office 1964).

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point the next table, also from Mr. Danielian's statement, table 4, "U.S. Share of Latin American Imports, 1955 to 1964; Latin American Exports to the United States, 1956 to 1964."

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

TABLE 4.—*U.S. share of Latin American imports, 1956–64; Latin American exports to the United States, 1956–64*

[Millions of dollars]

Year	Imports of Latin America			Latin American exports to the United States—f.o.b.[2]	U.S. net aid to Latin America[3]	IDB[4]
	Total[1]	From the United States[1]	Percent U.S. share			
1956	7,226	3,480	48.2	3,182	212	----------
1957	8,419	4,356	51.7	3,287	320	----------
1958	7,690	3,518	45.8	3,061	639	----------
1959	7,220	3,228	44.7	3,126	397	----------
1960	7,690	3,479	45.2	3,170	271	----------
1961	7,950	3,510	44.2	3,178	834	7
1962	8,040	3,457	43.0	3,387	656	59
1963	7,860	3,380	43.0	3,451	630	141
1964[5]	8,400	3,789	44.1	3,524	[6] 489	198

[1] Excludes Cuba; CIF basis.
[2] Overseas Business Reports (63–101), April 1963, table 9; Overseas Business Reports (65–35), June 1965, table 2.
[3] Actual disbursements; does not include aid from international institutions.
[4] Actual disbursements; approximately $320,000,000 were U.S. dollar disbursements.
[5] Preliminary.
[6] U.S. Government aid commitments to Latin America in 1964 were $1,400,000,000.

Source: U.S. Department of Commerce, IDB Information Office, International Monetary Fund, International Financial Statistics, October 1959, p. 25, October 1965, p. 35; Direction of Trade Annual 1958–62, pp. 85–87; Annual 1960–64, p. 93.

CASE STUDIES OF FOREIGN AID FAILURES

Mr. MORSE. The failures of program lending in a major test country, Chile, will be dealt with before I finish this speech. I wish to discuss case study failures of foreign aid—the Dominican Republic, Vietnam, Nepal, and Chile.

The administration has not been able to show that economic assistance as presently administered is either an effective instrument of foreign policy or a significant stimulus to economic development in recipient countries.

THE DOMINICAN REPUBLIC

The Dominican Republic is a particularly tragic evidence of the political and economic inadequacy of foreign aid as an instrument to promote political stability and economic development. It has a population of only 3½ million. Starting with the election of Juan Bosch in 1962, we poured money into the country in profuse quantities:

Bosch government	$86.6
Reid-Cabral junta	61.6
U.S. occupation	128.7
Total (includes food for peace)	276.9

It will be seen that well before the civil war and foreign intervention we had extended some $42 in aid per capita. Funds planned through 1967 will bring the figure to $100, and that does not include the cost to the United States of support of United States and Latin American forces that have been in the Dominican Republic since a year ago last April.

What are the results? On June 13, 1966, Newsweek magazine summed up economic life in the country as follows:

The hate-wracked Republic which Balaguer inherits is plagued with almost every infirmity of the underdeveloped world. Probably one-third of its labor force is jobless, a third of its children never enter school and many of its people are undernourished, diseased, and illiterate. The population is growing at a breakneck 3.5 percent a year while the economy is stagnant, the budget solidly in the red, and only the monthly $6 million handout from the United States carries the overpadded Government payroll. "This country is asleep in dead center," a U.S. official said last week, "and it'll be a major project to wake it up."

In 1961, when our aid began, the gross national product of the Dominican Republic was about $788 million. It has dropped about 15 percent despite these massive infusions of U.S. aid.

It will be argued that the Dominican Republic is a special case. If so, it is special testimony to the strangling effect of excessive American financial intervention.

On a per capita basis the Dominican Republic is relatively well off, with a gross national product in 1964 of about $225 per capita. There is dozens of nations, where we have assistance programs, which are much power in an economic sense and potentially less stable in a political sense. The American people need to beware because the present philosophy of AID is that each of these countries is of vital concern to the United States and we, as guardian of economics and policeman of politics, must send our advice, our bounty, and our military assistance "on demand" and sometimes even without it.

VIETNAM

Vietnam is a classic case of how far the United States can become enmeshed by policies based on aid and limitless commitments of men, money, and advice.

The Secretary of State has told the Committee on Foreign Relations on at least two occasions—and he has also so

remarked in public—that there is a direct relationship between our aid programs to Vietnam and our involvement there. From time to time the Secretary of State has sought by other means to justify the "war" in Vietnam, but the essence of his position was set forth to the committee in August of 1964 when he asserted that the President has authority under the aid programs and on his own responsibility to involve the Nation in war in Vietnam.

During hearings on the Vietnam supplemental bill this year, the Secretary referred again to the action of the Congress in providing "bilateral assistance" and "annual aid appropriations" as authority for our involvement in Vietnam. Finally, in February of this year, the Secretary of State in Las Vegas, Nev., said we were committed to assist South Vietnam, among other things, "by the aid approved by bipartisan majorities in Congress over a period of 12 years."

What did our economic aid develop for Vietnam?

In 11 years from 1953 through 1963, the United States provided $1,885,400,000 of economic assistance—including food for peace—to a nation of 15 million people, mostly farmers. This was an average of about $170 million a year up to the collapse of the Diem government and the upswing in the civil war. We had made Diem our agent and supplied him with ample funds, but such lavish and only served to hasten his departure. At Honolulu in 1966, there were announced development plans for South Vietnam that only bore out the failure of all previous aid to develop the country.

For 1966 and 1967, an additional $1 billion is programed for Vietnam, excluding food for peace, military assistance, civilian construction, and other direct costs of the war. Thus the grand total of economic assistance alone to Vietnam over a period of 14 years will total at least $3,375 million—about $225 for every man, woman, and child. This is enough in family terms to have built every family a house—at the low cost there—furnish it, and have enough left over to get a good start on a school construction program.

The above figures do not include military assistance which over the same period of time is nearly as great in magnitude.

In 14 years the total amount of assistance, both military and economic, which we have given Vietnam is over $5 billion—one-third of the total cost of the Marshall plan.

CONGRESSIONAL FINDINGS ON VIETNAM ECONOMIC AID

Members would be well advised to read with care the maiden speech of our new colleague from Michigan, Mr. GRIFFIN, who reported on June 23 on some aspects of the aid program which he observed in Vietnam. For example, Mr. GRIFFIN says:

> In my judgment, based on my recent visit to Vietnam, the weakest link in U.S. activities is, inexcusably, the economic one. A result of serious mismanagement and ineffective controls * * * they have made the rich richer and the poor poorer; and they have indirectly routed American supplies into the hands of the Communist Vietcong. * * *

Representative JOHN E. MOSS, recently back from Vietnam, was reported in the New York Times of May 18, 1966, as demanding that AID completely overhaul its $400 million commodity program for South Vietnam. He stated that this program, instead of combating inflationary pressures, was actually "feeding inflation."

Members of the Senate interested in the problems of dealing with a corrupt government in Vietnam should examine the report of a distinguished former administrator of the point 4 program, Mr. Stanley Andrews. His report appears on page 590 of the committee hearings and is critical in many respects of the rural aid program.

NEPAL

A small case study has been done in Nepal and the results published in "Foreign Aid and Politics in Nepal—A Case Study," by Eugene B. Mihaly. The author was until recently with AID's policy planning staff and is now with the Peace Corps. He reports:

> In Nepal, aid, despite its successes in some areas, actually reduced the prospect for growth by its impact on the political scene.
>
> We assumed that Nepal was merely poor and that, therefore, there was no fundamental barrier to the introduction of Western techniques. * * * Yet the more [our aid projects] demanded of Nepal, the less they accomplished.

This stinging indictment is directed at an aid program which in about 10 years has put a total of $90 million—including food for peace—into a nation of 10 million people. And the result, in the words of Mr. Mihaly:

> In Nepal, aid, despite its success in some areas, actually reduced the prospect for growth by its impact on the political scene.

CHILE

An intensive study of aid to Chile prepared by Senator GRUENING for the Subcommittee on Foreign Aid Expenditures of the Government Operations Committee should be read by every Senator before he votes on this bill.

Per capita, assistance to Chile is the highest in Latin America. It is a testing ground for program loans and with its small population of 8.5 million, its stable and democratic government, Chile seemed to be the one place where foreign assistance could bring meaningful results.

U.S. economic assistance to Chile from 1961 through 1965 has totaled nearly $700 million, and was presumably in conformity with a 10-year economic plan laid out in March of 1962.

Yet Senator GRUENING finds:

> The economy has been virtually stagnant for a decade—its rate of growth in recent years has averaged about 3 percent a year, only inching ahead of the annual 2.5 percent population growth.
>
> Inflation has been endemic. During the decade 1950–60, the cost of living rose by an annual average of 36 percent. In 1960 and 1961, under an austerity program, inflation was held to 5 and 10 percent respectively. But as inflationary pressures were felt again, living costs rose 28 percent in 1962, 45 percent in 1963 and 38.4 percent in 1964.
>
> In recent years Chile's monetary and fiscal position has been bleak. The balance of trade has been unfavorable, with imports exceeding exports by some $95 million in 1963 and $93 million in 1964. At the same time, the Chilean Government is responsible for many social and economic services which contribute to recurring budget deficits (the budget deficit reached 452.4 million escudos at the end of 1964, or about $165 million). Meanwhile, the Chilean Government has been forced to rely more heavily upon foreign borrowing. In recent years foreign credit has financed as much as 40 percent of official investment. As a result, Chile faces increasingly serious difficulties in servicing its medium- and long-term foreign debt (currently amounting to $1.4 billion) with payments of interest and amortization imposing a heavy burden on the balance of payments. International reserves of the monetary system dipped to a minus $263.7 million on December 31, 1964.

He finds that Chilean firms produce at high cost for a limited market. In agriculture, the largest source of employment, the feudal system has turned Chile, once an exporter of foodstuffs, into a heavy importer of agricultural commodities and a dependent upon food for peace.

Sixty-five percent of agricultural income goes to 8 percent of the landowners. The rural laborers and their families who comprise a third of the nation's population remain at the bottom of the economic ladder:

> It is estimated that only 6 percent of the rural population has access to safe water service. Housing for almost half the rural population is primitive. Sewage facilities are practically nonexistent. Despite Chile's educational achievements relative to other underdeveloped countries, one-third of the rural population 15 years and over has received no schooling whatsoever, while another third has completed 1 to 3 years of primary education—hence, two-thirds are functional illiterates.
>
> A large segment of Chilean landlords have demonstrated little concern for their tenant farmers and laborers or for increasing the productivity of their lands. With plenty of cheap labor available, large landholders earn comfortable livings from extensive farming. Significantly, agriculture in recent years, although accounting for only about 10 percent of gross national product, has received about 35 percent of the private credit outstanding. Most of the credit has gone to a small group of producers, and much of this has been diverted to relatively nonproductive or to nonagricultural uses. Studies of the expenditure patterns of large landowners reveal that they spend almost 80 percent of their sizable incomes for personal consumption.

Although Chile in the past has had a relatively highly developed education system, it has fallen tragically far behind modern needs:

> It has become increasingly clear that the school system, organized in the 19th century, has failed to adapt to the country's real needs. Emphasis has traditionally been upon academic training and the liberal professions, with the result that few people have vocational skills. The dropout rate is high: of every 100 students who enter primary schools, only 33 complete the sixth year of the curriculum.

These are not the conditions of 1960 the Alliance for Progress was designed to correct: these are the conditions that prevail in a primary recipient of development money from the United States, 5 years after massive aid has been underway.

The Gruening report demolishes much of the case the administration tries to make for nonproject, or program, lending:

> Program lending, initiated in 1963, and now the overwhelming component of the U.S. program in Chile, is a highly dubious device for linking assistance to performance.

A $35 million program loan was made in 1963 and a $55 million loan in 1964.

Following the 1964 election of President Frei we expected the genuine reforms, and an $80 million program loan was signed early in 1965.

Senator GRUENING finds the results not much different than before. Moreover:

> Chile's investment budget remains largely a random shopping list of unevaluated, unrelated projects submitted by various agencies and ministries. * * * Program lending erodes Chile's incentive to undertake the necessary steps to formulate its investment program on a rational basis. So long as dollars are available through the program loan route, the Chilean Government feels no urgency to build an institutional capability for projectizing its bids for foreign financing. * * * Another serious and related consequence of program lending has been the undermining of the proposed consortium of international lending agencies and governments to be organized under the auspices of the World Bank. Chile much prefers receiving external assistance not tied to specific projects, a situation which the consortium was designed to end. Furthermore, dealing with AID within an international group promised to be a good deal tougher than negotiating bilaterally where considerations other than economic can be raised. Meanwhile, continuation of U.S. program loans made it unnecessary for Chile to prepare projects suitable for international financing. The result: no projects, no consortium. In effect, the program loans helped to scuttle the international consortium, the instrument by which the United States intended to get out of the business of supplying assistance unrelated to specific projects.

These objections to the nature and results of aid to Chile are in no way a reflection upon Chileans. Nor do I intend to criticize by implication any other recipient of American aid. It is our money, and we are entirely responsible for its use or misuse.

ECONOMIC AND MILITARY AID ARE INDIVISIBLE

Now I come to the subject of economic aid and military assistance, and I shall discuss them under the same subject, as they are inseparable.

One of the tragedies of the American economic aid program is the degree to which a direct relationship has developed between economic assistance and military expenditures of recipient countries. It argues convincingly against separating economic and military aid in the legislative process.

That is one of the issues that will be before us in the days immediately ahead, for I shall attempt in the Senate, as I did in committee—but failed there—to stop this trend toward the separation of economic and military assistance..

This administration has failed in the past in attempting to separate military aid from economic aid and in assigning it to the Committee on Armed Services. I warn the Senate that that is what the Pentagon Building is after. In my judgment, they will not be satisfied unless they succeed in accomplishing that objective. They do not want the subject of military aid before the Committee on Foreign Relations. They know that the Committee on Foreign Relations knows that military aid cannot be separated from American foreign policy.

The Pentagon Building certainly would like to acquire jurisdiction over military aid. Well, they have failed in the past. There was a great deal of talk of attempting it again this year, as they have attempted it in the past, but this year they are following a new gimmick. Apparently, they approach this a step at a time.

This year, Mr. President, the administration did recommend that military aid be turned over to the Committee on Armed Services. This year, the administration recommended that economic aid be considered in one bill and that military aid be considered in another bill, and that we authorize them separately. That is why this afternoon we do not have a combined economic aid and military aid bill, as we always have had in the past.

(At this point Mr. ERVIN assumed the chair as the Presiding Officer.)

Mr. MORSE. This afternoon, Mr. President, we have only the economic aid bill. In my judgment, it is even a mistake to consider them in debate separately because they are so interrelated and so intertwined that they should be considered together.

I want the record to show a warning that I issue today. In my judgment, if they get by with it, next year we will not have a military aid bill before the Committee on Foreign Relations. We will have it before the Armed Services Committee. All we will have next year is an economic aid bill before the Committee on Foreign Relations.

But, Mr. President, military aid is inseparable from American foreign policy. I think it would be against the best interests of the American people if this administration is ever allowed to get by with what I am satisfied is at the present time a covert design. Whenever they think they can get military aid assigned to the Armed Services Committee they will attempt it, as they have in the past, and in the past they have failed.

Procedurally I am opposed to the separation of the two bills, economic aid and military aid. We cannot discuss economic aid without giving some thought to military aid, and that is why in this part of my speech I am taking up what I think is the relationship between economic aid and military aid.

I want the Senate to know, Mr. President, what I think the Pentagon Building is up to. We stopped them in the Committee on Foreign Relations on another little gimmick that they had all greased for passage. The Secretary of Defense, Mr. McNamara, is not very happy about the reports of the Comptroller General. I discussed the reports of the Comptroller General in broad outline earlier this afternoon.

The Comptroller General in report after report over the years has found shocking example after shocking example of inexcusable waste, mishandling of funds by the recipient countries to which we have given military aid, the selling of equipment they did not need; and not only that but in some instances the relationship between military aid and corruption within the governments of recipient countries. Of course, as I pointed out, I think there is no doubt about the fact that there is a direct relationship between American military aid and the building up of military juntas around the world. When you build up a military junta you are in the field of foreign policy because it is only a matter of time in many instances before that junta will overthrow the constitutional government.

(At this point, Mr. BURDICK assumed the chair.)

Mr. MORSE. How did the Secretary of Defense try to get around the Comptroller General? The record is clear. He set up, so the Committee on Foreign Relations found, an inspection unit of his own, with more auditors, with more investigators, and with more inspectors than in the entire Comptroller General's office for surveillance over the American Government in its entirety.

Then, what did the Secretary of Defense propose? Without any fanfare, only added in the administration bill, they would do away with any inspection by the Comptroller General. McNamara knows that he does not dare to leave the Comptroller General a free hand in the inspection of American military aid because McNamara knows that the Comptroller General will continue to investigate fearlessly and impartially and disclose facts in the reports as he finds them.

The sad thing is that McNamara is protected by the fact that those reports have to be marked "Top Secret." But as the Comptroller General has testified before our committee time and time again, that is not by his request. The Comptroller General has not asked to have any of the reports marked "Top Secret."

Mr. President, I discovered that Defense Department gimmick in the bill and I made a fight against it in committee. The committee refused to go along with the administration proposal to have the Defense Establishment exempted from Comptroller General inspections and investigations.

But this should be taken as warning to be on guard next year for a further attempt on the part of the administration to get military aid under the jurisdiction of the Armed Services Committee of the Senate. That would be a great mistake for the reason I have stated: The direct relationship between military aid and foreign policy.

Economic aid, as I said, often supports the creation of military machines in countries which cannot support them. The administration and the Congress have not come to grips with this problem.

The classic case involves the assistance which the United States has given to India and Pakistan, and also our aid to Greece and Turkey. But let us take a little longer look at India and Pakistan. When the United States agreed to arm Pakistan on the theory that it would be a

bulwark against possible Communist aggression, India complained. The Indians were worried that U.S.-supplied arms would enable Pakistan to use force some day against India, rather than against a Communist onslaught as the United States feared. India, therefore, used its own budgetary resources to purchase and manufacture arms with which to meet potential threats not only from China, but from Pakistan.

But with India putting funds into armaments, there was little left over for food and other necessary imports.

The present Presiding Officer, the Senator from North Dakota [Mr. BURDICK] knows whereof I speak on this point, for with his own eyes, as a member of my delegation last fall, as we went to India, he saw some of the clear implications of the argument that the Senator from Oregon is now making.

Mr. President, there is no question as to what India and Pakistan have been doing in military spending. They should be spending their money for food. They should be spending their money for worthwhile projects. They should be doing something about their agriculture. In addition to what aid they receive for nothing, the military aid they can spend for military purposes, but then they count on the United States subsequently coming to their assistance with food.

I shall vote to come to their assistance when starvation stalks their land, but I am not going to vote to come to their assistance in the field of food when, in those instances in which they can spend their own money, they can obtain the food instead of using the money for tanks, aircraft, or bullets.

But with India putting funds into armaments, there was little left over for food and other necessary imports. So the United States provided economic aid in the amount of $5.8 billion from 1949 until 1965, thus freeing Indian funds for armament.

Those in India and Pakistan who suffered from this arrangement were the people—the little people—the ones who needed food and fertilizer. Then, of course, there were the soldiers who served in the armies which finally clashed last August in battles which pitted American-supplied Patton tanks manned by Pakistanis, against British Centurion tanks purchased from the British and manned by Indians.

Much the same thing is happening in the Middle East. We supply arms directly by grant to Jordan and sell them to Israel and Saudi Arabia. Meanwhile, Egypt's economic base for a Soviet-supplied military establishment is strengthened by our munificient extension of food. Our policymakers believe they are balancing these forces against each other. What they are doing is building a house of matchsticks. When it collapses, the United States will once again be encouraged to believe that military intervention by the United States is the only thing that can save the situation.

That is why I find myself in agreement—and I have said so in committee and elsewhere—with the chairman of the Foreign Relations Committee as he warns the American people of the danger that military and economic aid can lead to American military intervention. I think we have to exercise more checks against the President, the Secretary of State, and the Secretary of Defense if we are going to protect the American people from that danger.

WHAT DO WE OWE TO DEVELOPING COUNTRIES?

Grants and loans for development purposes, as contrasted with reconstruction, began about 15 years ago. Enough time has elapsed to arrive at some firm judgments about the value and effectiveness such programs can have in undeveloped countries.

The first conclusion must surely be that local interest, determination, and leadership are the essential ingredients for development and not American capital. Our loans and grants can supplement but can never replace those ingredients.

Our 15-year experience surely demolishes the worst fallacy about foreign aid. This fallacy holds that wealthy, industrial countries owe some obligation to contribute a fixed percentage of their national wealth to the poor nations. Yet the advocates of this theory would be horrified to see it applied within the United States. It would mean taxing the rich States in order to give money to the poor States just because they are poor, without providing extensive guidelines on how it is to be used, intensive supervision to see that the purposes of the program are carried out, and prompt suspension of assistance when specifications of the national purpose are not carried out.

The first and foremost obligation to the undeveloped countries lies with the people of the undeveloped countries, and their governments. It is the obligation to use outside financial help as effectively as possible. Too much American money is simply foisted on them for purposes and projects in which they have no interest and which they merely tolerate because the United States wants them to have it.

Proponents of the "we owe you a fixed percentage of our gross national product" theory give little attention to the real needs of poor nations. The one thing the people of these nations do not need is American subsidization of their old, semifeudal ways of doing things. Such subsidizing is not sound policy for the United States, either, for it induces us to throw more and more resources—even military forces—behind an unpopular and precarious government in the effort to justify our initial bad judgment.

Secondly, in our zeal to push funds into many of these countries we have found it much easier to push products and commodities than to promote or finance the development of natural and human resources. Much of this development probably calls for grants rather than loans. But it is being dangerously neglected by both borrowers and lenders.

Education in too many poor countries remains the mark of the privileged. In some, sending sons abroad for degrees from America or Britain is a sine qua non of the upper classes. Too much of our AID education assistance simply accommodates them in this neglect of their total national human resources. Despite the overcrowding of American campuses with American students, we continue to jam foreign students into them instead of concentrating on building education centers in their home countries.

We are also neglecting in our aid programs the basic education that we would call elementary and secondary. Figures for the Alliance for Progress, which is the most purely development program of any we have, show a distressing lack of emphasis on education.

Mr. President, I ask unanimous consent to have printed in the RECORD two tables, one entitled "Alliance for Progress Breakdown of Total Fiscal Year 1966 Technical Cooperation Funds," and the other "Breakdown of Total Fiscal Year 1966 Development Loan Program Funds."

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

Alliance for Progress breakdown of total fiscal year 1966 technical cooperation funds

	Amount (thousands)	Percent
Basic education	$8,471	10.8
Technical training in industry and agriculture	6,012	7.7
Natural resources development-land reform	[1] 4,369	5.6
Other	59,148	75.9
Total	[2] 78,000	100.0

[1] Natural resources development including land reform as shown above is restricted to natural resource surveys, forest management, land settlement, agrarian reform, and related activities. Excluded are overall agricultural productivity programs such as agricultural extension, crop research and development, cooperatives development, rural community development, agricultural marketing, agricultural diversification, etc. If the category of natural resources development is expanded to include all food and agricultural activities, including technical training in agriculture, the total TC funds would be 13,629 and the percentage would be 17.4.

[2] Total of $78,000,000 excludes $10,000,000 for Alliance for Progress share of nonregional costs.

Breakdown of total fiscal year 1966 development loan program funds

	Amount (millions)	Percent
Basic education	$3.2	(1)
Technical training in industry and agriculture		
Natural resources development-land reform	[2] 111.4	22
Commodity imports (nonproject)	305.0	[3] 62
Other	73.5	15
Total	493.1	100

[1] Less than 1 percent.

[2] Includes loans for supervised agricultural credit; livestock, agricultural, and mining banks; access roads; fertilizer imports; and related activities.

[3] Local currency counterpart also programed in many cases for education, agriculture, and other natural resources development.

Mr. MORSE. Mr. President, the use to which proceeds of nonproject, or program, loans are put are not included in the above table. But the breakdown of the proceeds from program loans to Chile shows that about 9 percent of the 1963 loan went for education, about 5 percent of the 1964 loan, and about 16 percent of the 1965 loan. This is a meager allotment relative to need.

Although Chile has a high literacy rate relative to other South American countries, 40 percent of its total population is under 15 years of age. Literacy rates in many of these countries experiencing a population explosion will not even be maintained, much less reduced, unless faster progress is made to expand teaching facilities.

Education is perhaps the most important key to the development of poor nations. It cannot be forced on them; it cannot be financed by the United States on our say-so and without their enthusiastic cooperation.

Unless recipients move much faster and further in this field, they will never achieve sufficient productive capacity of their own to sustain growth or repay our loans.

CONCLUSION

We will not have a useful and effective aid program of the kind that seeks to build stable and autonomous governments until we learn that a massive American presence is not the key to this process. It can be a great hindrance. The Wall Street Journal of June 10, 1966, reports from Tokyo the high returns that Japan is enjoying from its modest aid efforts:

Compared to exportable great societies, massive U.S. overseas spending and America's awesome foreign military commitments, Japan's modest approach to international affairs may seem, to some Americans, almost amusing. Yet Asian recipients of even small Japanese offerings, tied as they are to goods made in Japan, are nonetheless grateful. In fact, some appear more appreciative of small Japanese help than they are of infinitely more lavish U.S. gifts.

And if Japan isn't hailed as Asia's new political precursor, she at least isn't damned, as is the United States so often, for meddling in others' internal affairs or supporting unpopular regimes.

General Ne Win, of Burma, a country which needs capital and technical assistance, took the initiative a few years ago to throw us out. Recently he was quoted—New York Times, June 20, 1966—as saying:

Unless we Burmans can learn to run our own country we will lose it. Of course there are hardships. But we must put our own house in order.

He referred to some of his southeast Asian neighbors staggering under loads of money from the United States. The general said:

This kind of aid does not help. It cripples. It paralyzes. The recipients never learn to do for themselves. They rely more and more on foreign experts and foreign money. In the end they lose control of their country.

Very well put. The Burmese are poor but not much worse off than Indonesians, Thai, Laotians, Indians, Pakistanis, and Vietnamese, all of whom have been deluged with U.S. aid.

George Kennan stated the case very well before the House Foreign Affairs Subcommittee on the Far East when he said:

I do feel very strongly that the only people really worth helping in this world are the people who say: We propose to survive whether you help us or not, but it will be a little easier for us if you help. The ones who come along and say to us: "If you don't help us, we are going to go Communist, and then where would you be?" I think by definition are beyond helping.

Mr. President, I quite agree with the statement of Mr. Kennan. In fact, to the international blackmail argument—to which the U.S. Government has yielded time and time again—when various countries say, "If you do not help us we will turn to Russia," or, "If you do not supply us with military equipment, we will buy it from Russia," my answer to this is, "Go ahead and do it. You will be paying a price in something more than money."

But, Mr. President, I think that we have performed a disservice to many of those countries by yielding to their blackmail. I do not think that this has furthered the cause of peace by providing them with military assistance. In some instances, that goes for economic assistance, too, where they use some of it in order to build up unnecessary military purchases.

But there is another side to the aid coin. Not only do we alienate the people we are trying to help, but we alienate those we are not trying to help. The latter are likely to view us as meddlesome neighbors anxious to tell others how to act and what to do. There is a further effect on the United States when it assumes responsibilities everywhere.

This point was made a few days ago by Dr. Henry Kissinger, of Harvard University, when he testified on June 27 before the Committee on Foreign Relations. Although he was referring specifically to the American attitude toward Europe, his comment is equally applicable to our posture toward Asia and toward recipient aid countries generally. He said in part:

Some critics of American policy argue that the attempt to play a role simultaneously in every part of the globe is beyond our physical resources. It seems to me clearly beyond our psychological resources. If we insist on assuming the principal responsibility for every square mile of territory at every moment of time, we will tear ourselves to pieces inwardly. The continent closest to us culturally, with similar political traditions and substantial economic resources should—for our sake as well as its own—assume a greater responsibility for its policy and defense. It is neither in our interest nor that of Europe that Europe become the Greece to our Rome—a political backwater, interesting culturally but unable to play an active role. This would not be healthy for us because hegemony is demoralizing in the long run.

Painful as it may be to admit, we could benefit from a counterweight to discipline our occasional impetuosity and to supply historical perspective to our penchant for abstract and "final" solutions.

I have made this extensive report to buttress what seem to me to be two fundamental points: first, that aid as such does not necessarily advance our foreign policy interests but as presently conceived may actually damage our interests abroad; and second, that even when we pour in economic aid, it too often does not bring economic results—to use the words of the Senator from Michigan [Mr. GRIFFIN], "it often makes the rich richer and the poor poorer."

Furthermore, it often creates an unhealthy dependency upon the United States at the very time when recipient countries should begin to make way on their own. Sooner or later the spoon-fed baby will knock the spoon out of his mother's hand; and that is what is going to happen to the United States if we continue present policies.

I would not begrudge the expenditure of 1 cent of these sums were I convinced that the American people were getting their money's worth. But they are not. Much of our aid—military as well as economic—is creating abroad societies which will be ever resentful of the United States. Their resentment will be focused on military forces we have created which stifle change and often promote military domination. Their resentment will be focused on our unilateral interference, financial or military, in their internal affairs, when there were international institutions available. Their resentment will well up from their desire to be independent and to do things for themselves—or at least not under the benign thumb of the United States.

I shall from time to time offer amendments seeking to modify the bill reported by the Senate committee.

I ask unanimous consent that I may submit this afternoon six amendments. I ask unanimous consent that the amendments be printed in the RECORD.

The PRESIDING OFFICER. The amendments will be received, printed, and will lie on the table; and, without objection, the amendments will be printed in the RECORD.

The amendments, submitted by Mr. MORSE, are as follows:

AMENDMENT No. 666

Strike out all after the enacting clause and substitute the following:

"That whenever the President determines that—

"(1) for at least two consecutive calendar quarters, the balance of payments has been favorable to the United States, and

"(2) the annual rate of military and economic expenditures from all United States sources for the defense of South Vietnam has been reduced to a rate not exceeding 1 per centum of the gross national product of the United States,

he shall transmit to the Congress a report containing his recommendations for continuing or reinstituting such foreign assistance programs as he may deem appropriate.

"SEC. 2. Section 637(a) of the Foreign Assistance Act of 1961, as amended, is amended to read as follows:

" 'SEC. 637. ADMINISTRATIVE EXPENSES.—(a) There is hereby authorized to be appropriated to the President for the fiscal year 1967 and subsequent fiscal years such amounts as may be necessary for administering programs under part I which are carried out with funds authorized during the fiscal year 1966 or any prior fiscal year.' "

AMENDMENT No. 667

On page 10, after line 21, add the following:

"(c) Add the following new section:

" 'SEC. 254. Restriction on Assistance to Latin America.—None of the funds authorized by this Act shall be used to provide assistance to any country in Latin America in any fiscal year if the total estimated expenditures of such country for defense pur-

poses for such year are expected to exceed an amount equal to 3.5 per centum of the estimated gross national product as determined by the President of such country for such year.' "

AMENDMENT NO. 668

On page 6, before the period in line 18 insert a comma and the following: "and by striking out '$210,000,000' and substituting '$200,000,000' ".

AMENDMENT NO. 669

On page 10, line 15, strike out "$543,000,000" and substitute "$510,000,000".

On page 10, lines 16 and 17, strike out "$87,700,000" and substitute "$75,000,000".

AMENDMENT NO. 670

On page 14, line 23, strike out "$700,000,000" and substitute "$650,000,000".

AMENDMENT NO. 671

On page 4, line 5, strike out "$620,000,000" and substitute "$570,000,000".

Mr. MORSE. Also, I do not think the chairman of the committee [Mr. FULBRIGHT] was on the floor when I made the announcement earlier that I shall speak on this matter from time to time in the days immediately ahead, and that I shall agree to no unanimous-consent agreement of any kind whatsoever to limit debate or fix a time for debate. I shall again this year, as I have in the past several years, insist that the foreign aid bill be handled under the rules of the Senate, without any unanimous-consent agreements relative to amendments or debate.

Mr. HARRIS. Mr. President, the foreign aid bill now before the Senate should be amended to prohibit aid to countries which continue trading with North Vietnam, as proposed in the pending amendment.

The No. 1 objective of U.S. foreign policy should be that of bringing the war in Vietnam to a satisfactory conclusion, and the foreign aid program must be coordinated with this goal.

To put it bluntly, we should not be helping people who are helping our enemies.

The State Department has made "real headway" in getting nations receiving U.S. foreign aid to stop trading with Communist North Vietnam.

Last year 10 countries receiving U.S. assistance had ships in North Vietnamese ports, but in the first quarter of 1966 there were only three.

But, I believe we should write a prohibition into law, stopping all assistance to such nations, thus clearly showing the intent of Congress.

The countries receiving U.S. assistance which had ships in North Vietnamese ports during the first quarter of 1966 were Cyprus, Greece, and Italy.

Cyprus is receiving economic aid and food supplies through voluntary agencies, while both Greece and Italy receive U.S. food surpluses and Greece gets military assistance.

Foreign aid nations which traded with Communist North Vietnam last year but have not had ships in Vietnamese ports in 1966 include Japan, Lebanon, Norway, Liberia, Panama, France, and Malta.

I have had prepared a sheet which sets forth this information, and I ask unanimous consent that it be inserted in the RECORD at this point in my remarks.

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

Free world flagships in North Vietnamese ports

Country	1965	1st quarter, 1966
United Kingdom	136	29
Japan	37	----------
Greece	28	4
Lebanon	9	----------
Norway	29	----------
Italy	1	1
Netherlands	5	----------
Liberia	3	----------
Panama	1	----------
Cyprus	3	2
France	2	----------
Malta	2	----------
Total	256	36

Which of these received U.S. aid?

Country	Economic aid	Public Law 480 (food)	Military assistance
United Kingdom	No	No	No.
Japan	No	No	Training.
Greece	No	Yes [1]	Yes.
Lebanon	No	Yes	Training.
Norway	No	No	Yes.
Italy	No	Yes [1]	No.
Netherlands	No	No	No.
Liberia	Yes	Yes	Yes.
Panama	Yes	Yes [1]	Yes.
Cyprus	Yes	Yes [1]	No.
France	No	Yes [1]	No.
Malta	No	Yes [1]	No.

[1] Through voluntary agencies only.

NOTE.—Concerning shipping during the current year, only the United Kingdom, which receives no assistance is continuing to ship in significant amounts. The only country receiving economic assistance which had ships in North Vietnamese ports was Cyprus (2).

Mr. HARRIS. Mr. President, I support the pending amendment. I hope it can be accepted by the committee chairman and agreed to by the Senate.

It conforms to an amendment adopted to this bill in the other body. It follows a similar amendment adopted in the Senate committee, I am informed, to the military assistance bill.

MESSAGE FROM THE HOUSE

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

S. 3093. An act to amend the acts of March 3, 1931, and October 9, 1962, relating to the furnishing of books and other materials to the blind so as to authorize the furnishing of such books and other materials to other handicapped persons; and

S. 3150. An act to make further provision for the retirement of the Comptroller General.

THE VIEW FROM EUROPE—ARTICLE BY SENATOR CHURCH OF IDAHO

Mr. CLARK. Mr. President, I ask unanimous consent that an article entitled "The View From Europe," by our colleague Senator FRANK CHURCH, of Idaho, may be printed in full in the RECORD at this point as a part of my remarks.

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

[From the New Leader, June 20, 1966]

THE VIEW FROM EUROPE

(By FRANK CHURCH)

NOTE.—FRANK CHURCH, *Democratic Senator from Idaho, recently visited Europe to ascertain opinion there toward the U.S. This article is adapted from his report to the Senate Foreign Relations Committee.*

WASHINGTON.—In the eyes of most Western Europeans, the postwar period has ended. Western Europe has fully regained its vitality, with living standards far above prewar levels. The threat of a Soviet armed attack appears to be subsiding, making the prospect of a new war there increasingly unlikely. Consequently, Western Europeans long for a thaw in the cold war. They sense that now may be an opportune time for a gradual relaxation of tensions between the two halves of Europe—a necessary precondition for an eventual settlement which could bring an end to the present partition.

Although reasonably satisfied with the present and sanguine about the future, there is still a feeling of uneasiness when our allies in Europe look either to the East or to the West. In the East, Western Europeans see a less militant Soviet Union and its neighbor Communist countries evolving some more rapidly than others, in the direction of a more independent relationship with Russia. At the same time, Western Europeans see no evidence of any present disposition on the part of the Soviets to release their hold on East Germany to permit a reunification that would end the uneasy, potentially explosive, military confrontation in the heart of the Continent. Thus, while a Soviet military thrust into Western Europe is regarded as highly improbable, it is not dismissed as impossible. And there appears to be virtually unanimous recognition among Western Europeans that, should war threaten again, their protection still rests on American nuclear power.

Looking westward, many Europeans suspect that the United States is unattuned to the changing sentiment in Europe—that we remain wedded to concepts which reflect the old status quo. In particular, Europeans would welcome our placing less emphasis upon NATO's role as a fort and more upon its use as a forum for reaching agreement on Western initiatives directed toward the normalization of relations with Eastern Europe and the Soviet Union.

As for closer ties with the United States, Europeans are apprehensive about being smothered in our embrace. They are uneasy about the magnetic attraction of a voracious American economy. As cause for alarm, they point to the "brain drain," the disparity between research and development funds in the United States and Europe, and the widening American technological superiority in such growth industries as electronics, aircraft and space. Against these American advantages, even the Common Market is a meager and insufficient answer. "We shall be reduced," a renowned economist lamented to me, "to the same subordination to the United States as ancient Greece bore toward imperial Rome. Unless the trend can somehow be reversed, we are destined to become a continent of hotel keepers, store clerks, salesmen, and tourist guides."

On the one hand, therefore, there is much evidence in Western Europe today of a satisfaction derived from recovery, of a pride associated with the present prosperity, of a desire for the reassertion of European prerogatives, of a wish for reconciliation with the East and, above all, of a general belief that

the danger of war in Europe is diminishing. But, on the other hand, a feeling of vulnerability remains. Europeans have yet devised no substitute for the American nuclear shield—and they do not see any in the offing. As a consequence, they regard the continued deployment of U.S. troops in Europe as vital to the credibility of the American nuclear deterrent. Opinions vary, however, as to the number of troops we need to keep in the Federal Republic of Germany.

In attempting to cope with these somewhat ambivalent sentiments, the interests of American policy would seem to call for less dogmatism, less insistence on American solutions which meet with strong European resistance, and a certain relaxation of pressure—an approach which could be best described by that idiom of the American West, "riding a little looser in the saddle."

For if we are regarded as the sentinel of the status quo in Europe, then President de Gaulle of France is looked upon as its challenger. To the degree that he has plumbed the European desire to reach eastward—and to the extent that he has appealed to the dignity, pride, and independent spirit of Europeans, he is not isolated either in France or in Europe. His defiance of what is sometimes described as the American hegemony over Western Europe has engendered admiration, as well as apprehension. In this sense, it seems likely that much of what is called Gaullism will outlive de Gaulle. Moreover, his goal of *rapprochement* with Eastern Europe and the Soviet Union, together with his hopes for overcoming the present partition of Europe, represent objectives to which all of Western Europe and the United States can and do subscribe.

But while there is widespread support for these stated objectives, there is anguish over the separatist course de Gaulle has chosen for pursuing them. Outside France, and to some extent even within it, de Gaulle's preemptory treatment of the alliance in general, and of the United States in particular, is deeply resented. There is misgiving that, even though he has declared his intention to remain in the Western alliance, de Gaulle's withdrawal of France from NATO's integrated command will stiffen, rather than lessen, Soviet intransigence. There is also considerable skepticism that France, lacking the needed size and strength in the great power equation, can possibly act as a catalyst in engaging the Soviet Union in meaningful negotiations on European security questions.

Nevertheless, there seems to be a certain grudging awe of de Gaulle among many, although certainly not all, Europeans—an inkling that he may be in tune with the trend of the times and that we are not. As one perceptive political observer remarked to me: "France has the objective but not the means, while the United States has the means but not the objective."

One final observation about our relations with France: I left Paris with the impression that a diplomatic glacier now separates France and the United States. Communication between the two governments appears to have dangerously broken down. If a useful dialogue is to commence again, humility must somehow prevail over pride. Overtures will have to come, so it would seem, from the highest levels.

An early overture might deal with the alliance. I found abundant sentiment in Western Europe that reform of NATO is overdue. In the first place, there is pronounced support for "Europeanizing" the alliance, for giving a larger role to the European countries. Secondly, there is a strong desire to see the North Atlantic Council used for the forging of united Western initiatives toward Eastern Europe and the Soviet Union.

Central to both objectives is the question of how the members of the alliance should share in NATO's nuclear defense system. There appears to be little enthusiasm for a "hardware solution" to this problem, outside of a certain circle of officials in Bonn, and, I gather, in Washington. Indeed, I was told repeatedly that the United States had been ill-advised in pushing the MLF proposal so aggressively. Far from demanding nuclear weapons for themselves, the German people were said to be either disinterested or opposed. Moreover, the conflict is apparent between striving for greater German access to nuclear weapons, on the one hand, and seeking the reunification of Germany on the other. Finally, candor requires the admission that an antipathy toward Germany still pervades Europe. More than once, from among the most highly placed, I was told: "If West Germany ever acquires nuclear weapons, there will never be a solution to the German problem."

At the same time, I found little resistance expressed against giving West Germany a direct voice in nuclear defense planning and strategy. For these reasons, among all the countries concerned, a consultative solution to the nuclear sharing problem, along the lines of the McNamara committee, appears to have by far the widest measure of popular and official support and to afford the most promising compromise on the problem of German desires for nuclear weapons.

Germany lies in the middle of Europe, not only geographically but economically and politically as well. Germany is also the frontier in Europe today, for the line which divides it at the same time separates Communist from non-Communist Europe. Thus, so long as Europe lies broken between two hostile camps, Germany, it would seem, will also stay divided.

Western Europeans seem to have reached a consensus that the solution to the German problem will come only after an "improvement in the general climate of confidence" is realized; that a process of reconciliation between Western and Eastern Europe is a necessary precondition to any possible reunification of Germany; in sum, that reunification will follow detente and not vice versa. Even the West Germans themselves appear not to dispute this sequence.

Additionally, it seems to be accepted that a final resolution of the German problem will have to result from negotiations in which the United States and the Soviet Union will be the principal parties. A new all-European security arrangement, guaranteed by the two great nuclear powers, will be required. Given present rigidities on both sides, any speculation as to the specific form of such an arrangement, or what Germany's status within it might be, is obviously premature.

In light of these considerations, many West Germans now seem to be thinking more about what practical action can be taken to improve the lot of their East German brothers. There seems to be growing sentiment for doing everything possible to broaden contact and communication across the Wall so that East and West Germans will continue to think of themselves as one people. Support for such small steps, however, appear to be stronger within the opposition in West Germany than within the governing coalition. Bonn is skeptical as to what these small steps can accomplish and remains adamantly opposed to recognizing the Oder-Neisse line or modifying the Hallstein Doctrine, preferring to retain such concessions for future bargaining in connection with a final settlement.

At the other frontier of Europe, the British appear to have decided tentatively to enter the Common Market when the time is right, but this decision, like the West German decision to make overtures to the East, betrays definite elements of equivocation. Certainly, there is no evidenced disposition to move until it is certain that there will not be another French veto. The debate continues on collateral questions: the need first to strengthen sterling by overcoming Britain's adverse balance of payments, the resistance to the supranational character of the Common Market, the uneasiness about the Common Market's agricultural policies, the concern that Britain's close ties with the United States might be attenuated, and the feeling that Common Market membership will inhibit Britain's role in the world at large. Still, there is an underlying realization, both in Britain and on the Continent, that admission of the United Kingdom (which would also entail the entry, either as members or associates, of most of the other European Free Trade Association countries) would have highly desirable consequences: it would furnish a healthy counterbalance to West German's economic weight, the Common Market itself would be strengthened and enlarged, and the cause of European unity would be advanced.

Looking into the future, it is likely, then, that Britain and some, if not all, of her Free Trade Area partners, will enter the Common Market within the next five years. However, the chances for immediate entry, specifically within the next year or so, appear slim.

Meanwhile, at Geneva, negotiations proceed which may ultimately affect all the other European issues. But there are grave misgivings that if the 18 Nation Disarmament Conference produces no tangible results by this fall, after three years' running, further negotiations there may be broken off, with the United Nations assigning disarmament problems to a much less satisfactory forum. Most of the countries represented at Geneva seem to feel that such a setback would impair whatever chance there may be for agreement on two treaties of far-reaching importance: a nonproliferation argeement, and a comprehensive test-ban treaty.

The impasse blocking agreement on a nonproliferation treaty results from Soviet unwillingness to accept the so-called European clause in the American draft which would allow for the creation, sometime in the future, of a European nuclear force, to which West Germany could belong. I found little evidence that Europeans either want such a force or think it now feasible to create one. This has given rise to some suspicion in Geneva that we are not really serious about consummating a nonproliferation agreement at this time; otherwise, some contend, we would not be mortgaging present prospects for the sake of a highly problematical development which, at best, lies way off in an uncertain future.

The practical effect of a nonproliferation treaty is open to legitimate question. It is possible that the key non-nuclear states, wishing to retain the option of developing nuclear weapons, will refuse to sign. As of now, France and China are not likely to adhere. Moreover, it can be argued that none of the nuclear states intends to help non-nuclear states develop these lethal weapons anyhow. But Europeans see the importance of a nonproliferation agreement as less military than political. They believe that such a treaty could contribute significantly toward improving the climate of confidence in which detente can grow. For all who perceived the positive psychological effect in the United States of the limited Nuclear Test Ban Treaty, the question of political consequences is a very important one; no other single event has done more to ease Soviet-American tensions than this first-step agreement.

As for a comprehensive test-ban treaty, it seemed obvious to me that Europeans are not sufficiently aware of the political problems that would arise in the United States if the Senate were asked to ratify a comprehensive test-ban treaty which did not include the right to on-site inspection. Consequently, our reluctance to drop our insistence on inspection—that is, our refusal, as they see it, to accept a small risk for large

political gains—is considered, in some quarters, to be an indication of the dominance of military influence over U.S. policy. This is all the more regrettable because, to many at Geneva, a comprehensive test-ban agreement is considered to be the most effective nonproliferation measure, for nations are apparently unable, at present, to develop nuclear weapons without testing them.

The United States retains considerable latitude for action and influence. On the basis of my own observations, I would recommend the following:

1. In the conduct of our relations with France, our manner should be firm but correct. We must avoid over-reacting to French initiatives, even though we may regard them as undesirable. In no case should we disparage the greatness of France, our oldest ally or engage in any sort of political guerrilla war against the French government; such tactics should be reserved for our enemies. Above all, we should resist the temptation of interjecting our voice into the internal politics of France. Any American appeal directed over, under, or around the French President would surely backfire.

2. It is crucial that effective communication be restored between the French and American governments. If a summit meeting between the two Presidents is not now feasible, then consideration should be given to the appointment of a special American emissary, who would endeavor to act between President Johnson and General de Gaulle, as Harry Hopkins acted between President Roosevelt and Winston Churchill. His purpose would be to reopen and develop a dialogue to the point where a summit meeting between the two Presidents would seem likely to bear fruit.

3. If the NATO structure is to be salvaged without France, the old architects must come up with new plans or new architects must be engaged. Clearly, SHAPE should be moved to a new site in the Benelux countries and streamlined, its bulk trimmed back in adjustment to the diminished danger. The European role in SHAPE should be sharply upgraded. Since the headquarters exists for the defense of Europe, I would suggest among the specific steps that should be taken to Europeanize NATO:

a) Appointing a European general to serve as SACEUR, under a command arrangement which would leave control of our nuclear weapons in the hands of the President of the United States. *b*) Moving the Military Committee of NATO out of the Pentagon and relocating it in Europe in close proximity to SHAPE and the North Atlantic Council. *c*) Establishing a hot line communications system, linking together the heads of the NATO governments, to enable immediate consultation in case of emergency.

4. With regard to European integration, the Common Market appears to be weathering its way to success. This is, by all odds, the most significant achievement in the direction of European unity since the War. The economic cement binding the six members of the Common Market together is the best guarantee against any reversion in Western Europe to the rampant nationalism of the prewar period. Accordingly, in lining up 14–1 against France in the current dispute over the command structure of NATO, we should strive to avoid any rupture between France and her European neighbors so bitter as to propel the French toward neutralism or vengeance. As between vindicating our position in favor of an uncompromised NATO command, and jeopardizing either the underlying Western alliance or the prospects for strengthening and enlarging the Common Market, the course of prudence should be clear.

5. As for Geneva, I recommend that immediate attention be given to pumping life back into these moribund negotiations. A decision should be delayed no longer on the issue of nuclear sharing within NATO. We must make up our minds whether to give priority to binding West Germany more tightly into the remnants of the NATO organizational structure, or whether to seek further agreements with the Soviet Union in the field of nuclear arms control. If a consultative arrangement, along the lines contemplated by the McNamara committee, is settled upon with West Germany, then the way may yet be open to reach agreement with the Soviet Union on a nonproliferation treaty. I strongly recommend this course as best suited to our highest national interests. But time is fast running out at Geneva.

6. Respecting a comprehensive test ban, I urge that immediate attention be given to the "threshold" approach. It would limit the ban on underground tests to explosions above an agreed size which could be detected by seismic devices without need for on-site inspections. It is possible this may prove a feasible area for enlargement of the present treaty to correspond with the advances that have been made in detection techniques.

7. Finally, a prime objective both in the revision of NATO and in our relations with Europe in general should be to make the alliance and our policies outward looking—concerned not only with the negative aspects of military defense but also with the positive aspects of the quest for peace. Here, it is de Gaulle who has seized the initiative in Europe. Yet, it remains the United States, not France, which possesses the size and power to engage in meaningful negotiations in the field of East-West relations. President Johnson has spoken of the need for "building bridges" to Eastern Europe and the Soviet Union. President de Gaulle's initiative makes it more urgent that we assume our natural position of leadership in this vital endeavor.

Mr. CLARK. Mr. President, the article appears in the New Leader of June 20, 1966. It is a condensation of a splendid report on the situation in Europe made to the Foreign Relations Committee by the Senator from Idaho [Mr. CHURCH] after an extensive trip which he made to Europe a month or 6 weeks ago at the request of the chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT].

I associate myself entirely with the views of the Senator from Idaho [Mr. CHURCH], regarding the situation in Europe, both with respect to current opinion there toward the United States, and, more particularly, with respect to the recommendations he makes for a salutary change in foreign policy on the part of our country.

AMERICAN PRISONERS OF WAR IN NORTH VIETNAM

Mr. MORSE. Mr. President, prior to the adjournment of the Senate last week, I was privileged and pleased to join in a statement by a group of Senators under the leadership of the Senator from Idaho [Mr. CHURCH] expressing our great concern over the rumors and news stories to the effect that the Government of North Vietnam might be planning and contemplating to conduct so-called war trials of American aviators who have been shot down over North Vietnam and captured.

I ask unanimous consent that the statement by Senator CHURCH issued last week in behalf of some 18 Senators be inserted at this point in my remarks.

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

A PLEA FOR SANITY

We, the undersigned, have previously protested the relentless escalation of the war in Vietnam. We have deplored those decisions, taken on both sides, which have steadily extended the dimensions of the war and intensified its fury.

The struggle in Vietnam now approaches a peril point of no return. Violence begets more violence; the fever of reprisal rises, feeding upon itself; reason is in danger of falling prisoner to blind passion. Then the war becomes a raging inferno, burning away the last barriers of restraint.

We apprehend that the execution of American prisoners, as threatened by the government of North Vietnam, would provoke the gravest reprisals, and further blacken the hope for peace.

In the past, we have worked for an honorable settlement of this tragic war. We have publicly criticized the mounting involvement of our own country, and have sought to keep open the path of moderation that could lead to negotiated peace.

So, before the last remnants of reason are irrevocably abandoned, we call upon the Hanoi government to refrain from any act of vengeance against the American airmen. They are prisoners of war, fully entitled to the protection extended to men in uniform when captured in the performance of their duty. Their execution would drastically reduce the influence of all those in the United States who have tried to curtail the fighting. It would incite a public demand for retaliation swift and sure, inflicting new levels of suffering and sorrow, and fixing more firmly still the seal of an implacable war.

FRANK CHURCH, U.S. Senate; GEORGE MCGOVERN, U.S. Senate; GAYLORD NELSON, U.S. Senate; E. L. BARTLETT, U.S. Senate; LEE METCALF, U.S. Senate; EUGENE J. MCCARTHY, U.S. Senate; MAURINE B. NEUBERGER, U.S. Senate; J. WILLIAM FULBRIGHT, U.S. Senate; QUENTIN N. BURDICK, U.S. Senate; FRANK E. MOSS, U.S. Senate; ERNEST GRUENING, U.S. Senate; STEPHEN M. YOUNG, U.S. Senate; VANCE HARTKE, U.S. Senate; WAYNE MORSE, U.S. Senate; WILLIAM PROXMIRE, U.S. Senate; ABRAHAM RIBICOFF, U.S. Senate; JOSEPH S. CLARK, U.S. Senate; HARRISON A. WILLIAMS, JR., U.S. Senate.

Mr. MORSE. Mr. President, we issued the statement under the heading "A Plea for Sanity." I not only stand foursquare behind every word of it and the clear implications of the statement, but I wish to make further brief remarks about the problem today.

As every Member of the Senate knows, concern has continued over the weekend that there may be underfoot a plan on the part of Ho Chi Minh and the other officials of his government to try these American aviators under some trumped-up charge that they are war criminals.

I do not know whether it is possible for any reason, any sense of reason, any commonsense, any sense of human values, to be transmitted to the leaders of the North Vietnam Government, but if they carry out any plan to try these American aviators or other captured American prisoners of war in North Vietnam, there is no doubt in my mind that they will stand in open violation of the Geneva Convention for the protection of prisoners of war.

Mr. President, in my judgment, not only would a so-called war crimes trial of these American military prisoners stand in clear and open violation of the Geneva Convention relative to the treatment of war prisoners of August 12, 1949—signed by North Vietnam—but it would be a total and unbridled violation of human rights recognized by civilized man as basic in guiding our conduct in relationship to each other, irrespective our nationality.

So I ask unanimous consent, Mr. President, that the language of the Geneva Convention relative to war prisoners be printed in the RECORD at this point.

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

GENEVA CONVENTION RELATIVE TO THE TREATMENT OF PRISONERS OF WAR OF AUGUST 12, 1949

[TIAS 3364]

MULTILATERAL

Protection of war victims

Prisoners of War

[TIAS 3364, Aug. 12, 1949]

Convention, with annexes, dated at Geneva August 12, 1949.

Ratification advised by the Senate of the United States of America, subject to a statement, July 6, 1955;

Ratified by the President of the United States of America, subject to said statement, July 14, 1955;

Ratification of the United States of America deposited with the Swiss Federal Council August 2, 1955;

Proclaimed by the President of the United States of America August 30, 1955

Date of entry into force with respect to the United States of America: February 2, 1956.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A proclamation

WHEREAS the Geneva Convention relative to the Treatment of Prisoners of War was open for signature from August 12, 1949 until February 12, 1950, and during that period was signed on behalf of the United States of America and sixty other States;

WHEREAS the text of the said Convention, in the English and French languages, as certified by the Swiss Federal Council, is word for word as follows:

[TS 846. 47 Stat. 2021.]

The undersigned Plenipotentiaries of the Governments represented at the Diplomatic Conference held at Geneva from April 21 to August 12, 1949, for the purpose of revising the Convention concluded at Geneva on July 27, 1929, relative to the Treatment of Prisoners of War, have agreed as follows:

PART I—GENERAL PROVISIONS

Article 1

The High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances.

Article 2

In addition to the provisions which shall be implemented in peace time, the present Convention shall apply to all cases of declared war or of any other armed conflict which may arise between two or more of the High Contracting Parties, even if the state of war is not recognized by one of them.

The Convention shall also apply to all cases of partial or total occupation of the territory of a High Contracting Party, even if the said occupation meets with no armed resistance.

Although one of the Powers in conflict may not be a party to the present Convention, the Powers who are parties thereto shall remain bound by it in their mutual relations. They shall furthermore be bound by the Convention in relation to the said Power, if the latter accept and applies the provisions thereof.

Article 3

In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:

(1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed *hors de combat* by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

To this end the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

(*a*) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;

(*b*) taking of hostages;

(*c*) outrages upon personal dignity, in particular, humiliating and degrading treatment;

(*d*) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

(2) The wounded and sick shall be collected and cared for.

An impartial humanitarian body, such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict.

The Parties to the conflict should further endeavour to bring into force, by means of special agreements, all or part of the other provisions of the present Convention.

The application of the preceding provisions shall not affect the legal status of the Parties to the conflict.

Article 4

A. Prisoners of war, in the sense of the present Convention, are persons belonging to one of the following categories, who have fallen into the power of the enemy:

(1) Members of the armed forces of a Party to the conflict, as well as members of militias or volunteer corps forming part of such armed forces.

(2) Members of other militias of other volunteer corps, including those of organized resistance movements, belonging to a Party to the conflict and operating in or outside their own territory, even if this territory is occupied, provided that such militias or volunteer corps, including such organized resistance movements, fulfil the following conditions:

(*a*) that of being commanded by a person responsible for his subordinates;

(*b*) that of having a fixed distinctive sign recognizable at a distance;

(*c*) that of carrying arms openly;

(*d*) that of conducting their operations in accordance with the laws and customs of war.

(3) Members of regular armed forces who profess allegiance to a government or an authority not recognized by the Detaining Power.

(4) Persons who accompany the armed forces without actually being members thereof, such as civilian members of military aircraft crews, war correspondents, supply contractors, members of labour units or of services responsible for the welfare of the armed forces, provided that they have received authorization from the armed forces which they accompany, who shall provide them for that purpose with an identity card similar to the annexed model.

(5) Members of crews, including masters, pilots and apprentices, of the merchant marine and the crews of civil aircraft of the Parties to the conflict, who do not benefit by more favourable treatment under any other provisions of international law.

(6) Inhabitants of a non-occupied territory, who on the approach of the enemy spontaneously take up arms to resist the invading forces, without having had time to form themselves into regular armed units, provided they carry arms openly and respect the laws and customs of war.

B. The following shall likewise be treated as prisoners of war under the present Convention:

(1) Persons belonging, or having belonged, to the armed forces of the occupied country, if the occupying Power considers it necessary by reason of such allegiance to intern them, even though it has originally liberated them while hostilities were going on outside the territory it occupies, in particular where such persons have made an unsuccessful attempt to rejoin the armed forces to which they belong and which are engaged in combat, or where they fail to comply with a summons made to them with a view to internment.

(2) The persons belonging to one of the categories enumerated in the present Article, who have been received by neutral or non-belligerent Powers on their territory and whom these Powers are required to intern under international law, without prejudice to any more favourable treatment which these Powers may choose to give and with the exception of Articles 8, 10, 15, 30, fifth paragraph, 58–67, 92, 126 and, where diplomatic relations exist between the Parties to the conflict and the neutral or non-belligerent Power concerned, those Articles concerning the Protecting Power. Where such diplomatic relations exist, the Parties to a conflict on whom these persons depend shall be allowed to perform towards them the functions of a Protecting Power as provided in the present Convention, without prejudice to the functions which these Parties normally exercise in conformity with diplomatic and consular usage and treaties.

C. This Article shall in no way affect the status of medical personnel and chaplains as provided for in Article 33 of the present Convention.

Article 5

The present Convention shall apply to the persons referred to in Article 4 from the time they fall into the power of the enemy and until their final release and repatriation.

Should any doubt arise as to whether persons, having committed a belligerent act and having fallen into the hands of the enemy, belong to any of the categories enumerated in Article 4, such persons shall enjoy the protection of the present Convention until such time as their status has been determined by a competent tribunal.

Article 6

In addition to the agreements expressly provided for in Articles 10, 23, 28, 33, 60, 65, 66, 67, 72, 73, 75, 109, 110, 118, 119, 122 and 132, the High Contracting Parties may conclude other special agreements for all matters concerning which they may deem it suitable to make separate provision. No special agreement shall adversely affect the situation of prisoners of war, as defined by the present Convention, nor restrict the rights which it confers upon them.

Prisoners of war shall continue to have the benefit of such agreements as long as the Convention is applicable to them, except where express provisions to the contrary are contained in the aforesaid or in subsequent agreements, or where more favourable meas-

ures have been taken with regard to them by one or other of the Parties to the conflict.

Article 7

Prisoners of war may in no circumstances renounce in part or in entirety the rights secured to them by the present Convention, and by the special agreements referred to in the foregoing Article, if such there be.

Article 8

The present Convention shall be applied with the cooperation and under the scrutiny of the Protecting Powers whose duty it is to safeguard the interests of the Parties to the conflict. For this purpose, the Protecting Powers may appoint, apart from their diplomatic or consular staff, delegates from amongst their own nationals or the nationals of other neutral Powers. The said delegates shall be subject to the approval of the Power with which they are to carry out their duties.

The Parties to the conflict shall facilitate to the greatest extent possible the task of the representatives or delegates of the Protecting Powers.

The representatives or delegates of the Protecting Powers shall not in any case exceed their mission under the present Convention. They shall, in particular, take account of the imperative necessities of security of the State wherein they carry out their duties.

Article 9

The provisions of the present Convention constitute no obstacle to the humanitarian activities which the International Committee of the Red Cross or any other impartial humanitarian organization may, subject to the consent of the Parties to the conflict concerned, undertake for the protection of prisoners of war and for their relief.

Article 10

The High Contracting Parties may at any time agree to entrust to an organization which offers all guarantees of impartiality and efficacy the duties incumbent on the Protecting Powers by virtue of the present Convention.

When prisoners of war do not benefit or cease to benefit, no matter for what reason, by the activities of a Protecting Power or of an organization provided for in the first paragraph above, the Detaining Power shall request a neutral State, or such an organization, to undertake the functions performed under the present Convention by a Protecting Power designated by the Parties to a conflict.

If protection cannot be arranged accordingly, the Detaining Power shall request or shall accept, subject to the provisions of this Article, the offer of the services of a humanitarian organization, such as the International Committee of the Red Cross, to assume the humanitarian functions performed by Protecting Powers under the present Convention.

Any neutral Power or any organization invited by the Power concerned or offering itself for these purposes, shall be required to act with a sense of responsibility toward the Party to the conflict on which persons protected by the present Convention depend, and shall be required to furnish sufficient assurances that it is in a position to undertake the appropriate functions and to discharge them impartially.

No derogation from the preceding provisions shall be made by special agreements between Powers one of which is restricted, even temporarily, in its freedom to negotiate with the other Power or its allies by reason of military events, more particularly where the whole, or a substantial part, of the territory of the said Power is occupied.

Whenever in the present Convention mention is made of a Protecting Power, such mention applies to substitute organizations in the sense of the present Article.

Article 11

In cases where they deem it advisable in the interest of protected persons particularly in cases of disagreement between the Parties to the conflict as to the application or interpretation of the provisions of the present Convention, the Protecting Powers shall lend their good offices with a view to settling the disagreement.

For this purpose, each of the Protecting Powers may, either at the invitation of one Party or on its own initiative, propose to the Parties to the conflict a meeting of their representatives, and in particular of the authorities responsible for prisoners of war, possibly on neutral territory suitably chosen. The Parties to the conflict shall be bound to give effect to the proposals made to them for this purpose. The Protecting Powers may, if necessary, propose for approval by the Parties to the conflict a person belonging to a neutral Power, or delegated by the International Committee of the Red Cross, who shall be invited to take part in such a meeting.

PART II—GENERAL PROTECTION OF PRISONERS OF WAR

Article 12

Prisoners of war are in the hands of the enemy Power, but not of the individuals or military units who have captured them. Irrespective of the individual responsibilities that may exist, the Detaining Power is responsible for the treatment given them.

Prisoners of war may only be transferred by the Detaining Power to a Power which is a party to the Convention and after the Detaining Power has satisfied itself of the willingness and ability of such transferee Power to apply the Convention. When prisoners of war are transferred under such circumstances, responsibility for the application of the Convention rests on the Power accepting them while they are in its custody.

Nevertheless, if that Power fails to carry out the provisions of the Convention in any important respect, the Power by whom the prisoners of war were transferred shall, upon being notified by the Protecting Power, take effective measures to correct the situation or shall request the return of the prisoners of war. Such requests must be complied with.

Article 13

Prisoners of war must at all times be humanely treated. Any unlawful act or omission by the Detaining Power causing death or seriously endangering the health of a prisoner of war in its custody is prohibited, and will be regarded as a serious breach of the present Convention. In particular, no prisoner of war may be subjected to physical mutilation or to medical or scientific experiments of any kind which are not justified by the medical, dental or hospital treatment of the prisoner concerned and carried out in his interest.

Likewise, prisoners of war must at all times be protected, particularly against act of violence or intimidation and against insults and public curiosity.

Measures of reprisal against prisoners of war are prohibited.

Article 14

Prisoners of war are entitled to all circumstances to respect for their persons and their honour.

Women shall be treated with all the regard due to their sex and shall in all cases benefit by treatment as favourable as that granted to men.

Prisoners of war shall retain the full civil capacity which they enjoyed at the time of their capture. The Detaining Power may not restrict the exercise, either within or without its own territory, of the rights such capacity confers except in so far as the captivity requires.

Article 15

The Power detaining prisoners of war shall be bound to provide free of charge for their maintenance and for the medical attention required by their state of health.

Article 16

Taking into consideration the provisions of the present Convention relating to rank and sex, and subject to any privileged treatment which may be accorded to them by reason of their state of health, age or professional qualifications, all prisoners of war shall be treated alike by the Detaining Power, without any adverse distinction based on race, nationality, religious belief or political opinions, or any other distinction founded on similar criteria.

PART III—CAPTIVITY

Section I—Beginning of captivity

Article 17

Every prisoner of war, when questioned on the subject, is bound to give only his surname, first names and rank, date of birth, and army, regimental, personal or serial number, or failing this, equivalent information.

If he willfully infringes this rule, he may render himself liable to a restriction of the privileges accorded to his rank or status.

Each Party to a conflict is required to furnish the persons under its jurisdiction who are liable to become prisoners of war, with an identity card showing the owner's surname, first names, rank, army, regimental, personal or serial number or equivalent information, and date of birth. The identity card may, furthermore, bear the signature or the fingerprints, or both, of the owner, and may bear, as well, any other information the Party to the conflict may wish to add concerning persons belonging to its armed forces. As far as possible the card shall measure 6.5×10 cm. and shall be issued in duplicate. The identity card shall be shown by the prisoner of war upon demand, but may in no case be taken away from him.

No physical or mental torture, nor any other form of coercion, may be inflicted on prisoners of war to secure from them information of any kind whatever. Prisoners of war who refuse to answer may not be threatened, insulted, or exposed to unpleasant or disadvantageous treatment of any kind.

Prisoners of war who, owing to their physical or mental conditions, are unable to state their identity, shall be handed over to the medical service. The identity of such prisoners shall be established by all possible means, subject to the provisions of the preceding paragraph.

The questioning of prisoners of war shall be carried out in a language which they understand.

Article 18

All effects and articles of personal use, except arms, horses, military equipment and military documents, shall remain in the possession of prisoners of war, likewise their metal helmets and gas masks and like articles issued for personal protection. Effects and articles used for their clothing or feeding shall likewise remain in their possession, even if such effects and articles belong to their regulation military equipment.

At no time should prisoners of war be without identity documents. The Detaining Power shall supply such documents to prisoners of war who possess none.

Badges of rank and nationality, decorations and articles having above all a personal or sentimental value may not be taken from prisoners of war.

Sums of money carried by prisoners of war may not be taken away from them except by order of an officer, and after the amount and particulars of the owner have been recorded in a special register and an itemized receipt has been given, legibly inscribed with the

name, rank and unit of the person issuing the said receipt. Sums in the currency of the Detaining Power, or which are changed into such currency at the prisoner's request, shall be placed to the credit of the prisoner's account as provided in Article 64.

The Detaining Power may withdraw articles of value from prisoners of war only for reasons of security; when such articles are withdrawn, the procedure laid down for sums of money impounded shall apply.

Such objects, likewise sums taken away in any currency other than that of the Detaining Power and the conversion of which has not been asked for by the owners, shall be kept in the custody of the Detaining Power and shall be returned in their initial shape to prisoners of war at the end of their captivity.

Article 19

Prisoners of war shall be evacuated, as soon as possible after their capture, to camps situated in an area far enough from the combat zone for them to be out of danger.

Only those prisoners of war who, owing to wounds or sickness, would run greater risks by being evacuated than by remaining where they are, may be temporarily kept back in a danger zone.

Prisoners of war shall not be unnecessarily exposed to danger while awaiting evacuation from a fighting zone.

Article 20

The evacuation of prisoners of war shall always be effected humanely and in conditions similar to those for the forces of the Detaining Power in their changes of station.

The Detaining Power shall supply prisoners of war who are being evacuated with sufficient food and potable water, and with the necessary clothing and medical attention. The Detaining Power shall take all suitable precautions to ensure their safety during evacuation, and shall establish as soon as possible a list of the prisoners of war who are evacuated.

If prisoners of war must, during evacuation, pass through transit camps, their stay in such camps shall be as brief as possible.

Section II—Internment of prisoners of war

Chapter I—General Observations

Article 21

The Detaining Power may subject prisoners of war to internment. It may impose on them the obligation of not leaving, beyond certain limits, the camp where they are interned, or if the said camp is fenced in, of not going outside its perimeter. Subject to the provisions of the present Convention relative to penal and disciplinary sanctions, prisoners of war may not be held in close confinement except where necessary safeguard their health and then only during the continuation of the circumstances which make such confinement necessary.

Prisoners of war may be partially or wholly released on parole or promise, in so far as is allowed by the laws of the Power on which they depend. Such measures shall be taken particularly in cases where this may contribute to the improvement of their state of health. No prisoner of war shall be compelled to accept liberty on parole or promise.

Upon the outbreak of hostilities, each Party to the conflict shall notify the adverse Party of the laws and regulations allowing or forbidding its own nationals to accept liberty on parole or promise. Prisoners of war who are paroled or who have given their promise in conformity with the laws and regulations so notified, are bound on their personal honour scrupulously to fulfil, both towards the Power on which they depend and towards the Power which has captured them, the engagements of their paroles or promises. In such cases, the Power on which they depend is bound neither to require nor to accept from them any service incompatible with the parole or promise given.

Article 22

Prisoners of war may be interned only in premises located on land and affording every guarantee of hygiene and healthfulness. Except in particular cases which are justified by the interest of the prisoners themselves, they shall not be interned in penitentiaries.

Prisoners of war interned in unhealthy areas, or where the climate is injurious for them, shall be removed as soon as possible to a more favorable climate.

The Detaining Power shall assemble prisoners of war in camps or camp compounds according to their nationality, language and customs, provided that such prisoners shall not be separated from prisoners of war belonging to the armed forces with which they were serving at the time of their capture, except with their consent.

Article 23

No prisoner of war may at any time be sent to, or detained in areas where he may be exposed to the fire of the combat zone, nor may his presence be used to render certain points or areas immune from military operations.

Prisoners of war shall have shelters against air bombardment and other hazards of war, to the same extent as the local civilian population. With the exception of those engaged in the protection of their quarters against the aforesaid hazards, they may enter such shelters as soon as possible after the giving of the alarm. Any other protective measure taken in favour of the population shall also apply to them.

Detaining Powers shall give the Powers concerned, through the intermediary of the Protecting Powers, all useful information regarding the geographical location of prisoner of war camps.

Whenever military considerations permit, prisoner of war camps shall be indicated in the day-time by the letters PW or PG, placed so as to be clearly visible from the air. The Powers concerned may, however, agree upon any other system of marking. Only prisoner of war camps shall be marked as such.

Article 24

Transit or screening camps of a permanent kind shall be fitted out under conditions similar to those described in the present Section, and the prisoners therein shall have the same treatment as in other camps.

Chapter II—Quarters, Food and Clothing of Prisoners of War

Article 25

Prisoners of war shall be quartered under conditions as favourable as those for the forces of the Detaining Power who are billeted in the same area. The said conditions shall make allowance for the habits and customs of the prisoners and shall in no case be prejudicial to their health.

The foregoing provisions shall apply in particular to the dormitories of prisoners of war as regards both total surface and minimum cubic space, and the general installations, bedding and blankets.

The premise provided for the use of prisoners of war individually or collectively, shall be entirely protected from dampness and adequately heated and lighted, in particular between dusk and lights out. All precautions must be taken against the danger of fire.

In any camps in which women prisoners of war, as well as men, are accommodated, separate dormitories shall be provided for them.

Article 26

The basic daily food rations shall be sufficient in quantity, quality and variety to keep prisoners of war in good health and to prevent loss of weight or the development of nutritional deficiencies. Account shall also be taken of the habitual diet of the prisoners.

The Detaining Power shall supply prisoners of war who work with such additional rations as are necessary for the labour on which they are employed.

Sufficient drinking water shall be supplied to prisoners of war. The use of tobacco shall be permitted.

Prisoners of war shall, as far as possible, be associated with the preparation of their meals; they may be employed for that purpose in the kitchens. Furthermore, they shall be given the means of preparing, themselves, the additional food in their possession.

Adequate premises shall be provided for messing.

Collective disciplinary measures affecting food are prohibited.

Article 27

Clothing, underwear and footwear shall be supplied to prisoners of war in sufficient quantities by the Detaining Power, which shall make allowance for the climate of the region where the prisoners are detained. Uniforms of enemy armed forces captured by the Detaining Power should, if suitable for the climate, be made available to clothe prisoners of war.

The regular replacement and repair of the above articles shall be assumed by the Detaining Power. In addition, prisoners of war who work shall receive appropriate clothing, wherever the nature of the work demands.

Article 28

Canteens shall be installed in all camps, where prisoners of war may procure foodstuffs, soap and tobacco and ordinary articles in daily use. The tariff shall never be in excess of local market prices.

The profits made by camp canteens shall be used for the benefit of the prisoners; a special fund shall be created for this purpose. The prisoners' representative shall have the right to collaborate in the management of the canteen and of this fund.

When a camp is closed down, the credit balance of the special fund shall be handed to an international welfare organization, to be employed for the benefit of prisoners of war of the same nationality as those who have contributed to the fund. In case of a general repatriation, such profits shall be kept by the Detaining Power, subject to any agreement to the contrary between the Powers concerned.

Chapter III—Hygiene and Medical Attention

Article 29

The Detaining Power shall be bound to take all sanitary measures necessary to ensure the cleanliness and healthfulness of camps and to prevent epidemics.

Prisoners of war shall have for their use, day and night, conveniences which conform to the rules of hygiene and are maintained in a constant state of cleanliness. In any camps in which women prisoners of war are accommodated, separate conveniences shall be provided for them.

Also, apart from the baths and showers with which the camps shall be furnished, prisoners of war shall be provided with sufficient water and soap for their personal toilet and for washing their personal laundry; the necessary installations, facilities and time shall be granted them for that purpose.

Article 30

Every camp shall have an adequate infirmary where prisoners of war may have the attention they require, as well as appropriate diet. Isolation wards shall, if necessary, be set aside for cases of contagious or mental disease.

Prisoners of war suffering from serious disease, or whose condition necessitates special treatment, a surgical operation or hospital care, must be admitted to any military or civilian medical unit where such treatment can be given, even if their repatriation is contemplated in the near future. Special fa-

cilities shall be afforded for the care to be given to the disabled, in particular to the blind, and for their rehabilitation, pending repatriation.

Prisoners of war shall have the attention, preferably, of medical personnel of the Power on which they depend and, if possible, of their nationality.

Prisoners of war may not be prevented from presenting themselves to the medical authorities for examination. The detaining authorities shall, upon request, issue to every prisoner who has undergone treatment, an official certificate indicating the nature of his illness or injury, and the duration and kind of treatment received. A duplicate of this certificate shall be forwarded to the Central Prisoners of War Agency.

The costs of treatment, including those of any apparatus necessary for the maintenance of prisoners of war in good health, particularly dentures and other artificial appliances, of spectacles, shall be borne by the Detaining Power.

Article 31

Medical inspections of prisoners of war shall be held at least once a month. They shall include the checking and the recording of the weight of each prisoner of war. Their purpose shall be, in particular, to supervise the general state of health, nutrition and cleanliness of prisoners and to detect contagious diseases, especially tuberculosis, malaria and venereal disease. For this purpose the most efficient methods available shall be employed, e.g. periodic mass miniature radiography for the early detection of tuberculosis.

Article 32

Prisoners of war who, though not attached to the medical service of their armed forces, are physicians, surgeons, dentists, nurses or medical orderlies, may be required by the Detaining Power to exercise their medical functions in the interests of prisoners of war dependent on the same Power. In that case they shall continue to be prisoners of war, but shall receive the same treatment as corresponding medical personnel retained by the Detaining Power. They shall be exempted from any other work under Article 49.

Chapter IV—Medical Personnel and Chaplains Retained To Assist Prisoners of War

Article 33

Members of the medical personnel and chaplains while retained by the Detaining Power with a view to assisting prisoners of war, shall not be considered as prisoners of war. They shall, however, receive as a minimum the benefits and protection of the present Convention, and shall also be granted all facilities necessary to provide for the medical care of, and religious ministration to prisoners of war.

They shall continue to exercise their medical and spiritual functions for the benefit of prisoners of war, preferably those belonging to the armed forces upon which they depend, within the scope of the military laws and regulations of the Detaining Power and under the control of its competent services, in accordance with their professional etiquette. They shall also benefit by the following facilities in the exercise of their medical or spiritual functions:

(*a*) They shall be authorized to visit periodically prisoners of war situated in working detachments or in hospitals outside the camp. For this purpose, the Detaining Power shall place at their disposal the necessary means of transport.

[TIAS 3362. *Ante*, p. 3132.]

(*b*) The senior medical officer in each camp shall be responsible to the camp military authorities for everything connected with the activities of retained medical personnel. For this purpose, Parties to the conflict shall agree at the outbreak of hostilities on the subject of the corresponding ranks of the medical personnel, including that of societies mentioned in Article 26 of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of August 12, 1949. This senior medical officer, as well as chaplains, shall have the right to deal with the competent authorities of the camp on all questions relating to their duties. Such authorities shall afford them all necessary facilities for correspondence relating to these questions.

(*c*) Although they shall be subject to the internal discipline of the camp in which they are retained, such personnel may not be compelled to carry out any work other than that concerned with their medical or religious duties.

During hostilities, the Parties to the conflict shall agree concerning the possible relief of retained personnel and shall settle the procedure to be followed.

None of the preceding provisions shall relieve the Detaining Power of its obligations with regard to prisoners of war from the medical or spiritual point of view.

Chapter V—Religious, Intellectual and Physical Activities

Article 34

Prisoners of war shall enjoy complete latitude in the exercise of their religious duties, including attendance at the service of their faith, on condition that they comply with the disciplinary routine prescribed by the military authorities.

Adequate premises shall be provided where religious services may be held.

Article 35

Chaplains who fall into the hands of the enemy Power and who remain or are retained with a view to assisting prisoners of war, shall be allowed to minister to them and to exercise freely their ministry amongst prisoners of war of the same religion, in accordance with their religious conscience. They shall be allocated among the various camps and labour detachments containing prisoners of war belonging to the same forces, speaking the same language or practising the same religion. They shall enjoy the necessary facilities, including the means of transport provided for in Article 33, for visiting the prisoners of war outside their camp. They shall be free to correspond, subject to censorship, on matters concerning their religious duties with the ecclesiastical authorities in the country of detention and with international religious organizations. Letters and cards which they may send for this purpose shall be in addition to the quota provided for in Article 71.

Article 36

Prisoners of war who are ministers of religion, without having officiated as chaplains to their own forces, shall be at liberty, whatever their denomination, to minister freely to the members of their community. For this purpose, they shall receive the same treatment as the chaplains retained by the Detaining Power. They shall not be obliged to do any other work.

Article 37

When prisoners of war have not the assistance of a retained chaplain or of a prisoner of war minister of their faith, a minister belonging to the prisoners' or a similar denomination, or in his absence a qualified layman, if such a course is feasible from a confessional point of view, shall be appointed, at the request of the prisoners concerned, to fill this office. This appointment, subject to the approval of the Detaining Power, shall take place with the agreement of the community of prisoners concerned and, wherever necessary, with the approval of the local religious authorities of the same faith. The person thus appointed shall comply with all regulations established by the Detaining Power in the interests of discipline and military security.

Article 38

While respecting the individual preferences of every prisoner, the Detaining Power shall encourage the practice of intellectual, educational, and recreational pursuits, sports and games amongst prisoners, and shall take the measures necessary to ensure the exercise thereof by providing them with adequate premises and necessary equipment.

Prisoners shall have opportunities for taking physical exercise, including sports and games, and for being out of doors. Sufficient open spaces shall be provided for this purpose in all camps.

Chapter VI—Discipline

Article 39

Every prisoner of war camp shall be put under the immediate authority of a responsible commissioned officer belonging to the regular armed forces of the Detaining Power. Such officer shall have in his possession a copy of the present Convention; he shall ensure that its provisions are known to the camp staff and the guard and shall be responsible, under the direction of his government, for its application.

Prisoners of war, with the exception of officers, must salute and show to all officers of the Detaining Power the external marks of respect provided for by the regulations applying in their own forces.

Officer prisoners of war are bound to salute only officers of a higher rank of the Detaining Power; they must, however, salute the camp commander regardless of his rank.

Article 40

The wearing of badges of rank and nationality, as well as of decorations, shall be permitted.

Article 41

[*Post*, p. 3432.]

In every camp the text of the present Convention and its Annexes and the contents of any special agreement provided for in Article 6, shall be posted, in the prisoners' own language, in places where all may read them. Copies shall be supplied, on request, to the prisoners who cannot have access to the copy which has been posted.

Regulations, orders, notices and publications of every kind relating to the conduct of prisoners of war shall be issued to them in a language which they understand. Such regulations, orders and publications shall be posted in the manner described above and copies shall be handed to the prisoners' representative. Every order and command addressed to prisoners of war individually must likewise be given in a language which they understand.

Article 42

The use of weapons against prisoners of war, especially against those who are escaping or attempting to escape, shall constitute an extreme measure, which shall always be preceded by warnings appropriate to the circumstances.

Chapter VII—Rank of Prisoners of War

Article 43

Upon the outbreak of hostilies, the Parties to the conflict shall communicate to one another the titles and ranks of all the persons mentioned in Article 4 of the present Convention, in order to ensure equality of treatment between prisoners of equivalent rank. Titles and ranks which are subsequently created shall form the subject of similar communications.

The Detaining Power shall recognize promotions in rank which have been accorded to prisoners of war and which have been duly notified by the Power on which these prisioners depend.

Article 44

Officers and prisoners of equivalent status shall be treated with the regard due to their rank and age.

In order to ensure service in officers' camps, other ranks of the same armed forces who, as for as possible, speak the same language, shall be assigned in sufficient numbers, account being taken of the rank of officers and prisoners of equivalent status. Such orderlies shall not be required to perform any other work.

Supervision of the mess by the officers themselves shall be facilitated in every way.

Article 45

Prisoners of war other than officers and prisoners of equivalent status shall be treated with the regard due to their rank and age.

Supervision of the mess by the prisoners themselves shall be facilitated in every way.

Chapter VIII—Transfer of Prisoners of War After Their Arrival in Camp

Article 46

The Detaining Power, when deciding upon the transfer of prisoners of war, shall take into account the interests of the prisoners themselves, more especially so as not to increase the difficulty of their repatriation.

The transfer of prisoners of war shall always be effected humanely and in conditions not less favourable than those under which the forces of the Detaining Power are transferred. Account shall always be taken of the climatic conditions to which the prisoners of war are accustomed and the conditions of transfer shall in no case be prejudicial to their health.

The Detaining Power shall supply prisoners of war during transfer with sufficient food and drinking water to keep them in good health, likewise with the necessary clothing, shelter and medical attention. The Detaining Power shall take adequate precautions especially in case of transport by sea or by air, to ensure their safety during transfer, and shall draw up a complete list of all transferred prisoners before their departure.

Article 47

Sick or wounded prisoners of war shall not be transferred as long as their recovery may be endangered by the journey, unless their safety imperatively demands it.

If the combat zone draws closer to a camp, the prisoners of war in the said camp shall not be transferred unless their transfer can be carried out in adequate conditions of safety, or unless they are exposed to greater risks by remaining on the spot than by being transferred.

Article 48

In the event of transfer, prisoners of war shall be officially advised of their departure and of their new postal address. Such notifications shall be given in time for them to pack their luggage and inform their next of kin.

They shall be allowed to take with them their personal effects, and the correspondence and parcels which have arrived for them. The weight of such baggage may be limited, if the conditions of transfer so require, to what each prisoner can reasonably carry, which shall in no case be more than twenty-five kilograms per head.

Mail and parcels addressed to their former camp shall be forwarded to them without delay. The camp commander shall take, in agreement with the prisoners' representative, any measures needed to ensure the transport of the prisoners' community property and of the luggage they are unable to take with them in consequence of restrictions imposed by virtue of the second paragraph of this Article.

The costs of transfers shall be borne by the Detaining Power.

Section III—Labour of prisoners of war

Article 49

The Detaining Power may utilize the labour of prisoners of war who are physically fit, taking into account their age, sex, rank and physical aptitude, and with a view particularly to maintaining them in a good state of physical and mental health.

Non-commissioned officers who are prisoners of war shall only be required to do supervisory work. Those not so required may ask for other suitable work which shall, so far as possible, be found for them.

If officers or persons of equivalent status ask for suitable work, it shall be found for them, so far as possible, but they may in no circumstances be compelled to work.

Article 50

Besides work connected with camp administration, installation or maintenance, prisoners of war may be compelled to do only such work as is included in the following classes:

(*a*) agriculture;

(*b*) industries connected with the production or the extraction of raw materials, and manufacturing industries, with the exception of metallurgical, machinery and chemical industries; public works and building operations which have no military character or purpose;

(*c*) transport and handling of stores which are not military in character or purpose;

(*d*) commercial business, and arts and crafts;

(*e*) domestic service;

(*f*) public utility services having no military character or purpose.

Should the above provisions be infringed, prisoners of war shall be allowed to exercise their right of complaint, in conformity with Article 78.

Article 51

Prisoners of war must be granted suitable working conditions, especially as regards accommodation, food, clothing and equipment; such conditions shall not be inferior to those enjoyed by nationals of the Detaining Power employed in similar work; account shall also be taken of climatic conditions.

The Detaining Power, in utilizing the labour of prisoners of war, shall ensure that in areas in which such prisoners are employed, the national legislation concerning the protection of labour and, more particularly, the regulations for the safety of workers, are duly applied.

Prisoners of war shall receive training and be provided with the means of protection suitable to the work they will have to do and similar to those accorded to the nationals of the Detaining Power. Subject to the provisions of Article 52, prisoners may be submitted to the normal risks run by these civilian workers.

Conditions of labour shall in no case be rendered more arduous by disciplinary measures.

Article 52

Unless he be a volunteer, no prisoner of war may be employed on labour which is of an unhealthy or dangerous nature.

No prisoner of war shall be assigned to labour which would be looked upon as humiliating for a member of the Detaining Power's own forces.

The removal of mines or similar devices shall be considered as dangerous labour.

Article 53

The duration of the daily labour of prisoners of war, including the time of the journey to and fro, shall not be excessive, and must in no case exceed that permitted for civilian workers in the district, who are nationals of the Detaining Power and employed on the same work.

Prisoners of war must be allowed, in the middle of the day's work, a rest of not less than one hour. This rest will be the same as that to which workers of the Detaining Power are entitled, if the latter is of longer duration. They shall be allowed in addition a rest of twenty-four consecutive hours every week, preferably on Sunday or the day of rest in their country of origin. Furthermore, every prisoner who has worked for one year shall be granted a rest of eight consecutive days, during which his working pay shall be paid him.

If methods of labour such as piece work are employed, the length of the working period shall not be rendered excessive thereby.

Article 54

The working pay due to prisoners of war shall be fixed in accordance with the provisions of Article 62 of the present Convention.

Prisoners of war who sustain accidents in connection with work, or who contract a disease in the course, or in consequence of their work, shall receive all the care their condition may require. The Detaining Power shall furthermore deliver to such prisoners of war a medical certificate enabling them to submit their claims to the Power on which they depend, and shall send a duplicate to the Central Prisoners of War Agency provided for in Article 123.

Article 55

The fitness of prisoners of war for work shall be periodically verified by medical examinations at least once a month. The examinations shall have particular regard to the nature of the work which prisoners of war are required to do.

If any prisoner of war considers himself incapable of working, he shall be permitted to appear before the medical authorities of his camp. Physicians or surgeons may recommend that the prisoners who are, in their opinion, unfit for work, be exempted therefrom.

Article 56

The organization and administration of labour detachments shall be similar to those of prisoner of war camps.

Every labour detachment shall remain under the control of and administratively part of a prisoner of war camp. The military authorities and the commander of the said camp shall be responsible, under the direction of their government, for the observance of the provisions of the present Convention in labour detachments.

The camp commander shall keep an up-to-date record of the labour detachments dependent on his camp, and shall communicate it to the delegates of the Protecting Power, of the International Committee of the Red Cross, or of other agencies giving relief to prisoners of war, who may visit the camp.

Article 57

The treatment of prisoners of war who work for private persons, even if the latter are responsible for guarding and protecting them, shall not be inferior to that which is provided for by the present Convention. The Detaining Power, the military authorities and the commander of the camp to which such prisoners belong shall be entirely responsible for the maintenance, care, treatment, and payment of the working pay of such prisoners of war.

Such prisoners of war shall have the right to remain in communication with the prisoners' representatives in the camps on which they depend.

Section IV—Financial resources of prisoners of war

Article 58

Upon the outbreak of hostilities, and pending an arrangement on this matter with the Protecting Power, the Detaining Power may determine the maximum amount of money in cash or in any similar form, that prisoners may have in their possession. Any

amount in excess, which was properly in their possession and which has been taken or withheld from them, shall be placed to their account, together with any monies deposited by them, and shall not be converted into any other currency without their consent.

If prisoners of war are permitted to purchase services or commodities outside the camp against payment in cash, such payments shall be made by the prisoner himself or by the camp administration who will charge them to the accounts of the prisoners concerned. The Detaining Power will establish the necessary rules in this respect.

Article 59

Cash which was taken from prisoners of war, in accordance with Article 18, at the time of their capture, and which is in the currency of the Detaining Power, shall be placed to their separate accounts, in accordance with the provisions of Article 64 of the present Section.

The amounts, in the currency of the Detaining Power, due to the conversion of sums in other currencies that are taken from the prisoners of war at the same time, shall also be credited to their separate accounts.

Article 60

The Detaining Power shall grant all prisoners of war a monthly advance of pay, the amount of which shall be fixed by conversion, into the currency of the said Power, of the following amounts:

Category I: Prisoners ranking below sergeants: eight Swiss francs.

Category II: Sergeants and other non-commissioned officers, or prisoners of equivalent rank: twelve Swiss francs.

Category III: Warrant officers and commissioned officers below the rank of major or prisoners of equivalent rank: fifty Swiss francs.

Category IV: Majors, lieutenant-colonels, colonels or prisoners of equivalent rank: sixty Swiss francs.

Category V: General officers or prisoners of war of equivalent rank: seventy-five Swiss francs.

However, the Parties to the conflict concerned may by special agreement modify the amount of advances of pay due to prisoners of the preceding categories.

Furthermore, if the amounts indicated in the first paragraph above would be unduly high compared with the pay of the Detaining Power's armed forces or would, for any reason, seriously embarrass the Detaining Power, then, pending the conclusion of a special agreement with the Power on which the prisoners depend to vary the amounts indicated above, the Detaining Power:

(a) shall continue to credit the accounts of the prisoners with the amounts indicated in the first paragraph above;

(b) may temporarily limit the amount made available from these advances of pay to prisoners of war for their own use, to sums which are reasonable, but which, for Category I, shall never be inferior to the amount that the Detaining Power gives to the members of its own armed forces.

The reasons for any limitations will be given without delay to the Protecting Power.

Article 61

The Detaining Power shall accept for distribution as supplementary pay to prisoners of war sums which the Power on which the prisoners depend may forward to them, on condition that the sums to be paid shall be the same for each prisoner of the same category, shall be payable to all prisoners of that category depending on that Power, and shall be placed in their separate accounts, at the earliest opportunity, in accordance with the provisions of Article 64. Such supplementary pay shall not relieve the Detaining Power of any obligation under this Convention.

Article 62

Prisoners of war shall be paid a fair working rate of pay by the detaining authorities direct. The rate shall be fixed by the said authorities, but shall at no time be less than one-fourth of one Swiss franc for a full working day. The Detaining Power shall inform prisoners of war, as well as the Power on which they depend, through the intermediary of the Protecting Power, of the rate of daily working pay that it has fixed.

Working pay shall likewise be paid by the detaining authorities to prisoners of war permanently detailed to duties or to a skilled or semi-skilled occupation in connection with the administration, installation or maintenance of camps, and to the prisoners who are required to carry out spiritual or medical duties on behalf of their comrades.

The working pay of the prisoners' representative, of his advisers, if any, and of his assistants, shall be paid out of the fund maintained by canteen profits. The scale of this working pay shall be fixed by the prisoners' representative and approved by the camp commander. It there is no such fund, the detaining authorities shall pay these prisoners a fair working rate of pay.

Article 63

Prisoners of war shall be permitted to receive remittances of money addressed to them individually or collectively.

Every prisoner of war shall have at his disposal the credit balance of his account as provided for in the following Article, within the limits fixed by the Detaining Power, which shall make such payments as are requested. Subject to financial or monetary restrictions which the Detaining Power regards as essential, prisoners of war may also have payments made abroad. In this case payments addressed by prisoners of war to dependents shall be given priority.

In any event, and subject to the consent of the Power on which they depend, prisoners may have payments made in their own country, as follows: the Detaining Power shall send to the aforesaid Power through the Protecting Power, a notification giving all the necesasry particulars concerning the prisoners of war, the beneficiaries of the payments, and the amount of the sums to be paid, expressed in the Detaining Power's currency. The said notification shall be signed by the prisoners and countersigned by the camp commander. The Detaining Power shall debit the prisoners' account by a corresponding amount; the sums thus debited shall be placed by it to the credit of the Power on which the prisoners depend.

To apply the foregoing provisions, the Detaining Power may usefully consult the Model Regulations in Annex V of the present Convention.

Article 64

The Detaining Power shall hold an account for each prisoner of war, showing at least the following:

(1) The amounts due to the prisoner or received by him as advances of pay, as working pay or derived from any other source; the sums in the currency of the Detaining Power which were taken from him; the sums taken from him and converted at his request into the currency of the said Power.

(2) The payments made to the prisoner in cash, or in any other similar form; the payments made on his behalf and at his request; the sums transferred under Article 63, third paragraph.

Article 65

Every item entered in the account of a prisoner of war shall be countersigned or initialled by him, or by the prisoners' representative acting on his behalf.

Prisoners of war shall at all times be afforded reasonable facilities for consulting and obtaining copies of their accounts, which may likewise be inspected by the representatives of the Protecting Powers at the time of visits to the camp.

When prisoners of war are transferred from one camp to another, their personal accounts will follow them. In case of transfer from one Detaining Power to another, the monies which are their property and are not in the currency of the Detaining Power will follow them. They shall be given certificates for any other monies standing to the credit of their accounts.

The Parties to the conflict concerned may agree to notify to each other at specific intervals through the Protecting Power, the amount of the accounts of the prisoners of war.

Article 66

On the termination of captivity, through the release of a prisoner of war or his repatriation, the Detaining Power shall give him a statement, signed by an authorized officer of that Power, showing the credit balance then due to him. The Detaining Power shall also send through the Protecting Power to the government upon which the prisoner of war depends, lists giving all appropriate particulars of all prisoners of war whose captivity has been terminated by repatriation, release, escape, death or any other means, and showing the amount of their credit balances. Such lists shall be certified on each sheet by an authorized representative of the Detaining Power.

Any of the above provisions of this Article may be varied by mutual agreement between any two Parties to the conflict.

The Power on which the prisoner of war depends shall be responsible for settling with him any credit balance due to him from the Detaining Power on the termination of his captivity.

Article 67

Advances of pay, issued to prisoners of war in conformity with Article 60, shall be considered as made on behalf of the Power on which they depend. Such advances of pay, as well as all payments made by the said Power under Article 63, third paragraph, and Article 68, shall form the subject of arrangements between the Powers concerned, at the close of hostilities.

Article 68

Any claim by a prisoner of war for compensation in respect of any injury or other disability arising out of work shall be referred to the Power on which he depends, through the Protecting Power. In accordance with Article 54, the Detaining Power will, in all cases, provide the prisoner of war concerned with a statement showing the nature of the injury or disability, the circumstances in which it arose and particulars of medical or hospital treatment given for it. This statement will be signed by a responsible officer of the Detaining Power and the medical particulars certified by a medical officer.

Any claim by a prisoner of war for compensation in respect of personal effects, monies or valuables impounded by the Detaining Power under Article 18 and not forthcoming on his repatriation, or in respect of loss alleged to be due to the fault of the Detaining Power or any of its servants, shall likewise be referred to the Power on which he depends. Nevertheless, any such personal effects required for use by the prisoners of war whilst in captivity shall be replaced at the expense of the Detaining Power. The Detaining Power will, in all cases, provide the prisoner of war with a statement, signed by a responsible officer, showing all available information regarding the reasons why such effects, monies or valuables have not been restored to him. A copy of this statement will be forwarded to the Power on which he depends through the Central Prisoners of War Agency provided for in Article 123.

Section V—Relations of prisoners of war with the exterior

Article 69

Immediately upon prisoners of war falling into its power, the Detaining Power shall inform them and the Powers on which they depend, through the Protecting Power, of the measures taken to carry out the provisions of the present Section. They shall likewise inform the parties concerned of any subsequent modifications of such measures.

Article 70

Immediately upon capture, or not more than one week after arrival at a camp, even if it is a transit camp, likewise in case of sickness or transfer to hospital or to another camp, every prisoner of war shall be enabled to write direct to his family, on the one hand, and to the Central Prisoners of War Agency provided for in Article 123, on the other hand, a card similar, if possible, to the model annexed to the present Convention, informing his relatives of his capture, address and state of health. The said cards shall be forwarded as rapidly as possible and may not be delayed in any manner.

Article 71

Prisoners of war shall be allowed to send and receive letters and cards. If the Detaining Power deems it necessary to limit the number of letters and cards sent by each prisoner of war, the said number shall not be less than two letters and four cards monthly, exclusive of the capture cards provided for in Article 70, and conforming as closely as possible to the models annexed to the present Convention. Further limitations may be imposed only if the Protecting Power is satisfied that it would be in the interests of the prisoners of war concerned to do so owing to difficulties of translation caused by the Detaining Power's inability to find sufficient qualified linguists to carry out the necessary censorship. If limitations must be placed on the correspondence addressed to prisoners of war, they may be ordered only by the Power on which the prisoners depend, possibly at the request of the Detaining Power. Such letters and cards must be conveyed by the most rapid method at the disposal of the Detaining Power; they may not be delayed or retained for disciplinary reasons.

Prisoners of war who have been without news for a long period, or who are unable to receive news from their next of kin or to give them news by the ordinary postal route, as well as those who are at a great distance from their homes, shall be permitted to send telegrams, the fees being charged against the prisoners of war's accounts with the Detaining Power or paid in the currency at their disposal. They shall likewise benefit by this measure in cases of urgency.

As a general rule, the correspondence of prisoners of war shall be written in their native language. The Parties to the conflict may allow correspondence in other languages.

Sacks containing prisoner of war mail must be securely sealed and labelled so as clearly to indicate their contents, and must be addressed to offices of destination.

Article 72

Prisoners of war shall be allowed to receive by post or by any other means individual parcels or collective shipments containing, in particular, foodstuffs, clothing, medical supplies and articles of a religious, educational or recreational character which may meet their needs, including books, devotional articles, scientific equipment, examination papers, musical instruments, sports outfits and materials allowing prisoners of war to pursue their studies or their cultural activities.

Such shipments shall in no way free the Detaining Power from the obligations imposed upon it by virtue of the present Convention.

The only limits which may be placed on these shipments shall be those proposed by the Protecting Power in the interest of the prisoners themselves, or by the International Committee of the Red Cross or any other organization giving assistance to the prisoners, in respect of their own shipments only, on account of exceptional strain on transport or communications.

The conditions for the sending of individual parcels and collective relief shall, if necessary, be the subject of special agreements between the Powers concerned, which may in no case delay the receipt by the prisoners of relief supplies. Books may not be included in parcels of clothing and foodstuffs. Medical supplies shall, as a rule, be sent in collective parcels.

Article 73

In the absence of special agreements between the Powers concerned on the conditions for the receipt and distribution of collective relief shipments, the rules and regulations concerning collective shipments, which are annexed to the present Convention, shall be applied.

The special agreements referred to above shall in no case restrict the right of prisoners' representatives to take possession of collective relief shipments intended for prisoners of war, to proceed to their distribution or to dispose of them in the interest of the prisoners.

Nor shall such agreements restrict the right of representatives of the Protecting Power, the International Committee of the Red Cross or any other organization giving assistance to prisoners of war and responsible for the forwarding of collective shipments, to supervise their distribution to the recipients.

Article 74

All relief shipments for prisoners of war shall be exempt from import, customs and other dues.

Correspondence, relief shipments and authorized remittances of money addressed to prisoners of war or despatched by them through the post office, either direct or through the Information Bureaux provided for in Article 122 and the Central Prisoners of War Agency provided for in Article 123, shall be exempt from any postal dues, both in the countries of origin and destination, and in intermediate countries.

If relief shipments intended for prisoners of war cannot be sent through the post office by reason of weight or for any other cause, the cost of transportation shall be borne by the Detaining Power in all the territories under its control. The other Powers party to the Convention shall bear the cost of transport in their respective territories.

In the absence of special agreements between the Parties concerned, the costs connected with transport of such shipments, other than costs covered by the above exemption, shall be charged to the senders.

The High Contracting Parties shall endeavour to reduce, so far as possible, the rates charged for telegrams sent by prisoners of war, or addressed to them.

Article 75

Should military operations prevent the Powers concerned from fulfilling their obligation to assure the transport of the shipments referred to in Articles 70, 71, 72 and 77, the Protecting Powers concerned, the International Committee of the Red Cross or any other organization duly approved by the Parties to the conflict may undertake to ensure the conveyance of such shipments by suitable means (railway wagons, motor vehicles, vessels or aircraft, etc.). For this purpose, the High Contracting Parties shall endeavour to supply them with such transport and to allow its circulation, especially by granting the necessary safe-conducts.

Such transport may also be used to convey:

(*a*) correspondence, lists and reports exchanged between the Central Information Agency referred to in Article 123 and the National Bureaux referred to in Article 122;

(*b*) correspondence and reports relating to prisoners of war which the Protecting Powers, the International Committee of the Red Cross or any other body assisting the prisoners, exchange either with their own delegates or with the Parties to the conflict.

These provisions in no way detract from the right of any Party to the conflict to arrange other means of transport, if it should so prefer, nor preclude the granting of safe-conducts, under mutually agreed conditions, to such means of transport.

In the absence of special agreements, the costs occasioned by the use of such means of transport shall be borne proportionally by the Parties to the conflict whose nationals are benefited thereby.

Article 76

The censoring of correspondence addressed to prisoners of war or despatched by them shall be done as quickly as possible. Mail shall be censored only by the despatching State and the receiving State, and once only by each.

The examination of consignments intended for prisoners of war shall not be carried out under conditions that will expose the goods contained in them to deterioration; except in the case of written or printed matter, it shall be done in the presence of the addressee, or a fellow-prisoner duly delegated by him. The delivery to prisoners of individual or collective consignments shall not be delayed under the pretext of difficulties of censorship.

Any prohibition of correspondence ordered by Parties to the conflict, either for military or political reasons, shall be only temporary and its duration shall be as short as possible.

Article 77

The Detaining Powers shall provide all facilities for the transmission, through the Protecting Power or the Central Prisoners of War Agency provided for in Article 123, of instruments, papers or documents intended for prisoners of war or despatched by them, especially powers of attorney and wills.

In all cases they shall facilitate the preparation and execution of such documents on behalf of prisoners of war; in particular, they shall allow them to consult a lawyer and shall take what measures are necessary for the authentication of their signatures.

Section VI—Relations between prisoners of war and the authorities

Chapter I—Complaints of Prisoners of War Respecting the Conditions of Captivity

Article 78

Prisoners of war shall have the right to make known to the military authorities in whose power they are, their requests regarding the conditions of captivity to which they are subjected.

They shall also have the unrestricted right to apply to the representatives of the Protecting Powers either through their prisoners' representative or, if they consider it necessary, direct, in order to draw their attention to any points on which they may have complaints to make regarding their conditions of captivity.

These requests and complaints shall not be limited nor considered to be a part of the correspondence quota referred to in Article 71. They must be transmitted immediately. Even if they are recognized to be unfounded, they may not give rise to any punishment.

Prisoners' representatives may send periodic reports on the situation in the camps and the needs of the prisoners of war to the representatives of the Protecting Powers.

Chapter II—Prisoner of War Representatives

Article 79

In all places where there are prisoners of war, except in those where there are officers, the prisoners shall freely elect by secret ballot, every six months, and also in case of vacancies, prisoners' representatives entrusted with representing them before the military authorities, the Protecting Powers, the International Committee of the Red Cross and any other organization which may assist them. These prisoners' representatives shall be eligible for re-election.

In camps for officers and persons of equivalent status or in mixed camps, the senior officer among the prisoners of war shall be recognized as the camp prisoners' representative. In camps for officers, he shall be assisted by one or more advisers chosen by the officers; in mixed camps, his assistants shall be chosen from among the prisoners of war who are not officers and shall be elected by them.

Officer prisoners of war of the same nationality shall be stationed in labour camps for prisoners of war, for the purpose of carrying out the camp administration duties for which the prisoners of war are responsible. These officers may be elected as prisoners' representatives under the first paragraph of this Article. In such a case the assistants to the prisoners' representatives shall be chosen from among those prisoners of war who are not officers.

Every representative elected must be approved by the Detaining Power before he has the right to commence his duties. Where the Detaining Power refuses to approve a prisoner of war elected by his fellow prisoners of war, it must inform the Protecting Power of the reason for such refusal.

In all cases the prisoners' representative must have the same nationality, language and customs as the prisoners of war whom he represents. Thus, prisoners of war distributed in different sections of a camp, according to their nationality, language or customs, shall have for each section their own prisoners' representative, in accordance with the foregoing paragraphs.

Article 80

Prisoners' representatives shall further the physical, spiritual and intellectual well-being of prisoners of war.

In particular, where the prisoners decide to organize amongst themselves a system of mutual assistance, this organization will be within the province of the prisoners' representative, in addition to the special duties entrusted to him by other provisions of the present Convention.

Prisoners' representatives shall not be held responsible, simply by reason of their duties, for any offences committed by prisoners of war.

Article 81

Prisoners' representatives shall not be required to perform any other work, if the accomplishment of their duties is thereby made more difficult.

Prisoners' representatives may appoint from amongst the prisoners such assistants as they may require. All material facilities shall be granted them, particularly a certain freedom of movement necessary for the accomplishment of their duties (inspection of labour detachments, receipt of supplies, etc.).

Prisoners' representatives shall be permitted to visit premises where prisoners of war are detained, and every prisoner of war shall have the right to consult freely his prisoners' representative.

All facilities shall likewise be accorded to the prisoner's representatives for communication by post and telegraph with the detaining authorities, the Protecting Powers, the International Committee of the Red Cross and their delegates, the Mixed Medical Commissions and the bodies which give assistance to prisoners of war. Prisoners' representatives of labour detachments shall enjoy the same facilities for communication with the prisoners' representatives of the principal camp. Such communications shall not be restricted, nor considered as forming a part of the quota mentioned in Article 71.

Prisoners' representatives who are transferred shall be allowed a reasonable time to acquaint their successors with current affairs.

In case of dismissal, the reasons therefor shall be communicated to the Protecting Power.

Chapter III—Penal and Disciplinary Sanctions

I. General Provisions

Article 82

A prisoner of war shall be subject to the laws, regulations and orders in force in the armed forces of the Detaining Power; the Detaining Power shall be justified in taking judicial or disciplinary measures in respect of any offence committed by a prisoner of war against such laws, regulations or orders. However, no proceedings or punishments contrary to the provisions of this Chapter shall be allowed.

If any law, regulation or order of the Detaining Power shall declare acts committed by a prisoner of war to be punishable, whereas the same acts would not be punishable if committed by a member of the forces of the Detaining Power, such acts shall entail disciplinary punishments only.

Article 83

In deciding whether proceedings in respect of an offence alleged to have been committed by a prisoner of war shall be judicial or disciplinary, the Detaining Power shall ensure that the competent authorities exercise the greatest leniency and adopt, wherever possible, disciplinary rather than judicial measures.

Article 84

A prisoner of war shall be tried only by a military court, unless the existing laws of the Detaining Power expressly permit the civil courts to try a member of the armed forces of the Detaining Power in respect of the particular offence alleged to have been committed by the prisoner of war.

In no circumstances whatever shall a prisoner of war be tried by a court of any kind which does not offer the essential guarantees of independence and impartiality as generally recognized, and, in particular, the procedure of which does not afford the accused the rights and means of defence provided for in Article 105.

Article 85

Prisoners of war prosecuted under the laws of the Detaining Power for acts committed prior to capture shall retain, even if convicted, the benefits of the present Convention.

Article 86

No prisoner of war may be punished more than once for the same act or on the same charge.

Article 87

Prisoners of war may not be sentenced by the military authorities and courts of the Detaining Power to any penalties except those provided for in respect of members of the armed forces of the said Power who have committed the same acts.

When fixing the penalty, the courts or authorities of the Detaining Power shall take into consideration, to the widest extent possible, the fact that the accused, not being a national of the Detaining Power, is not bound to it by any duty of allegiance, and that he is in its power as the result of circumstances independent of his own will. The said courts or authorities shall be at liberty to reduce the penalty provided for the violation of which the prisoner of war is accused, and shall therefore not be bound to apply the minimum penalty prescribed.

Collective punishment for individual acts, corporal punishment, imprisonment in premises without daylight and, in general, any form of torture or cruelty, are forbidden.

No prisoner of war may be deprived of his rank by the Detaining Power, or prevented from wearing his badges.

Article 88

Officers, non-commissioned officers and men who are prisoners of war undergoing a disciplinary or judicial punishment, shall not be subjected to more severe treatment than that applied in respect of the same punishment to members of the armed forces of the Detaining Power of equivalent rank.

A woman prisoner of war shall not be awarded or sentenced to a punishment more severe, or treated whilst undergoing punishment more severely, than a women member of the armed forces of the Detaining Power dealt with for a similar offence.

In no case may a women prisoner of war be awarded or sentenced to a punishment more severe, or treated whilst undergoing punishment more severely, than a male member of the armed forces of the Detaining Power dealt with for a similar offence.

Prisoners of war who have served disciplinary or judicial sentences may not be treated differently from other prisoners of war.

II. Disciplinary Sanctions

Article 89

The disciplinary punishments applicable to prisoners of war are the following:

(1) A fine which shall not exceed 50 per cent of the advances of pay and working pay which the prisoner of war would otherwise receive under the provisions of Articles 60 and 62 during a period of not more than thirty days.

(2) Discontinuance of privileges granted over and above the treatment provided for by the present Convention.

(3) Fatigue duties not exceeding two hours daily.

(4) Confinement.

The punishment referred to under (3) shall not be applied to officers.

In no case shall disciplinary punishments be inhuman, brutal or dangerous to the health of prisoners of war.

Article 90

The duration of any single punishment shall in no case exceed thirty days. Any period of confinement awaiting the hearing of a disciplinary offence or the award of disciplinary punishment shall be deducted from an award pronounced against a prisoner of war.

The maximum of thirty days provided above may not be exceeded, even if the prisoner of war is answerable for several acts at the same time when he is awarded punishment, whether such acts are related or not.

The period between the pronouncing of an award of disciplinary punishment and its execution shall not exceed one month.

When a prisoner of war is awarded a further disciplinary punishment, a period of at least three days shall elapse between the execution of any two of the punishments, if the duration of one of these is ten days or more.

Article 91

The escape of a prisoner of war shall be deemed to have succeeded when:

(1) he has joined the armed forces of the Power on which he depends, or those of an allied Power;

(2) he has left the territory under the control of the Detaining Power, or of an ally of the said Power;

(3) he has joined a ship flying the flag of the Power on which he depends, or of an allied Power, in the territorial waters of the Detaining Power, the said ship not being under the control of the last named Power.

Prisoners of war who have made good their escape in the sense of this Article and who are recaptured, shall not be liable to any punishment in respect of their previous escape.

Article 92

A prisoner of war who attempts to escape and is recaptured before having made good his escape in the sense of Article 91 shall be liable only to a disciplinary punishment in respect of this act, even if it is a repeated offence.

A prisoner of war who is recaptured shall be handed over without delay to the competent military authority.

Article 88, fourth paragraph, notwithstanding, prisoners of war punished as a result of an unsuccessful escape may be subjected to special surveillance. Such surveillance must not affect the state of their health, must be undergone in a prisoner of war camp, and must not entail the suppression of any of the safeguards granted them by the present Convention.

Article 93

Escape or attempt to escape, even if it is a repeated offence, shall not be deemed an aggravating circumstance if the prisoner of war is subjected to trial by judicial proceedings in respect of an offence committed during his escape or attempt to escape.

In conformity with the principle stated in Article 83, offences committed by prisoners of war with the sole intention of facilitating their escape and which do not entail any violence against life or limb, such as offences against public property, theft without intention of self-enrichment, the drawing up or use of false papers, or the wearing of civilian clothing, shall occasion disciplinary punishment only.

Prisoners of war who aid or abet an escape or an attempt to escape shall be liable on this count to disciplinary punishment only.

Article 94

If an escaped prisoner of war is recaptured, the Power on which he depends shall be notified thereof in the manner defined in Article 122, provided notification of his escape has been made.

Article 95

A prisoner of war accused of an offence against discipline shall not be kept in confinement pending the hearing unless a member of the armed forces of the Detaining Power would be so kept if he were accused of a similar offence, or if it is essential in the interests of camp order and discipline.

Any period spent by a prisoner of war in confinement awaiting the disposal of an offence against discipline shall be reduced to an absolute minimum and shall not exceed fourteen days.

The provisions of Articles 97 and 98 of this Chapter shall apply to prisoners of war who are in confinement awaiting the disposal of offences against discipline.

Article 96

Acts which constitute offences against discipline shall be investigated immediately.

Without prejudice to the competence of courts and superior military authorities, disciplinary punishment may be ordered only by an officer having disciplinary powers in his capacity as camp commander, or by a responsible officer who replaces him or to whom he has delegated his disciplinary powers.

In no case may such powers be delegated to a prisoner of war or be exercised by a prisoner of war.

Before any disciplinary award is pronounced, the accused shall be given precise information regarding the offences of which he is accused and given an opportunity of explaining his conduct and of defending himself. He shall be permitted, in particular, to call witnesses and to have recourse, if necessary, to the services of a qualified interpreter. The decision shall be announced to the accused prisoner of war and to the prisoners' representative.

A record of disciplinary punishments shall be maintained by the camp commander and shall be open to inspection by representatives of the Protecting Power.

Article 97

Prisoners of war shall not in any case be transferred to penitentiary establishments (prisons, penitentiaries, convict prisons, etc.) to undergo disciplinary punishment therein.

All premises in which disciplinary punishments are undergone shall conform to the sanitary requirements set forth in Article 25. A prisoner of war undergoing punishment shall be enabled to keep himself in a state of cleanliness, in conformity with Article 29.

Officers and persons of equivalent status shall not be lodged in the same quarters as non-commissioned officers or men.

Women prisoners of war undergoing disciplinary punishment shall be confined in separate quarters from male prisoners of war and shall be under the immediate supervision of women.

Article 98

A prisoner of war undergoing confinement as a disciplinary punishment, shall continue to enjoy the benefits of the provisions of this Convention except in so far as these are necessarily rendered inapplicable by the mere fact that he is confined. In no case may he be deprived of the benefits of the provisions of Articles 78 and 126.

A prisoner of war awarded disciplinary punishment may not be deprived of the prerogatives attached to his rank.

Prisoners of war awarded disciplinary punishment shall be allowed to exercise and to stay in the open air at least two hours daily.

They shall be allowed, on their request, to be present at the daily medical inspections. They shall receive the attention which their state of health requires and, if necessary, shall be removed to the camp infirmary or to a hospital.

They shall have permission to read and write, likewise to send and receive letters. Parcels and remittances of money however, may be withheld from them until the completion of the punishment; they shall meanwhile be entrusted to the prisoners' representative, who will hand over to the infirmary the perishable goods contained in such parcels.

III. Judicial Proceedings

Article 99

No prisoner of war may be tried or sentenced for an act which is not forbidden by the law of the Detaining Power or by international law, in force at the time the said act was committed.

No moral or physical coercion may be exerted on a prisoner of war in order to induce him to admit himself guilty of the act of which he is accused.

No prisoner of war may be convicted without having had an opportunity to present his defence and the assistance of a qualified advocate or counsel.

Article 100

Prisoners of war and the Protecting Powers shall be informed as soon as possible of the offences which are punishable by the death sentence under the laws of the Detaining Power.

Other offences shall not thereafter be made punishable by the death penalty without the concurrence of the Power on which the prisoners of war depend.

The death sentence cannot be pronounced on a prisoner of war unless the attention of the court has, in accordance with Article 87, second paragraph, been particularly called to the fact that since the accused is not a national of the Detaining Power, he is not bound to it by any duty of allegiance, and that he is in its power as the result of circumstances independent of his own will.

Article 101

If the death penalty is pronounced on a prisoner of war, the sentence shall not be executed before the expiration of a period of at least six months from the date when the Protecting Power receives, at an indicated address, the detailed communication provided for in Article 107.

Article 102

A prisoner of war can be validly sentenced only if the sentence has been pronounced by the same courts according to the same procedure as in the case of members of the armed forces of the Detaining Power, and if, furthermore, the provisions of the present Chapter have been observed.

Article 103

Judicial investigations relating to a prisoner of war shall be conducted as rapidly as circumstances permit and so that his trial shall take place as soon as possible. A prisoner of war shall not be confined while awaiting trial unless a member of the armed forces of the Detaining Power would be so confined if he were accused of a similar offence, or if it is essential to do so in the interests of national security. In no circumstances shall this confinement exceed three months.

Any period spent by a prisoner of war in confinement awaiting trial shall be deducted from any sentence of imprisonment passed upon him and taken into account in fixing any penalty.

The provisions of Articles 97 and 98 of this Chapter shall apply to a prisoner of war whilst in confinement awaiting trial.

Article 104

In any case in which the Detaining Power has decided to institute judicial proceedings against a prisoner of war, it shall notify the Protecting Power as soon as possible and at least three weeks before the opening of the trial. This period of three weeks shall run as from the day on which such notification reaches the Protecting Power at the address previously indicated by the latter to the Detaining Power.

The said notification shall contain the following information:

(1) Surname and first names of the prisoner of war, his rank, his army, regimental, personal or serial number, his date of birth, and his profession or trade, if any;

(2) Place of internment or confinement;

(3) Specification of the charge or charges on which the prisoner of war is to be arraigned, giving the legal provisions applicable;

(4) Designation of the court which will try the case, likewise the date and place fixed for the opening of the trial.

The same communication shall be made by the Detaining Power to the prisoners' representative.

If no evidence is submitted, at the opening of a trial, that the notification referred to above was received by the Protecting Power, by the prisoner of war and by the prisoners' representative concerned, at least three weeks before the opening of the trial, then the latter cannot take place and must be adjourned.

Article 105

The prisoner of war shall be entitled to assistance by one of his prisoner comrades, to defence by a qualified advocate or counsel of his own choice, to the calling of witnesses and, if he deems necessary, to the services of a competent interpreter. He shall be advised of these rights by the Detaining Power in due time before the trial.

Failing a choice by the prisoner of war, the Protecting Power shall find him an advocate or counsel, and shall have at least one week at its disposal for the purpose. The Detaining Power shall deliver to the said Power, on

request, a list of persons qualified to present the defence. Failing a choice of an advocate or counsel by the prisoner of war or the Protecting Power, the Detaining Power shall appoint a competent advocate or counsel to conduct the defence.

The advocate or counsel conducting the defence on behalf of the prisoner of war shall have at his disposal a period of two weeks at least before the opening of the trial, as well as the necessary facilities to prepare the defence of the accused. He may, in particular, freely visit the accused and interview him in private. He may also confer with any witnesses for the defence, including prisoners of war. He shall have the benefit of these facilities until the term of appeal or petition has expired.

Particulars of the charge or charges on which the prisoner of war is to be arraigned, as well as the documents which are generally communicated to the accused by virtue of the laws in force in the armed forces of the Detaining Power, shall be communicated to the accused prisoner of war in a language which he understands, and in good time before the opening of the trial. The same communication on the same circumstances shall be made to the advocate or counsel conducting the defence on behalf of the prisoner of war.

The representatives of the Protecting Power shall be entitled to attend the trial of the case, unless, exceptionally, this is held *in camera* in the interest of State security. In such a case the Detaining Power shall advise the Protecting Power accordingly.

Article 106

Every prisoner of war shall have, in the same manner as the members of the armed forces of the Detaining Power, the right of appeal or petition from any sentence pronounced upon him, with a view to the quashing or revising of the sentence or the reopening of the trial. He shall be fully informed of his right to appeal or petition and of the time limit within which he may do so.

Article 107

Any judgment and sentence pronounced upon a prisoner of war shall be immediately reported to the Protecting Power in the form of a summary communication, which shall also indicate whether he has the right of appeal with a view to the quashing of the sentence or the reopening of the trial. This communication shall likewise be sent to the prisoners' representatives concerned. It shall also be sent to the accused prisoner of war in a language he understands, if the sentence was not pronounced in his presence. The Detaining Power shall also immediately communicate to the Protecting Power the decision of the prisoner of war to use or to waive his right of appeal.

Furthermore, if a prisoner of war is finally convicted or if a sentence pronounced on a prisoner of war in the first instance is a death sentence, the Detaining Power shall as soon as possible address to the Protecting Power a detailed communication containing:

(1) the precise wording of the finding and sentence;

(2) a summarized report of any preliminary investigation and of the trial, emphasizing in particular the elements of the prosecution and the defence;

(3) notification, where applicable, of the establishment where the sentence will be served.

The communications provided for in the foregoing sub-paragraphs shall be sent to the Protecting Power at the address previously made known to the Detaining Power.

Article 108

Sentences pronounced on prisoners of war after a conviction has become duly enforceable, shall be served in the same establishments and under the same conditions as in the case of members of the armed forces of the Detaining Power. These conditions shall in all cases conform to the requirements of health and humanity.

A woman prisoner of war on whom such a sentence has been pronounced shall be confined in separate quarters and shall be under the supervision of women.

In any case, prisoners of war sentenced to a penalty depriving them of their liberty shall retain the benefit of the provisions of Articles 78 and 126 of the present Convention. Furthermore, they shall be entitled to receive and despatch correspondence, to receive at least one relief parcel monthly, to take regular exercise in the open air, to have the medical care required by their state of health, and the spiritual assistance they may desire. Penalties to which they may be subjected shall be in accordance with the provisions of Article 87, third paragraph.

PART IV—TERMINATION OF CAPTIVITY

Section I—Direct repatriation and accommodation in neutral countries

Article 109

Subject to the provisions of the third paragraph of this Article, Parties to the conflict are bound to send back to their own country, regardless of number or rank, seriously wounded and seriously sick prisoners of war, after having cared for them until they are fit to travel, in accordance with the first paragraph of the following Article.

Throughout the duration of hostilities, Parties to the conflict shall endeavour, with the cooperation of the neutral Powers concerned, to make arrangements for the accommodation in neutral countries of the sick and wounded prisoners of war referred to in the second paragraph of the following Article. They may, in addition, conclude agreements with a view to the direct repatriation or internment in a neutral country of able-bodied prisoners of war who have undergone a long period of captivity.

No sick or injured prisoner of war who is eligible for repatriation under the first paragraph of this Article, may be repatriated against his will during hostilities.

Article 110

The following shall be repatriated direct:

(1) Incurably wounded and sick whose mental or physical fitness seems to have been gravely diminished.

(2) Wounded and sick who, according to medical opinion, are not likely to recover within one year, whose condition requires treatment and whose mental or physical fitness seems to have been gravely diminished.

(3) Wounded and sick who have recovered, but whose mental or physical fitness seems to have been gravely and permanently diminished.

The following may be accommodated in a neutral country:

(1) Wounded and sick whose recovery may be expected within one year of the date of the wound or the beginning of the illness, if treatment in a neutral country might increase the prospects of a more certain and speedy recovery.

(2) Prisoners of war whose mental or physical health, according to medical opinion, is seriously threatened by continued captivity, but whose accommodation in a neutral country might remove such a threat.

The conditions which prisoners of war accommodated in a neutral country must fulfil in order to permit their repatriation shall be fixed, as shall likewise their status, by agreement between the Powers concerned. In general, prisoners of war who have been accommodated in a neutral country, and who belong to the following categories, should be repatriated:

(1) Those whose state of health has deteriorated so as to fulfil the conditions laid down for direct repatriation;

(2) Those whose mental or physical powers remain, even after treatment, considerably impaired.

[Post, p. 3432, Post, p. 3442]

If no special agreements are concluded between the Parties to the conflict concerned, to determine the cases of disablement or sickness entailing direct repatriation or accommodation in a neutral country, such cases shall be settled in accordance with the principles laid down in the Model Agreement concerning direct repatriation and accommodation in neutral countries of wounded and sick prisoners of war and in the Regulations concerning Mixed Medical Commissions annexed to the present Convention.

Article 111

The Detaining Power, the Power on which the prisoners of war depend, and a neutral Power agreed upon by these two Powers, shall endeavour to conclude agreements which will enable prisoners of war to be interned in the territory of the said neutral Power until the close of hostilities.

Article 112

Upon the outbreak of hostilities, Mixed Medical Commissions shall be appointed to examine sick and wounded prisoners of war, and to make all appropriate decisions regarding them. The appointment, duties and functioning of these Commissions shall be in conformity with the provisions of the Regulations annexed to the present Convention.

However, prisoners of war who, in the opinion of the medical authorities of the Detaining Power, are manifestly seriously injured or seriously sick, may be repatriated without having to be examined by a Mixed Medical Commission.

Article 113

Besides those who are designated by the medical authorities of the Detaining Power, wounded or sick prisoners of war belonging to the categories listed below shall be entitled to present themselves for examination by the Mixed Medical Commissions provided for in the foregoing Article:

(1) Wounded and sick proposed by a physician or surgeon who is of the same nationality, or a national of a Party to the conflict allied with the Power on which the said prisoners depend, and who exercises his functions in the camp.

(2) Wounded and sick proposed by their prisoners' representative.

(3) Wounded and sick proposed by the Power on which they depend, or by an organization duly recognized by the said Power and giving assistance to the prisoners.

Prisoners of war who do not belong to one of the three foregoing categories may nevertheless present themselves for examination by Mixed Medical Commissions, but shall be examined only after those belonging to the said categories.

The physician or surgeon of the same nationality as the prisoners who present themselves for examination by the Mixed Medical Commission, likewise the prisoners' representative of the said prisoners, shall have permission to be present at the examination.

Article 114

Prisoners of war who meet with accidents shall, unless the injury is self-inflicted, have the benefit of the provisions of this Convention as regards repatriation or accommodation in a neutral country.

Article 115

No prisoner of war on whom a disciplinary punishment has been imposed and who is eligible for repatriation or for accommodation in a neutral country, may be kept back on the plea that he has not undergone his punishment.

Prisoners of war detained in connection with a judicial prosecution or conviction and

who are designated for repatriation or accommodation in a neutral country, may benefit by such measures before the end of the proceedings or the completion of the punishment, if the Detaining Power consents.

Parties to the conflict shall communicate to each other the names of those who will be detained until the end of the proceedings or the completion of the punishment.

Article 116

The cost of repatriating prisoners of war or of transporting them to a neutral country shall be borne, from the frontiers of the Detaining Power, by the Power on which the said prisoners depend.

Article 117

No repatriated person may be employed on active military service.

Section II—Release and repatriation of prisoners of war at the close of hostilities

Article 118

Prisoners of war shall be released and repatriated without delay after the cessation of active hostilities.

In the absence of stipulations to the above effect in any agreement concluded between the Parties to the conflict with a view to the cessation of hostilities, or failing any such agreement, each of the Detaining Powers shall itself establish and execute without delay a plan of repatriation in conformity with the principle laid down in the foregoing paragraph.

In either case, the measures adopted shall be brought to the knowledge of the prisoners of war.

The costs of repatriation of prisoners of war shall in all cases be equitably apportioned between the Detaining Power and the Power on which the prisoners depend. This apportionment shall be carried out on the following basis:

(*a*) If the two Powers are contiguous, the Power on which the prisoners of war depend shall bear the costs of repatriation from the frontiers of the Detaining Power.

(*b*) If the two Powers are not contiguous, the Detaining Power shall bear the costs of transport of prisoners of war over its own territory as far as its frontier or its port of embarkation nearest to the territory of the Power on which the prisoners of war depend. The Parties concerned shall agree between themselves as to the equitable apportionment of the remaining costs of the repatriation. The conclusion of this agreement shall in no circumstances justify any delay in the repatriation of the prisoners of war.

Article 119

Repatriation shall be effected in conditions similar to those laid down in Articles 46 to 48 inclusive of the present Convention for the transfer of prisoners of war, having regard to the provisions of Article 118 and to those of the following paragraphs.

On repatriation, any articles of value impounded from prisoners of war under Article 18, and any foreign currency which has not been converted into the currency of the Detaining Power, shall be restored to them. Articles of value and foreign currency which, for any reason whatever, are not restored to prisoners of war on repatriation, shall be despatched to the Information Bureau set up under Article 122.

Prisoners of war shall be allowed to take with them their personal effects, and any correspondence and parcels which have arrived for them. The weight of such baggage may be limited, if the conditions of repatriation so require, to what each prisoner can reasonably carry. Each prisoner shall in all cases be authorized to carry at least twenty-five kilograms.

The other personal effects of the repatriated prisoner shall be left in the charge of the Detaining Power which shall have them forwarded to him as soon as it has concluded an agreement to this effect, regulating the conditions of transport and the payment of the costs involved, with the Power on which the prisoner depends.

Prisoners of war against whom criminal proceedings for an indictable offence are pending may be detained until the end of such proceedings, and, if necessary, until the completion of the punishment. The same shall apply to prisoners of war already convicted for an indictable offence.

Parties to the conflict shall communicate to each other the names of any prisoners of war who are detained until the end of the proceedings or until punishment has been completed.

By agreement between the Parties to the conflict, commissions shall be established for the purpose of searching for dispersed prisoners of war and of assuring their repatriation with the least possible delay.

Section III—Death of prisoners of war

Article 120

Wills of prisoners of war shall be drawn up so as to satisfy the conditions of validity required by the legislation of their country of origin, which will take steps to inform the Detaining Power of its requirements in this respect. At the request of the prisoner of war and, in all cases, after death, the will shall be transmitted without delay to the Protecting Power; a certified copy shall be sent to the Central Agency.

Death certificates, in the form annexed to the present Convention, or lists certified by a responsible officer, of all persons who die as prisoners of war shall be forwarded as rapidly as possible to the Prisoner of War Information Bureau established in accordance with Article 122. The death certificates or certified lists shall show particulars of identity as set out in the third paragraph of Article 17, and also the date and place of death, the cause of death, the date and place of burial and all particulars necessary to identify the graves.

The burial or cremation of a prisoner of war shall be preceded by a medical examination of the body with a view to confirming death and enabling a report to be made and, where necessary, establishing identity.

The detaining authorities shall ensure that prisoners of war who have died in captivity are honourably buried, if possible according to the rites of the religion to which they belonged, and that their graves are respected, suitably maintained and marked so as to be found at any time. Wherever possible, deceased prisoners of war who depended on the same Power shall be interred in the same place.

Deceased prisoners of war shall be buried in individual graves unless unavoidable circumstances require the use of collective graves. Bodies may be cremated only for imperative reasons of hygiene, on account of the religion of the deceased or in accordance with his express wish to this effect. In case of cremation, the fact shall be stated and the reasons given in the death certificate of the deceased.

In order that graves may always be found, all particulars of burials and graves shall be recorded with a Graves Registration Service established by the Detaining Power. Lists of graves and particulars of the prisoners of war interred in cemeteries and elsewhere shall be transmitted to the Power on which such prisoners of war depended. Responsibility for the care of these graves and for records of any subsequent moves of the bodies shall rest on the Power controlling the territory, if a Party to the present Convention. These provisions shall also apply to the ashes, which shall be kept by the Graves Registration Service until proper disposal thereof in accordance with the wishes of the home country.

Article 121

Every death or serious injury of a prisoner of war caused or suspected to have been caused by a sentry, another prisoner or war, or any other person, as well as any death the cause of which is unknown, shall be immediately followed by an official enquiry by the Detaining Power.

A communication on this subject shall be sent immediately to the Protecting Power. Statements shall be taken from witnesses, especially from those who are prisoners of war, and a report including such statements shall be forwarded to the Protecting Power.

If the enquiry indicates the guilt of one or more persons, the Detaining Power shall take all measures for the prosecution of the person or persons responsible.

PART V—INFORMATION BUREAUX AND RELIEF SOCIETIES FOR PRISONERS OF WAR

Article 122

Upon the outbreak of a conflict and in all cases of occupation, each of the Parties to the conflict shall institute an official Information Bureau for prisoners of war who are in its power. Neutral or non-belligerent Powers who may have received within their territory persons belonging to one of the categories referred to in Article 4, shall take the same action with respect to such persons. The Power concerned shall ensure that the Prisoners of War Information Bureau is provided with the necessary accommodation, equipment and staff to ensure its efficient working. It shall be at liberty to employ prisoners of war in such a Bureau under the conditions laid down in the Section of the present Convention dealing with work by prisoners of war.

Within the shortest possible period, each of the Parties to the conflict shall give its Bureau the information referred to in the fourth, fifth and sixth paragraphs of this Article regarding any enemy person belonging to one of the categories referred to in Article 4, who has fallen into its power. Neutral or non-belligerent Powers shall take the same action with regard to persons belonging to such categories whom they have received within their territory.

The Bureau still immediately forward such information by the most rapid means to the Powers concerned, through the intermediary of the Protecting Powers and likewise of the Central Agency provided for in Article 123.

This information shall make it possible quickly to advise the next of kin concerned. Subject to the provisions of Article 17, the information shall include, in so far as available to the Information Bureau, in respect of each prisoner of war, his surname, first names, rank, army, regimental, personal or serial number, place and full date of birth, indication of the Power on which he depends, first name of the father and maiden name of the mother, name and address of the person to be informed and the address to which correspondence for the prisoner may be sent.

The Information Bureau shall receive from the various departments concerned information regarding transfers, releases, repatriations, escapes, admissions to hospital, and deaths, and shall transmit such information in the manner described in the third paragraph above.

Likewise, information regarding the state of health of prisoners of war who are seriously ill or seriously wounded shall be supplied regularly, every week if possible.

The Information Bureau shall also be responsible for replying to all enquiries sent to it concerning prisoners of war, including those who have died in captivity; it will make any enquiries necessary to obtain the information which is asked for if this is not in its possession.

All written communications made by the Bureau shall be authenticated by a signature or a seal.

The Information Bureau shall furthermore be charged with collecting all personal valuables, including sums in currencies

other than that of the Detaining Power and documents of importance to the next of kin, left by prisoners of war who have been repatriated or released, or who have escaped or died, and shall forward the said valuables to the Powers concerned. Such articles shall be sent by the Bureau in sealed packets which shall be accompanied by statements giving clear and full particulars of the identity of the person to whom the articles belonged, and by a complete list of the contents of the parcel. Other personal effects of such prisoners of war shall be transmitted under arrangements agreed upon between the Parties to the conflict concerned.

Article 123

A Central Prisoners of War Information Agency shall be created in a neutral country. The International Committee of the Red Cross shall, if it deems necessary, propose to the Powers concerned the organization of such an Agency.

The function of the Agency shall be to collect all the information it may obtain through official or private channels respecting prisoners of war, and to transmit it as rapidly as possible to the country of origin of the prisoners of war or to the Power on which they depend. It shall receive from the Parties to the conflict all facilities for effecting such transmissions.

The High Contracting Parties, and in particular those whose nationals benefit by the services of the Central Agency, are requested to give the said Agency the financial aid it may require.

The foregoing provisions shall in no way be interpreted as restricting the humanitarian activities of the International Committee of the Red Cross, or of the relief societies provided for in Article 125.

Article 124

The national Information Bureaux and the Central Information Agency shall enjoy free postage for mail, likewise all the exemptions provided for in Article 74, and further, so far as possible, exemption from telegraphic charges or, at least, greatly reduced rates.

Article 125

Subject to the measures which the Detaining Powers may consider essential to ensure their security or to meet any other reasonable need, the representatives of religious organizations, relief societies, or any other organization assisting prisoners of war, shall receive from the said Powers, for themselves and their duly accredited agents, all necessary facilities for visiting the prisoners, for distributing relief supplies and material, from any source, intended for religious, educational or recreative purposes, and for assisting them in organizing their leisure time within the camps. Such societies or organizations may be constituted in the territory of the Detaining Power or in any other country, or they may have an international character.

The Detaining Power may limit the number of societies and organizations whose delegates are allowed to carry out their activities in its territory and under its supervision, on condition, however, that such limitation shall not hinder the effective operation of adequate relief to all prisoners of war.

The special position of the International Committee of the Red Cross in this field shall be recognized and respected at all times.

As soon as relief supplies or material intended for the above-mentioned purposes are handed over to prisoners of war, or very shortly afterwards, receipts for each consignment, signed by the prisoners' representative, shall be forwarded to the relief society or organization making the shipment. At the same time, receipts for these consignments shall be supplied by the administrative authorities responsible for guarding the prisoners.

PART VI—EXECUTION OF THE CONVENTION

Section I—General provisions

Article 126

Representatives or delegates of the Protecting Powers shall have permission to go to all places where prisoners of war may be, particularly to places of internment, imprisonment and labour, and shall have access to all premises occupied by prisoners of war; they shall also be allowed to go to the places of departure, passage and arrival of prisoners who are being transferred. They shall be able to interview the prisoners, and in particular the prisoners' representatives, without witnesses, either personally or through an interpreter.

Representatives and delegates of the Protecting Powers shall have full liberty to select the places they wish to visit. The duration and frequency of these visits shall not be restricted. Visits may not be prohibited except for reasons of imperative military necessity, and then only as an exceptional and temporary measure.

The Detaining Power and the Power on which the said prisoners of war depend may agree, if necessary, that compatriots of these prisoners of war be permitted to participate in the visits.

The delegates of the International Committee of the Red Cross shall enjoy the same prerogatives. The appointment of such delegates shall be submitted to the approval of the Power detaining the prisoners of war to be visited.

Article 127

The High Contracting Parties undertake, in time of peace as in time of war, to disseminate the text of the present Convention as widely as possible in their respective countries, and, in particular, to include the study thereof in their programmes of military and, if possible, civil instruction, so that the principles thereof may become known to all their armed forces and to the entire population.

Any military or other authorities, who in time of war assume responsibilities in respect of prisoners of war, must possess the text of the Convention and be specially instructed as to its provisions.

Article 128

The High Contracting Parties shall communicate to one another through the Swiss Federal Council and, during hostilities, through the Protecting Powers, the official translations of the present Convention, as well as the laws and regulations which they may adopt to ensure the application thereof.

Article 129

The High Contracting Parties undertake to enact any legislation necessary to provide effective penal sanctions for persons committing, or ordering to be committed, any of the grave breaches of the present Convention defined in the following Article.

Each High Contracting Party shall be under the obligation to search for persons alleged to have committed, or to have ordered to be committed, such grave breaches, and shall bring such persons, regardless of their nationality, before its own courts. It may also, if it prefers, and in accordance with the provisions of its own legislation, hand such persons over for trial to another High Contracting Party concerned, provided such High Contracting Party has made out a *prima facie* case.

Each High Contracting Party shall take measures necessary for the suppression of all acts contrary to the provisions of the present Convention other than the grave breaches defined in the following Article.

In all circumstances, the accused persons shall benefit by safeguards of proper trial and defence, which shall not be less favourable than those provided by Article 105 and those following of the present Convention.

Article 130

Grave breaches to which the preceding Article relates shall be those involving any of the following acts, if committed against persons or property protected by the Convention: wilful killing, torture or inhuman treatment, including biological experiments, wilfully causing great suffering or serious injury to body or health, compelling a prisoner of war to serve in the forces of the hostile Power, or wilfully depriving a prisoner of war of the rights of fair and regular trial prescribed in this Convention.

Article 131

No High Contracting Party shall be allowed to absolve itself or any other High Contracting Party of any liability incurred by itself or by another High Contracting Party in respect of breaches referred to in the preceding Article.

Article 132

At the request of a Party to the conflict, an enquiry shall be instituted, in a manner to be decided between the interested Parties, concerning any alleged violation of the Convention.

If agreement has not been reached concerning the procedure for the enquiry, the Parties should agree on the choice of an umpire who will decide upon the procedure to be followed.

Once the violation has been established, the Parties to the conflict shall put an end to it and shall repress it with the least possible delay.

Section II—Final provisions

Article 133

The present Convention is established in English and in French. Both texts are equally authentic.

The Swiss Federal Council shall arrange for official translations of the Convention to be made in the Russian and Spanish languages.

Article 134

[TS 846. 47 Stat. 2021.]

The present Convention replaces the Convention of July 27. 1929, in relations between the High Contracting Parties.

Article 135

[TS 403, 539. 32 Stat. 1803; 36 Stat. 2277.]

In the relations between the Powers which are bound by the Hague Convention respecting the Laws and Customs of War on Land, whether that of July 29, 1899, or that of October 18, 1907, and which are parties to the present Convention, this last Convention shall be complementary to Chapter II of the Regulations annexed to the above-mentioned Conventions of the Hague.

Article 136

The present Convention, which bears the date of this day, is open to signature until February 12, 1950, in the name of the Powers represented at the Conference which opened at Geneva on April 21, 1949; furthermore, by Powers not represented at that Conference, but which are parties to the Convention of July 27, 1929.

Article 137

The present Convention shall be ratified as soon as possible and the ratifications shall be deposited at Berne.

A record shall be drawn up of the deposit of each instrument of ratification and certified copies of this record shall be transmitted by the Swiss Federal Council to all the Powers in whose name the Convention has been signed, or whose accession has been notified.

Article 138

The present Convention shall come into force six months after not less than two instruments of ratification have been deposited.

Thereafter, it shall come into force for each High Contracting Party six months after the deposit of the instrument of ratification.

Article 139

From the date of its coming into force, it shall be open to any Power in whose name the present Convention has not been signed, to accede to this Convention.

Article 140

Accessions shall be notified in writing to the Swiss Federal Council, and shall take effect six months after the date on which they are received.

The Swiss Federal Council shall communicate the accessions to all the Powers in whose name the Convention has been signed, or whose accession has been notified.

Article 141

The situations provided for in Articles 2 and 3 shall give immediate effect to ratifications deposited and accessions notified by the Parties to the conflict before or after the beginning of hostilities or occupation. The Swiss Federal Council shall communicate by the quickest method any ratifications or accessions received from Parties to the conflict.

Article 142

Each of the High Contracting Parties shall be at liberty to denounce the present Convention.

The denunciation shall be notified in writing to the Swiss Federal Council, which shall transmit it to the Governments of all the High Contracting Parties.

The denunciation shall take effect one year after the notification thereof has been made to the Swiss Federal Council. However, a denunciation of which notification has been made at a time when the denouncing Power is involved in a conflict shall not take effect until peace has been concluded, and until after operations connected with release and repatriation of the persons protected by the present Convention have been terminated.

The denunciation shall have effect only in respect of the denouncing Power. It shall in no way impair the obligations which the Parties to the conflict shall remain bound to fulfill by virtue of the principles of the law of nations, as they result from the usages established among civilized peoples, from the laws of humanity and the dictates of the public conscience.

Article 143

The Swiss Federal Council shall register the present Convention with the Secretariat of the United Nations. The Swiss Federal Council shall also inform the Secretariat of the United Nations of all ratifications, accessions and denunciations received by it with respect to the present Convention.

In witness whereof the undersigned, having deposited their respective full powers, have signed the present Convention.

Done at Geneva this twelfth day of August 1949, in the English and French languages. The original shall be deposited in the Archives of the Swiss Confederation. The Swiss Federal Council shall transmit certified copies thereof to each of the signatory and acceding States.

For Afghanistan: M. Osman Amiri.
For the People's Republic of Albania: J. Malo.
For Argentina: Guillermo A. Speroni.
For Australia: Norman R. Mighell.
For Austria: Dr. Rud. Bluehdorn.
For Belgium: Maurice Bourquin.
For the Byelorussian Soviet Socialist Republic: I. Kushoinikov.
For Bolivia: G. Medeiros.
For Brazil: João Pinto da Silva.
For the Bulgarian People's Republic: K. B. Svetlov.
For Canada: Max. H. Wershof.
For Ceylon: V. Coomaraswamy.
For Chile: F. Cisternas Ortiz.
For China: Wu Nan-Ju.
For Colombia: Rafael Rocha Schloss.
For Cuba: J. de la Luz León.
For Denmark: Georg Cohn, Paul Ipsen.
For Egypt: A. K. Safwat.
For Ecuador: Alex. Gastelú.
For Spain: Luis Calderón.
For the United States of America: Leland Harrison, Raymund F. T. Yingling.
For Ethiopia: Gachaou Zelleke.
For Finland: Reinhold Svento.
For France: G. Cahen-Salvador.
For Greece: M. Pesmazoglou.
For Guatemala: A. Dupont-Willemin.
For the Hungarian People's Republic: Anna Kara.
For India: D. B. Desai.
For Iran: A. H. Meykadeh.
For the Republic of Ireland: Sean MacBride.
For Israel: M. Kahany.
For Italy: Giacinto Auriti, Ettore Baistrocchi.
For the Lebanon: Mikaoui.
For Liechtenstein: Comte F. Wilczek.
For Luxemburg: J. Sturm.
For Mexico: Pedro de Alba, W. R. Castro.
For the principality of Monaco: M. Lozé.
For Nicaragua: Lifschitz.
For Norway: Rolf Andersen.
For New Zealand: G. R. Laking.
For Pakistan: S. M. A. Faruki, M. G., A. H. Shaikh.
For Paraguay: Conrad Fehr.
For the Netherlands: J. Bosch de Rosenthal.
For Peru: Gonzalo Pizzaro.
For the Republic of the Philippines: P. Sebastian.
For Poland: Julian Przybos.
For Portugal: G. Caldeira Coelho.
For the Rumanian People's Republic: I. Dragomir.
For the United Kingdom of Great Britain and Northern Ireland: Robert Craigie, H. A. Strutt, W. H. Gardner.
For the Holy See: Philippe Bernardini.
For El Salvador: R. A. Bustamante.
For Sweden: Staffan Söderblom.
For Swtizerland: Max Petitpierre, Plinio Bolla, Colonel div. du Pasquier, Ph. Zutter, H. Meuli.
For Syria: Omar El Djabri, A. Gennaoui.
For Czechoslovakia: Tauber.
For Turkey: Rana Tarhan.
For the Ukranian Soviet Socialist Republic: Prof. O. Bogomolet.
For the Union of Soviet Socialist Republics: H. Slavin.
For Uruguay: Conseiller Colonel Hector J. Blanco.
For Venezuela: A. Posse de Rivas.
For the Federal People's Republic of Yugoslavia: Milan Ristic.

ANNEX I—MODEL AGREEMENT CONCERNING DIRECT REPATRIATION AND ACCOMMODATION IN NEUTRAL COUNTRIES OF WOUNDED AND SICK PRISONERS OF WAR

(See Article 110)

I. PRINCIPLES FOR DIRECT REPATRIATION AND ACCOMMODATION IN NEUTRAL COUNTRIES

A. Direct repatriation

The following shall be repatriated direct:

(1) All prisoners of war suffering from the following disabilities as the result of trauma: loss of a limb, paralysis, articular or other disabilities, when this disability is at least the loss of a hand or a foot, or the equivalent of the loss of a hand or a foot.

Without prejudice to a more generous interpretation, the following shall be considered as equivalent to the loss of a hand or a foot:

(*a*) Loss of a hand or of all the fingers, or of the thumb and forefinger of one hand; loss of a foot, or of all the toes and metatarsals of one foot.

(*b*) Ankylosis, loss of osseous tissue, cicatricial contracture preventing the function of one of the large articulations or of all the digital joints of one hand.

(*c*) Pseudarthrosis of the long bones.

(*d*) Deformities due to fracture or other injury which seriously interfere with function and weight-bearing power.

(2) All wounded prisoners of war whose condition has become chronic, to the extent that prognosis appears to exclude recovery—in spite of treatment—within one year from the date of the injury, as, for example, in case of:

(*a*) Projectile in the heart, even if the Mixed Medical Commission should fail, at the time of their examination, to detect any serious disorders.

(*b*) Metallic splinter in the brain or the lungs, even if the Mixed Medical Commission cannot, at the time of examination, detect any local or general reaction.

(*c*) Osteomyelitis, when recovery cannot be foreseeen in the course of the year following the injury, and which seems likely to result in ankylosis of a joint, or other impairments equivalent to the loss of a hand or a foot.

(*d*) Perforating and suppurating injury to the large joints.

(*e*) Injury to the skull, with loss or shifting of bony tissue.

(*f*) Injuring or burning of the face with loss of tissue and functional lesions.

(*g*) Injury to the spinal cord.

(*h*) Lesion of the peripheral nerves, the sequelae of which are equivalent to the loss of a hand or foot, and the cure of which requires more than a year from the date of injury, for example: injury to the brachial or lumbosacral plexus median or sciatic nerves, likewise combined injury to the radial and cubital nerves or to the lateral popliteal nerve (N. peroneous communis) and medial popliteal nerve (N. tibialis); etc. The separate injury of the radial (musculospiral), cubital, lateral or medial popliteal nerves shall not, however, warrant repatriation except in case of contractures or of serious neurotrophic disturbance.

(*i*) Injury to the urinary system, with incapacitating results.

(3) All sick prisoners of war whose condition has become chronic to the extent that prognosis seems to exclude recovery—in spite of treatment—within one year from the inception of the disease, as, for example, in case of:

(*a*) Progressive tuberculosis of any organ which, according to medical prognosis, cannot be cured or at least considerably improved by treatment in a neutral country.

(*b*) Exudate pleurisy.

(*c*) Serious diseases of the respiratory organs of non-tubercular etiology, presumed incurable, for example: serious pulmonary emphysema, with or without bronchitis; chronic asthma*; chronic bronchitis* lasting more than one year in capitivity; bronchiectasis*; etc.

(*d*) Serious chronic affections of the circulatory system, for example: valvular lesions and myocarditis*, which have shown signs of circulatory failure during captivity, even though the Mixed Medical Commission cannot detect any such signs at the time of examination; affections of the pericardium and the vessels (Buerger's disease, aneurisms of the large vessels); etc.

(*e*) Serious chronic affections of the digestive organs, for example: gastric or duodenal ulcer; sequelae of gastric operations performed in captivity; chronic gastritis, enteritis or colitis, having lasted more than one year and seriously affecting the general condition; cirrhosis of the liver; chronic cholecystopathy*; etc.

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*The decision of the Mixed Medical Commission shall be based to a great extent on the records kept by camp physicians and surgeons of the same nationality as the prisoners of war, or on an examination by medical specialists of the Detaining Power.

(*f*) Serious chronic affections of the genito-urinary organs, for example: chronic diseases of the kidney with consequent disorders; nephrectomy because of a tubercular kidney; chronic pyelitis or chronic cystitis; hydronephrosis or pyonephrosis; chronic grave gynaecological conditions; normal pregnancy and obstetrical disorder, where it is impossible to accommodate in a neutral country; etc.

(*g*) Serious chronic diseases of the central and peripheral nervous system, for example: all obvious psychoses and psychoneuroses, such as serious hysteria, serious captivity psychoneurosis, etc., duly verified by a specialist*; any epilepsy duly verified by the camp physician*; cerebral arteriosclerosis; chronic neuritis lasting more than one year; etc.

(*h*) Serious chronic diseases of the neurovegetative system, with considerable diminution of mental or physical fitness, noticeable loss of weight and general asthenia.

(i) Blindness of both eyes, or of one eye when the vision of the other is less than 1 in spite of the use of corrective glasses; diminution of visual acuity in cases where it is imposssible to restore it by correction to an acuity of ½ in at least one eye*; other grave ocular affections, for example: glaucoma, iritis, choroiditis; trachoma; etc.

(*k*) Auditive disorders, such as total unilateral deafness, if the other ear does not discern the ordinary spoken word at a distance of one metre*; etc.

(*l*) Serious affections of metabolism, for example: diabetes mellitus requiring insulin treatment; etc.

(*m*) Serious disorders of the endocrine glands, for example: thyrotoxicosis; hypothyrosis; Addison's disease; Simmonds' cachexia; tetany; etc.

(*n*) Grave and chronic disorders of the blood-forming organs.

(o) Serious cases of chronic intoxication, for example: lead poisoning, mercury poisoning, morphinism, cocainism, alcoholism; gas or radiation poisoning; etc.

(*p*) Chronic affections of locomotion, with obvious functional disorders, for example: arthritis deformans; primary and secondary progressive chronic polyarthritis; rheumatism with serious clinical symptoms; etc.

(*q*) Serious chronic skin diseases not amenable to treatment.

(*r*) Any malignant growth.

(*s*) Serious chronic infectious diseases, persisting for one year after their inception, for example: malaria with decided organic impairment, amœbic or bacillary dysentery with grave disorders; tertiary visceral syphillis resistant to treatment; leprosy; etc.

(*t*) Serious avitaminosis or serious inanition.

B. Accommodation in neutral countries

The following shall be eligible for accommodation in a neutral country:

(1) All wounded prisoners of war who are not likely to recover in captivity, but who might be cured or whose condition might be considerably improved by accommodation in a neutral country.

(2) Prisoners of war suffering from any form of tuberculosis, of whatever organ, and whose treatment in a neutral country would be likely to lead to recovery or at least to considerable improvement, with the exception of primary tuberculosis cured before captivity.

(3) Prisoners of war suffering from affections requiring treatment of the respiratory, circulatory, digestive, nervous, sensory, genito-urinary, cutaneous, locomotive organs, etc., if such treatment could clearly have better results in a neutral country than in captivity.

(4) Prisoners of war who have undergone a nephrectomy in captivity for a non-tubercular renal affection; cases of osteomyelitis, on the way to recovery or latent; diabetes mellitus not requiring insulin treatment; etc.

(5) Prisoners of war suffering from war or captivity neuroses. Cases of captivity neurosis which are not cured after three months of accommodation in a neutral country, or which after that length of time are not clearly on the way to complete cure, shall be repatriated.

(6) All prisoners of war suffering from chronic intoxication (gases, metals, alkaloids, etc.), for whom the prospects of cure in a neutral country are especially favourable.

(7) All women prisoners of war who are pregnant or mothers with infants and small children.

The following cases shall not be eligible for accommodation in a neutral country:

(1) All duly verified chronic psychoses.

(2) All organic or functional nervous affections considered to be incurable.

(3) All contagious diseases during the period in which they are transmissible, with the exception of tuberculosis.

II. GENERAL OBSERVATIONS

(1) The conditions given shall, in a general way, be interpreted and applied in as broad a spirit as possible. Neuropathic and psychopathic conditions caused by war or captivity, as well as cases of tuberculosis in all stages, shall above all benefit by such liberal interpretation. Prisoners of war who have sustained several wounds, none of which, considered by itself, justifies repatriation, shall be examined in the same spirit, with due regard for the psychic traumatism due to the number of their wounds.

(2) All unquestionable cases giving the right to direct repatriation (amputation, total blindness or deafness, open pulmonary tuberculosis, mental disorder, malignant growth, etc.) shall be examined and repatriated as soon as possible by the camp physicians or by military medical commissions appointed by the Detaining Power.

(3) Injuries and diseases which existed before the war and which have not become worse, as well as war injuries which have not prevented subsequent military service, shall not entitle to direct repatriation.

(4) The provisions of this Annex shall be interpreted and applied in a similar manner in all countries party to the conflict. The Powers and authorities concerned shall grant to Mixed Medical Commissions all the facilities necessary for the accomplishment of their task.

(5) The examples quoted under (I) above represent only typical cases. Cases which do not correspond exactly to these provisions shall be judged in the spirit of the provisions of Article 110 of the present Convention, and of the principles embodied in the present Agreement.

ANNEX II—REGULATIONS CONCERNING MIXED MEDICAL COMMISSIONS

(*See Article 112*)

Article 1

The Mixed Medical Commissions provided for in Article 112 of the Convention shall be composed of three members, two of whom shall belong to a neutral country, the third being appointed by the Detaining Power. One of the neutral members shall take the chair.

Article 2

The two neutral members shall be appointed by the International Committee of the Red Cross, acting in agreement with the Protecting Power, at the request of the Detaining Power. They may be domiciled either in their country of origin, in any other neutral country, or in the territory of the Detaining Power.

Article 3

The neutral members shall be approved by the Parties to the conflict concerned, who shall notify their approval to the International Committee of the Red Cross and to the Protecting Power. Upon such notification, the neutral members shall be considered as effectively appointed.

Article 4

Deputy members shall also be appointed in sufficient number to replace the regular members in case of need. They shall be appointed at the same time as the regular members or, at least, as soon as possible.

Article 5

If for any reason the International Committee of the Red Cross cannot arrange for the appointment of the neutral members, this shall be done by the Power protecting the interests of the prisoners of war to be examined.

Article 6

So far as possible, one of the two neutral members shall be a surgeon and the other a physician.

Article 7

The neutral members shall be entirely independent of the Parties to the conflict, which shall grant them all facilities in the accomplishment of their duties.

Article 8

By agreement with the Detaining Power, the International Committee of the Red Cross, when making the appointments provided for in Articles 2 and 4 of the present Regulations, shall settle the terms of service of the nominees.

Article 9

The Mixed Medical Commissions shall begin their work as soon as possible after the neutral members have been approved, and in any case within a period of three months from the date of such approval.

Article 10

The Mixed Medical Commission shall examine all the prisoners designated in Article 113 of the Convention. They shall propose repatriation, rejection, or reference to a later examination. Their decisions shall be made by a majority vote.

Article 11

The decisions made by the Mixed Medical Commissions in each specific case shall be communicated during the month following their visit, to the Detaining Power, the Protecting Power and the International Committee of the Red Cross. The Mixed Medical Commissions shall also inform each prisoner of war examined of the decision made, and shall issue to those whose repatriation has been proposed, certificates similar to the model appended to the present Convention.

Article 12

The Detaining Power shall be required to carry out the decisions of the Mixed Medical Commissions within three months of the time when it receives due notification of such decisions.

Article 13

If there is no neutral physician in a country where the services of a Mixed Medical Commission seem to be required, and if it is for any reason impossible to appoint neutral doctors who are resident in another country, the Detaining Power, acting in agreement with the Protecting Power, shall set up a Medical Commission which shall undertake the same duties as a Mixed Medical Commission, subject to the provisions of Articles 1, 2, 3, 4, 5 and 8 of the present Regulations.

Article 14

Mixed Medical Commissions shall function permanently and shall visit each camp at intervals of not more than six months.

ANNEX IV

A. IDENTITY CARD

(see Article 4)

(Name of the country and military authority issuing this card)

Photograph of the bearer

IDENTITY CARD

FOR A PERSON WHO ACCOMPANIES THE ARMED FORCES

Name.....

First names.....

Date and place of birth.....

Accompanies the Armed Forces as.....

Date of issue ..... Signature of bearer .....

Height	Weight	Eyes	Hair

Any other mark of identification.....

Fingerprints (optional) (Left forefinger) (Right forefinger)

Blood type ..... Religion .....

Official seal imprint

NOTICE

This identity card is issued to persons who accompany the Armed Forces of but are not part of them. The card must be carried at all times by the person to whom it is issued. If the bearer is taken prisoner, he shall at once hand the card to the Detaining Authorities, to assist in his identification.

Remarks.—This card should be made out for preference in two or three languages, one of which is in international use. Actual size of the card: 13 by 10 centimeters. It should be folded along the dotted line.

ANNEX IV

B. CAPTURE CARD

(see Article 70)

1. Front

PRISONER OF WAR MAIL

Postage free

CAPTURE CARD FOR PRISONER OF WAR

IMPORTANT

This card must be completed by each prisoner immediately after being taken prisoner and each time his address is changed (by reason of transfer to a hospital or to another camp).

This card is distinct from the special card which each prisoner is allowed to send to his relatives.

CENTRAL PRISONERS OF WAR AGENCY

INTERNATIONAL COMMITTEE OF THE RED CROSS

GENEVA

SWITZERLAND

B. CAPTURE CARD—Continued

2. Reverse side

Write legibly and in block letters

1. Power on which the prisoner depends.....

2. Name 3. First names (in full) 4. First name of father

.....

5. Date of birth..... 6. Place of birth.....

7. Rank.....

8. Service number.....

9. Address of next of kin.....

*10. Taken prisoner on: (or)
Coming from (Camp No., hospital, etc.).....

*11. (a) Good health—(b) Not wounded—(c) Recovered—(d) Convalescent—(e) Sick—(f) Slightly wounded—(g) Seriously wounded.

12. My present address is: Prisoner No.....
Name of camp.....

13. Date..... 14. Signature.....

*Strike out what is not applicable—Do not add any remarks—See explanations overleaf.

Remarks.—This form should be made out in two or three languages, particularly in the prisoner's own language and in that of the Detaining Power. Actual size: 15 by 10.5 centimetres.

ANNEX IV

C. CORRESPONDENCE CARD AND LETTER

(see Article 71)

I. CARD.

1. Front

PRISONER OF WAR MAIL

Postage free

POST CARD

To.....

Sender:

Name and first names .....

Place and date of birth .....

Prisoner of War No. .....

Name of camp .....

Country where posted .....

Place of Destination .....

Street .....

Country .....

Province or Department .....

2. Reverse side

NAME OF CAMP ..... Date .....

.....

.....

.....

.....

.....

.....

.....

.....

Write on the dotted lines only and as legibly as possible.

Remarks.—This form should be made out in two or three languages, particularly in the prisoner's own language and in that of the Detaining Power. Actual size of form: 15 by 10 centimetres.

ANNEX IV

C. CORRESPONDENCE CARD AND LETTER

(see Article 71)

2. LETTER

PRISONER OF WAR MAIL

Postage free

To.....

.....

Place.....

Street.....

Country.....

Department or Province.....

.....

Country where posted.....

Name of camp.....

Prisoner of War No.....

Date and place of birth.....

Name and first names.....

Sender:

****

.....

Remarks.—This form should be made out in two or three languages, particularly in the prisoner's own language and in that of the Detaining Power. It should be folded along the dotted line, the tab being inserted in the slit (marked by a line of asterisks), it then has the appearance of an envelope. Overleaf, it is lined like the postcard above (Annex IV C 1); this space can contain about 250 words which the prisoner is free to write. Actual size of the folded form: 29 by 15 centimetres.

ANNEX IV

D. NOTIFICATION OF DEATH

(see Article 120)

(Title of responsible authority)

NOTIFICATION OF DEATH

Power on which the prisoner depended.....

Name and first names.....

First name of father	.....
Place and date of birth	.....
Place and date of death	.....
Rank and service number (as given on identity disc)	.....
Address of next of kin	.....
Where and when taken prisoner	.....
Cause and circumstances of death	.....
Place of burial	.....
Is the grave marked and can it be found later by the relatives?	.....
Are the personal effects of the deceased in the keeping of the Detaining Power or are they being forwarded together with this notification?	.....
If forwarded, through what agency?	.....
Can the person who cared for the deceased during sickness or during his last moments (doctor, nurse, minister of religion, fellow prisoner) give here or on an attached sheet a short account of the circumstances of the death and burial?	.....

(Date, seal and signature of responsible authority.)

Signature and address of two witnesses

.....

Remarks.—This form should be made out in two or three languages, particularly in the prisoner's own language and in that of the Detaining Power. Actual size of the form: 21 by 30 centimetres.

ANNEX III—REGULATIONS CONCERNING COLLECTIVE RELIEF

(See Article 73)

Article 1

Prisoners' representatives shall be allowed to distribute collective relief shipments for which they are responsible to all prisoners of war administered by their camp, including those who are in hospitals, or in prisons or other penal establishments.

Article 2

The distribution of collective relief shipments shall be effected in accordance with the instructions of the donors and with a plan drawn up by the prisoners' representatives. The issue of medical stores shall, however, be made for preference in agreement with the senior medical officers, and the latter may, in hospitals and infirmaries, waive the said instructions, if the needs of their patients so demand. Within the limits thus defined, the distribution shall always be carried out equitably.

Article 3

The said prisoners' representatives or their assistants shall be allowed to go to the points of arrival of relief supplies near their camps, so as to enable the prisoners' representatives or their assistants to verify the quality as well as the quantity of the goods received, and to make out detailed reports thereon for the donors.

Article 4

Prisoners' representatives shall be given the facilities necessary for verifying whether the distribution of collective relief in all subdivisions and annexes of their camps has been carried out in accordance with their instructions.

Article 5

Prisoners' representatives shall be allowed to fill up, and cause to be filled up by the prisoners' representatives of labour detachments or by the senior medical officers of infirmaries and hospitals, forms or questionnaires intended for the donors, relating to collective relief supplies (distribution, requirements, quantities, etc.). Such forms and questionnaires, duly completed, shall be forwarded to the donors without delay.

Article 6

In order to secure the regular issue of collective relief to the prisoners of war in their camp, and to meet any needs that may arise from the arrival of new contingents of prisoners, prisoners' representatives shall be allowed to build up and maintain adequate reserve stocks of collective relief. For this purpose, they shall have suitable warehouses at their disposal; each warehouse shall be provided with two locks, the prisoners' representative holding the keys of one lock and the camp commander the keys of the other.

Article 7

When collective consignments of clothing are available, each prisoner of war shall retain in his possession at least one complete set of clothes. If a prisoner has more than one set of clothes, the prisoners' representative shall be permitted to withdraw excess clothing from those with the largest number of sets, or particular articles in excess of one, if this is necessary in order to supply prisoners who are less well provided. He shall not, however, withdraw second sets of underclothing, socks or footwear, unless this is the only means of providing for prisoners of war with none.

Article 8

The High Contracting Parties, and the Detaining Powers in particular, shall authorize, as far as possible and subject to the regulations governing the supply of the population, all purchases of goods made in their territories for the distribution of collective relief to prisoners of war. They shall similarly facilitate the transfer of funds and other financial measures of a technical or administrative nature taken for the purpose of making such purchases.

Article 9

The foregoing provisions shall not constitute an obstacle to the right of prisoners of war to receive collective relief before their arrival in a camp or in the course of transfer, nor to the possibility of representatives of the Protecting Power, the International Committee of the Red Cross, or any other body giving assistance to prisoners which may be responsible for the forwarding of such supplies, ensuring the distribution thereof to the addresses by other means that they may deem useful.

ANNEX IV

E. REPATRIATION CERTIFICATE

(*See Annex II, Article 11*)

Repartriation Certificate

Date:
Camp:
Hospital:
Surname:
First names:
Date of birth:
Rank:
Army Number:
P. W. Number:
Injury Disease:
Decision of the Commission:
Chairman of the Mixed Medical Commission
A=direct repatriation
B=accommodation in a neutral country
NC=re-examination by next Commission

ANNEX V—MODEL REGULATIONS CONCERNING PAYMENTS SENT BY PRISONERS TO THEIR OWN COUNTRY

(*see Article 63*)

(1) The notification referred to in the third paragraph of Article 63 will show:

(*a*) number as specified in Article 17, rank, surname and first names of the pirsoner of war who is the payer;

(*b*) the name and address of the payee in the country of origin;

(*c*) the amount to be so paid in the currency of the country in which he is detained.

(2) The notification will be signed by the prisoner of war, or his witnessed mark made upon it if he cannot write, and shall be countersigned by the prisoners' representative.

(3) The camp commander will add to this notification a certificate that the prisoner of war concerned has a credit balance of not less than the amount registered as payable.

(4) The notification may be made up in lists, each sheet of such lists being witnessed by the prisoners' representative and certified by the camp commander.

PEOPLE'S REPUBLIC OF ALBANIA

Mr. MALO, First Secretary to the Albanian Legation in Paris:

[TIAS 3362. *Ante*, p. 3114.]

(1) Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field.

Article 10: "The People's Republic of Albania will not recognize a request by a Detaining Power to a humanitarian organization or to a neutral State to take the place of a Protecting Power, as being in order, unless the Power of which the protected persons are nationals has given its consent."

[TIAS 3363. *Ante*, p. 3217.]

(2) Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea.

Article 10: "The People's Republic of Albania will not recognize a request by a Detaining Power to a humanitarian organization or to a neutral State to take the place of a Protecting Power, as being in order, unless the Power of which the protected persons are nationals has given its consent."

[*Ante*, p. 3326]

(3) Convention relative to the Treatment of Prisoners of War.

Article 10: "The People's Republic of Albania will not recognize a request by a Detaining Power to a humanitarian organization or to a neutral State to take the place of a Protecting Power, as being in order, unless the Power of which the prisoners of war are nationals has given its consent."

Article 12: "The People's Republic of Albania considers that in the case of prisoners of war being transferred to another Power by the Detaining Power, the responsibility for the application of the Convention to such prisoners of war will continue to rest with the Power which captured them."

Article 85: "The People's Republic of Albania considers that persons convicted under the law of the Detaining Power, in accordance with the principles of the Nuremberg trial, of war crimes and crimes against humanity, must be treated in the same manner as persons convicted in the country in question. Albania does not, therefore, consider herself bound by Article 85 so far as the category of persons mentioned in the present reservation is concerned."

[TIAS 3365. *Post*, p. 3516.]

(4) Convention relative to the Protection of Civilian Persons in Time of War.

Article 11: "The People's Republic of Albainia will not recognize a request by a Detaining Power to a humanitarian organization or to a neutral State to take the place of a Protecting Power, as being in order, unless the Power of which the protected persons are nationals has given its consent."

Article 45: "The People's Republic of Albania considers that in the case of protected persons being transferred to another Power by the Detaining Power, the responsibility for the application of the Convention to such protected persons will continue to rest with the Detaining Power."

ARGENTINA

Mr. SPERONI, First Secretary to the Argentine Legation in Berne, made the following reservation to the four Geneva Conventions:

"The Argentine Government has followed the work of the Conference with interest and the Argentine Delegation has taken part in it with pleasure. The task was a difficult one, but as our President said at the closing meeting, we have succeeded.

"Argentina, Gentlemen, has always taken a leading place among many other nations on the questions which have formed the subject of our discussions. I shall, therefore, sign the four Conventions in the name of my Government and subject to ratification, with the reservation that Article 3, common to all four Conventions, shall be the only Article, to the exclusion of all others, which shall be applicable in the case of armed conflicts not of an international character. I shall likewise sign the Convention relative to the Protection of Civilian Persons with a reservation in respect of Article 68."

BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

Mr. KOUTEINIKOV, Head of the Delegation of the Byelorussian Soviet Sovialist Republic:

(1) On signing the Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, the Government of the Byelorussian Soviet Socialist Republic makes the following reservation:

Article 10: "The Byelorussian Soviet Socialist Republic will not recognize the validity of requests by the Detaining Power to a neutral State or to a humanitarian organization, to undertake the functions performed by a Protecting Power, unless the consent of the Government of the country of which the protected persons are nationals has been obtained."

(2) On signing the Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, the Government of the Byelorussian Soviet Socialist Republic makes the following reservation:

Article 10: "The Byelorussian Soviet Socialist Republic will not recognize the validity of requests by the Detaining Power to a neutral State or to a humanitarian organization, to undertake the functions performed by a Protecting Power, unless the consent of the Government of the country of which the protected persons are nationals has been obtained."

(3) On signing the Convention relative to the Treatment of Prisoners of War, the Government of the Byelorussian Soviet Socialist Republic makes the following reservations:

Article 10: "The Byelorussian Soviet Socialist Republic will not recognize the validity of requests by the Detaining Power to a neutral State or to a humanitarian organization, to undertake the functions performed by a Protecting Power, unless the consent of the Government of the country of which the prisoners of war are nationals has been obtained."

Article 12: "The Byelorussian Soviet Socialist Republic does not consider as valid the freeing of a Detaining Power, which has transferred prisoners of war to another Power, from responsibility for the application of the Convention to such prisoners of war while the latter are in the custody of the Power accepting them."

Article 85: "The Byelorussian Soviet Socialist Republic does not consider itself bound by the obligation, which follows from Article 85, to extend the application of the Convention to prisoners of war who have been convicted under the law of the Detaining Power, in accordance with the principles of the Nuremberg trial, for war crimes and crimes against humanity, it being understood that persons convicted of such crimes must be subject to the conditions obtaining in the country in question for those who undergo their punishment."

(4) On signing the Convention relative to the Protection of Civilian Persons in Time of War, the Government of the Byelorussian Soviet Socialist Republic feels called upon to make the following declaration:

"Although the present Convention does not cover the civilian population in territory not occupied by the enemy and does not, therefore, completely meet humanitarian requirements, the Byelorussian Delegation, recognizing that the said Convention makes satisfactory provision for the protection of the civilian population in occupied territory and in certain other cases, declares that it is authorized by the Government of the Byelorussian Soviet Socialist Republic to sign the present Convention with the following reservations:

Article 11: "The Byelorussian Soviet Socialist Republic will not recognize the validity of requests by the Detaining Power to a neutral State or to a humanitarian organization, to undertake the functions performed by a Protecting Power, unless the consent of the Government of the country of which the protected person are nationals has been obtained.

Article 45: "The Byelorussian Soviet Socialist Republic will not consider as valid the freeing of a Detaining Power, which has transferred protected persons to another Power, from responsibility for the application of the Convention to the persons transferred, while the latter are in the custody of the Power accepting them."

BRAZIL

Mr. PINTO DA SILVA, Consul-General of Brazil at Geneva, made the following reservations to the Geneva Convention relative to the Protection of Civilian Persons in Time of War:

"On signing the Convention relative to the Protection of Civilian Persons in Time of War, Brazil wishes to make two express reservations—in regard to Article 44, because it is liable to hamper the action of the Detaining Power, and in regard to Article 46, because the matter dealt with in its second paragraph is outside the scope of the Convention, the essential and specific purpose of which is the protection of persons and not of their property."

BULGARIAN PEOPLE'S REPUBLIC

Mr. Kosta B. SVETLOV, Bulgarian Minister in Switzerland, made the following declaration:

"In my capacity as representative of the Government of the Bulgarian People's Republic, I have the pleasant duty of ex-

pressing here its satisfaction at having been able to take part in drawing up a humanitarian instrument of the highest international importance—a group of conventions for the protection of war victims.

"Nevertheless, my wish is that there shall be no need to apply them; that is to say, that we may exert every effort to prevent a new war, so that there may be no victims to be helped in accordance with the provisions of a convention.

"I must, first of all, express my Government's deep regret that the majority of the Diplomatic Conference did not accept the Soviet Delegation's proposal for the unconditional banning of atomic weapons and other weapons for the mass extermination of the population."

Therefore, on signing the Conventions, the Government of the Bulgarian People's Republic makes the following reservations, which constitute an integral part of the Conventions:

(1) Convention relative to the Protection of Civilian Persons in Time of War of August 12th, 1949.

On signing the present Convention, the Government of the Bulgarian People's Republic makes the following reservations, which constitute an integral part of the Convention:

With regard to Article 11: "The Bulgarian People's Republic will not recognize as valid the action of a Detaining Power of civilian persons in time of war, in approaching a neutral Power or a humanitarian organization with a view to entrusting it with the protection of such persons without the consent of the Government of the country of which the latter are nationals."

With regard to Article 45: "The Bulgarian People's Republic will not consider the Detaining Power of civilian persons in time of war, which has transferred such persons to another Power which has agreed to accept them, as being freed from responsibility for applying the provisions of the Convention to such persons during the time that they are detained by the other Power."

(2) Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea of August 12th, 1949.

On signing the present Convention, the Government of the Bulgarian People's Republic makes the following reservation which constitutes an integral part of the Convention:

With regard to Article 10: "The Bulgarian People's Republic will not recognize as valid the action of a Detaining Power of wounded, sick and shipwrecked persons or of medical personnel of armed forces at sea, in approaching a neutral Power or a humanitarian organization, with a view to entrusting it with the protection of such persons without the consent of the Government of the country of which the latter are nationals."

(3) Convention relative to the Treatment of Prisoners of War of August 12th, 1949.

On signing the present Convention, the Government of the Bulgarian People's Republic makes the following reservations, which constitute an integral part of the Convention:

With regard to Article 10: "The Bulgarian People's Republic will not recognize as valid the action of a Detaining Power of prisoners of war, in approaching a neutral Power or a humanitarian organization with a view to entrusting it with the protection of such persons without the consent of the Government of the country of which the latter are nationals."

With regard to Article 12: "The Bulgarian People's Republic will not consider the Detaining Power of prisoners of war, which has transferred such persons to another Power which has agreed to accept them, as being freed from responsibility for applying the provisions of the Convention to such persons during the time that they are detained by the other Power."

With regard to Article 85: "The Bulgarian People's Republic does not consider itself bound to extend the application of the provisions derived from Article 85 to prisoners of war convicted, under the law of the Detaining Power and in accordance with the principles of the Nuremberg trial, of war crimes or crimes against humanity which they committed before being taken prisoner, because those thus convicted must be subject to the regulations of the country in which they have to serve their sentence."

(4) Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of August 12th, 1949.

On signing the present Convention, the Government of the Bulgarian People's Republic makes the following reservation, which constitutes an integral part of the Convention.

With regard to Article 10: "The Bulgarian People's Republic will not recognize as valid the action of a Detaining Power of wounded and sick persons or of medical personnel in armed forces in the field, in approaching a neutral Power or a humanitarian organization with a view to entrusting it with the protection of such persons without the consent of the Government of the country of which the latter are nationals."

CANADA

Mr. WERSHOF, Counsellor, Office of the High Commissioner for Canada in London, made the following reservation to the Geneva Convention for the Protection of Civilian Persons in Time of War:

"Canada reserves the right to impose the death penalty in accordance with the provisions of Article 68, paragraph 2, without regard to whether the offences referred to therein are punishable by death under the law of the occupied territory at the time the occupation begins."

SPAIN

Mr. CALDERÓN Y MARTIN, Spanish Minister in Switzerland, made the following reservation to the Geneva Convention relative to the Treatment of Prisoners of War, the text of the reservation being submitted in the Spanish, French and English languages:

"In matters regarding procedural guarantees and penal and disciplinary sanctions, Spain will grant prisoners of war the same treatment as is provided by her legislation for members of her own national forces.

"Under 'International Law in force' (Article 99) Spain understands she only accepts that which arises from contractual sources or which has been previously elaborated by organizations in which she participates."

UNITED STATES OF AMERICA

[TIAS 3365. *Post*, p. 3516.]

Mr. VINCENT, Minister of the United States of America in Switzerland, on signing the Geneva Convention relative to the Protection of Civilian Persons in Time of War of August 12th, 1949, made the following declaration:

"The Government of the United States fully supports the objectives of this Convention.

"I am instructed by my Government to sign, making the following reservation to Article 68:

"The United States reserves the right to impose the death penalty in accordance with the provisions of Article 68, paragraph 2, without regard to whether the offences referred to therein are punishable by death under the law of the occupied territory at the time the occupation begins."

HUNGARIAN PEOPLE'S REPUBLIC

Mrs. KARA made the following reservations:

"At the meeting of the Diplomatic Conference on August 11th, 1949, the Delegation of the Hungarian People's Republic reserved the right to make express reservations on signing the Conventions, after having examined them. In their speech at the above meeting the Hungarian Delegation observed that they were not in agreement with all the provisions of the Conventions. After a thorough study of the text of the Conventions, the Government of the Hungarian People's Republic decided to sign the Conventions in spite of their obvious defects, as it considered that the Conventions constituted an advance in comparison with the existing situation from the point of view of the practical application of humanitarian principles and the protection of war victims.

"The Government of the Hungarian People's Republic is obliged to state that the concrete results achieved by the Diplomatic Conference which ended on August the 12th do not come up to expectations, since the majority of the members of the Conference did not adopt the proposals of the Soviet Delegation concerning the atomic weapon and other means of mass extermination of the population.

"The Delegation of the Hungarian People's Republic noted with regret the point of view of the majority of the Conference, which was contrary to the wishes of the nations engaged in the struggle for peace and liberty. The Delegation of the Hungarian People's Republic is convinced that the adoption of the Soviet proposals would have been the most effective means of protecting war victims. The Delegation of the Hungarian People's Republic wishes, in particular, to point out the essential defects of the Convention relative to the Protection of Civilian Persons in Time of War; they drew the attention of the States taking part in the Conference to those defects during the meetings. A particular case in point is that of Article 4 of the Convention; by virtue of that Article the provisions of the Civilians Convention do not apply to certain persons, because the States whose nationals they are, have not adhered to the Convention. The Government of the Hungarian People's Republic considers that the above provision is contrary to the humanitarian principles which the Convention is intended to uphold.

"The Hungarian People's Government has also serious objections to Article 5 of the said Convention; according to the terms of that Article, if protected persons are definitely suspected of activities hostile to the security of the State, that is enough to deprive them of protection under the Convention. The Government of the Hungarian People's Republic considers that that provision has already made any hope of realizing the fundamental principles of the Convention illusory.

"The express reservations made by the Government of the Hungarian People's Republic on signing the Conventions, are as follows:

(1) "In the opinion of the Government of the Hungarian People's Republic, the provisions of Article 10 of the Wounded and Sick, Maritime Warfare and Prisoners of War Conventions and of Article 11 of the Civilians Convention, concerning the replacement of the Protecting Power, can only be applied if the Government of the State of which the protected persons are nationals, no longer exists.

(2) "The Government of the Hungarian People's Republic cannot approve the provisions of Article 11 of the Wounded and Sick, Maritime Warfare and Prisoners of War Conventions and of Article 12 of the Civilians Convention, according to which the competence of the Protecting Power extends to the interpretation of the Convention.

(3) "In regard to Article 12 of the Convention relative to the Treatment of Prisoners of War, the Government of the Hungarian People's Republic maintains its point of view that in the case of the transfer of prisoners

of war from one Power to another, the responsibility for the application of the provisions of the Conventions must rest with both of those Powers.

(4) "The Delegation of the Hungarian People's Republic repeats the objection which it made, in the course of the meetings at which Article 85 of the Prisoners of War Convention was discussed, to the effect that prisoners of war convicted of war crimes and crimes against humanity in accordance with the principles of Nuremberg, must be subject to the same treatment as criminals convicted of other crimes.

(5) "Lastly, the Government of the Hungarian People's Republic maintains the point of view which it expressed in regard to Article 45 of the Civilians Convention, namely that, in the case of the transfer of protected persons from one power to another, the responsibility for the application of the Convention must rest with both of those Powers."

ISRAEL

Mr. KAHANY, Delegate of Israel to the European Office of the United Nations and to the International Committee of the Red Cross, made the following declaration:

"In accordance with instructions received from my Government, I shall sign the Geneva Convention relative to the Treatment of Prisoners of War without any reservation. But in the case of each of the other three Conventions, our signature will be given with reservations the purport of which is as follows:

(1) Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field.

"Subject to the reservation that, while respecting the inviolability of the distinctive signs and emblems of the Convention, Israel will use the Red Shield of David as the emblem and distinctive sign of the medical services of her armed forces."

(2) Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea.

"Subject to the reservation that, while respecting the inviolability of the distinctive signs and emblems of the Convention, Israel will use the Red Shield of David on the flags, armlets and on all equipment (including hospital ships), employed in the medical service."

(3) Geneva Convention relative to the Protection of Civilian Persons in Time of War.

"Subject to the reservations that, while respecting the inviolability of the distinctive signs and emblems provided for in Article 38 of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of August 12, 1949, Israel will use the Red Shield of David as the emblem and distinctive sign provided for in this Convention."

ITALY

Mr. AURITI, Ambassador, made the following declaration concerning the Convention relative to the Treatment of Prisoners of War and Resolutions 6, 7 and 9 of the Diplomatic Conference of Geneva:

(1) Geneva Convention relative to the Treatment of Prisoners of War.

"The Italian Government declares that it makes a reservation in respect of the last paragraph of Article 66 of the Convention relative to the Treatment of Prisoners of War."

(2) Resolution 6 of the Diplomatic Conference of Geneva.

"Whereas the Conference has recommended 'that the High Contracting Parties will, in the near future, instruct a Committee of Experts to examine technical improvements of modern means of communication between hospital ships, on the one hand, and warships and military aircraft, on the other the Italian Government expresses the hope that the said Committee of Experts may be convoked, if possible during the coming months, in order that they may draw up an international code of rules for the use of the above means of communication.

"The Italian Armed Forces are at present engaged in making a thorough study of the above subject and will, if necessary, be ready to submit concrete proposals of a technical nature as a basis for discussion."

(3) Resolution 7 of the Diplomatic Conference of Geneva.

"The Italian Government is prepared to arrange that, whenever conveniently practicable, hospital ships shall frequently and regularly broadcast particulars of their position, route and speed."

(4) Resolution 9 of the Diplomatic Conference of Geneva.

"In regard to the second paragraph of Resolution 9, the Italian Government considers that the departments dealing with telecommunications in the countries of the High Contracting Parties must collaborate in drawing up some method of grouping telegrams of prisoners of war, so as to facilitate the transmission of numbered messages and thus avoid errors and the duplication of international transmissions and the consequent increase in their cost."

LUXEMBURG

Mr. STURM, Chargé d'Affaires of Luxemburg in Switzerland, made the following reservation:

"The undersigned Delegate of the Grand Duchy of Luxemburg, duly empowered by its Government, has this eighth day of December, 1949, signed the Convention established by the Diplomatic Conference of Geneva relative to the Treatment of Prisoners of War, with the reservation:

"that its existing national law shall continue to be applied to cases now under consideration."

NEW ZEALAND

Mr. GEORGE ROBERT LAKING, Counsellor to the New Zealand Embassy in Washington, made the following declaration:

"In signing the four Conventions established by the Diplomatic Conference at Geneva 1949, the New Zealand Government desire me to state that as there has been insufficient opportunity to study the reservations made on behalf of other States, the Goverment for the present reserve their views in regard to such reservations.

"In signing the Convention relating to the protection of civilian persons in time of war, the New Zealand Government desire me to make the following reservations:

(1) "New Zealand reserves the right to impose the death penalty in accordance with the provisions of Article 68, paragraph 2, without regard to whether the offences referred to therein are punishable by death under the law of the occupied territory at the time the occupation begins;

(2) "In view of the fact that the General Assembly of the United Nations, having approved the principles established by the Charter and judgment of the Nuremberg Tribunal, has directed the International Law Commission to include these principles in a General codification of offences against the peace and security of mankind, New Zealand reserves the right to take such action as may be necessary to ensure that such offences are punished, notwithstanding the provisions of Article 70, paragraph I."

NETHERLANDS

Mr. BOSCH, Chevalier VAN ROSENTHAL, Minister of the Netherlands in Switzerland, made the following declaration:

"My Government has instructed me to sign the four Conventions established at the Diplomatic Conference held at Geneva from April 21 to August 12, 1949, but my Government wishes to make the following reservation regarding the Convention relative to the Protection of Civilian Persons in Time of War, which reservation reads as follows:

"The Kingdom of the Netherlands reserves the right to impose the death penalty in accordance with the provisions of Article 68, paragraph 2, without regard to whether the offenses referred to therein are punishable by death under the law of the occupied territory at the time the occupation begins."

POLAND

Mr. PRZYBOS, Polish Minister in Switzerland, made the following reservations concerning the four Geneva Conventions:

(1) "On signing the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, I declare that the Government of the Polish Republic adheres to the said Convention, with a reservation in respect of Article 10.

"The Government of the Polish Republic will not consider as legal a request by the Detaining Power that a neutral State or an international organization or a humanitarian organization should undertake the functions performed under the present Convention by the Protecting Powers, on behalf of the wounded and sick, or medical personnel and chaplains, unless the Government whose nationals they are has given its consent."

(2) "On signing the Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, I declare that the Government of the Polish Republic adheres to the said Convention, with a reservation in respect of Article 10.

"The Government of the Polish Republic will not consider as legal a request by the Detaining Power that a neutral State or an international organization or a humanitarian organization should undertake the functions performed under the present Convention by the Protecting Powers, on behalf of the wounded, sick and shipwrecked, or medical personnel and chaplains, unless the Government whose nationals they are has given its consent.

(3) "On signing the Geneva Convention relative to the Treatment of Prisoners of War, I declare that the Government of the Polish Republic adheres to the said Convention, with reservations in respect of Articles 10, 12, and 85.

"In regard to Article 10, the Government of the Polish Republic will not consider as legal a request by the Detaining Power that a neutral State or an international organization or a humanitarian organization should undertake the functions performed under the present Convention by the Protecting Powers, on behalf of prisoners of war, unless the Government whose nationals they are has given its consent."

"In regard to Article 12, the Government of the Polish Republic will not consider it legal for a Power, which effects a transfer of prisoners of war, to be freed from its responsibility for applying the Convention, even for the time during which such prisoners of war are in the custody of the Power accepting them."

"In regard to Article 85, the Government of the Polish Republic will not consider it legal for prisoners of war convicted of war crimes and crimes against humanity in accordance with the principles set forth at the time of the Nuremburg trials, to continue to enjoy protection under the present Convention, it being understood that prisoners of war convicted of such crimes must be subject to the regulations for the execution of punishments, in force in the State concerned."

(4) "On signing the Geneva Convention relative to the Protection of Civilian Persons in Time of War, I declare that the Government of the Polish Republic adheres to the said Convention, with reservations in respect of Articles 11 and 45.

"In regard to Article II, the Government of the Polish Republic will not consider as legal a request by the Detaining Power that a neutral State or an international organization or a humanitarian organization should undertake the functions performed under the present Convention by the Protecting Powers, on behalf of protected persons, unless the Government whose nationals they are has given its consent.

"In regard to Article 45, the Government of the Polish Republic will not consider it legal for a Power, which effects a transfer of protected persons, to be freed from its responsibility for applying the Convention, even for the time during which such protected persons are in the custody of the Power accepting them."

PORTUGAL

Mr. GONCALO CALDEIRA COELHO, Chargé d'Affaires of Portugal in Switzerland, made the following declaration:

(*a*) *Article 3, common to the four Conventions:*

"As there is no actual definition of what is meant by a conflict not of an international character and as, in case this term is intended to refer solely to civil war, it is not clearly laid down at what moment an armed rebellion within a country should be considered as having become a civil war, Portugal reserves the right not to apply the provisions of Article 3, in so far as they may be contrary to the provisions of Portuguese law, in all territories subject to her sovereignty in any part of the world."

(*b*) *Article 10 of Conventions I, II and III and Article 11 of Convention IV:*

"The Portuguese Government only accepts the above Articles with the reservation that requests by the Detaining Power to a neutral State or to a humanitarian organization to undertake the functions normally performed by Protecting Powers are made with the consent or agreement of the government of the country of which the persons to be protected are nationals (Countries of origin)."

(*c*) *Article 13 of Convention I and Article 4 of Convention III:*

"The Portuguese Government makes a reservation regarding the application of the above Articles in all cases in which the legitimate Government has already asked for and agreed to an armistice or the suspension of military operations of no matter what character, even if the armed forces in the field have not yet capitulated."

(*d*) *Article 60 of Convention III:*

"The Portuguese Government accepts this Article with the reservation that it in no case binds itself to grant prisoners a monthly rate of pay in excess of 50% of the pay due to Portuguese soldiers of equivalent appointment or rank, on active service in the combat zone."

RUMANIAN PEOPLE'S REPUBLIC

Mr. Ioan DRAGOMIR, Chargé d'Affaires of Rumania in Switzerland, made the following declaration:

(1) "On signing the Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, the Government of the Rumanian People's Republic makes the following reservation:

Article 10: "The Rumanian People's Republic will not recognize the validity of requests by the Detaining Power to a neutral State or to a humanitarian organization, to undertake the functions performed by a Protecting Power, unless the consent of the Government of the country of which the protecting persons are nationals has been obtained.

(2) "On signing the Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, the Government of the Rumanian People's Republic makes the following reservation:

Article 10: "The Rumanian People's Republic will not recognize the validity of requests by the Detaining Power to a neutral State or to a humanitarian organization, to undertake the functions performed by a Protecting Power, unless the consent of the Government of the country of which the protected persons are nationals has been obtained.

(3) "On signing the Convention relative to the Treatment of Prisoners of War, the Government of the Rumanian People's Republic makes the following reservation:

Article 10: "The Rumanian People's Republic will not recognize the validity of requests by the Detaining Power to a neutral State or to a humanitarian organization, to undertake the functions performed by a Protecting Power, unless the consent of the Government of the country of which the prisoners of war are nationals has been obtained.

Article 12: "The Rumanian People's Republic does not consider as valid the freeing of a Detaining Power, which has transferred prisoners of war to another Power, from responsibility for the application of the Convention to such prisoners of war while the latter are under the protection of the Power accepting them.

Article 85: "The Rumanian People's Republic does not consider itself bound by the obligation, which follows from Article 85, to extend the application of the Convention to prisoners of war who have been convicted under the law of the Detaining Power, in accordance with the principles of the Nuremberg trial, for war crimes and crimes against humanity, it being understood that persons convicted of such crimes must be subject to the conditions obtaining in the country in question for those who undergo their punishment.

(4) "I am authorized to make the following declaration on signing the Convention relative to the Protection of Civilian Persons in Time of War:

"The Government of the Rumanian People's Republic considers that this Convention does not completely meet humanitarian requirements, owing to the fact that it does not apply to the civilian population in territory not occupied by the enemy.

"Nevertheless, taking into consideration the fact that the Convention is intended to protect the interests of the civilian population in occupied territory, I am authorized by the Rumanian People's Government to sign the said Convention with the following reservations:

Article 11: "The Rumanian People's Republic will not recognize the validity of requests by the Detaining Power to a neutral State or to a humanitarian organization, to undertake the functions performed by a Protecting Power, unless the consent of the Government of the country of which the protected persons are nationals has been obtained.

Article 45: "The Rumanian People's Republic will not consider as valid the freeing of a Detaining Power, which has transferred protected persons to another Power, from responsibility for the application of the Convention to the persons transferred, while the latter are under the protection of the Power accepting them."

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

The Rt. Hon. Sir Robert CRAIGIE, Foreign Office, made the following declaration:

"In signing the Convention relative to the Protection of Civilian Persons in Time of War, His Majesty's Government in the United Kingdom desire me to make the following reservation:

"The United Kingdom of Great Britain and Northern Ireland reserve the right to impose the death penalty in accordance with the provisions of Article 68, paragraph 2, without regard to whether the offences referred to therein are punishable by death under the law of the occupied territory at the time the occupation begins."

CZECHOSLOVAKIA

Mr. TAUBER, Minister of Czechoslovakia in Switzerland, made the following reservations:

(1) "On proceeding to sign the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, I declare that the Government of the Czechoslovakian Republic adheres to the said Convention, with a reservation in respect to Article 10.

"The Government of the Czechoslovakian Republic will not consider as legal a request by the Detaining Power that a neutral State or an international organization or a humanitarian organization should undertake the functions performed under the present Convention by the Protecting Powers, on behalf of the wounded and sick, or medical personnel and chaplains, unless the Government whose nationals they are has given its consent.

(2) "On proceeding to sign the Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, I declare that the Government of the Czechoslovakian Republic adheres to the said Convention, with a reservation in respect of Article 10.

"The Government of the Czechoslovakian Republic will not consider as legal a request by the Detaining Power that a neutral State or an international organization or a humanitarian organization should undertake the functions performed under the present Convention by the Protecting Powers, on behalf of the wounded, sick and shipwrecked, or medical personnel and chaplains, unless the Government whose nationals they are has given its consent.

(3) "On proceeding to sign the Geneva Convention relative to the Treatment of Prisoners of War, I declare that the Government of the Czechoslovakian Republic adheres to the said Convention, with reservations in respect of Articles 10, 12 and 85.

"In regard to Article 10, the Government of the Czechoslovakian Republic will not consider as legal a request by the Detaining Power that a neutral State or an international organization or a humanitarian organization should undertake the functions performed under the present Convention by the Protecting Powers, on behalf of prisoners of war, unless the Government whose nationals they are has given its consent.

"In regard to Article 12, the Government of the Czechoslovakian Republic will not consider it legal for a Power, which effects a transfer of prisoners of war, to be freed from its responsibility for applying the Convention, even for the time during which such prisoners of war are in the custody of the Power accepting them.

"In regard to Article 85, the Government of the Czechoslovakian Republic will not consider it legal for prisoners of war convicted of war crimes and crimes against humanity in accordance with the principles set forth at the time of the Nuremberg trials, to continue to enjoy protection under the present Convention, it being understood that prisoners of war convicted of such crimes must be subject to the regulations for the execution of punishments, in force in the State concerned.

(4) "On proceeding to sign the Geneva Convention relative to the Protection of Civilian Persons in Time of War, I declare that the Government of the Czechoslovakian Republic adheres to the said Convention, with reservations in respect of Article 11 and 45.

"In regard to Article 11, the Government of the Czechoslovakian Republic will not consider as legal a request by the Detaining Power that a neutral State or an international organization or humanitarian organization should undertake the functions performed under the present Convention by the Protecting Powers, on behalf of protected persons, unless the Government whose nationals they are has given its consent.

"In regard to Article 45, the Government of the Czechoslovakian Republic will not consider it legal for a Power, which effects a transfer of protected persons, to be freed from its responsibility for applying the Convention, even for the time during which such protected persons are in the custody of the Power accepting them."

UKRAINIAN SOVIET SOCIALIST REPUBLIC

Mr. BOGOMOLETZ, Head of the Delegation of the Ukrainian Soviet Socialist Republic:

(1) "On signing the Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, the Government of the Ukrainian Soviet Socialist Republic makes the following reservations:

Article 10: "The Ukrainian Soviet Socialist Republic will not recognize the validity of requests by the Detaining Power to a neutral State or to a humanitarian organization, to undertake the functions performed by a Protecting Power, unless the consent of the Government of the country of which the protected persons are nationals has been obtained.

(2) "On signing the Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, the Government of the Ukrainian Soviet Socialist Republic makes the following reservation:

Article 10: "The Ukrainian Soviet Socialist Republic will not recognize the validity of requests by the Detaining Power to a neutral State or to a humanitarian organization, to undertake the functions performed by a Protecting Power, unless the consent of the Government of the country of which the protected persons are nationals has been obtained.

(3) "On signing the Convention relative to the Treatment of Prisoners of War, the Government of the Ukrainian Soviet Socialist Republic makes the following reservations:

Article 10: "The Ukrainian Soviet Socialist Republic will not recognize the validity of requests by the Detaining Power to a neutral State or to a humanitarian organization, to undertake the functions performed by a Protecting Power, unless the consent of the Government of the country of which the prisoners of war are nationals has been obtained.

Article 12: "The Ukrainian Soviet Socialist Republic does not consider as valid the freeing of a Detaining Power, which has transferred prisoners of war to another Power, from responsibility for the application of the Convention to such prisoners of war while the latter are in the custody of the Power accepting them.

Article 85: "The Ukrainian Soviet Socialist Republic does not consider itself bound by the obligation, which follows from Article 85, to extend the application of the Convention to prisoners of war who have been convicted under the law of the Detaining Power, in accordance with the principles of the Nuremberg trial, for war crimes and crimes against humanity, it being understood that persons convicted of such crimes must be subject to the conditions obtaining in the country in question for those who undergo their punishment.

(4) "On signing the Convention relative to the Protection of Civilian Persons in Time of War, the Government of the Ukrainian Soviet Socialist Republic feels called upon to make the following declaration:

"Although the present Convention does not cover the civilian population in territory not occupied by the enemy and does not, therefore, completely meet humanitarian requirements, the Ukrainian Delegation, recognizing that the said Convention makes satisfactory provision for the protection of the civilian population in occupied territory and in certain other cases, declares that it is authorized by the Government of the Ukrainian Soviet Socialist Republic to sign the present Convention with the following reservations:

Article 11: "The Ukrainian Soviet Socialist Republic will not recognize the validity of requests by the Detaining Power to a neutral State or to a humanitarian organization, to undertake the functions performed by a Protecting Power, unless the consent of the Government of the country of which the protected persons are nationals has been obtained.

Article 45: "The Ukrainian Soviet Socialist Republic will not consider as valid the freeing of a Detaining Power, which has transferred protected persons to another Power, from responsibility for the application of the Convention to the persons transferred, while the latter are in the custody of the Power accepting them."

UNION OF SOVIET SOCIALIST REPUBLICS

General SLAVIN, Head of the Delegation of the Union of Soviet Socialist Republics:

(1) "On signing the Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, the Government of the Union of Soviet Socialist Republics makes the following reservation:

Article 10: "The Union of Soviet Socialist Republics will not recognize the validity of requests by the Detaining Power to a neutral State or to a humanitarian organization, to undertake the functions performed by a Protecting Power, unless the consent of the Government of the country of which the protected persons are nationals has been obtained.

(2) "On signing the Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, the Government of the Union of Soviet Socialist Republics makes the following reservation:

Article 10: "The Union of Soviet Socialist Republics will not recognize the validity of requests by the Detaining Power to a neutral State or to a humanitarian organization, to undertake the functions performed by a Protecting Power, unless the consent of the Government of the country of which the protected persons are nationals has been obtained.

(3) "On signing the Convention relative to the Treatment of Prisoners of War, the Government of the Union of Soviet Socialist Republics makes the following reservations:

Article 10: "The Union of Soviet Socialist Republics will not recognize the validity of requests by the Detaining Power to a neutral State or to a humanitarian organization, to undertake the functions performed by a Protecting Power, unless the consent of the Government of the country of which the prisoners of war are nationals has been obtained.

Article 12: "The Union of Soviet Socialist Republics does not consider as valid the freeing of a Detaining Power, which has transferred prisoners of war to another Power, from responsibility for the application of the Convention to such prisoners of war while the latter are in the custody of the Power accepting them.

Article 85: "The Union of Soviet Socialist Republics does not consider itself bound by the obligation, which follows from Article 85, to extend the application of the Convention to prisoners of war who have been convicted under the law of the Detaining Power, in accordance with the principles of the Nuremberg trial, for war crimes and crimes against humanity, it being understood that persons convicted of such crimes must be subject to the conditions obtaining in the country in question for those who undergo their punishment.

(4) "On, signing the Convention relative to the Protection of Civilian Persons in Time of War, the Government of the Union of Soviet Socialist Republics feels called upon to make the following declaration:

"Although the present Convention does not cover the civilian population in territory not occupied by the enemy and does not, therefore, completely meet humanitarian requirements, the Soviet Delegation, recognizing that the said Convention makes satisfactory provision for the protection of the civilian population in occupied territory and in certain other cases, declares that it is authorized by the Government of the Union of Soviet Socialist Republics to sign the present Convention with the following reservations:

Article 11: "The Union of Soviet Socialist Republics will not recognize the validity of requests by the Detaining Powers to a neutral State or to a humanitarian organization, to undertake the functions performed by a Protecting Power, unless the consent of the Government of the country of which the protected persons are nationals has been obtained.

Article 45: "The Union of the Soviet Socialist Republics will not consider as valid the freeing of a Detaining Power, which has transferred protected persons to another Power, from responsibility for the application of the Convention to the persons transferred, while the latter are in the custody of the Power accepting them."

FEDERAL PEOPLES REPUBLIC OF YUGOSLAVIA

Mr. MILAN RISTIĆ, Yugoslav Minister in Switzerland, made the following declaration:

(1) "On signing the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, I declare that the Government of the Federal People's Republic of Yugoslavia adheres to the said Convention, with a reservation in respect of Article 10.

"The Government of the Federal People's Republic of Yugoslavia will not consider as legal a request by the Detaining Power that a neutral State or an international organization or a humanitarian organization should undertake the functions performed under the present Convention by the Protecting Powers, on behalf of the wounded and sick, or medical personnel and chaplains, unless the Government whose nationals they are has given its consent.

(2) "On signing the Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, I declare that the Government of the Federal People's Republic of Yugoslavia adheres to the said Convention, with a reservation in respect of Article 10.

"The Government of the Federal People's Republic of Yugoslavia will not consider as legal a request by the Detaining Power that a neutral State or an international organization or a humanitarian organization should undertake the functions performed under the present Convention by the Protecting Powers, on behalf of the wounded, sick and shipwrecked, or medical personnel and chaplains, unless the Government whose nationals they are has given its consent.

(3) "On signing the Geneva Convention relative to the Treatment of Prisoners of War, I declare that the Government of the Federal People's Republic of Yugoslavia adheres to the said Convention, with reservations in respect of Articles 10 and 12.

"In regard to Article 10, the Government of the Federal People's Republic of Yugoslavia will not consider as legal a request by the Detaining Power that a neutral State or an international organization or a humanitarian organization should undertake the functions performed under the present Convention by the Protecting Powers, on behalf of prisoners of war, unless the Government whose nationals they are has given its consent.

"In regard to Article 12, the Government of the Federal People's Republic of Yugoslavia will not consider that the Power which has effected the transfer of prisoners of war, is freed from its responsibility for the application of the Convention for the whole of the time during which such prisoners of war are in the custody of the Power accepting them.

(4) "On signing the Geneva Convention relative to the Protection of Civilian Persons in Time of War, I declare that the Government of the Federal People's Republic of Yugoslavia adheres to the said Convention, with reservations in respect to Articles 11 and 45.

"In regard to Article 11, the Government of the Federal People's Republic of Yugoslavia will not consider as legal a request by the Detaining Power that a neutral State or an international organization or a humanitarian organization should undertake the functions performed under the present Convention by the Protecting Powers, on behalf of protected persons, unless the Government whose nationals they are has given its consent.

"In regard to Article 45, the Government of the Federal People's Republic of Yugoslavia will not consider it legal for a Power, which effects a transfer of protected persons to another Power, to be freed from its responsibility for applying the Convention for the whole of the time during which such protected persons are in the custody of the Power accepting them."

Mr. MORSE. There are certain items of the convention upon which I wish to comment specifically. I turn to article 4, which provides:

Prisoners of war, in the sense of the present Convention, are persons belonging to one of the following categories, who have fallen into the power of the enemy:

It then lists the categories, including military personnel.

There is no question, Mr. President, that these American soldiers fall within the terms of the definitive language of article IV.

Part B of the article continues:

The following shall likewise be treated as prisoners of war under the present Convention:

That section then lists:

Persons belonging, or having belonged, to the armed forces of the occupied country, if the occupying Power considers it necessary by reason of such allegiance to intern them,

It covers also another group of nationals which may fall within the jurisdiction of a country as a result of their being captured.

Mr. President, article 12 deals with the general protection of prisoners of war:

Prisoners of war are in the hands of the enemy Power, but not of the individuals or military units who have captured them. Irrespective of the individual responsibilities that may exist, the Detaining Power is responsible for the treatment given them.

Prisoners of war may only be transferred by the Detaining Power to a Power which is a party to the Convention and after the Detaining Power has satisfied itself of the willingness and ability of such transferee Power to apply the Convention. When prisoners of war are transferred under such circumstances, responsibility for the application of the Convention rests on the Power accepting them while they are in its custody.

Nevertheless, if that Power fails to carry out the provisions of the Convention in any important respect, the Power by whom the prisoners of war were transferred shall, upon being notified by the Protecting Power, take effective measures to correct the situation or shall request the return of the prisoners of war. Such requests must be complied with.

I have been informed that our general policy in South Vietnam is to turn the prisoners whom we capture over to the South Vietnamese. Charges are made by some that the South Vietnamese are in violation of the Geneva Convention for the treatment of war prisoners.

Mr. President, I here now call upon our administration to look into the matter of the handling of prisoners captured by U.S. military forces in South Vietnam, and to advise Congress as to whether or not they are turned over to the South Vietnamese forces, and also to advise as to whether there is any basis for the allegation that the South Vietnamese Government likewise does not follow the Geneva Convention for the handling of war prisoners, as the allegation is that North Vietnam does not or is contemplating not doing.

My point, Mr. President, is that all countries involved in the South Vietnamese war should be bound by the Geneva Convention for the handling of war prisoners. I am satisfied that as far as my Government is concerned, in the handling of any war prisoners over whom we retain jurisdiction, the world need have no doubt that our Government complies with its signature on the Geneva War Prisoner Convention.

But, Mr. President, I think we need to be ready to meet with evidence any allegation that may be made that the South Vietnamese are in violation of the Geneva Convention for the handling of war prisoners, and if there is any evidence that bears out such allegation, and if it is our policy to turn North Vietnamese and Vietcong prisoners that we capture over to the South Vietnamese for handling, then we ought to stop that policy, unless we can give the world assurance that the Geneva Conventions are being complied with. Because article 12, as I read the convention, does not prevent us from turning the prisoners over to others to take care of; but it does make perfectly clear that we have an obligation to make certain that the treaty convention is complied with, if we do take captured prisoners and turn them over to another power.

Thus I repeat the language:

Prisoners of war are in the hands of the enemy Power, but not of the individuals or military units who have captured them. Irrespective of the individual responsibilities that may exist, the Detaining Power is responsible for the treatment given them.

Prisoners of war may only be transferred by the Detaining Power to a Power which is a party to the Convention and after the Detaining Power has satisfied itself of the willingness and ability of such transferee Power to apply the Convention. When prisoners of war are transferred under such circumstances, responsibility for the application of the Convention rests on the Power accepting them while they are in its custody.

Nevertheless, if that Power fails to carry out the provisions of the Convention in any important respect, the Power by whom the prisoners of war were transferred shall, upon being notified by the Protecting Power, take effective measures to correct the situation or shall request the return of the prisoners of war. Such requests must be complied with.

Mr. President, now is the time for our Government to see to it that it places itself in the position to meet any attack that may be made against it on the basis of any transferring of prisoners to the South Vietnamese. I cannot believe, I will not believe, I simply refuse to believe, unless proof is established, that any Vietcong and North Vietnamese prisoners are not being treated in accordance with the requirements of the Geneva Convention on war prisoners, even though they are being turned over by the U.S. Government—if they are being turned over—to the South Vietnamese.

But I wish to make clear again that our Government has the responsibility of keeping itself in a position where at all times it can assure the world that the Vietcong and the North Vietnamese prisoners are being treated in accordance with the requirements of the Geneva Convention for the handling of war prisoners. It is particularly important that the senior Senator from Oregon and the other liberals in the Senate who signed the statement of last Friday make perfectly clear that our Government owes it to the American people to keep itself in a completely defensible position on the handling of war prisoners, so that if we are deluged with a lot of Communist propaganda emanating out of North Vietnam, Red China, Russia, or any other Communist area of the world, we shall have the facts with which to answer the propaganda.

Mr. President, North Vietnam cannot justify violating the Geneva Convention provisions for the handling of prisoners of war on the basis of any allegation that their prisoners are being mishandled by the South Vietnamese as far as living up to the requirements of the treaty are concerned.

Mr. President, and I do not want this point missed—even if some instances could be shown in which the South Vietnamese have not followed the Geneva Convention in the handling of any prisoners that have been turned over to it by the United States, if any have been turned over to it by the United States, that would not justify the North Vietnamese Government executing these American prisoners, nor would it justify bringing them to trial as war criminals.

Mr. President, on the contrary, these prisoners are entitled to incarceration and humane treatment until at last this war is brought to an end or until, during the war, negotiations which often occur during a war for the exchange of prisoners occur or until neutral bodies come in either as neutral countries or neutral agencies, such as the Red Cross, to take

various degrees of jurisdiction over war prisoners.

Mr. President, article 13 of the treaty provides:

Prisoners of war must at all times be humanely treated. Any unlawful act or omission by the Detaining Power causing death or seriously endangering the health of a prisoner of war in its custory is prohibited, and will be regarded as a serious breach of the present Convention. In particular, no prisoner of war may be subjected to physical mutilation or to medical or scientific experiments of any kind which are not justified by the medical, dental or hospital treatment of the prisoner concerned and carried out in his interest.

Likewise, prisoners of war must at all times be protected, particularly against acts of violence or intimidation and against insults and public curiosity.

Measures of reprisal against prisoners of war are prohibited.

Mr. President, article 14 provides:

Prisoners of war are entitled in all circumstances to respect for their persons and their honour.

Women shall be treated with all the regard due to their sex and shall in all cases benefit by treatment as favourable as that granted to men.

Prisoners of war shall retain the full civil capacity which they enjoyed at the time of their capture. The Detaining Power may not restrict the exercise, either within or without its own territory, of the rights such capacity confers except in so far as the captivity requires.

Mr. President, article 17 contains a section reading:

No physical or mental torture, nor any other form of coercion, may be inflicted on prisoners of war to secure from them information of any kind whatever. Prisoners of war who refuse to answer may not be threatened, insulted, or exposed to unpleasant or disadvantageous treatment of any kind.

Prisoners of war who, owing to their physical or mental condition, are unable to state their identity, shall be handed over to the medical service. The identity of such prisoners shall be established by all possible means, subject to the provisions of the preceding paragraph.

The questioning of prisoners of war shall be carried out in a language which they understand.

Mr. President, article 22 provides:

Prisoners of war may be interned only in premises located on land and affording every guarantee of hygiene and healthfulness. Except in particular cases which are justified by the interest of the prisoners themselves, they shall not be interned in penitentiaries.

Prisoners of war interned in unhealthy areas, or where the climate is injurious for them, shall be removed as soon as possible to a more favourable climate.

The Detaining Power shall assemble prisoners of war in camps or camp compounds according to their nationality, language and customs, provided that such prisoners shall not be separated from prisoners of war belonging to the armed forces with which they were serving at the time of their capture, except with their consent.

Mr. President, article 23 provides:

Article 23

No prisoner of war may at any time be sent to, or detained in areas where he may be exposed to the fire of the combat zone, nor may his presence be used to render certain points or areas immune from military operations.

Prisoners of war shall have shelters against air bombardment and other hazards of war, to the same extent as the local civilian population. With the exception of those engaged in the protection of their quarters against the aforesaid hazards, they may enter such shelters as soon as possible after the giving of the alarm. Any other protective measure taken in favour of the population shall also apply to them.

Detaining Powers shall give the Powers concerned, through the intermediary of the Protecting Powers, all useful information regarding the geographical location of prisoner of war camps.

Whenever military considerations permit, prisoner of war camps shall be indicated in the day-time by the letters PW or PG, placed so as to be clearly visible from the air. The Powers concerned may, however, agree upon any other system of marking. Only prisoner of war camps shall be marked as such.

Mr. President, I comment on that article because some of the press stories—and I am sure they are so-called speculative stories—indicate that there are some who fear that what the North Vietnamese Government might do is place these American war prisoners in areas where they think American bombs might drop and, with that sort of cruel design, cause them to be killed by our own bombs.

Mr. President, no one deplores more than does the senior Senator from Oregon the fact that we are bombing in North Vietnam. I have suggested time and time again and repeat this afternoon that I think my President should issue an order immediately to stop the bombing. I do not think there is any hope of ever getting to a peace table by escalating the war.

Mr. President, that does not have anything to do with the cruel, horrendous, abnormal course of action of, in effect, chaining our war prisoners in combat zones so that they will be killed by the attacking country, or so that they, being placed in a position in which they can be killed by the fire of an attacking country, can be used as hostages to prevent the country from carrying out combat operations.

The treaty specifically prohibits it. The treaty specifically took into account this possibility and article 23, which I have commented on and have had printed in the RECORD, prohibits it.

Mr. President, article 26 provides:

The basic daily food rations shall be sufficient in quantity, quality and variety to keep prisoners of war in good health and to prevent loss of weight or the development of nutritional deficiencies. Account shall also be taken of the habitual diet of the prisoners.

The Detaining Power shall supply prisoners of war who work with such additional rations as are necessary for the labour on which they are employed.

Sufficient drinking water shall be supplied to prisoners of war. The use of tobacco shall be permitted.

Prisoners of war shall, as far as possible, be associated with the preparation of their meals; they may be employed for that purpose in the kitchens. Furthermore, they shall be given the means of preparing, themselves, the additional food in their possession.

Adequate premises shall be provided for messing.

Collective disciplinary measures affecting food are prohibited.

Mr. President, there is no doubt about the fact that the treaty sets forth the bill of particulars, the rules of conduct, and the obligations of the country that has under its custody captured war prisoners. There is no language in the convention, in my judgment, that would justify any plan on the part of North Vietnam to try these American prisoners that have been captured in North Vietnam.

I close my comments by saying that I would like to believe that it is peace that the noncombatants in this war are seeking. I want to continue to believe that it is peace that we seek. I hope it is peace that the North Vietnamese and the Vietcong seek.

But resort to brutality and cruelty and barbarism in the treatment of war prisoners by either the North Vietnamese or the South Vietnamese will not aid the coming of peace. Therefore, I hope that all the noncombatant nations in the world will recognize that here, too, as in regard to the other allegations of which I have spoken concerning their treaty duties under the United Nations, they should proceed to take concerted action.

This is a subject matter on which there should be action before the fact. This is a subject matter of which the members of the Security Council of the United Nations and the members of the General Assembly of the United Nations should take cognizance, and they should call for international discussions now. Let us not wait until brutality and barbarism break forth in the handling of war prisoners.

We certainly have a clear duty in this matter, and I have no doubt as to where my President will stand. I shall support the President in any endeavor he makes through so-called noncombatant nations, to arrive at an understanding with the North Vietnamese, without any delay.

If there is any reason to believe that South Vietnamese are violating the Geneva War Prisoner Convention, an endeavor should be made to work this matter out with the South Vietnamese, and certainly we can do something about that.

Mr. President, I see grave danger of any barbaric act on the part of the North Vietnamese increasing the possibility of a greatly escalated war, at a time when we should be moving in the direction of deescalation. Leaders of other nations of the world have at least a moral duty—I believe a legal duty, too—to take the steps necessary to attempt to reach an understanding if there is any basis in fact—if there is any basis in fact, I repeat—that North Vietnam intends to try these American military prisoners as war criminals.

Mr. President, I yield the floor.

Mr. FULBRIGHT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. FULBRIGHT. Mr. President, what is the pending business?

THE FOREIGN ASSISTANCE ACT OF 1966

The Senate resumed the consideration of the bill (S. 3584) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

The PRESIDING OFFICER. The amendment of the Senator from Virginia [Mr. BYRD].

Mr. FULBRIGHT. Does the Senator wish to offer the amendment at this time?

The PRESIDING OFFICER. The amendment is pending.

Mr. FULBRIGHT. I wish to say to the Senator from Virginia that we have read and examined the proposed amendment. It is similar to one we have in the military aid bill. I am disposed to accept it. I believe it is a good amendment.

In the past, I have objected to amendments seeking to achieve ulterior and somewhat irrelevant objectives, but that objection has been overriden so often that I cannot see that it is valid any longer, even though I used to object to the practice.

Therefore, in view of the fact that a similar provision is in the act with regard to Cuba, and the restriction is in the military bill, I accept the amendment proposed by the Senator from Virginia.

Mr. BYRD of Virginia. Mr. President, I thank the Senator from Arkansas.

The proposed amendment conforms the Economic Assistance Act to the Military Assistance Act, both of which were reported by the committee chaired by the distinguished Senator from Arkansas. I am pleased that the chairman of the Committee on Foreign Relations has accepted the proposed amendment, and I move that it be agreed to.

The PRESIDING OFFICER. (Mr. BURDICK in the chair). The question is on agreeing to the amendment of the Senator from Virginia.

The amendment was agreed to.

Mr. JAVITS. Mr. President, I call up my amendment, which is at the desk, with respect to an International Private Investment Advisory Council, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. JAVITS. Mr. President, I ask unanimous consent to dispense with the reading of the amendment.

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

The amendment offered by the Senator from New York [Mr. JAVITS] is as follows:

On page 17, between lines 17 and 18, insert a new subsection as follows:

"(a) Section 601(c), which relates to the Advisory Committee on Private Enterprise in Foreign Aid, is amended to read as follows:

"'(c)(1) There is hereby established an International Private Investment Advisory Council on Foreign Aid to be composed of such number of leading American business specialists as may be selected, from time to time, by the Administrator of the Agency for International Development for the purpose of carrying out the provisions of this subsection. The members of the Board shall serve at the pleasure of the Administrator, who shall designate one member to serve as Chairman.

"'(2) It shall be the duty of the Council, at the request of the Administrator, to make recommendations to the Administrator with respect to particular aspects of programs and activities under this Act where private enterprise can play a contributing role and to act as liaison for the Administrator to involve specific private enterprises in such programs and activities.

"'(3) The members of the Advisory Council shall receive no compensation for their services but shall be entitled to reimbursement in accordance with section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for travel and other expenses incurred by them in the performance of their functions under this subsection.

"'(4) The expenses of the Advisory Council shall be paid by the Administrator from funds otherwise available under this Act.'"

Mr. JAVITS. Mr. President, the proposed amendment would establish an International Private Investment Advisory Council to make recommendations to the Administrator of the foreign assistance program with respect to particular aspects of programs and activities where private enterprise can make a contribution, and to serve as liaison for the Administrator with respect to private enterprises which may be interested or involved in the foreign assistance program. My interest in the proposed amendment stems from the fact that, with the kind cooperation of Senator FULBRIGHT and other members of the Committee on Foreign Relations, I sponsored the establishment, by an amendment to the foreign aid bill 2 years ago, of the so-called Watson Committee, to report on what might be an effective participation by private enterprise in foreign aid.

This committee has made a very extensive report, which was put into the RECORD in the House of Representatives by Representative CURTIS, and it can be read by Senators on pages 15430 to 15443 of the RECORD. The recommendations of this report have been implemented from time to time, but I have the deep conviction—and it is shared by others who are interested—that a continuous followup is required in order to make it meaningful.

That is one of the things that has been lacking in previous loans of the same kind.

I, therefore, Mr. President, welcome with the greatest pleasure the fact that the other body in its bill incorporated an International Private Advisory Council for the purpose of dealing with this problem and essentially following through on the recommendations of the Watson Committee.

It is a fact that the work of the private sector in foreign aid has been covered to some extent in the President's General Advisory Committee on Foreign Assistance Programs, the Perkins Committee, headed by James A. Perkins, president of Cornell University, and other members of the committee. That Committee has a Private Sector Subcommittee under the the able chairmanship of David Rockefeller.

Mr. President, I ask unanimous consent that the list may be made a part of the RECORD.

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

GENERAL ADVISORY COMMITTEE ON FOREIGN ASSISTANCE PROGRAMS

Chairman, Dr. James A Perkins, President, Cornell University, Ithaca, New York.

Mr. Dwayne O. Andreas, Chairman, Executive Committee, National City Bank of Minneapolis, Minneapolis, Minn.

Mr. Joseph A. Beirne, President, Communications Workers of America, 1925 K. Street, N.W., Washington, D.C.

Mr. Eugene R. Black, Spec. Presidential Advisor for SE Asian Economic & Social Dev., 230 Executive Office Building, Washington, D.C.

Mrs. Everett N. Case, 9 Washington Mews, New York 3, New York.

Dr. Luther H. Foster, President, Tuskegee Institute, Ala.

General Alfred M. Gruenther, 4101 Cathedral Ave., N. W., Washington, D.C.

Dr. J. George Harrar, President, Rockefeller Foundation, 111 West 50th Street, New York, N.Y.

Mr. William R. Hewlett, President and Director, Hewlett-Packard Company, 1501 Page Mill Road, Palo Alto, Calif.

Mr. Sol M. Linowitz, Chairman of the Board, Xerox Corporation, Rochester, New York.

Professor Edward S. Mason, Department of Economics, Harvard University, Cambridge, Mass.

Mr. George Meany, President, AFL-CIO, 815 16th Street, N.W., Washington, D.C.

Dr. Franklin D. Murphy, Chancellor, UCLA, Los Angeles, Calif.

Dr. Samuel M. Nabrit, President, Texas Southern University, Houston, Texas.

Mr. David Rockefeller, President, Chase Manhattan Bank, 1 Chase Manhattan Plaza, New York, N.Y.

Mr. Arthur K. Watson, Chairman, IBM World Trade Corporation, Old Orchard Road, Armonk, New York.

Mr. William J. Zellerbach, President, Zellerbach Paper Company, 343 Sansome Street, San Francisco, Calif.

Mr. JAVITS. There are also representatives of labor and educational institutions on the committee. There is Joseph Beirne, president of the Communications Workers of America, and representatives of the so-called private organizations. Mrs. Case, chairman of the Board of Trustees of Skidmore College is a member.

There is no reason why the Rockefeller subcommittee must be displaced or replaced. If the amendment is agreed to, it would mean that it would be locked into the bill and provide a statutory floor.

Mr. President, I ask unanimous consent that the statement on this subject in the report of the Foreign Affairs Committee of the House of Representatives on this bill be printed in the RECORD.

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

SECTION 301(a)(3)—INTERNATIONAL PRIVATE INVESTMENT ADVISORY COUNCIL

Section 301(a)(3) of the bill amends subsection (c) of section 601 of the act to provide for establishing an International Private Investment Advisory Council composed of leading American business specialists to

make recommendations to the administrator of the foreign assistance program with respect to particular aspects of programs and activities where private enterprise can make a contribution and to serve as liaison for the administrator with specific private enterprises which may be interested or involved in the foreign assistance program.

Members of the Council are to serve without compensation but are authorized to receive reimbursement for travel and per diem in accordance with Government regulations.

The expenses of the Council are to be paid from funds otherwise available under the act. No additional funds are authorized.

The purpose of the amendment is to assure that the foreign aid program makes use of the services of American business leaders.

The committee desires to avoid duplication and proliferation of advisory committees. The work of the Private Sector Subcommittee of the President's Advisory Committee on Foreign Aid (Perkins Committee) established under the authority of section 261 of the act is recognized. It is the expectation of the committee that the authority contained in this section will be used to strengthen and expand what is underway rather than to supersede or parallel existing activities.

Mr. JAVITS. Mr. President, I do not propose a new committee. It is the same committee except that we are giving a statutory base for it, which we think is most desirable. I would hope that the President would look over the list of members. For example, I see on the list William J. Zellerbach, a man whom I know very well. He is a member of the committee who is a prototype of the modern young executive with vigor and energy and would portray the interest of a young man like that in the committee, if it has a statutory base.

Mr. President, for all of these reasons I hope very much that the Senator from Arkansas [Mr. FULBRIGHT] may see fit to accept this amendment, based on my explanation.

Mr. President, I ask unanimous consent to include in the RECORD the actual recommendations of the so-called Watson Committee, together with two reports which I have now had from AID, reporting on the implementation of the Watson Committee report as of February 7, 1966, and July 15, 1966, and a short statement on the AID form of organization, in support of private enterprise.

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

AID'S RESPONSE TO DATE TO THE REPORT OF THE ADVISORY COMMITTEE ON PRIVATE ENTERPRISE IN FOREIGN AID

INTRODUCTION

The Advisory Committee on Private Enterprise in Foreign Aid was appointed on May 26, 1964, held eleven meetings and concluded its work in July 1965. Its Report was given to the President in August 1965. This memorandum describes AID's response to date to the Report.

Although the Advisory Committee has disbanded, the individuals who served on it and the organizations they represent have a continuing contribution to make and are entitled to know what we are doing with their work. This memorandum is for them. The Report requests the Members of the General Advisory Committee for Foreign Assistance Programs, appointed by the President in May 1965, to give continuing attention to the role of non-government organizations. This memorandum is also for them. The Members of the Congress are vitally interested in this field. This memorandum is for them as well.

A Report such as this, if it is to be useful, cannot be treated as an isolated event. It must be one step in a continuing process of evaluation, questioning, and experimentation, and one step in the continuing dialogue between AID and the broad range of private organizations deeply concerned with the problems of developing nations. This memorandum is, then, a report to ourselves, a provisional balance sheet to guide us through the next stages.

A NOTE ON PROCEDURE

The Advisory Committee made thirty-three recommendations. Within A.I.D., responsibility for each of the recommendations has been assigned to a specific office. Overall coordination is assigned to the Office of Development Finance and Private Enterprise. Consultations have been held with the Departments of State, Agriculture, Treasury, Justice, the Bureau of the Budget and the Export-Import Bank. A.I.D. and the Department of Commerce have established a joint working group. Consultations have also been held with the International Finance Corporation and the World Bank.

The Report has been widely distributed. Efforts are being made to draw on many firms, individuals and organizations outside of A.I.D. for comment, advice and suggestions. For example: the Report has been systematically reviewed by the Task Force on Private Enterprise in Foreign Aid of the National Association of Manufacturers and its views given to A.I.D. at a joint meeting in January; the Council for International Progress in Management also reviewed the entire report with A.I.D. in January; many of the recommendations were discussed at a recent meeting of A.I.D.'s Advisory Committee on Economic Development, chaired by Professor Edward Mason of Harvard.

SECTION 1: PRIVATE ENTERPRISE AND FOREIGN AID

A.I.D. is in full agreement with the broad philosophy set forth by the Committee. The Report has been received throughout the A.I.D. organization in Washington and in the field as a thoughtful analysis of the role private resources can and must play in economic and social development. The Report, designed to influence the tone and shape the direction of A.I.D.'s programs, is having the intended effect:

1. Its influence began to be felt even before the final drafting in June. The program guidance for Fiscal Year 1967 programs sent by the Administrator to all Mission Directors on April 13, 1965, included the following: "Private sector development continues to be a subject of special A.I.D. concern. For each country in which private sector activity can play a substantial role in meeting U.S. objectives, the mission should consider including in its Country Assistance Strategy Statement as a major program goal plan a broad, comprehensive program of host country action, AID action, and strategy for fostering needed host country and other donor action to promote private sector development. The program should include an effort to develop a sequence of projects and programs designed to identify and eliminate obstacles to private investment, both foreign and local, and to strengthen private activity generally."

2. Particular attention was given to private sector development in the Administrator's Fall reviews of the major country programs.

3. The Agency is reaching out to many private organizations in the U.S. to explore new forms of government-private association. Illustrative are recent contacts with the American Institute of Banking, the American Management Association, the Investment Bankers Association, the National Industrial Conference Board and the Investment Company Institute. These groups are valuable sounding boards and sources of information and ideas.

4. A.I.D. is working to cause national and international planning organizations to give increased attention to the private sector and to increase private patricipation in the planning process. New organizations have been created and existing organizations strengthened, often with direct A.I.D. assistance, to represent the private sector. For example:

A private enterprise conference will be held in Panama in August of this year under the auspices of CONEP, the newly formed Panamanian national council of private companies. Participants are expected from all Latin American countries. The topic of the conference will be ways and means to involve private sector representatives more deeply in national planning.

A.I.D. is also encouraged to note that the Inter-American Committee for the Alliance for Progress (CIAP) is now emphasizing in its country reviews that meaningful participation by the private sector in the planning process is highly important.

5. In May 1965, A.I.D. proposed that the Development Assistance Committee of the OECD include private investment matters in its activities. Representatives of the member countries are preparing a work program to: exchange information on investment incentives, coordinate public and private development efforts, improve statistics on private capital flows and study the overall effects of foreign private investment in selected developing countries. The Business and Industry Advisory Committee of the OECD will participate, to represent the private business firms of the DAC member countries.

A number of developments in recent months are of interest in relation to the Committee's discussion of the attitude towards private enterprise prevailing in less developed countries: In November 1965, Brazil and the U.S. concluded the final arrangements under which A.I.D.'s investment guaranty program, covering both political and extended risks, is now available to U.S. investors in Brazil. This is one aspect of a basic change in attitude in Brazil towards foreign private investment. Its potential significance is shown by the applications now on hand in A.I.D. for coverage in Brazil—they total over $200 million in potential investments. Another example of the changed attitude is the decision of the Brazilian Government to permit certain iron ore and petro-chemical projects to be handled by private industry in association with foreign investors.

The governments of Tunisia and Ceylon are now making real efforts to attract foreign private investment. Chile and Bolivia have enacted improvements in their investment laws. India has made significant changes in its policies affecting private enterprise in the fertilizer industry. To facilitate investment in this field the government has announced that it will remove price controls, permit distribution to be handled by private firms, streamline project clearance, allot foreign exchange for materials imports and help to underwrite Indian capital in private joint ventures.

SECTION 2: THE FLOW OF DIRECT INVESTMENT

Recommendation No. 1: Status as of February 1966

"We recommend that *AID select a number of key aid-receiving countries* for intensive study of factors which may improve the investment climate; that such studies enlist the help and advice of the appropriate business communities concerned; that an explicit

program be developed for the improvement of the climate in those countries studied; and that, wherever the foreign aid program offers some effective opportunity for the improvement of such climate, the opportunity be used to the full."

By September 1965, A.I.D. had selected six countries for the study—Korea, Brazil, Thailand, Tunisia, Turkey and Chile. Instructions have emphasized: give the studies priority; consider the climate for local private investment as well as factors of special significance to foreign investment; involve both the local and foreign business communities in the studies; the desired product is not the study but a plan to improve the climate for private economic activity.

The Korea Mission started its study in October. Since several members of the strong private enterprise team in Taiwan had been transferred to Korea to build up Korea's private enterprise program, Mission personnel only were assigned to the job. The Mission's outline of its plan of work is attached as an example of the scope of these studies.

In performing its task, the team held many discussions with the Korean Businessmen's Association, a representative group of prominent men in industry and commerce. The report is expected by February 15, and the proposed actions will be reflected in Korea's country program submission due April 1.

Brazil's study was started by Mission personnel and supplemented by a consultant's report submitted in December. The Mission's official report will be based on this work, and is expected February 15.

Thailand retained a consultant who arrived at the Mission in January. He will transmit a status report on March 1, at which time we can establish a date for submission of the final report containing the survey generated action programs.

During November and December 1965, an A.I.D. consultant made a study of the investment climate in Tunisia. We received a preliminary report in late December. Arrangements are being made for a team representing one of the leading Edge Act Corporations to go to Tunisia shortly to look for new investment projects. (This plan is described more completely under Recommendation No. 4.) Their primary interest will be to work out actual investments, but while they are doing this, they will also be used to check the results of the consultant's study and, on the basis of this live experience, to propose specific actions for the A.I.D. program.

The study in *Turkey* is susbtantially far ther along than the others. In May and June of 1965, A.I.D. decided to do a study of industrial development—particularly private development—in Turkey. This study, as was the case with many other agency actions in this field during this period, emerged from the normal planning processes of the Agency, but was directly influenced by the discussions of the Committee. As the study progressed, and the Committee's recommendations were released, it became clear that it covered material called for by this recommendation.

During the summer and fall of 1965, a team gathered information which was used as a basis for a series of decisions made by the Mission in October of 1965. In preparation for this, A.I.D. representatives who were to participate in making these decisions met with the NAM Task Force on Private Enterprise in Foreign Aid to discuss the investment climate of Turkey. The principal decisions made were:

To work towards liberalization of controls on imports of raw materials and machinery for the private sector.

To help the Turks develop major projects in the private sector.

To encourage the Turks to carry on a rational infrastructure plan that will support private enterprise development needs.

To devise means of extending credit availability to areas outside Instanbul.

To work toward increasing the capability of Turkish institutions rendering credit, engineering, training and consultant services to the private sector.

Since that time, senior Mission personnel have worked to find private sector projects for possible financing. This campaign has turned up a substantial number with high investment content.

A full report on these activities is expected from the Mission this month.

The Chile study is to be done by a team of expert consultants. This team has not yet been put together. We have set a March 1 deadline for the design of this study and the contracting of consultants to execute it.

As the results of these pilot country studies become available, we expect to apply ideas and methods that have proven to be useful on a broader basis to other countries.

Recommendation No. 1: Status as of July 1966

A.I.D. has received investment climate studies made by the Missions in Brazil, Thailand, Korea and Turkey. While preliminary in nature, they are a useful first step toward eventual studies in depth of the private sectors in these countries. More important, they bring out some of the more serious impediments to private investment, which can and should be attacked in the near and intermediate future, pending elaboration of broader, longer term plans. A.I.D. has already set up high level committees for two of these countries and expects to set up similar committees for each country to be studied. These committees will, on a continuing basis, follow through on the studies made and to be made and their implementation, along the lines suggested in Recommendation No. 1. The results of the studies will begin to be reflected in Country Program submissions for FY 68.

Recommendation No. 2: Status as of February 1966

"We recommend that the United States Government accept in principle the concept of international arbitration; that it ratify the proposed International Convention for the Settlement of Investment Disputes; and that it seek to secure its ratification by others."

The U.S. Government does accept in principle the concept of international arbitration.

Secretary Fowler signed the International Convention for the Settlement of Investment Disputes on behalf of the United States on August 27, 1965. Submission of the Convention to Congress for ratification during the present session is expected.

As of January 3, 1966, thirty nations, including an encouraging number of less developed countries, had signed the Convention. No Latin American State has yet signed. One ratification, that of Nigeria, has been deposited. The Convention will come into force after ratification by twenty nations.

Recommendation No. 2: Status as of July 1966

On June 10, 1966, Congress ratified the International Convention for the Settlement of Investment Disputes under which a center will be set up within the International Bank for Reconstruction and Development to handle such controversies. The United States deposit of ratification brought the total of ratifying nations to 7 out of a total of 43 signatures. U.S. support and ratification should be the impetus needed to arrive at the total of 20 ratifications necessary for the Convention to come into effect.

Recommendation No. 3: Status as of February 1966

"We recommend that the United States Government lend its full support to the principle of *an investment code under international sponsorship;* and that as part of such a code the United States be prepared to accept a reasonable statement of the obligations of investors, to accompany a statement of the obligations of host countries."

The U.S. Government has actively participated in the preparation of one code of this kind—the OECD draft Convention for the Protection of Foreign Property. The United Nations and the Inter-American Committee for the Alliance for Progress are both in the early stages of developing a statement of principles of this kind. We agree with the Committee about the kind of statement the United States should be prepared to accept. *No significant support for the OECD draft Convention has yet appeared among the developing countries.* As a result, the possibility of adoption of such a code appears slim for the present.

Recommendation No. 3: Status as of July 1966

The United States has stated before the OECD Council that it approves and is ready to sign the Convention for the Protection of Foreign Property.

Recommendation No. 4: Status as of February 1966

"We recommend that both the United States Government and private organizations assist the less developed countries in undertaking *large scale programs of market studies and feasibility studies,* to be used as part of a campaign in engaging the interest of prospective local and foreign private investors. In view of the need for persistence and continuity in the promotion of any given project, the *generating of such studies should be the prime responsibility of local entities,* such as a development bank or well-equipped ministry, motivated and equipped to maintain a follow-up campaign from the stimulation of an initial interest by investors to the final act of establishment. If necessary, the contracting of foreign technical assistance should be included. AID financing should be predicated on significant contributions by the local institutions but *might include the costs of a substantial effort to 'sell' proposals in face-to-face contact with enterprises in the United States.*"

A.I.D. agrees with this recommendation in general.

A.I.D. shares the view of the Committee that local entities such as development banks have a major role to play in project identification and promotion. For example, we are now considering an increase in our technical assistance to the Industrial Development Bank of *Pakistan* for the specific purpose of increasing the Bank's capability to promote private sector activity.

On January 31, 1966, A.I.D. signed a $3,000,000 loan agreement with COFIEC, a newly established private development bank in Ecuador. The new bank was organized by Ecuadoran businessmen and bankers and has $1,000,000 subscribed capital from numerous U.S., foreign and Ecuadoran private banks, companies and individuals. It will be staffed to seek out investment opportunities and bring them to the attention of potential investors. The A.I.D. loan will supply investment capital and finance feasibility studies, as well as technical assistance to the ultimate borrowers. It will provide medium and long term credits at 8% to private industry, a sector previously not served by private banks in Ecuador.

Last fall a new Office of Promotion and Assistance to Private Enterprise was established within the Guatemalan National Economic Planning Council. Although Guatemala has had a highly successful industry

productivity center, little, if any, efforts were being directed toward identification and promotion of new investment. A.I.D. is providing, through a November 1965 contract with a Puerto Rican consulting firm and its own personnel, technical and advisory services to this new entity that will make it a one stop center of investor information, feasibility studies and aggressive promotional activities.

The A.I.D. loan to Brazil, authorized October 1965, is also relevant. It is to finance feasibility studies for both the private and public sector. It includes the provision of technical assistance to a newly established central agency and several related sub-lending agencies which will make the loans for the studies. The loans for private projects will be made to potential investors, so that the need for independent promotion is minimized. The loan will not only generate projects suitable for international financing but, notably, will create an institutional capacity to perform studies within all the Brazilian agencies involved.

A U.S. contractor is now making a preinvestment survey of the petrochemical sector in Korea which is expected to identify a number of private projects. American firms and banks are following the survey with great interest.

Joint arrangements now being worked out between A.I.D., a leading financial instiution, the *Tunisian* Chamber of Commerce and a Tunisian development bank, are an imaginative blending of resources bearing on the identification and promotion of investment opportunities. The banking representatives will provide financial know-how and provide personnel in Tunisia to coordinate with Chamber personnel in selection and promotion techniques. After collecting selected projects bearing approval of the Government of Tunisia and backed by pledges of local financing if necessary, the banking team will promote these projects through its U.S. banking connections, being prepared to lend or invest in them for its own account.

Plans are being made to apply this technique in other countries.

In March 1965, A.I.D. contracted with the International Marketing Institute of Cambridge, Massachusetts, to make an overall survey of export promotion services. This intensive survey is in its final phase and its findings should provide A.I.D. with a set of guidelines with which to help the less developed countries build productive export programs.

A task force has been set up by State, Commerce, and A.I.D. to review and evaluate the current programs of commercial, trade and investment reporting. The work of the Committee is well advanced and recommendations for improvement are expected soon.

A.I.D. is clearly involved in a lot of work of the general type recommended by the Committee: feasibility studies to be marketed by major consulting firms, market studies, the statutory program of investment surveys, financial and technical advisory support to local development banks and other institutions, promotional efforts by investment centers, etc. These activities represent the deployment of substantial resources, but *we have concluded that we need to learn more about their comparative efficiency.* To do this we are organizing an evaluation project. Planning of this project is underway. We expect the work to begin by March 1, 1966.

Recommendation No. 4: Status as of July 1966

Promotion of Projects

Pursuant to the recommendation that more data be gathered and more companies "sold" on the opportunities now prevailing, A.I.D. has done three things. It has intensified its call for more prefeasibility studies from the Fomentos in Latin America and from its missions in Africa and in the Near and Far East. It has initiated major experiments in new promotional techniques for two of the assisted areas. And, it has retained, for purposes of catalysing discussions here in Washington, a consultant for industrial promotion.

To accelerate the identification of projects, economists have been sent to Central and South America, and to selected countries in Africa and South Asia. Under the direction of an American industrialist with long experience in Latin America, a new approach to industrial promotion, using contractors whose knowledge and contacts relate to specific areas of industries, is being applied to the Latin countries. A correlative experiment in Africa is emphasizing the use of Edge Act Corporations both for identifying opportunities and for bringing them to the notice of their industrial clients. The latter program now involves banks in six major American cities. The projects specifically being considered include large-scale cattle raising in Kenya, paper production in Malawi, and a massive, mixed nucleus farm in Tunisia. Lastly, through a series of meetings attended by industrial and capital development officers from each of the regional offices, an effort is being made to develop a set of techniques, or methodology which can be commended to all of A.I.D.'s missions abroad. Through this combination of intensified action, experimentation, and analysis, A.I.D. is moving steadily toward a more effective method for encouraging American private investment in "the less developed countries."

Recommendation No. 5: Status as of February 1966

"We support the proposals under consideration by the Congress which would: (1) raise the $2.5 billion statutory ceiling on the guaranties against inconvertibility, expropriation and military hazards to a new level of $5.0 billion; (2) relax the statutory requirements for enterprises eligible for guaranty, to permit the coverage of foreign corporations jointly owned by more than one U.S. company; (3) relax the 20-year statutory limitation on the life of guaranties; and (4) permit AID to use income from the guaranty program not only for the management and custody of assets but also for certain other operational costs associated with the guaranty program.

"We urge in addition (5) that enterprises be permitted to insure comprehensively for all three categories of risk, rather than for each risk separately, thereby reducing the total amount of insurance coverage required; and (6) that consideration be given to a reduction in the rates applicable to such insurance so that the coverage of two specific risks costs ¾% rather than 1%, and the coverage of three specific risks costs 1% rather than 1-½%."

In the Foreign Assistance Act of 1965, signed by the President on September 6, Congress adopted the proposals covering points 1 through 4 although the 20-year limit on guaranties was relaxed only for loans. In analyzing points 5 and 6, A.I.D. will make a number of changes. If the National Advisory Council on International Monetary and Financial Problems approves, A.I.D. will: offer a combined war and expropriation coverage at a combined premium rate of ⅞%; reduce the premium for convertibility coverage from ½% to ¼%; reduce the fee for standby coverage from ¼% to 1/10%.

Recommendation No. 5: Status as of July 1966

After approval by the National Advisory Council on International Monetary and Financial Problems, A.I.D., on March 15, 1966, announced that combined war and expropriation coverage is now offered at ⅞%; that the convertibility premium has been reduced from ½% to ¼%; and that the fee for standby coverage is reduced from ¼% to 1/10%.

Recommendation No. 6—Status as of February 1966

"We recommend *an expansion of the extended risk guaranty.* In undertakings in which businessmen are willing to risk as much as 25% of the total investment on a junior basis, *an amount not to exceed 75% of the investment should be eligible, upon approval by AID, for a 100% extended risk guaranty.*

"To permit adequate opportunity for the development of such programs, we recommend that the *statutory authority* to issue housing and extended risk guaranties *be prolonged to June 30, 1969.* We recommend also that *the $25 million guaranty limit in connection with loans and the $10 million limit in connection with other investments be removed.*

The Administration's proposed Foreign Assistance Act of 1966 requests an expansion of authority to issue Extended Risk Guaranty contracts from the effective current availability of $175 million to $300 million. This authority would be available for *five years.* A.I.D. has altered its policy concerning 100% coverage to meet the Committee's recommendation *in part,* although it has not yet applied the full recommendation. Subject to approval by the National Advisory Council, A.I.D. is now offering to give direct 100% guaranty coverage to long-term lenders, provided other financing (presumably shorter term) is furnished by banks or other financial institutions equal to 25% of the loan financing. This would give institutional lenders the full 100% coverage which they require and which the Committee recommended. *It varies from the Committee's recommendation by seeking to bring a short-term lender into the picture at risk.*

At the same time A.I.D. is considering a reduction in fees in order to make the cost of money raised under this program more attractive, and to reduce the burden on the developing country's balance of payments. (The U.S. balance of payments is protected by a requirement for U.S. procurement.)

Six projects are now in the stage of active negotiations on this basis with good prospects of realization this year.

The Committee also recommended removal of the $25 million guaranty ceiling on loans; Congress enacted this provision in 1965. Congress also enacted the recommendation to remove the $10 million limit on other forms of investment, but extended the statutory authority to issue these guaranties to June 30, 1967, rather than June 30, 1969, as recommended by the Committee.

Recommendation No. 6: Status as of July 1966

A.I.D. now offers to long-term institutional lenders a direct 100% guaranty when other financing (generally shorter term) is furnished by banks or other private financial institutions equal to 25 percent of the loan financing. This gives institutional lenders the full 100% coverage they require and which the Committee recommended. A Standard Form Guaranty to be used in such cases has been completed, and we expect to issue guaranties on this basis for several projects shortly.

The reduction of fee is still under active consideration. Minor modifications have been embodied in the current Senate and House Foreign Aid Bills in the legislative provisions about both specific and extended risk guaranties.

Recommendation No. 7: Status as of February 1966

"We recommend that the United States Government urge the World Bank and the Inter-American Development Bank to ex-

plore further the feasibility of setting up *a guaranty system* which would selectively indemnify both locally-owned and foreign-owned enterprises in the less developed countries against the effect of a *devaluation*."

A.I.D. has forwarded this recommendation to the National Advisory Council for International Monetary and Financial Problems for its consideration as coordinator of U.S. policies on international matters of this kind. It will develop a U.S. position to guide the U.S. Executive Director of the World Bank. It has also been discussed informally by A.I.D. with the Bank's staff.

Recommendation No. 7: Status as of July 1966

The Executive Directors of the World Bank have extensively considered the establishment of a multilateral investment guaranty system. In their deliberations it has become quite clear that they do not at this time wish to establish a guaranty system which would indemnify private investments against the effect of devaluation and such approach has been specifically rejected. However, much progress has been made in connection with the multilateral investment guaranty system.

The Bank Staff is currently preparing a draft charter for a proposed Multilateral Investment Guaranty Corporation based upon positions taken by the Committee during meetings which on balance favored the Corporation's establishment as an affiliate of the Bank. It is presently planned to submit the draft charter to the Committee prior to the next Annual Meeting of the Bank and hold further discussion toward the end of the year.

This progress toward adoption of a suitable charter and the ultimate establishment of a corporation which would issue guaranties against political risks on private investments originating in capital exporting countries which join the Corporation in enterprises in particular lesser developed countries is highly encouraging since an institution providing this function will be another means of mobilizing additional private resources into the LDC's.

Recommendation No. 8: Status as of February 1966

"We recommend that the United States Government support both wholly-owned and jointly-owned enterprises in the less developed countries, and that it avoid any doctrinaire position on the issue.

"We recommend further that where the prospective investor has legitimate concerns regarding the nature of the arrangement proposed by the host government, and wishes to enlist the support of the United States Government in expressing these concerns to a host government, the United States Government should consider sympathetically the possibility of lending such support."

A.I.D. has no formalized policy requiring insistence on joint ownership in any given situation. We do see many advantages to jointly owned enterprises in less developed countries, and, wherever this is feasible and realistic, tend to favor them. At the same time we are aware that this type of ownership can create problems for the U.S. investor. In our discussions with business, we find a divergence of views. Although our policy is not doctrinaire, our attitude in specific cases should be based on a thorough understanding and the best available information. Accordingly, we expect continued consultation with business on this subject. On February 11, 1966, it will be reviewed at a meeting of the Advisory Committee on International Business Problems (the Randall Committee), when individual companies with particular problems in this area will present their views and experiences to the Committee, along with representatives of State, A.I.D. and Commerce.

Recommendation No. 8: Status as of July 1966

Subsequent to the discussion of the Government's policy towards joint ventures which took place at the February 11, 1966 meeting of the Advisory Committee on International Business Problems (the Randall Committee), guidance on this question was sent to all U.S. Missions overseas by the Secretary of State. The message reaffirmed that the U.S. Government has no doctrinaire policy requiring insistence on joint ownership. Government officials were advised to point out to American companies the advantages and disadvantages of the joint venture approach in a particular country or industry situation. However, the final determination is the sole responsibility of the American company involved.

Recommendation No. 9: Status in February 1966

"We recommend that the United States tax laws and regulations be amended so that the United States taxpayer's right to offset losses in subsidiaries against taxable income from other sources would be the same for subsidiaries in less developed countries as it is for subsidiaries in the United States."

Consultations with Treasury and expert private tax counsel lead us to question the advisability of adopting this recommendation. The Department of Treasury believes that the proposal would permit distorted allocation of profits and create double deduction for losses. Private experts have emphasized that a rule permitting current deduction of losses but no current taxability of earnings runs counter to generally accepted rules of taxation. They have also emphasized the complexity of enforcement problems which would be faced by the Internal Revenue Service. We will continue our consideration.

Recommendation No. 9: Status in July 1966

Further consideration has led us to conclude that it may be possible to develop legislation along these lines which would operate as an effective incentive to U.S. investors while at the same overcoming the objections which have been voiced in the past. We are developing a proposal for consideration by appropriate government officials.

Recommendation No. 10: Status in February 1966

"We recommend that the United States Senate accept the provisions of the United States-Thailand tax treaty which would apply a 7 percent investment credit to United States-owned investment in Thailand.

"We recommend also that the United States Government take steps to apply the same treatment to investment in other selected less developed countries, either by legislation or by treaty."

The tax treaty with Thailand and a treaty with Israel containing a similar provision were submitted to the first session of the 89th Congress. A Subcommittee of the Senate Foreign Relations Committee held hearings on the bill but action was not completed prior to adjournment. A number of Administration witnesses, including the Assistant Secretary of State for Economic Affairs, testified in support of the treaties. Although some opposition has been voiced, it is hoped that action will be completed during the current session of Congress. Negotiations with other countries have been started.

Recommendation No. 10: Status in July 1966

The United States has signed tax treaties containing a 7% investment credit clause with Thailand and Israel and has concluded a similar treaty with India which is awaiting signature. It is negotiating a treaty with Brazil (which is expected to a considerable extent to be a forerunner of treaties with other major Latin American countries), Trinidad and Tobago, and Korea—all of which involve the investment credit clause.

The full Senate Foreign Relations Committee is expected to consider the Thailand treaty in the near future. A Subcommittee which conducted hearings on the treaty has expressed some reservations on the 7% investment credit provision.

Recommendation No. 11: Status in February 1966

"We recommend the enactment of a proposal for a tax credit equal to 30 percent of the investment by United States investors in productive facilities in less developed areas, to be applied against the total United States tax liability of such investors."

In his remarks to the Advisory Committee in August 1965, the President said: "We have already made certain recommendations—both in tax treaties now before the Senate and in my foreign aid message—for using tax measures to encourage private investment in the developing countries. I am certain that the Congress, in its consideration of this subject, will give weight to the views of this Committee."

The submission of this tax credit proposal is currently under review by the Executive Branch.

Recommendation No. 11: Status in July 1966

No change.

Recommendation No. 12: Status in February 1966

"We recommend that the encouragement to investment offered by such *tax-sparing measures* in less developed countries should not be negated by United States tax laws."

Although the principle of tax sparing was incorporated in a tax treaty with Pakistan negotiated several yeras ago, the treaty was withdrawn by the Administration as a result of a basic change in policy. Tax sparing is disadvantageous to the developing country because it encourages rapid repatriation of profits. (It is only when the profits are brought back into the U.S. that the investor derives a direct U.S. tax benefit.) Further, tax sparing gives the greatest benefits to U.S. investors in countries with the highest rates of local taxation and gives local tax authority the power, in effect, to set U.S. tax levels.

Recommendation No. 12: Status in July 1966

No change.

Recommendation No. 13: Status in February 1966

"We recommend that the United States Government, working through its bilateral treaties of establishment, through the mechanisms provided by the OECD, or through other appropriate means, *widen and strengthen its collaborative practices with other governments in the antitrust field*. Wherever the activities of such governments seem likely to raise the problem of multiple standards and jurisdictional conflict in the application of antitrust policies, a major objective of the collaboration would be to reduce the uncertainty of the businessman concerning the jurisdictional authority and antitrust standards which would apply in his overseas activities."

The Department of Justice has been advised of this recommendation and, with the State Department, is taking an active part in the work of the Restrictive Business Practices Committee of the OECD, assisted by the Federal Trade Commission, the Department of Commerce and the Office of the Special Representative for Trade Negotiations. In November 1965, the U.S. proposed that the OECD sponsor a system of bilateral consultations. The proposal will be considered further in future meetings. Justice and State officials have conferred this year with

officials of Canada, the United Kingdom, the European Economic Community and Japan on antitrust matters. An active and successful Antitrust Modification and Consultation Procedure is in operation between the U.S. and Canada under which current consultations are held and advice is given prior to the institution of antitrust actions affecting the other country's interests or nationals. The Departments of Justice and State are seeking to expand cooperation with other nations in this field in order to prevent conflicts with other national laws and develop a common approach to antitrust law.

Recommendation No. 13: Status in July 1966

The Subcommittee on Antitrust and Monopoly held extensive hearings April 20–29, 1966 on the broad range of questions covered by this recommendation.

The United States Government has announced that it favors in principle the OECD Draft Agreement on Restrictive Business Practices Affecting International Trade, dated May 1966, and favors opening it for signature by OECD members.

The Departments of Justice and State continue their efforts to further expand and improve international cooperation in this field in order to prevent conflicts with other national laws and develop a common approach to antitrust law.

SECTION 3: THE FLOW OF FINANCE CAPITAL

Recommendation No. 14: Status in February 1966

"We recommend that the Federal Reserve Board amend its recommendations to United States banks so that the restrictive effects on loans to less developed countries are eliminated."

The official statistics have shown substantial availabilities for credits to the less developed countries within the overall lending ceilings. It is possible that these availabilities are not in the institutions which do business in the developing countries, but to date the evidence of curtailment of lending to developing countries has not been sufficient to cause a policy change.

The guidelines were recently amended to make it possible for banks which heretofore have had little or no foreign lending activity to make some foreign credits.

The proportion of the total new foreign lending which has gone to developing countries has sharply increased since the Federal Reserve guidelines were issued in March 1965, but total lending to both developed and developing countries has decreased sharply. It is this decrease which concerns us now, and we are following the situation closely to be ready to act if called for. In specific cases, if financing is needed but not available because of the guidelines, procedures exist to consider relief if needed.

Recommendation No. 14: Status in July 1966

No change.

Recommendation No. 15: Status in February 1966

"We recommend that a large-scale program of assistance be expanded for the development and improvement of local financial institutions in support of private and cooperative enterprises in the less developed countries; and that the program draw heavily not only on the expertise of the United States and other advanced countries, but also on expertise in countries whose institutions may be more relevant to those of the less developed countries. Presumably, such a program could be conducted not only through the auspices of public international agencies such as the Organization of American States and the United Nations specialized agencies, but also through private organizations such as those in the cooperative and labor fields which have the necessary experience and interest."

A.I.D. considers this recommendation to be of major importance, and is addressing it in a number of ways. The studies made in response to Recommendation No. 1 will suggest specific projects. A.I.D.'s programs of capital and technical assistance to intermediate credit institutions should continue to support the goals of this recommendation.

A July 1965 message from AID/Washington to each Field Mission emphasized the significance of soundly conceived and well administered legal institutions responsive to modern developmental needs, encouraged the Missions to review their existing programs aimed at improvement of legislation and public administration and, as appropriate, to propose new efforts and projects in this field. The legal institutions of a number of developing countries as they affect the forms and ways in which business is conducted are now being analyzed.

A survey of the operations of the Brazilian stock exchange, made by experts from the SEC and the American Stock Exchange, has just been completed under an A.I.D. contract authorized in August 1965. Its recommendations have been welcomed by Brazilian authorities and appropriate technical assistance will be provided this year.

On February 15, 1966, a former Vice President of a leading U.S. investment bank, now an IESC volunteer, is going to Taiwan at the request of the China Development Corporation to undertake a similar study of the Taiwan Stock Exchange.

Turkey has been showing a more sympathetic attitude toward the private sector recently, particularly toward enterprise in mining and fertilizers. Suggested changes in the mining laws are being prepared with the help of A.I.D. supported consultants.

Last year an intensive study was made of the Korean financial sector as part of the Administrator's review of specific sectors in selected countries. Evaluations were made of all the major financing institutions in the country and programs directed toward this sector were scrutinized. This exercise resulted in a strengthening of the Mission staff to include, among others, a Banking Advisor, an Agricultural Economist, the extension of contracts with accounting and management consultants to work within banks, savings and loan associations and other credit institutions, and renewed program emphasis on increasing the effectiveness of this sector.

The Committee's suggestion that the experience of other countries, whose institutions may be more relevant to those of less developed countries than the U.S., be looked to as a source of guidance and expertise, is welcomed. We believe that the rapid development of corporate and financial techniques in Japan and Mexico in recent years may be particularly relevant and intend to draw on this experience to the extent possible.

In November 1965, the Liberian Bank for Industrial Development and Investment (LBIDI) was established to provide medium and long term capital to private enterprise in Liberia. Capital amounting to $1,000,000 was subscribed and paid in by the IFC, the Liberian Government and several U.S. firms. A $2,500,000 loan has been granted by Germany. A.I.D. is contributing to the cost of management and is providing the services of a U.S. consulting firm for loan reviews on behalf of the LBIDI. This is an excellent example of the joining together of private and public multilateral support for a private enterprise directed lending agency.

A.I.D. loans for cooperative type projects, housing, electrification and agricultural credits, now total $565 million. An example is the loan, authorized by A.I.D. in June 1965, of $3,650,000 to the Chilean Cooperative Bank. These funds will be used for subloans to cooperative organizations throughout Chile for various productive purposes.

In FY 1962, A.I.D. committed $2.8 million in support of technical assistance for cooperative development. By FY 1965, this figure rose to $16 million. A.I.D. sponsored cooperative programs in 39 countries during FY 1965. Eighty-eight contracts with American non-profit and cooperative organizations were the backbone of this activity. Among these organizations were:

American Institute for Free Labor Development.

Cooperative League of the USA.

Credit Union National Association.

Farmers Educational and Coop Union.

Foundation for Coop Housing.

Fund for International Development.

International Coop Development Association.

International Coop Training Center.

National League of Insured Savings Associations.

National Rural Electric Coop Association.

These institutions have over 280 men serving in the field, stimulating and guiding the development of indigenous counterpart organizations.

The Committee's views have led us to plan a systematic evaluation of our efforts to determine if we are doing the right thing in the right places with the right amount of resources.

Recommendation No. 15: Status in July 1966

A.I.D. continues to put major emphasis on financial support of and technical assistance to intermediate financial institutions and cooperatives. It is acutely aware of the importance of private capital building in the LDC's and is working unremittingly to encourage it. It continues and will continue to make loans to such institutions, both in dollars and, where appropriate, in local currencies (Recommendation 17). These institutions have been of a variety of types: generalized, as industrial development banks and specialized, such as credit unions, housing banks, agricultural banks, etc. Some of these loans are conditioned on their being relent to specialized borrowers, such as agricultural cooperatives, small farmers, rural electrification co-operative systems, and the like. In making these loans A.I.D. seeks to encourage private ownership of these institutions. In these efforts, A.I.D. supplements the activities of international organizations, notably IBRD, which has always been very active in this field (e.g., a recent $17,500,000 loan to a private development finance company in Morocco).

Recommendation No. 16: Status in February 1966

"We urge the United States Government to approve a proposal to permit the IFC to borrow up to $400 million from the World Bank for investment in private enterprise in the less developed areas; and we urge approval of the provision eliminating the need for the guaranty of such transactions by governments in the country of investment."

Congress has now approved the proposal that the IFC be authorized to borrow up to $400 million from the World Bank. (The provision for host country guaranty had been eliminated sometime ago.)

The necessary amendments to the IFC's Articles of Agreement entered into force on September 1, 1965 after adoption by the IFC Board of Governors. The necessary amendment to the World Bank's Articles of Agreement came into force on December 17, 1965 after adoption by its Board of Governors and acceptance by the required number of member countries.

IFC is now a shareholder in 14 development finance companies in 12 countries. With its new authority, it will be able to play a substantially increased role in private sector development.

Recommendation No. 16: Status in July 1966

No change.

Recommendation No. 17: Status in February 1966

"We recommend that AID review its policies with a view to *widening the use of United States-owned local currencies;* and in that connection, that it give serious consideration to the greater use of those currencies for increasing the capital base of financial intermediaries of both the commercial and cooperative types."

A.I.D. has created a task force to study ways in which more U.S. controlled local currencies can be used to increase the capital base of various kinds of financial intermediaries. From FY 1957 through FY 1964, A.I.D. has channelled the local currency equivalent of $773 million to intermediate credit institutions, primarily to industrial, agricultural and housing banks.

U.S. Controlled local currencies are in excess of our requirements for other U.S. Government use in only ten countries. Of these, potential applications of the kind recommended by the Committee seem feasible in India, Pakistan and the United Arab Republic. A change in A.I.D. policy authorized in January of this year now permits the lending of Cooley funds to U.S. banks overseas and their affiliates to be used for sub-loans to private borrowers. This channels local currency to the small investor who needs it and assures that control management of the lending operation funds is in competent hands. We have already authorized three such loans to a U.S. bank in Pakistan and are considering others in India.

Recommendation No. 17: Status in July 1966

No change. See No. 15 above.

Recommendation No. 18: Status in February 1966

"We urge the Administration to consider the possibility that any United States *tax credits* extended by treaty or legislation to the direct investments of United States investors in less developed countries, such as the 7% and 30% credits proposed in Section 2, also *should be extended to the portfolio investment of United States corporate or institutional investors,* wherever such investments meet the eligibility criteria which would apply to direct investments."

We are reviewing this recommendation as part of the overall analysis of fiscal incentives referred to in the discussion of Recommendation No. 11.

Recommendation No. 18: Status in July 1966

No change.

Recommendation No. 19: Status in February 1966

"We recommend that AID tailor its specific risk guaranties to permit their easier availability to United States buyers of selected issues of foreign private enterprises. Among the possibilities which AID should explore is: arranging for the application of such guaranties through negotiation and agreement with the underwriters rather than with the ultimate buyers, thereby sparing the buyers the cost and difficulty of direct negotiations and ensuring a wider United States market for the securities involved."

A.I.D. is advising the investment community of the advantages and problems of arranging for specific risk guaranty coverage with underwriters. Arrangements are being worked out. No statutory changes are needed, and this can be done. This coverage is feasible, although specific arrangements will have to be tailored to meet the requirements of different kinds of transactions. We believe this is understood by the firms that are active in the international financial community.

Recommendation No. 20: Status in February 1966

"We recommend that AID offer portfolio investors extended risk guaranties, combining risk-yield features which make selected securities of private enterprises in the less developed countries competitive with the alternative opportunities of such investors."

In our discussion of pending projects, we have proposed varying rates of return on early and late maturities and have attempted to interest institutional investors in something less than 100% coverage of risk. Thus far, we find them interested only in 100% coverage.

Recommendations Nos. 19 and 20: Status in July 1966

A.I.D. has recently drawn up a new form of specific risk guaranty contract for use in conjunction with extended risk guaranty contracts. This new form of contract is for use by lenders who are financial institutions or banks. It greatly simplifies the provisions involved and applies directly to the notes so that the guaranty contract is transferable and eliminates many of the difficulties in negotiations over a specific risk contract which might occur. The result should make specific risk guaranties much more easily available to U.S. buyers of certain kinds or notes of private enterprises abroad.

A.I.D. continues to explore possible applications of Recommendation No. 20. To date, however, we find that institutional investors are only interested in 100% coverage.

Recommendation No. 21: Status in February 1966

"We recommend that, in the administration of its aid programs in the less developed countries, United States representatives be instructed to subordinate other objectives to that of securing the economic and social development of the less developed nations. In this connection, it should be recognized that United States interests are usually best served by testing any project in these terms, rather than in terms of whether the project would affect the competitive position of particular branches of United States industry or United States agriculture."

The foreign assistance program is part of the total U.S. effort to achieve its foreign policy objectives. In general, we agree with the Committee's statement, recognizing, as does the Committee, that there may be cases where other policies and objectives may outweigh the objectives of pure economic development.

Recommendation No. 21: Status in July 1966

No change.

SECTION 4: DEVELOPING HUMAN RESOURCES

Recommendation No. 22: Status in February 1966

"We strongly urge AID, in reviewing and responding to a country's development strategy, to place major emphasis upon the planning, host country commitments to, and the execution of educational programs. In such programs, we urge AID to use every means to tap the rich resources in United States universities, labor unions, cooperatives, business enterprises, professional societies, and other non-governmental entities which have something to offer to the educational process."

A.I.D. fully endorses this recommendation. The desirability of increased emphasis on the place of education in the development process has been recognized by the President in the 1966 Foreign Aid Bill and in the proposed International Education Act of 1966.

Over the years a high proportion of A.I.D. loan and grant funds have gone into educational fields at all levels. Some 350 separate projects in the educational field are now underway, of which approximately 140 are being carried on by U.S. universities under A.I.D. funded contracts.

A.I.D. is attempting to ensure that all possible U.S. private resources be utilized in this field as well. For example, in Latin America 17 Worker Training Centers are being operated by the American Institute of Free Labor Development with A.I.D. funding support.

Recommendation No. 22: Status in July 1966

The Foreign Aid legislation now before the Congress strongly emphasizes educational programs. It, together with the pending International Education Act of 1966, demonstrates that the Administration fully shares the Committee's views.

Recommendation No. 23: Status in February 1966

"We recommend that, in selected cases, AID partially finance the sale of technical, professional or managerial assistance from United States organizations to entities in less developed countries, and that the subsidy contribute not only to the costs of the assisting enterprise but also to the costs of searching out and finding the appropriate source of such assistance."

A.I.D. shares the Committee's view of the importance of insuring an adequate transfer of technical information to enterprises in the less developed countries. There seem to us to be several possibilities for establishing or supporting institutions that can be called upon to carry out this proposal. The program of the International Executive Service Corps, a private organization which in its early years is receiving substantial funding from A.I.D., is very promising. In the fall of 1965, A.I.D. decided to continue funding this project at a substantial level for another year. The IESC is now operating in 20 less developed countries. Approximately 151 projects have been completed, are currently underway, or have had a volunteer assigned. The planned project level for Calendar Year 1966 is 250.

A.I.D. recently has asked VITA (Volunteers for Industrial Technical Assistance), also a non-profit, privately managed organization, to consider the possibility of VITA becoming A.I.D.'s principal source of technical industrial advice in response to inquiries generated from and through A.I.D. Missions.

In selected situations, A.I.D. is subsidizing part of the salaries of U.S. technicians engaged in improvement of operations in host country development banks. A typical example is the A.I.D. contribution which makes it possible for the Industrial Development Bank of the Sudan to maintain the services of a competent U.S. technician.

In Nigeria, A.I.D. has made it possible for the development bank to hire experienced U.S. personnel as loan application reviewers.

Taking the recommendation more broadly, A.I.D.'s technical and financial assistance to productivity centers, business and vocational schools and research institutes help fill the need for this kind of assistance.

A.I.D. loans usually provide for the hiring of technical experts from the private sector to act as advisors.

For example, the loan made in 1965 to two large chemical enterprises in Korea engaged in the manufacture of fertilizer, the Khinhae Chemical Company and the Yongnam Chemical Company, included the cost of U.S. engineering services as part of the loan. A loan to a private Brazilian cement company, authorized in August 1965, provides funds for engineering advice to the borrower.

Recommendation No. 23: Status in July 1966

A.I.D. does not believe that it is appropriate or administratively feasible to involve itself in the selection of particular commercial transactions involving the transfer of technology from a private U.S. firm to a private firm in a LDC which would receive special subsidy support. However, A.I.D. fully shares the views of the Committee on the importance of insuring an expansion of the transfer of technical, professional and managerial assistance. We believe that our efforts should be directed to supporting and strengthening institutional mechanisms which will increase the flow of skills and knowledge.

A.I.D.'s continuing support of the International Executive Service Corps is illustrative of this approach. Current IESC activity is summarized in the following table:

Summary of project activity (as of June 15, 1966)

	Completed	Active	Executive assigned	Other projects accepted	Total
Central America (74):					
Costa Rica	6	1	1	1	9
El Salvador		6	3	9	18
Guatemala				5	5
Honduras	3	1	1	5	10
Mexico				1	1
Nicaragua	6	1	4	7	18
Panama	8	1	1	3	13
South America (27):					
Bolivia				1	1
Brazil	7	1		7	15
Chile	1			1	2
Colombia	1		1		2
Paraguay				1	1
Peru	3		1		4
Venezuela	2				2
Middle East (56):					
Ceylon				3	3
India			1	1	2
Iran	12	7	3	14	36
Lebanon		1		9	10
Turkey			1	4	5
Africa (2):					
Ghana		1			1
Nigeria			1		1
Far East (50):					
Korea				2	2
Philippines	2	2	2	6	12
Singapore		1		4	5
Taiwan	5	1	2	2	10
Thailand	7	6	1	7	21
Total	63	30	23	93	[1] 209

[1] Total count does not include 17 projects which have been withdrawn.

The planned project level for the balance of the calendar year 1966 is 250.

Another illustration of the institutional approach is the current negotiations that A.I.D. is continuing with VITA (Volunteers for Industrial Technical Assistance), a nonprofit organization managed and directed by prominent businessmen and scientists, to provide a technical inquiry service directed primarily to the solution of problems confronting small and medium sized private businesses in the less developed countries.

A.I.D. hopes to enter into an agreement with VITA to provide funding support sufficient to permit the organization to sharply expand its activities.

Recommendation No. 24: Status in February 1966

"We urge AID to actively promote the development of *management schools and vocational institutions* in the less developed countries capable of generating the manpower needed for the management and operation of a society based on principles of private enterprise, cooperative ventures, and other non-centralized enterprise forms. We also recommend that AID survey the possibilities of more extensive use of facilities of American-owned subsidiaries and affiliates in the less developed countries for training purposes; and that it undertake to provide financial support, using local currency as available for such added training activities as these enterprises or other organizations might be willing to undertake with the use of these facilities."

We agree that the shortage of qualified management personnel is a serious obstacle to satisfactory economic development. Although we are supporting a number of management schools and vocational institutions, a broader effort is required. Our successes and failures are now being evaluated.

A three man team from the Harvard Business School supported by A.I.D. and headed by Mr. George Lodge, Director of International Activities, is in Tunisia now assessing the needs for a program to bring the Faculty of Business Administration and Economics of the University of Tunisia to an adequate scholastic level. The school was established under an original A.I.D. loan of $1,800,000 granted in 1963.

In Brazil, the Sao Paulo School of Business Administration, built through an A.I.D.-financed contract, is a successful management training institution with an outstanding reputation in Latin America.

We support the concept and activities of the International Center for the Advancement of Management Education, as well as other private groups. ICAME is in touch with some 55 business schools in 25 countries which have 4,000 full time graduate students, 35,000 undergraduate students and some 3,000 full or part time faculty members.

The American Management Association is assisting A.I.D. informally to investigate the possibility of greater use of American affiliated firms for training purposes and to help us develop an appropriate action program. Thus far, two firms have shown positive interest. Our tentative conclusion is that this kind of program can best be carried out by pooling the resources of several companies located in the same area.

Recommendation No. 24: Status in July 1966

A.I.D. continues to provide funds and technical assistance for the establishment, equipment and upgrading of management, vocational and trade schools. The importance of developing management and technical skills is emphasized in the country programs of virtually all A.I.D. missions, and they are conscious of the need to refine and improve on these projects. As recently as June 27, 1966, A.I.D. authorized a contract under which five members of the faculty of the Harvard Graduate School of Business Administration will initiate a five-year program for the creation of a Center for Advanced Management Studies in Tunisia. A.I.D. is continuing to canvass the possibility of using American-owned plants in the less developed countries for training purposes and is cooperating with the OECD in making a pilot survey of training activities in the LDC's of private firms. An interim report by the OECD secretariat suggests that there are real possibilities of expanding these efforts through government support of the private firms. A.I.D. believes that joint sponsorship of new institutions, such as accounting schools, by a group of foreign private investors is particularly promising and stands ready to consider appropriate government support.

Recommendation No. 25: Status in February 1966

"We recommend that AID and the Export-Import Bank review their present policies for extending guaranties and export credits to exports of technical and professional services destined for the less-developed areas, with the object of eliminating any remaining disparities of treatment between exports of services and exports of goods."

A.I.D. and the Export-Import Bank have reviewed their policies in response to this recommendation. The Export-Import Bank is the primary source of guaranties and credits covering export sales of technical and professional services. Early in 1966 it decided to increase its coverage for the export of technical services.

A.I.D.'s Specific Risk Investment Guaranty Program does not cover export sales; it covers long-term investments. However, contracts running longer than five years for the provision of technical and professional services, as well as patents, processes and other technical information, may be covered under A.I.D. programs provided the agreement is not a simple sale of services on current account or short payment terms. Exports of services which are contributed for an equity interest are also eligible for coverage.

Recommendation No. 25: Status in July 1966

The Export-Import Bank has recently indicated that it is prepared to give guaranty contracts against political risks for the equipment of construction contractors while it is abroad. A.I.D. has been willing to write such insurance for a considerable period of time.

Recommendation No. 26: Status in February 1966

"We recommend that AID finance increased research imaginatively related to the agricultural, industrial, educational and administrative needs of the less developed countries. In some of these fields, such as agriculture, education and administration, the research would no doubt have to draw heavily upon United States resources, of the sort that can be provided by universities, agricultural research institutions and the like; but the experimentation itself would usually take place in the less developed areas themselves and should be directed towards strengthening research institutions and capabilities within these areas. Defining the problems to be studied and identifying qualified research capabilities requires of AID considerably more skill and more effort to involve the less developed countries than has heretofore been characteristic. Some of this activity might be financed by United States owned local currency where available."

An intensive examination of the direction and administration of A.I.D.'s research program in agriculture, industry, education and administration has recently resulted in a reorientation of the program in the direction suggested by the Committee. Research objectives have been more sharply defined and a number of administrative improvements put into effect. For example, research institutions are being developed in the less developed countries. Illustrative is the current planning for an institute of industrial technology and applied science in Korea. Another example is a new combined research and agricultural extension field project in Brazil.

A.I.D., together with the Ford, Rockefeller and Kellogg Foundations, will join in an effort to upgrade the Colombian Agriculture Institute. The effort will be directed at improving research, extension and the support-

ing educational capabilities. A.I.D., through a contract with the University of Nebraska, will devote itself to bringing the curricula of three Colombian universities into line with the demands for trained technicians that will be occasioned by refinements in the research and extension organizations. It is planned to employ as many as 20 U.S. university professors in the three Colombian schools.

The Agriculture Research Committee of A.I.D.'s Office of Technical Cooperation and Research has approved a Mississippi State University seed production research proposal that is particularly relevant to several of the recommendations of the Report. The project will investigate the reasons why U.S. private seed producers have not expanded their production of seeds in the less developed countries and devise ways of encouraging them to do so. Included in the scope of work will be an intensive study of those factors now apparently acting as a disincentive to further investment in this field and the determination of what changes are in order. The study will be carried out in 23 countries and its deliberations would be assisted by an advisory committee of representatives of FAO and the foundations.

Recommendation No. 26: Status in July 1966

A.I.D.'s Research Advisory Council has recently commended the Administrator for sharp improvement in both the substantive content and administrative conduct of A.I.D.'s research program. Especially noteworthy progress has been made in the agricultural field.

A particular effort is being made to increase the research capabilities of institutions in the less developed countries. A good example is A.I.D.'s support of the newly constituted Korean Institute of Science and Technology. Broad scale support to the Institute is being provided by the Battelle Institute under an A.I.D.-financed contract.

Recommendation No. 27: Status in February 1966

"We recommend that AID assist in financing the development of appropriate nonprofit institutions in the less developed countries and that it finance the development of links between such organizations and their counterparts in the United States, through which technical assistance could be effectively provided. Assistance of this sort could take many forms, from such familiar activities as assisting educational institutions to supporting public forums and discussion groups. We see this activity, too, as a fruitful possibility for the expenditure of United States-owned local currencies."

A.I.D.'s assistance to existing voluntary agencies, guided by the Advisory Committee on Voluntary Aid, has produced excellent results. In many instances the programs of these agencies have changed from charitable operations to technical assistance efforts in a variety of fields. Community development and educational projects are being worked into the programs of the voluntary agencies in increasing numbers. At the field level a start is being made in unified planning between A.I.D. Missions and the voluntary agencies active in each country. Some Missions, Vietnam for example, now have a resident staff member working exclusively on such coordination.

A.I.D. has an increasing number of contracts with cooperative agencies, savings and loan associations, credit and labor unions, which are designed to encourage the establishment of counterpart organizations in the developing countries. The Report has further stimulated this trend. In addition, this recommendation will be given further consideration in connection with Recommendation No. 31.

Recommendation No. 27: Status in July 1966

See Recommendation 31.

SECTION 5: SOME ISSUES OF ORGANIZATION

Recommendation No. 28: Status in February 1966

"We urge the Congress to encourage not only well-conceived project loans but also well-conceived program loans in the administration of United States aid, especially when such program loans would stimulate the local private sector to a greater contribution in the process of social and economic development."

In FY 1966, to date, A.I.D. has authorized six program loans totalling $362,500,000. Disbursement of these loans is generally by installments. The release of each installment is conditioned on achievement by the recipient of specific economic performance criteria and reforms, many of which are designed to stimulate the private sector such as monetary stabilization measures and import control liberalization.

Recommendation No. 28: Status in July 1966

During Fiscal Year 1966 A.I.D. authorized 13 program loans totalling $822 million.

Recommendation No. 29: Status in February 1966

"We recommend that AID expand and improve its organization both in Washington and in the principal missions abroad so that it is appropriately staffed with persons who, by experience and competence, are capable of acting as an effective conduit between the private sector and the official aid organization. In this connection, we urge AID to take steps to establish a basis for co-opting men from the private sector for rotation back to their permanent organizations after a tour with AID."

Starting in 1962, A.I.D. has made a particular effort to respond to the concerns reflected in this recommendation. A number of experienced business executives have been brought into the Agency either as direct hire personnel or as consultants. Mission and Washington private enterprise organization is being continuously studied. Recently Korea and Thailand Missions have expanded their private enterprise staff and realigned certain other duties to bear more on private sector development. The Turkey Mission is planning to have a private enterprise officer resident in Istanbul.

In each of the principal missions one or more senior private enterprise officers have been designated. The Agency's Fiscal Year 1967 budget submission and Fiscal Year 1966 manpower allocations reflect an increase in mission direct-hire staffing for projects affecting private enterprise, and increased use of contractor personnel from private American institutions, although total Agency direct-hire staffing will remain virtually level through Fiscal Year 1967, except for Vietnam.

In Washington, the Africa Bureau of A.I.D. has split off private enterprise activities from the Capital Development Office. This new Office of Private Enterprise will report directly to the Assistant Administrator for Africa.

In the Bureau for the Far East and in the Bureau for Near East and South Asia, the functions of handling capital and technical assistance projects for stimulating the local private industrial sector and encouraging U.S. investment in less developed countries have been consolidated within a single unit headed by a senior officer. In the Bureau for Latin America, the region where lesser-developed countries' private sectors are most vigorous, there are separate units for housing and urban development, loans to private enterprise, cooperatives, labor and marketing programs.

To be fully satisfactory, a system of co-opting men from the private sector should protect accumulated pension rights and other fringe benefits derived from their permanent organization. However, this creates difficult to resolve conflict of interest problems. A.I.D.'s Office of Personnel, together with the General Counsel, are exploring possible solutions.

Recommendation No. 29: Status in July 1966

The sense of priority which the Committee's recommendations have given to the many facets of our private development programs has been and continues to be reflected in the allocation of positions in Washington and the field and all out efforts to attract the best men to fill them.

Recommendation No. 30: Status in February 1966

"We commend AID for its increasing use of contractors in the handling of specialized tasks and urge the Agency to extend this practice."

The trend towards the use of contractors in the handling of specialized tasks, noted with approval by the Committee, continues. Conversations with the investment banking community are currently underway to explore possible bases for contractor relationships for the purpose of identifying and promoting specific investment opportunities. This is an extension of the well established practice of using management consultant firms. As noted in other parts of this Report, the range of specialized tasks for which A.I.D. is turning to outside contractors in constantly being extended.

Recommendation No. 30: Status in July 1966

No change.

Recommendation No. 31: Status in February 1966

"We recommend that the Administration formulate specific proposals aimed at *creating one or more organizations which could increase the technical assistance commitments of private groups and in time more effectively administer publicly-funded technical assistance programs* in coordination with those which are privately funded. In view of the urgency of the problem, such proposals should be prepared in time for consideration and adoption in next year's AID program."

A task force within the Agency is in the process of evaluating: (a) A.I.D.'s current support of a number of private groups engaged in technical assistance; (b) those areas where A.I.D. purposes are not now adequately served and ways of strengthening the capacity of the professional community to serve them; (c) existing institutions which might provide the base upon which to build one or more autonomous groups as recommended in the Report; and (d) A.I.D.'s internal organization and method of dealing with the non-Federal technical assistance resources in an effort to improve this relationship.

The recommendation has also been discussed with the Advisory Committee on Economic Development composed of leading professionals in development economics and social science. The task force has begun a series of interviews with professional operating personnel and appropriate institutions and individuals outside the Government for their views. From these investigations will be drawn action recommendations for the Administrator.

Recommendation No. 31: Status in July 1965

The Agency has two evaluations underway related to both Recommendations 27 and 31:

1. An appraisal of A.I.D.'s internal structure for working with the increasing number and variety of non-government resources in the development program.

2. An evaluation of the mechanisms outside the Agency which are being used to encourage and enlarge the available resources—in the academic community, the business, industrial, labor, savings and cooperative fields.

As a result several tentative proposals have emerged. These will be considered by the executive staff at an early date and in

the light of new language included in the Foreign Assistance bills now before Congress.

Recommendation No. 32: Status in February 1966

"(1) We commend AID on its initiative in seeking the creation of a binational nonprofit foundation in India. We urge AID to press forward with this experiment as a matter of high priority.

"(2) We urge that, if initial indications are encouraging, the experiment be repeated in other countries where local conditions are favorable."

In the Message on International Education and Health of February 2, 1966, *the President said:*

"We have at our disposal excess foreign currencies in a number of developing nations. Where conditions are favorable, I propose that significant amounts of these currencies be used to support *Bi-National Educational Foundations*. Governed by leading citizens from the two nations, they would have opportunities much like those afforded major foundations in the United States to invest in basic educational development."

Recommendation No. 32: Status in July 1966

No change.

Recommendation No. 33: Status in February 1966

"We recommend that AID draw up a plan for staffing the recommendations proposed in this report, and that the Congress and the Executive Branch give sympathetic consideration to the AID proposals."

It is too soon to establish an overall plan for staffing the recommendations contained in the Report, and it is probable that this can best be done piecemeal, as work proceeds and different projects are worked out. The requirements of each Regional Bureau, Staff Office and Field Mission are constantly changing. However, the Committee's recommendations have created a sense of priority for this work which can be expected to be reflected in the allocation of positions and in an intensification of our efforts to attract the best men possible to fill them.

Recommendation No. 33: Status in July 1966

In addition to the central office of Development Finance and Private Enterprise, many other organizational units in A.I.D. are deeply involved in private sector development. The broad range of the Watson Committee recommendations cuts across our geographic and functional units. Accordingly, it has not proved feasible to draw up an over-all staffing plan keyed to each of the Committee's recommendations.

CONCLUSION

The Advisory Committee's Report is of real value to A.I.D. It is functioning as the framework for further development of private enterprise programs. Its words of encouragement are reassuring; its conception of what can be achieved will spur us to greater efforts.

ILLUSTRATIVE OUTLINE OF WORK IN RESPONDING TO RECOMMENDATION NO. 1—KOREA

[Department of State Cablegram]

To: AID/Washington.

From: AID Mission in Korea.

Subject: Private Enterprise Study.

1. USOM has reviewed in detail Watson Committee Report and Reference Airgrams. Study program to be undertaken in Mission devised against background accomplishments, current and planned activities.

2. Focus on investment climate improvement most timely and fits well into Mission strategy and program goals as set forth in recently submitted CAP. In fact such study recognized by USOM as integral part Mission emphasis on export development and modernization industrial sector. Many actions under these headings, as well as much of ongoing activities in public administration area bear directly on and are logical parts of program to improve investment problem.

3. In past year Mission has repeatedly brought to attention of ROKG and business leaders need for good investment climate for both domestic and foreign investment. After decade reconstruction and erratic but unspectacular progress, Korea past two years achieved relatively high rates economic growth, considerable reorientation economic policy in direction and ways conducive to improved investment climate. Past year ROKG taken number steps improve basic economic structure—floating of exchange rate, liberalized import procedures, stabilization measures which have diminished steady inflationary trend of recent years, liberalization of interest rates. Further improvements necessary include savings inducement, improved credit management, financial institutions restructuring, tax revenue improvements, promotion private sector. Also need continuous refinement stabilization measures insure price stability while investment and operating expenditures are met. Need wider Government acceptance value long-range planning, techniques to provide proper blending public, private development plans as vital factor for effective use domestic, foreign resources. In addition, significant positive factor is relative stability of Cabinet and Bureau Chiefs who have now been in office long enough to have gained confidence which in turn has resulted in increased ROKG attention to policy matters rather than expedients. Governmental stability also important to confidence of business community in word of Government. USOM notes improved Government-business relations, particularly where MCI involved. USOM feels accomplishments plus achievement goals cited should result in sharp change economic climate. Growing confidence country entering period accelerated growth.

4. Following studies to be conducted: (Some will require longer than 90 days to complete.)

A. Analysis all applicable business laws.

B. Survey existing financial institutions; effect on private investment.

C. Current participation businessmen in Government: at what levels business views heard; what degree response to legitimate business needs?

D. Study of and action needed to set up institution for aggressive investment promotion: structure, functions, location, staffing.

E. Definitive evaluation business education and training.

F. Survey labor practices, manpower availability, capabilities.

G. Analysis export and domestic marketing practices use of credit instruments.

H. Analysis recent business failures.

I. Current foreign investments Korea: how initiated problems encountered, how solved.

J. Procedural flow-chart of foreign investment from visa application to start of production.

K. Survey Korean business attitude re foreign investment.

L. Survey Japanese investment opinion re Korea.

5. In conducting studies plan utilize ROKG research capabilities, Government organizations and certain extent business community, as well as available Mission talent. Anton's mid-December arrival be most helpful this regard. Proceeding before October 30 to complete assignments and lay groundwork with ROKG and others for collaboration on study, will advise details. Success in enlisting ROKG energies will in itself be indicator of possible basic problem that while Korea preponderantly private enterprise country, traditional business-government relations characterized as adversarial. Government exerts heavy pressure on business while not providing in many areas services which Government should provide and at same time exercising self restraint necessary allow business make business decisions.

6. Suggest considerable benefit possible through exchange studies from other Missions result Watson Report. Also request AID/W study Korea reputation in U.S. investment community determine actions necessary improve Korea image to alter from popular concept of country engaged in hostilities in 1950s and on semi-permanent sick list. In addition, FYI all USOM divisions requested review proposed activities in latest E-IS to determine practical actions within scope each project area which can contribute to growth private enterprise and improvement investment climate.

AID'S ORGANIZATION IN SUPPORT OF PRIVATE ENTERPRISE

Responsibility in A.I.D. for encouraging and coordinating private participation in the developing process is shared by geographic and functional units at the central staff, regional bureau and field Mission levels.

Primary responsibility for promoting private American investment in developing countries rests in the central Office of Development Finance and Private Enterprise. This Office, headed by an Assistant Administrator appointed by the President, administers the Businessmen's Information Center, Catalog of Investment and Opportunities, and the Investment Survey, Specific Risk and Extended Risk Guaranty Programs. This Office also provides central leadership for the Agency's efforts to promote private enterprise, both local and foreign, within developing countries. In addition, this Office is concerned with the Agency's policies and procedures for dollar and local currency ("Cooley") loans to private borrowers. The Administration has assigned to the Office of Development Finance and Private Enterprise responsibility for coordinating the Agency's response to the recommendations of the Advisory Committee on Private Enterprise in Foreign Aid ("Watson Committee").

The Agency's other central staff offices also work closely with the U.S. private sector—with universities, foundations, voluntary agencies, labor unions, professional organizations and cooperatives.

At the regional level, each of A.I.D.'s four geographic bureaus has staffs to facilitate private sector activities. The Africa Bureau has a separate Office of Private Enterprise reporting directly to the Assistant Administrator for Africa. In the Bureau of the Far East and the Bureau for the Near East and South Asia, capital and technical assistance staffs responsible for stimulating the local private industrial sector and for encouraging private investment are located in a single unit headed by a senior officer. In the Bureau for Latin America, separate units have been set up for housing and urban development, loans to private enterprise, cooperatives, labor and marketing programs.

These capital and technical assistance staffs in the regional Bureaus, concerned with private enterprise, have their counterparts in A.I.D.'s Missions in the developing countries.

In its efforts to facilitate private participation in development, the Agency benefits from the advice and counsel of a number of advisory committees representing the U.S. private sector. These include the President's General Advisory Committee on Foreign Assistance Programs, the Advisory Committee on Aid-University Relations, the Housing and Urban Development Advisory Committee, the Cooperative Advisory Committee, Labor Advisory Committee on Foreign Assistance and the Advisory Committees on Voluntary Foreign Aid and Health Manpower. The General Advisory Committee

has established a separate Subcommittee on the Private Sector, chaired by David Rockefeller. This Subcommittee has a continuing interest in A.I.D.'s response to the Watson Committee's recommendations.

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

Mr. JAVITS. I yield.

Mr. MORSE. Is not the principle the same as the amendment that the Senator from Oregon cosponsored with the Senator from New York in the last 2 or 3 years?

Mr. JAVITS. The Senator is correct. That is what produced the Watson committee report. It is the landmark in this field. Now, we were taking it one step further and giving a President's Committee a statutory base and mandate to see to the implementation of the Watson Committee recommendation.

Mr. MORSE. Mr. President, I continue to support those objectives, and I associate myself with the proposal.

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

Mr. JAVITS. I yield.

Mr. CARLSON. Mr. President, I wish to state that I support the amendment of the Senator. I think that the language in the amendment strengthens the language in the present House bill. I think it would be helpful in securing additional supervision in the domestic and private industry section of the foreign aid bill. I think that we need it badly.

Mr. JAVITS. I thank the Senator.

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

Mr. JAVITS. I yield.

Mr. FULBRIGHT. With respect to the language of the Senator's amendment, I was under the impression that it was the same as the language of the other body.

Mr. JAVITS. It is, but they made a mistake in one word.

Mr. FULBRIGHT. What is the word?

Mr. JAVITS. They used the word "members" instead of the word "number." It is a typographical error.

Mr. FULBRIGHT. I thought it was the same.

Mr. JAVITS. In line with the explanation which the Senator from Kansas [Mr. CARLSON] made, when we do it here we are keying it directly to the Watson Committee report.

Mr. FULBRIGHT. I have no objection to the amendment. It is intended to be the same as the House of Representatives language.

Mr. JAVITS. The Senator is correct.

Mr. FULBRIGHT. Except for that word.

Mr. JAVITS. The Senator is correct.

Mr. FULBRIGHT. I have no objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New York [Mr. JAVITS]. (Putting the question.)

The amendment was agreed to.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. FULBRIGHT. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

(At this point, Mr. CLARK assumed the chair.)

Mr. McGEE. Mr. President, on behalf of myself and the Senator from Alabama [Mr. SPARKMAN], I am offering an amendment to the pending foreign aid authorization bill, S. 3584, to provide a 2-year authorization for the economic side of the foreign aid program, rather than the 1-year authorization which was reported from committee.

A similar amendment has also been proposed by Senators JAVITS, FONG, HARRIS, INOUYE, MOSS, and NELSON, who I understand will now want to add their names as cosponsors of the amendment Senator SPARKMAN and I are offering. We welcome their participation on the amendment to provide a 2-year authorization for the economic aid program.

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

Mr. McGEE. I yield.

Mr. JAVITS. Mr. President, this is a wise and objective lesson which demonstrates that we are not all tigers in pursuit of every headline that is around. We believe this measure would be best served from within the committee itself.

I have talked with the Senator from Wyoming [Mr. McGEE,], who suggested to me that he and the Senator from Alabama [Mr. SPARKMAN] would sponsor this amendment if it were agreeable to us.

I will consult with my cosponsors overnight, inasmuch as this has come up rather suddenly. On behalf of myself, as the principal sponsor, we do want to have it agreed to. We will have a chance to debate the issue as it goes along.

I am happy to join with the Senator from Wyoming [Mr. McGEE] and the Senator from Alabama [Mr. SPARKMAN] in this effort.

Mr. McGEE. I thank the Senator from New York. I shall not speak at length on the measure. I will speak with regard to the matter tomorrow when it is the pending business.

At this point I would explain that the amendment provides a 2-year authorization for every aspect of the economic assistance program. It does not affect the military assistance program which, of course, will be before the Senate in a separate bill at a later date.

I ask unanimous consent to have printed in the RECORD at this point a technical explanation of the amendment as well as the text of the amendment.

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

AMENDMENT FOR 2-YEAR BILL

This amendment (1) provides authorization for all assistance categories for 2 years, rather than 1, at the same authorization level for each year as that provided in the committee bill for the one year; (2) authorizes extended risk and Latin American housing investment guaranties for two more years, rather than 1; and (3) extends for 2 years, rather than 1, the requirement for the use of half of development loan and Alliance loan funds to encourage development through private enterprise.

The individual changes made are as follows (In several instances the amendment provides for striking "the fiscal year 1966," rather than striking "1966," as in the Committee bill, so that the language "each of the fiscal years . . ." may be substituted for "the fiscal year . . .", the plural being appropriate for a multiyear bill.):

Page 4, lines 5 and 6—Provides authorization for development loans for 2 years.

Page 4, lines 9 and 10—Extends requirement that not less than 50 percent of development loan funds be available to encourage economic development through private enterprise for 2 years.

Page 6, line 18—Provides authorization for technical cooperation and development grants for 2 years.

Page 6, line 22 and Page 6, line 23—Provides authorization for American Schools and Hospitals abroad for 2 years.

Page 7, line 16—Authorizes extended-risk investment guaranty program for 2 years.

Page 8, line 9—Authorizes the Latin American housing investment guaranty program for 2 years.

Page 10, lines 11 through 17—Provides authorization for the Alliance for Progress for 2 years.

Page 10, lines 19 through 21—Extends requirement that not less than 50 percent of Alliance loan funds be available to encourage economic development through private enterprise for 2 years.

Page 13, line 4 and Page 13 line 5—Provides authorization for the use of not to exceed $50 million of funds made available under the Act for purposes of the Southeast Asian Title for each of the next 2 years.

Page 14, line 2 and Page 14, line 3—Provides authorization for international organizations and programs for 2 years.

Page 14, line 22 and Page 14, line 23—Provides authorization for supporting assistance for 2 years.

Page 15, line 5 and Page 15, line 6—Provides authorization for the contingency fund for 2 years.

Page 21, line 3 and Page 21, line 4—Provides authorization for A.I.D. administrative expenses for 2 years.

Page 21, lines 6 and 7—Provides authorization for State Department administrative expenses for 2 years.

The PRESIDING OFFICER. Does the Senator call up his amendment?

Mr. McGEE. Mr. President, I call up my amendment.

The PRESIDING OFFICER. The Chair asks unanimous consent that the Senator from Pennsylvania [Mr CLARK] may be joined as a cosponsor of the amendment.

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

Mr. McGEE. Mr. President, on another matter——

Mr. FULBRIGHT. Mr. President, that is out of order.

Mr. JAVITS. Mr. President, I think, if the Senator would yield to me, that the regular order would be served if I asked unanimous consent that the Senator from Pennsylvania, who happens to be presiding in the chair at this moment, may be joined as a cosponsor of the amendment.

Mr. McGEE. Mr. President, it was my understanding that no Senator, even presiding in the Chair, could be deprived of his rights.

The PRESIDING OFFICER. That is what the Chair understands, but in view of the amenities of the situation, the Chair has no objection to permitting the Senator from New York to make the request, and without objection, the request is granted.

The clerk will report the amendment.

The legislative clerk read as follows:

On page 4, lines 5 and 6, strike out "for the fiscal year 1967," and insert in lieu thereof "for each of the fiscal years 1967 and 1968,".

On page 4, lines 9 and 10, strike out "year ending June 30, 1967," and insert in lieu thereof "years ending June 30, 1967 and June 30, 1968, respectively,".

On page 6, line 18, strike out " '1966' and substituting '1967' " and insert in lieu thereof " 'the fiscal year 1966' and substituting 'each of the fiscal years 1967 and 1968' ".

On page 6, line 22, strike out "1966" and insert in lieu thereof "the fiscal year 1966".

On page 6, line 23, strike out "1967" and insert in lieu thereof "each of the fiscal years 1967 and 1968".

On page 7, line 16, strike out "1968" and insert in lieu thereof "1969".

On page 8, line 9, strike out "1968" and insert in lieu thereof "1969".

On page 10, strike out lines 11 through 17, and insert in lieu thereof the following:

(1) Strike out in the first sentence the words beginning with "1963, 1965, and 1966," through the words "year 1966" and substitute "1967 and 1968, not to exceed $543,000,000 which sums are authorized to remain available until expended and, except for not to exceed $87,700,000,".

On page 10, strike out lines 19 through 21, and insert in lieu thereof the following:

(3) In the final sentence, strike out "June 30, 1965 and June 30, 1966," the substitute "June 30, 1967 and June 30, 1968,".

On page 13, line 4, strike out "year 1967," and insert in lieu thereof "years 1967 and 1968,".

On page 13, line 5, after "use" insert "in each such fiscal year".

On page 14, line 2, strike out "1966" and insert in lieu thereof "the fiscal year 1966".

On page 14, line 3, strike out "1967" and insert in lieu thereof "each of the fiscal years 1967 and 1968".

On page 14, line 22, strike out "1966" and insert in lieu thereof "the fiscal year 1966".

On page 14, line 23, strike out "1967" and insert in lieu thereof "each of the fiscal years 1967 and 1968".

On page 15, line 5, strike out "1966" and insert in lieu thereof "the fiscal year 1966".

On page 15, line 6, strike out "1967" and insert in lieu thereof "each of the fiscal years 1967 and 1968".

On page 21, and line 3, strike out "1966" and insert in lieu thereof "the fiscal year 1966".

On page 21, line 4, strike out "1967" and insert in lieu thereof "each of the fiscal years 1967 and 1968".

On page 21, lines 6 and 7, strike out "the fiscal year 1967" and insert in lieu thereof "each of the fiscal years 1967 and 1968".

Mr. McGEE. Mr. President, may I ask the Chair for the parliamentary status of the question? Is the pending business the proposed amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. McGEE. Mr. President, regarding the AID bill, in general, let me suggest, in terms of the AID budget request and the program now pending, that we should more carefully focus on the application of that program and its emerging consequences in southeast Asia in general and in Vietnam in particular.

It was my opportunity to make a recent visit over there a few weeks ago—my third trip to Vietnam—at which time I took it upon myself to look at the AID projects in particular, especially the newly emerging constructive programs which we are seeking to bring into being in the wake of the pending military moves which are now looming larger than ever on the horizon.

Because the military side of this question makes for, let us say, more fetching headlines from day to day, occasionally we lose sight of the nonmilitary efforts which have long been underway in that war-smitten part of the world.

When I was first there in 1959, there were serious programs underway even then, undertaken against overwhelming odds. Because of the many other forces that worked, the total effect of those programs, for example, in the realm of land reform, community reorganization, or reinstitution of many community activities in some areas of the country, were not given a full opportunity to come into play.

Even so, the seeds sown in those early economic programs are now beginning to bear fruit, many years later, and we are benefiting and profiting from those long-term measures which were undertaken in the early days of the Diem regime.

I mention this, because it is a commonplace generalization—and an inaccurate one at best—to suggest that we have been able to get nowhere with economic development in that part of the world.

The hard fact is that the faces of many of the small villages in South Vietnam have already been materially changed because of our economic indulgences there many years ago.

The fact is, one of the main reasons for the sharpening of guerrilla activities and the sudden decision, through the National Liberation Front, to move into Vietnam when they did in the early 1960's seemingly was to throw off balance the economic gains even then being made.

Their hopes, through sowing dissent, confusion, and disaster, to capitalize on the distraught conditions in that part of the world, seemed to be disappearing as viewed at least in Hanoi and points further north.

Therefore, there are those who make a rather substantial case that would suggest the prime reason for the precipitate moves from the north into South Vietnam, when they occurred, were to arrest the economic progress even then being made in 1959 and 1960.

All of those efforts stem from the AID programs that had earlier entered that part of the world. But even with the disruptions that have followed since, and the harsh criticism which has attended the projects of the program in Vietnam in the years which have followed, those gains continue to mount.

A few weeks ago, it was my observation, while in Vietnam, to note that AID had expanded the areas of its concern, and was witnessing an increasing impact in measurable results as a consequence of its endeavors.

Suffice it to say, as a reminder that in the long pull there would have been no military answer in Vietnam—and perhaps I am permitted to say that, in view of my position on that question—but there must be a military shield behind which the answers that civilized peoples everywhere ask time to work out then actually take place, that the ultimate answers in southeast Asia will have to be found in the social, eocnomic, cultural, ethical, philosophical, and diplomatic fronts.

Mr. President, the effort of the Agency for International Development to promote peace and stability in Vietnam has received too little publicity. In fact, AID's support of social and economic development in Vietnam has as much importance in the peaceful settlement of the Vietnam conflict as our military efforts.

Communist aggression exploits the growing expectations for change and progress among peoples of underdeveloped countries. In Europe aid under the Marshall plan helped to strengthen the nations of Western Europe so as to provide sufficient strength and stability to stop Soviet aggression in that area. However, after the Communists took over China our resolve was tested first in Korea and now in Vietnam. We need to check in Vietnam the extension of Communist power in order to maintain a reasonable stability in a precarious world.

In Vietnam the Communists are deliberately exploiting, under a cloak of social revolution, the problems of underdevelopment that the South Vietnamese Government and its people face. These problems are illustrated by the fact that only 45 percent of the population is literate and the annual per capita gross national product amounts to only $115. Communist guerrillas attempt to drive a wedge between the people and the government by well-organized terrorism, intimidation, agitation and military force. The guerrillas cut off the hand of local government—in order to devastate any hope for governmental assistance—by its campaign of assassination of local officials. For example, in 1964 the Communists killed, wounded or kidnaped about 11,000 Vietnamese civilians of whom about 1,500 were local governmental officials. This attack on local government has not slackened. In fact Communist acts of terrorism averaged about 1,700 a month in 1965, reaching a peak in December of 2,500 incidents.

Our AID program is in the frontline position to defeat this revolutionary warfare of the Communists. Unlike the Communists we really believe in social revolution and AID is the prime mover in this area by promoting change and development in rural Vietnam. The United States has joined with the Vietnamese in a common commitment "to the work of social revolution; to the goal of free self-government; and to the attack on hunger, ignorance and disease." AID assists the Vietnamese Government, both nationally and locally, to improve its effectiveness so that the problems of underdevelopment can be corrected and a feeling of hope for the future is instilled in the local people. AID's programs of social and economic assistance serves to shore up the morale of the people in the face of these intense Communist campaigns of terror and intimidation by giving the people something for which to fight. In reality the Vietnamese and American military forces provide the shield against Commu-

nist attack behind which these processes of national building take place. Peace and stability will come in the long run to Vietnam essentially through these AID efforts.

AID's efforts to promote social revolution complements the objectives of the United States in South Vietnam to support the right of the people to elect their own government freely and to decide for themselves without outside force and coercion their own affairs. In developing the institutions to realize this objective AID is supporting the Vietnamese Revolutionary Development program. This program reconstitutes the fabric of Vietnamese society by protecting the local farmer and meeting his basic needs. In this program AID first assists in the training of Vietnamese cadres and locally elected officials who organize the local farmers to protect themselves against the Vietcong and to improve themselves with AID assistance. Immediate needs of a rural community are met such as the construction of a schoolhouse, bridge, irrigation dam, well, or some agriculture project. These communities—formerly exposed to Communist attack and exploitation—are converted into new life hamlets where the people support the government. AID is assisting in the construction of more than 2,000 of these hamlets this year.

Since four-fifths of the population of Vietnam is composed of farmers, AID has put heavy emphasis on agricultural development. During the years 1954 to 1961, rice production—which uses about 80 percent of the cultivated land—increased 50 percent. Production rose another 12 percent between 1962 and 1965. These increases were achieved through the introduction of improved seed, fertilizer, better techniques and the use of insecticides. For example, the use of chemical fertilizers has increased nearly threefold in the last 5 years. A government subsidy allows farmers, particularly those residing in the new New Life Hamlets, to buy fertilizer on an interest-free loan at less than the commercial market price. Besides rice production, AID has attempted to introduce and promote secondary crops in order to diversify the rural economy and improve the local diet. Improved varieties of sweet potatoes, sugarcane, and corn have been introduced with the assistance of AID technicians and their American field representatives.

To meet the needs in education AID has supported a program of building schoolrooms on a self-help basis. Self-help engenders a sense of community spirit and cooperation to further the process of nation building. Some 2,300 schools have been buillt in this manner to date. AID-supported teacher training programs at the hamlet level have graduated more than 5,500 teachers in the past 3 years to meet the rapidly growing effort of the hamlet people to construct their own schools. More than 6 million textbooks have been printed for this new school population. AID support has also made gains in higher education and vocational training which is essential to providing the know-how for the expanding industrial sector and the modernization of agriculture. Four polytechnical schools and three vocational agricultural high schools have been established with AID assistance and the goal this year is to enroll 10,000 students in these technical schools.

AID efforts to correct primitive health conditions and lack of rural doctors in Vietnam have also been tied to our overall objectives of improving the effectiveness of the Vietnamese Government's efforts to meet the needs of its people and thereby win support of the people. Village and hamlet health stations have been established and stocked with medicine in nearly 6,000 locations. Nearly constructed maternity clinics and dispensaries have helped extend medical services where previously they did not exist. The threat of epidemics and disease has been reduced through 23 million inoculations for cholera, smallpox, plague, and other disease administered in 1965. Eighty-three percent of the population subject to malaria risk is now protected. Even more important for the long-term health needs of the Vietnamese is the expansion of medical school of the University of Saigon so that it can ultimately graduate 200 doctors annually, which would be one-fifth of today's total number of Vietnamese doctors.

One of the foremost needs of the rural Vietnamese people is protection from terrorism, tax ransom and forcible draft. AID's program to expand and improve the Vietnamese national police force has served to meet this need. Just this year 20,000 policemen are being recruited and trained.

In carrying out these revolutionary development programs AID has assigned field representatives in each of Vietnam's 43 Provinces. These Americans are the frontline of the war of social revolution by acting as catalysts in speeding up the Vietnamese Government's efforts to meet local needs and to gain the support of the people.

Since 1954 there has been a consistent pattern of refugee movement within Vietnam from Communist to non-Communist-controlled areas. Besides the nearly 1 million refugees who fled from the Communist regime in the north in 1954, there have been over 900,000 refugees since early 1965 who have sought Government protection and support AID's refugee relief assist the Vietnamese in relocating these people and providing food, clothing, and shelter.

The predominant factor in the current Vietnamese economic situation is the ever-accelerating increase in demand for goods and service and the consequent shortfall of local supplies in meeting this rising demand. To cope with the growing inflation, AID provides dollar credits through its Commercial Import Program to import commodities to meet shortages. The inflationary pressure is eased while the local currency generated from the sale of these commodities is used to help meet the Government's military and civilian budgets. These AID-financed commodities also provide for the expansion of Vietnam's industrial base.

The United States is not bearing the burden of aid to Vietnam alone, however. Some 34 free world countries are providing assistance. Germany, for example, has made available in loans and grants about $27 million. Australia has provided technical and economic assistance totaling nearly $8 million, and Japan has provided about $55 million chiefly in the form of reparations. More than 10 nations are sending medical teams which help provide for the medical needs of an entire province.

AID, supported by other nations, is fighting with the Vietnamese the battle against underdevelopment which Communist revolutionary warfare is attempting to exploit in its efforts to take control of South Vietnam. AID's support of economic growth, social improvements and new opportunities is dedicated to the development of a Vietnamese nation free of terrorism and coercion in which the people will decide for themselves their own future. AID's efforts toward constructive change and development in Vietnam are essential elements in checking Communists aggression and maintaining reasonable stability in the world during the second half of the 20th century.

In the interests of bringing to bear our concern with our nonmilitary endeavors in Vietnam, I have taken the time of this body to present very quickly and briefly these few thoughts on the AID program in that troubled part of the world.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1967

Mr. FULBRIGHT. Mr. President, on Friday, July 15, during debate upon H.R. 14596, the appropriation bill for the Department of Agriculture, I engaged in a colloquy with the senior Senator from Maryland [Mr. BREWSTER]. The Senator from Maryland called attention to a commodity credit loan made to the Arkansas Grain Corp. in 1964, and he stated that:

> The taxpayers lost $6 million. (p. 15837 of the RECORD).

The Senator was mistaken.

The Department of Agriculture advises me that, as of September 15, 1965, the loan in question had been repaid in full, with interest. Furthermore, even if some portion of the loan had not been repaid, the Commodity Credit Corporation would have received title to soybeans pledged as security for the loan.

The Senator from Maryland also called attention to the amount of this loan, $16,353,580.93, and stated that the loan was included in "a complete list of all farmers who received over $25,000 a year in either direct purchases or loans" for the 1964 crop year—page 15821. He neglected to point out that this $16.4 million loan was made to a cooperative enterprise with over 18,000 individual farmer members. Thus, the loan averaged about $900 per farmer.

One effect of the amendment then under discussion might have been to deny to farmers the economies they achieve by joining together as a cooperative, and to deny to the Government the economies it achieves by dealing with one borrower

instead of 18,000 otherwise eligible farmers.

Mr. President, the amendment offered by the Senator from Maryland was defeated by a vote of 53 to 28.

TWO FARMERS FROM MONTANA GOING TO VIETNAM AS VOLUNTEERS TO TEACH AMERICAN FARMING SKILLS

Mr. METCALF. Mr. President, I was delighted that the Senator from Wyoming mentioned the work which the AID program had accomplished.

Today, I notice that under the auspices of the Agency for International Development, the Federal Extension Service of the Department of Agriculture is sending eight volunteer agricultural workers to Vietnam.

President Johnson has commended these eight agricultural workers who have volunteered to teach American production skills and farming methods to the farmers of South Vietnam.

As usual, as has been the tradition in the Peace Corps, in the armed services, and in many other agencies of the Government, two of these agricultural extension agents are farmers from Montana. So that this group of farmers who were commended by President Johnson for their service in providing American technical and practical aid to the Vietnamese in their second front war on hunger, poverty, illness, illiteracy, and injustice are being led by two Montana farmers.

Mr. President, I ask unanimous consent that the list of these eight volunteer workers be placed in the RECORD at this point.

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

Clifford A. Ejergo, country extension agent, Whitehall, Mont. Noble E. Dean, county extension agent, Kalispell, Mont. Arthur L. Gehlbach, county extension agent, Bloomington, Ind. Robert H. Dodd, county agricultural agent, Fonda, N.Y.

James S. Holderness, agricultural editor, College of Agriculture, University of Idaho.

Dennis K. Sellers, director, community action area of four counties, Lovering, Mich.

William E. Schumacher, cooperative extension agent, Catskill, N.Y.

Charles E. Wissenbach, county extension agent, leader for 4-H clubs, Hydenville, Mass.

NEW INVASIONS OF THE PRIVACY OF FEDERAL EMPLOYEES

Mr. ERVIN. Mr. President, for some years the Constitutional Rights Subcommittee has been concerned with the rights of Federal employees to due process and fair play where their jobs are concerned. Each year we see some improvements in the protection of these rights through procedural innovations or judicial decisions. But each year, also, in the interest of achieving greater national goals, we see increasing reliance on methods, instruments, and devices which tend to invade basic rights which an employee should enjoy simply because he resides in a democracy under the type of Constitution which America has always boasted. Currently, for every step forward, the Federal Government seems to be taking two steps back.

Attitudes and procedures affecting Federal employees have a way of pervading our whole society, governing the employer-employee relationship wherever it is found. This is especially true today when in the wake of expanding Federal activities private industries and firms hold contracts with the Federal Government which subject their employees to Federal personnel rules and to Federal industrial security regulations. For these reasons the practices governing Federal employees affect not only 2.6 million or more Federal civil servants, but over 10 million public servants throughout Government in the United States and millions more employees in private industry. These citizens represent not only a large part of our population, but a significant segment of our national economy and a sizable piece of Federal, State, and local governmental budgets.

From the reports coming to the subcommittee, I believe there is now being created in the Federal service a climate of fear, apprehension, and coercion which is detrimental to the health of the service and is corroding the rights of Federal employees. It should disturb every American citizen who takes pride in his Government and it should disturb administrators concerned about achievement of substantive goals. Psychological testing, psychiatric interviews, race questionnaires, lie detectors, loyalty oaths, probing personnel forms and background investigations, restrictions on communicating with Congress, pressure to support political parties financially, yet restrictions on all other political activity, coercion to buy savings bonds, extensive limitations on outside activities, rules for speaking and writing and even thinking, forms for revealing personal data about finances, creditors, property and other interests of employees and their families—all of these raise due process questions of a substantive nature, for they increasingly shrink the realm of personal liberty and violate individual privacy.

Taken alone, no one of these practices or policies may be important enough to arouse the sustained concern which is sufficiently widespread to result in a complete study of the sources of discontent and action to resolve them. At the most, there is a temporary interest in the more sensational aspects of the practices, for instance, the sex questions on the psychological tests, while the more complex aspects are passed over. However, in the aggregate, they constitute an imposing and alarming collection of practices and devices with infinite potential for arbitrary personnel decisions affecting the jobs and lives of millions.

Today I should like to direct attention to two of the more recent examples which form a part of this growing series of techniques for surveillance and probing.

MINORITY STATUS QUESTIONNAIRE

The first of these is the minority group status questionnaire which, in the interest of insuring "equal employment opportunity," is currently being administered to Federal employees. This form requires the employee to check a box indicating whether he is "American Indian," "Negro," "Oriental," "Spanish-American," or "none of these."

Mr. President, the purposes of the equal employment program are commendable. I do not believe that the Federal Government should discriminate because of race, color, or ethnic background or for any other reason unrelated to the ability to do a job. This is the principle behind the merit system in our civil service, and I firmly support it. However, I do question the reasonableness of the methods chosen to try to attain some of our stated goals. The goal of equality of opportunity for some citizens does not and should not encompass the denial of personal privacy to millions. In our system of government the traditions of due process and the concept of fairness limit the conditions which government can place on its employment. Why should an employee who considers himself an American be asked to sit down with a questionnaire and check what his race of ancestry might be? Whose business is it? The complaints which have poured into the subcommittee by letters, telegrams, and phone calls suggest that many citizens, not just Federal employees, share my concern. The indignation expressed is based almost entirely on resentment as being asked to supply such information and reflects a deep awareness of the privacy interest at stake here as well as concern over the confidentiality and eventual use of the data.

I ask unanimous consent to submit for the RECORD excerpts from some of these letters.

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

MAY 17, 1966.

Senator SAM ERVIN, JR.,
Senate Subcommittee on Constitutional Rights.

DEAR SIR: I am a supervisor with a government agency. On May 21, 1966 we will distribute a punch-card questionnaire to all employees on which they are requested to give information about their race, or national origin. I do not believe that this is proper to request that employees of any government agency reveal information of this nature, which would seem to be of concern only to the individual involved. The instructions accompanying these questionnaires indicate, but not pointedly enough, that the completion of the forms is not mandatory. Even though their completion is not mandatory, most employees would not consider that they have the right to refuse to complete them. I believe that this should be unequivocally pointed out in plain language to all employees.

I believe this to be an unconscionable invasion of one's privacy, and another giant step toward the regimentation and destruction of individual rights in favor of the governmental monolith as so graphically pointed out in Orwell's 1984.

Since we in the government service, that is to say most of us, at least, have no unions to fight this sort of encroachment upon our privacy, we must depend on you. Please do not let us down.

Thank you,

——— ———.

DEAR SENATOR: I recently read where your Senate group on constitutional rights was concerned with the recent poll of Federal

employees as to their race. When I was asked to fill out the form I was told it was voluntary, which of course it was. What I really object to is the fact that a list of the names of those who elected not to fill out these ridiculous forms was sent to the regional headquarters of the Federal Aviation Agency in Atlanta. I think this was unfair. This survey should have never been taken and if taken should have been handled by the Civil Service Commission instead of each agency handling it.

Thank you,

——— ———.

DEAR SIR: I have just read David Lawrence column on the New Federal Questionnaire on Racial Classification.

I am the wife of an Air Force man (white), I am white also and our 8 children, all white! We have tried to teach our children to not be too conscious of skin color or religion or buck-teeth but rather to see the real persons. What shall we teach them now? Of course, I am not really asking, I know.

A Questionnaire such as this should never even have been thought of. If there is a job to be done, what matter the color of the persons skin who does it. As far as "racial balance" is concerned, it could become so involved & cost so much money and in the end find no answers. No man, black or white, wants to be regimented or balanced—this is not freedom.

My mind becomes a turmoil the more I think of it but one thing is clear—such a questionnaire may seem unimportant in a way but my reaction is no, no it is wrong!

——— ———.

Mr. ERVIN. Mr. President, this new technique is not limited to Federal employees, but was recently extended to private employees when Secretary of Labor Wirtz announced in May a complete reversal of previous Department of Labor policy regarding race identification on employment records. He has said that such identification will now be required on employment records in any situation affecting racial discrimination or membership practices subject to control of the Department.

Secretary Wirtz has said this identification "will always be voluntary" and that procedures are being established to make it clear to any person asked to record his race that it is solely to help fight discrimination. I believe Mr. Wirtz should take a lesson from the experiences of Federal civil servants in this matter of voluntariness.

Despite the fact that the Commission informed the subcommittee that the form was voluntary, that no employee was required to fill it out if he did not wish to do so, the complaints show that this use of the word "voluntary" is mere euphemism. It is totally meaningless. Supervisors, or those charged with administering the program in numerous reported cases did not mention the voluntary nature of the survey; names of those who did not complete the form or return a questionnaire were listed and forwarded—in some cases to regional or head offices—and followup contacts are being made by supervisors to gain compliance. Apparently a number of unfortunate office situations have developed as a result, and employee-management relations reached a low ebb in some cases.

Despite the fact that the Commission assures us the survey reply is confidential, that social security numbers are used instead of names to protect the identity of the individual employee and that replies are placed in sealed envelopes, this is just not so in the many cases reported to the subcommittee. Complete names or the first two letters of names, with social security number and birthdates, are printed on the cards in most agencies, and in one agency, according to reports, employees were denied envelopes.

The inconsistency between Mr. Macy's statement that no employees is required to complete a form and Commission regulations prescribing followup procedures to assure compliance is so glaring as to be ridiculous. Invited to obtain compliance with such ready-made forms as that suggested by the Commission, no administrator worth his salt could afford to be reticent in acquiring replies from his employees.

I ask unanimous consent to have printed in the RECORD at this point the Commission's form together with a memorandum issued in the State Department by the office of the Deputy Secretary of State for Administration is typical of the type of administrative followup which the Commission directive encourages.

There being no objections, the Commission Directive and State Department June 30 directive were ordered to be printed in the RECORD as follows:

DEPARTMENT OF STATE,
DEPUTY UNDER SECRETARY,
FOR ADMINISTRATION,
June 30, 1966.

MEMORANDUM

To: Executive Directors and/or Administrative Officers (All Diplomatic and Consular Posts).

From: O/EP—Eddie N. Williams, Special Assistant to the Deputy Under Secretary for Administration (and MGSS System Monitor).

Subject: Follow-up on Questionnaires Designating Minority Groups Status (Minority Group Statistics System).

Unusable questionnaires (or no questionnaires at all) have been received from one or more employees of your organization. The names of these employees are listed in the attachment to this memorandum. Also enclosed are new questionnaires and preaddressed envelopes for the employees listed. It is essential that these questionnaires be completed accurately and returned so that a complete and valid record can be established.

After discussion with the employee, the unit supervisor should follow the original procedure in allowing him to complete the form in privacy, seal it in the preaddressed envelope and return it immediately to the Systems Monitor.

Please cooperate in getting these questionnaires completed and returned to this office not later than July 31, 1966. The accuracy of future minority group reports is entirely dependent upon the base of information which the questionnaires establish.

Most employees of the Department have responded forthrightly and enthusiastically to this questionnaire. We hope to receive 100% participation in this voluntary self-identification project which will contribute substantially to the success of our equal employment opportunity program.

Attachments:

1. Questionnaires.
2. Background Information.
3. Reprints on Equal Employment Opportunities.

TALLY SHEET FOR EMPLOYEE QUESTIONNAIRES

Agency or Establishment: _____.
Office: _____.
Location _____.

Number

1. Questionnaires received _____ ____
2. Questionnaires distributed _____ ____
3. Questionnaires collected _____ ____

If the figures in 1, 2, and 3 are not the same, please explain:

_____
_____
_____
_____
_____
_____
_____

_____
(*Administrative Officer*)

_____
(*Date*)

(Attachment 5 to FPM Ltr. 293–5)

[Exhibit E]

MEMORANDUM

Subject: Followup on Questionnaires Designating Minority Group Status.

From:

To:

Usable questionnaires have not been received from one or more employees of your organization. The names of these employees are listed in the attachment to this memorandum under headings which show the reason why a followup is necessary. Also enclosed are new card questionnaires and preaddressed envelopes for the employees listed. It is essential that these questionnaires be completed accurately and returned so that a complete and valid record can be established.

Employees should have explained to them the reason why their first submission is not usable. After discussion with the employee, the unit supervisor should follow the original procedure in allowing him to complete the card in privacy, seal it in the preaddressed enevelope and return it immediately.

Please cooperate in getting these questionnaires completed and returned as soon as possible. The accuracy of future minority group reports is entirely dependent upon the base of information which the questionnaires establish.

Mr. ERVIN. Mr. President, this particular memorandum is sent to the executive directors and administrative officers of all diplomatic and consular posts, together with the names of employees from their organizations who did not return or complete questionnaires. Unit supervisors are urged to discuss the matter with the employee, give him a new form and allow him to complete the form in privacy, seal it in the envelope and return it. Supervisors are told to have the questionnaires completed and returned by July 31. They are then admonished hopefully:

Most employees of the Department have responded forthrightly and enthusiastically to this questionnaire. We hope to receive 100% participation in this voluntary self-identification project which will contribute substantially to the success of our equal employment opportunity program.

Mr. President, this "voluntary self-identification project" was a pipedream in the mind of its creator. There is nothing voluntary about it. It appears to me that the "voluntary" nature of this questionnaire raises issues similar to the use of polygraphs and psychological tests by Government. When a man wants a job, when he knows that his cooperation

or lack of it in such data collecting may mark him in personnel files as well as in his supervisor's eyes, and when a supervisor knows that his own performance in obtaining compliance is being watched, there is implicit in such procedures economic coercion to an employee's consent to this invasion of his privacy.

There is an old Infantry drill regulation which says:

A request from a superior is equivalent to a command.

I think we have a comparable situation here.

Some people have had the sense not to use the questionnaire. On the eve of the survey in Federal agencies in Hawaii, the Civil Service Commission, realizing the inappropriateness of the questionnaire for people in that State of many racial and ethnic groupings, postponed the survey there indefinitely. Administrators in a few agencies, recognizing the problems inherent in the survey, or lacking automation, have refrained from using the questionnaire and have returned to or continued with the old system of head counting. Under this system the immediate supervisor lists the numbers of minority employees under his supervision. I ask unanimous consent to place in the RECORD the following Army regulation describing the procedures the Army is using for over 315,000 employees.

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

HEADQUARTERS, DEPARTMENT OF ARMY, OFFICE OF THE ADJUTANT GENERAL,
Washington, D.C., S-15 July 1966.

In reply refer to AGAM-P (M) (10 June 66) DCSPER-P&R, 20 June 1966.

Subject: Minority Group Study, Reports Control Symbol USCSC 1080.

To: See distribution.

1. Purpose:

The Civil Service Commission, designated by Executive Order 11246, 24 September 1965, to supervise and provide leadership and guidance in the conduct of equal employment opportunity programs in the executive departments and agencies, has requested data on the employment of selected minority group members in the Federal Civil Service, as of 30 June 1966.

2. Coverage:

Reports will include all full-time Department of Army employees (including temporary employees) world-wide who are paid from appropriated funds, *except that employees actually assigned to duty in Hawaii, the Commonwealth of Puerto Rico, and all foreign nationals outside the United States will be excluded from all reports.* The total personnel reported, therefor, will equal the total full time U.S. Citizen personnel included in the Basic Pay Report (RCS CSGPA-487 (R3)), as of 30 June 1966, as provided in CPR 200, Change 3, dated 14 April 1966.

3. New Features of This Study:

This report incorporates the following new features:

a. A Spanish American minority group designation will be used in lieu of Mexican American and Puerto Rican.

b. Except as provided in paragraph 2, above, minority groups will be reported for all geographic areas rather than for selected areas. For the first time, Alaska will be included.

c. A report on full-time employees paid from *nonappropriated* funds will be required; however, a separate reporting directive will be issued by the Department at a later date.

d. Personnel hired under the Youth Opportunity Campaign for 1966 will be reported in Part 2 of this report.

e. Personnel not identified as minority group members will be included on each report under the heading of "All Others."

4. Minority Group Designation:

a. The minority group designations of race and national origin used in this report are admittedly not anthropologically precise. It is understood also that a count of minority group members by their supervisors has limitations in its accuracy. However, the minority groupings used herein and the supervisory head count method of identifying minority group status are considered to be the most practicable under present conditions.

b. The minority group designation of an individual for this report is that which he considers himself to be, or that which he is regarded to be by others in the work environment or community. It is reasonable to assume that discriminatory considerations would not enter into the employment of a minority group person if his personal characteristics (visual, language, etc.) are not definite enough for the supervisor to identify him within the minority groups listed in paragraph d, below. Consequently, specific scientific definitions of the respective groups would not increase accuracy beyond that obtainable through the supervisor's first-hand knowledge of how his employees are regarded as to their group affiliation.

c. In view of the above, there will be no identification of the individual employee at any point in this reporting process beyond the first line supervisor. Neither is it desired that the supervisor seek confirmation from the individuals involved of the minority group designations he makes. Each supervisor will forward to the civilian personnel office only the number of employees under his supervision which he identifies with each of the minority groupings listed below, and the pay category of each member so identified:

(1) Negro—Persons having visual characteristics of this group and who are so regarded in the establishment where they work or in the community where they live.

(2) Spanish American—This group includes persons of Latin American, Puerto Rican, Mexican or Spanish origin or ancestry.

(3) American Indian—Persons who are regarded in the establishment or community as members of this group and those who so designate themselves. Differentiations based on the amount of Indian blood need not be attempted by the supervisor.

(4) Oriental—Employees who are regarded in the establishment or the community as members of this group, which includes persons of several national origins; e.g., Japanese, Chinese, Filipino, and other much smaller groups—Koreans, Polynesians, Indonesians, etc.

Mr. ERVIN. Mr. President, this procedure at least has the advantage of assuring that an employee is numbered as a member of the group he appears to society to represent, and avoids the problem of identification for any dossier. And it appears to me to produce more accurate results. The subcommittee has been told that many employees and groups are refusing to complete the questionnaire for one reason or another. In some cases entire offices have refused to fill out the form; in others, members of minority groups have considered the questions offensive and refused. Under the circumstances, the goal is frustrated.

I ask unanimous consent to have printed in the RECORD the following letter, for instance, reprinted in the July 20 issue of the Federal Times, which is typical of many received by the subcommittee.

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

DIFFERING WITH MACY

ATLANTA, GA.—In a recent article in Federal Times regarding the controversial Civil Rights questionnaire, it was reported that Chairman Macy of the Civil Service Commission stated that social security numbers rather than names would be used to protect the identity of the individual employee.

I beg to differ with Mr. Macy in this matter as the questionnaire submitted to me contained name, social security number and complete designation of the employing unit. I refused to complete the questionnaire and I was constantly harassed until I had to state that I would not complete it. At this point I was informed that it was not mandatory that the form be completed, but that it was mandatory that the questionnaire be returned to the supervisor.

I was greatly disturbed over the tactics employed in this matter, and it would be interesting to hear of experiences from some other Federal employees.

For obvious reasons, I cannot sign this letter nor identify the agency in which I am employed.

READER.

Mr. ERVIN. Joe Young verifies this in his column in the Washington Star, July 17, reporting that Negro as well as white Government employees are voicing increased concern and resentment over the administration's use of the race questionnaire. I ask unanimous consent to have his article printed in the RECORD at this point.

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

[From the Washington (D.C.), Sunday Star, July 17, 1966]

THE FEDERAL SPOTLIGHT: RACE QUESTIONNAIRES RESENTED BY NEGRO AND WHITE EMPLOYEES

(By Joseph Young)

Negro as well as white government employes are voicing increased concern and resentment over the Johnson administration's use of race questionnaires in the federal service.

The postal service, which employs the largest number of Negroes in government, as well as other federal agencies are receiving increasing complaints from Negro employes over the use of the questionnaires. Employes are asked to list their race and national origin.

White employes previously registered their protests, many of them listing themselves as "American Indians" to show their disapproval of the program.

Negro employes are now complaining also, many of them on the basis that such information could be used by supervisors and management people to discriminate against them in promotions.

Ironically, the administration says the race questionnaire is, in the words of Civil Service Commission Chairman John Macy, "essential for agency management in fulfilling its responsibility to insure equal employment opportunity in the federal service."

White employes are suspicious that the purpose is to set up a quota system for promotions that would assure Negroes a specific percentage of promotions whether they qualified for them or not.

Negro employes are suspicious that such data on race and ethnic groups would fall in the hands of the wrong people who would use such data to deny them promotions.

Macy says the entire data will be used for statistical purposes only.

Sen. SAM ERVIN, D-N.C., chairman of the Senate Constitutional Rights Subcommittee, whose group is investigating the situation, has grave doubts about the program.

ERVIN feels the questionnaires "invade the privacy" of individual government employes and that there are no safeguards against the information's being used against individual employes if supervisors want to discriminate.

One thing is certain. Nobody is happy about the program.

Mr. ERVIN. Mr. Young also notes that "white employees previously registered their protest, many of them listing themselves as "American Indians" to show their disapproval of the program. I might add parenthetically that we need no such questionnaire for evidence that massive discrimination is practiced against the American Indian. The Constitutional Rights Subcommittee in its 5-year study of the rights of the American Indian, has found that the same Government denies the Indian such basic constitutional rights as the right to counsel and jury trial. It takes very little perception to see that equality of opportunity is nowhere within his reach.

The alleged purpose for the changeover in the method of gathering information is the efficiency of automation and the ease with which such information can be computerized. I fear that in the long run we may be surrendering more in individual rights than we gain in economy. These questionnaires should be recognized for what they are—part of the vanguard of the era of the dossiered man. Whereas the stopgap solution for problems used to be "establish a commission," it is now "make a statistical survey." With automatic data processing this is even more rampant. The increasing use of computers for data processing provides an irresistible temptation to feed them all sorts of survey data demanded from employees and other conveniently organized groups. I believe Congress should act now to check this trend, while the concept of a Federal Data Center is still in the planning stages.

I do not presume to know the answers to all of the problems raised by use of the questionnaire. The most obvious solution is to stop using it. I do feel that in planning this program to gain statistics, not enough consideration was given to the sentiments, reactions, and feelings of individual employees and to the individual's interest in protecting his privacy regarding his race or ethnic background. At the least, the established procedures as well as the elements of coercion inherent in the process suggest a lack of awareness by civil service management of some basic principles in our system of government. At the most, they suggest a deliberate and conscious decision to override those principles in the interest of a convenient personnel "short-cut."

In May, I described to the Civil Service Commission the complaints which the subcommittee had received, pointed out the administrative coercion and the privacy issues involved, and I requested that they reconsider the use of the questionnaire. I also noted the inconsistency between the questionnaire and the Commission's May 1959 directive prohibiting inquiry about the race or religious belief of employees or applicants.

Chairman Macy replied recently that the Commission has reexamined the minority statistics procedures in light of my comments and still "finds them both essential and proper" to their carrying out their responsibilities under the equal employment opportunity program." Regarding the 1959 policy, he states that such inquiries were prohibited to prevent use of the information for discrimination against the employee.

He writes:

It is not designed to prevent a government agency, which is responsible for furthering the government's nondiscrimination policy, from collecting statistical information on the nature and extent of the employment of minority group members, when such information is to be used to evaluate and improve the effectiveness of the Equal Employment Opportunity Program.

The logic of this argument escapes me.

I ask unanimous consent to insert at this point in the RECORD the text of the Civil Service Commission's Federal Personnel Letter 293-5 of March 4, 1966, which established the minority group statistics procedures, together with a copy of the questionnaire and the correspondence between the Constitutional Rights Subcommittee and the Civil Service Commission regarding this matter.

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

U.S. CIVIL SERVICE COMMISSION
Washington, D.C., March 4, 1966.

FEDERAL PERSONNEL MANUAL SYSTEM LETTER
FPM letter No. 293-5.

Subject: Minority Group Statistics System.

Heads of Departments and Independent Establishments:

I. INTRODUCTION

Executive Order 11246 reemphasized the responsibility of the head of each executive department and agency for establishing a positive and continuing program to promote the full realization of equal opportunity applicable to every aspect of Federal employment policy and practice. The Executive order charged the Civil Service Commission with providing leadership and guidance in the conduct of these programs and for reviewing agency accomplishments.

It is desirable to make use of all available statistical information about the status of minority employment in order to assist management in carrying out the affirmative actions needed to achieve full participation by minority groups. The minority data available since 1961 generally has been only that obtained by head count in the annual census requested by the President's Committee on Equal Employment Opportunity. The majority of Federal agencies have more detailed personnel data, maintained continuously up-to-date on ADP equipment, which would be extremely useful in advancing the affirmative purposes of the EEO program if it could be correlated with minority group status, i.e., it would permit statistical analyses by occupation, sex, length of time in grade, etc. The former PCEEO had pilot research done by the Department of Agriculture which determined that it is entirely feasible to add minority group identification to an ADP personnel records system in a manner which protects the confidentiality of the self-identification and assures that it cannot be used for discriminatory purposes. Accordingly, the Commission has authorized agencies, by part 713 of the regulations to establish and maintain records of employees' minority group status in automated systems. Agencies are also authorized to establish manual records of minority group status under prescribed conditions.

II. PURPOSE

The purpose of this letter is to prescribe procedures for gathering and maintaining data on minority group employment under the conditions of confidentiality specified in part 713 of the Commission's regulations, whether an automated, a manual (visual record) or a head count system is used. Agencies planning to institute automated or manual record systems are urged to act promptly to obtain and incorporate the self-identification data so as to be prepared to furnish statistical reports from the new system by the time of the annual census, June 30, 1966. Agencies will be expected to provide the report data through head count if they do not have an automated or approved manual system established by that time. Part III A below specifies the minimum controls necessary for each of the three systems; part III B pertains to ADP or manual record systems only. Part IV offers suggestions for establishing automated or manual systems which conform with the requirements, while part V applies to head count systems.

III. MANDATORY ITEMS

A. General

1. Agency heads will designate in writing a responsible official, such as the Equal Employment Opportunity Officer, or his deputy, to act as system monitor. He will be responsible for direct surveillance over the operating system, whether automated, manual record or head count, *to insure compliance* with the provisions of this letter.

2. Automated or head count systems which are in accord with the mandatory items of this letter may be implemented without prior approval of the Commission. Proposed manual systems must be submitted to the Commission (Attention: Management Systems Division) for prior review and must have Commission approval before they are implemented.

Agencies seeking exceptions to the mandatory items will submit justification in a written request to the Commission (Attention: Management Systems Division). Requests from individual installations and activities will be forwarded to the Commission through agency headquarters. Prior Commission approval of exceptions must be received before they are implemented.

4. The minority group designations used will be: American Indian, Negro, Oriental and Spanish-American. (These are the same categories as prescribed for private industry by the Equal Employment Opportunity Commission under title VII of the Civil Rights Act and by the Labor Department's Office of Federal Contract Compliance for government contractors.) For the purposes of this program, the term "Spanish-American" means persons of Latin American, Puerto Rican, or Spanish origin or ancestry.

5. The system must be such that statistical reports which relate the data on minority groups to other meaningful data about employees may be compiled. As a minimum, these items must include the following data elements:

Sex, Birth Date, Service Computation Date, Pay Plan, Occupation Code and Grade or Level, Salary or Pay Rate, Effective Date of Current Grade or Level, Name and Address of Organization to Which Assigned.

B. Automated and manual (visual record) systems

1. The complete system for collecting source data, maintaining currency, insuring confidentiality, and controlling the output of information must be reduced to writing.

Manual system descriptions will be submitted for prior approval as provided in A.2. above. An information copy of ADP system descriptions will be sent to the Civil Service Commission (Attention: Management Systems Division).

2. The system must encompass the following elements:

(a) The employee, himself, will be requested to provide information about his minority group status on a card questionnaire. Exhibit A is a sample of the card to be used. (This card will be published as a Standard Form in the near future. Agencies will reproduce their own supplies prior to its issuance as a Standard Form.) The employee's self-designation will determine whether he is included in one of the four designated minority groups. All employees who are not included in one of the minority groups listed will be identified as "None of These".

(b) *Every full-time employee* on the rolls as of the date the system becomes effective, whether or not in a pay status on that date, *will be requested to provide information about his minority group status.*

(c) Appropriate followup procedures may be established to obtain information from employees who do not complete the questionnaire or who give unusable answers. However, no employee will be *required* to provide information about his minority group status and no disciplinary action will be taken against an employee who does not furnish the information.

(d) The completed cards will be treated confidentially during their collection and processing and no unauthorized person will have access to them.

(e) In automated systems, the cards will be destroyed as soon as practicable after the information is entered on the tape or punched cards. In both ADP and manual systems, the recorded data whether on tape, punched cards, or visual cards, will remain in the custody of or under the control of the system monitor.

(f) The system will be so designed that it normally will be necessary to ask the employee for information about his minority group status only once.

(g) The minority group status of appointees after the date of the original census will be determined at the time of the accession. New employees will be asked to complete a card questionnaire, following the same procedure as in the original census. They will not be *required* to furnish the information, nor will adverse action be taken for their refusal to do so.

3. Records and reports.

(a) The record established will comprise all full-time employees. Incorporation of other than full-time employees is optional with the agency as long as they can be excluded in reports to the Commission.

(b) All requests for reports or printouts of minority group statistics from the record, other than those prescribed by the Civil Service Commission, will be reviewed by the system monitor. He will base his approval or disapproval on a determination of whether the report contributes to the achievement of the objectives of the equal employment opportunity program, while protecting the confidentiality of individual minority group designations.

(c) Records which identify the minority group status of employees will be physically located outside the personnel office, under the control of the system monitor.

(d) The system monitor will insure that a file is maintained of the following:

(1) A copy of the system description as required in B.1. above.

(2) A copy of each request for a new or different type of report or printout, the date of the request, the reason for it, the use to be made, and the signature of the requesting official. The action of the system monitor approving or disapproving the request will be shown on the file copy.

(3) A copy of each report compiled.

(4) The records required by (2) and (3) above will be retained for two years, or until inspected and disposal approved by the Civil Service Commission representatives, whichever occurs first.

This file will be maintained in such condition that it can be inspected by representatives of the Civil Service Commission.

IV. SUGGESTIONS FOR ESTABLISHING AUTOMATED OR MANUEL RECORD SYSTEMS

The suggestions below are for guidance only; their adoption in whole, in part, or in modified form is optional with the department or agency. They are based in part on the results of the pilot study conducted by the Department of Agriculture mentioned previously.

A. Conducting the census

1. Prior Publicity and Discussion. The first step in instituting a system will usually be to communicate clearly and simply the purposes and procedures of the new system. Exhibit B is an example of a bulletin directed to the management level. The publication might be followed by a meeting with representatives of the constituent units to elaborate upon the information published in the communication, to resolve any questions and to get feedback. The sample bulletin can be adapted as a separate issuance to inform employees.

2. Collection of Data. The second stage will be collecting source data to establish the record.

(a) Exhibit B contains the details of a suggested method which meets the mandatory requirements.

(b) Unit supervisors will have a most sensitive role in collecting the data. Specific written instructions, such as those in exhibit C, will be needed for them. They should fully understand and support the purposes of the census and the procedures to be used in carrying it out. They should be prepared to answer questons of their employees and to bring about good understanding and acceptance. Training, in addition to written instructions, may be desirable.

(c) The sample tally sheet shown in exhibit D will help to insure that the supervisor gives proper attention to accounting for questionnaires as they are distributed and collected from employees.

3. Followup on Missing or Unusable Questionnaires. Questionnaires may not be received from some employees because they are overlooked; other employees may turn in partially completed, illegible or otherwise unusable questionnaires. One way to follow up in these cases is through the use of a memorandum, such as the one in exhibit E, to which a list of the names of employees necessary to follow up on is attached. Names of employees may be listed under headings which explain the reason why followup is necessary. The procedure to be used, essentially the same as in the original census, is explained in the sample memorandum (exhibit B).

4. Record Maintenance and Report Preparation. The procedures for conducting the original census and obtaining minority group data from subsequent accessions, as explained in exhibit B, will be the same for both ADP and manual systems. Some practical method for keeping the minority group file current after the original census and for relating the information in it to the personnel data elements on which reports are to be based must be established. The manner in which this is accomplished on ADP equipment will, of course, be governed by the type of automated system the agency is operating.

One way for setting up a manual minority group file, keeping it current, and preparing reports from it is described below.

When employee returns are received, the system monitor's office sorts the cards into five categories: American Indian, Negro, Oriental, Spanish-American, and None of These. Cards marked None of These may be placed in an inactive file or discarded. Cards marked to indicate one of the minority group designations are used to establish the minority group status file.

Cards completed by new hires are sent to the system monitor who adds those of employees indicating minority group status to his file. Others may be placed in the inactive file or discarded.

For personnel actions other than accessions, the file may be updated from the Standard Form 50, or equivalent. The simplest way to do this is for the system monitor (or an employee outside the personnel office acting for him) to review the chronological file of personnel actions immediately prior to collecting data for the report. Pen-and-ink changes on the cards may be used to record name changes and corrections to name, birthdate or social security number. Cards of separated minority group members are removed from the active file.

Another way to maintain currency is to have all personnel action documents affecting name, birthdate, or social security number and those effecting separations channeled through the system monitor. Pen-and-ink changes can be made and cards removed, as appropriate.

When reports are to be compiled, the personnel office makes available the personnel records (service control file or official personnel folders) which are needed. The compilation of data for reports must be done by employees outside the personnel office. The status of each minority group employee in relation to the element being reported on, e.g., grade, occupation code, etc., may be determined and tabulated. Most reports will be based on statistical comparisons between minority group employees and all employees with respect to the elements which are reported on.

V. HEAD COUNT SYSTEMS

Agencies electing to continue to rely on head counts will generally follow the same procedures as in the past. Supervisors will compile the necessary employee data from visual observation of the employees in their units. Minority group designations will be reported only in the form of statistical data, without identification of individual employees.

NICHOLAS J. OGANOVIC,
Executive Director.

Attachments: 5.

EXHIBIT A: ATTACHMENT 1 TO FPM LTR. 293–5

MINORITY GROUP STATUS QUESTIONNAIRE

(Surname———. Date of Birth———. Social Security No.———)

To Employee:

1. Please read the statement on the other side of this card if you have not already done so.

2. Check the one block below which best describes your race or national origin:

[ ] American Indian
[ ] Negro
[ ] Oriental
[ ] Spanish-American
[ ] None of These (Check this block if you are other than listed above.)

3. After you have checked your answer, return this card according to the instructions given by your supervisor.

To Employee:

The Federal government and your employer want to be sure that every individual whatever his race or national origin gets fair and equal treatment. To do this, we need to know how many minority group employees there are, what kinds of jobs they hold, what

grade level their jobs are, and other things that will show whether or not there is discrimination. Minority group records are being set up for this purpose.

You are asked to help by checking the block on the other side of this card which describes your race or national origin. Your answer will be kept confidential and will not be used against you in any way.

EXHIBIT B: ATTACHMENT 2 TO FPM LTR. 293-5

BULLETIN

Bulletin No.

Subject: Establishing and Maintaining a Record of Minority Group Status.

PURPOSE

This bulletin explains a new system for collecting and maintaining information on the minority group status of employees with this agency. The system, which has the approval of the Civil Service Commission, will provide statistics for minority group reports and will eliminate the need in the future for "head counts" of minority group members.

More importantly, the new system will provide information in greater detail than has been available in the past; information needed to measure progress in providing equal opportunity to all employees, including members of minority groups. With better statistics, we will be able to pinpoint and eliminate discriminaton that may exist in specific areas and thus provide a practical means for affirmative action. In brief, the information will be used to insure that all actions that affect employees of this agency are taken on the basis of merit alone, without regard to race or national origin.

Safeguards will be installed to prevent the reporting of information which identifies an individual employee by his race or national origin. Employees will be fully protected against the use of the records, themselves, as a means to discriminate against minority group members.

COLLECTION OF ORIGINAL DATA

To get the new system underway, we will prepare a card questionnaire for each full-time employee as of (Date). These cards will be delivered to (appropriate agency office) with a supply of preaddressed envelopes, "Instructions to Supervisors", and tally sheets to control the questionnaires issued to and collected from employees. A number of blank questionnaires will also be included. These blanks will be used to prepare cards for new hires employed between (date same as above) and the date of the census, so that every full-time employee, as of the census date, will have a card questionnaire. Cards received on employees who are separated prior to the date of the census should be returned uncompleted, with the reason for return clearly shown. The card questionnaires will be distributed to unit supervisors, and on the census date, (show date census to be conducted), each supervisor will furnish cards to his employees. The employee will be asked to complete his card in privacy, seal it in the preaddressed envelope which will be furnished him, and return it to the supervisor immediately. If the employee does not wish to complete the card, he will not be required to do so, but will be asked to return it and the unsealed envelope to the supervisor.

The envelopes containing the questionnaires will be turned in daily by the supervisors to the (system monitor). Normal bulk mailing practices will be followed, if mailing is necessary.

Supervisors will maintain a record so that they can complete the tally sheet attached to the "Instructions to Supervisor" within two weeks after census date. Only in exceptional cases should there be any difference between the number of questionnaires received and the number returned. All tally sheets will be collected by two weeks after census date and delivered to (system monitor).

We expect that some of the returns will be unusable because the employees do not fill them out properly or not at all. These unusable returns will be sorted out and returned with instructions for appropriate followup.

SUBSEQUENT COLLECTION OF DATA

We will need to know the minority group status of each new employee hired after the census date. The blank card questionnaires will be used for this purpose. Each new full-time employee, including temporary, will be be asked during his processing to complete one of the card questionnaires in privacy, seal it in an envelope, and return it with his other processing papers. The Personnel Office will send the sealed envelope to (system monitor).

CONCLUSION

This is an important undertaking which will require the full support of all concerned to insure full understanding by employees and to establish a complete and accurate record. Once the information is on record, it will be kept current so that it will not ordinarily be necessary to ask either the employee or his supervisor for the information again. With your cooperation, we will have more complete and accurate statistical foundation upon which to base actions and programs to improve the utilization of our human resources through the operation of a true merit system without regard to race or national origin.

EXHIBIT C: ATTACHMENT 3 TO FPM LTR. 293-5

SUPERVISORS' INSTRUCTION SHEET FOR PROCESSING EMPLOYEE CARD QUESTIONNAIRES DESIGNATING MINORITY GROUP STATUS

Enclosed are card questionnaires which your employees are to use to designate their minority group status. A preaddressed envelope is furnished for each card. Please check the cards to be sure there is one for each employee under your supervision. If not, notify the Personnel Office at once for further instructions. Also check the name, date of birth, and social security number for accuracy and make pen-and-ink changes as necessary. When you have an accurate card for each employee, enter the total number of cards in the tally sheet which is attached to this instruction sheet.

On (date of census), deliver the card questionnaire and one of the preaddressed envelopes to each employee. Answer any questions he may have, then give him an opportunity to complete the questionnaire in privacy, seal the card in the preaddressed enevelope, and return it to you. No employee will be required to complete the questionnaire against his wishes and no disciplinary action will be threatened or taken for his failure to do so. You are to turn the sealed envelope in to the (system monitor) the same day that the employee completes his questionnaire.

You may have employees who are not available on the date the cards are to be completed. If you know the employee will return within two weeks of the date, hold his card until he returns and ask him to complete it immediately upon his return. If he will not be available within two weeks, return the card to the Personnel Office.

As the questionnaires are completed and the envelopes returned to you, keep a running tally. When all envelopes have been returned, enter the total on the tally sheet. The tally sheet must be completed by (2 weeks after census date) in any event. If all questionnaires are not returned by that time, explain the reasons in the space at the bottom of the tally sheet, sign it, and return it to the (system monitor).

EXHIBIT D: ATTACHMENT 4 TO FPM LTR. 293-5

TALLY SHEET FOR EMPLOYEE QUESTIONNAIRES DESIGATING MINORITY GROUP STATUS

Agency or Establishment: ———.

Location: ———.

	Number
1. Questionnaires received	------
2. Questionnaires distributed	------
3. Questionnaires collected	------

If the figures in 1, 2, and 3 are not the same, please explain:

——— ———,

(Unit Supervisor).

(Date.)

EXHIBIT E: ATTACHMENT 5 TO FPM LTR. 293-5

MEMORANDUM

Subject: Followup on Questionnaires Designating Minority Group Status.

From: ———.

To: ———.

Usable questionnaires have not been received from one or more employees of your organization. The names of these employees are listed in the attachment to this memorandum under headings which show the reason why a followup is necessary. Also enclosed are new card questionnaires and preaddressed envelopes for the employees listed. It is essential that these questionnaires be completed accurately and returned so that a complete and valid record can be established.

Employees should have explained to them the reason why their first submission is not usable. After discussion with the employee, the unit supervisor should follow the original procedure in allowing him to complete the card in privacy, seal it in the preaddressed envelope and return it immediately.

Please cooperate in getting these questionnaires completed and returned as soon as possible. The accuracy of future minority group reports is entirely dependent upon the base of information which the questionnaires establish.

U.S. CIVIL SERVICE COMMISSION,

May 17, 1966.

DEAR MR. CHAIRMAN: In your letter of May 3, which we acknowledged on May 10, you raised several questions about the use of a minority group status questionnaire in the Equal Employment Opportunity Program. I am glad to respond to your questions.

It is not mandatory that employees fill out the questionnaire. Employees are asked to fill out the questionnaire so that the data may be entered into computers and combined with other personnel data. Social security numbers are used instead of names to protect the identity of the individual employee.

Inclosed is a copy of our FPM Letter No. 293-5 of March 4, 1966, which gave instructions to Federal agencies as to how the minority group statistics system would operate. Heretofore, such statistics were gathered annually by a "head count" made by supervisors. We feel that the use of automatic data processing equipment by agencies that have this capability will produce more valid statistics. Use of ADP has the further advantages of: (1) insuring confidentiality; (2) permitting the employee, rather than his supervisor, to designate his race or national origin; and (3) providing the means for a more penetrating occupational analysis of minority group employment.

The second sentence on page 4 of the inclosed FPM Letter 293-5 instructs agencies as follows:

"However, no employee will be *required* to provide information about his minority group status and no disciplinary action will be taken against an employee who does not furnish the information."

Again in the proposed instructions to supervisors (Exhibit C of FPM Letter 293-5), there appears a similar statement in the third sentence of the second paragraph:

"No employee will be *required* to complete the questionnaire against his wishes and no disciplinary action will be threatened or taken for his failure to do so."

It was our feeling that these quoted statements should get the point across that this is an entirely voluntary effort. However, we do need a sizeable response from employees in order to have really useful data.

I appreciate the concern about invasion of privacy. The automated system is set up in such a way as to protect the identity of the individual. At the same time, those employees who object to filling out the questionnaire on any ground do not have to fill it out.

The minority group categories shown on the questionnaire represent the groups whose members have filed complaints of discrimination in significant numbers. We are striving for a time when there will be no valid basis for such complaints, and no need to maintain statistics on the employment of minority group members.

The purpose of the minority group statistics system is to provide some solid basic data, in lieu of the inexact data we have had so far, to help determine those areas of Federal employment in which there may be denial to minority group members of an equal opportunity for employment. There is no intent to compromise the principle of open competition for civil service jobs in any way or to establish a quota system for any group. We are firmly committed to combat discrimination against a majority group as well as against minority groups.

If you wish additional information about the statistics system, please let me know.

Sincerely yours,

JOHN W. MACY, Jr., *Chairman.*

Text of Senator ERVIN's letter to Chairman Macy.

MAY 24, 1966.

DEAR MR. MACY: Thank you for your letter of May 17 describing the purpose of the Minority Group Status Questionnaire which is being circulated to all Federal employees.

Despite the assurances expressed in your letter, several aspects of this questionnaire continue to disturb me.

The Subcommittee was pleased to learn that the Commission has no intent to compromise the principle of open competition for civil service jobs or to establish a quota system for any group. Unfortunately, however, regardless of intent, I fear that this ultimately may be the unavoidable result of such a process as you are inaugurating. I sincerely doubt the wisdom of any such attempt to categorize millions of Federal workers and their families by race or ancestry. It would seem that extreme care must be exercised at all levels to insure that the new system does not serve to increase the very problems which you seek to alleviate. I am not at all sure that we have in government people who are sufficiently equipped to deal with all of the problems which can arise under such procedures, or that it is possible to train them adequately for the job.

The many letters and telegrams received by the Subcommittee from individuals and organizations indicate a widespread concern throughout the county over the government invasion of personal privacy represented by this questionnaire. In balancing the interests, I think you may find on reconsideration that the value of privacy being affected here is far more important to our society and to the principle of the dignity of the individual which we have always sought to promote than are the time and effort saved by the use of such a personnel short-cut.

You state in your letter that the replies are voluntary; however, I invite your attention to the various provisions in your regulations for obtaining compliance and for follow-up checks by supervisors to insure full participation in the census. In one instance reported to the Subcommittee, field employees of an agency were told the questionnaire was voluntary, yet a list of names of those who elected not to complete it was sent to the regional office. To my mind, the "voluntary" nature of this management tool raises issues similar to the use of polygraphs and psychological tests by government. When a man wants a job, when a supervisor knows the success of his performance may be noted, it might be said that there is implicit in such procedures a form of economic coercion to the employee's consent to such an invasion of his privacy.

For these reasons, I was particularly alarmed to discover that these questions are being asked not only of present employees, of which there are about two and a half million, but that they will be asked of all future applicants, which will mean countless thousands in the years ahead.

It would appear, furthermore, that the policy which is being initiated with this questionnaire contradicts the Commission's letter of May 11, 1959 (C2-19) which prohibits any inquiry concerning the race or religious beliefs of employees or applicants. The Subcommittee would like to know, therefore, whether or not that regulation has been rescinded and, if not, how it can be reconciled with your regulations of March 4 authorizing the questionnaire.

The major points I wish to stress are these: The purpose of the questionnaire and the motives behind this new policy are, I am sure, commendable and worthy. The Federal government should not discriminate because of race or color or ancestry. I do, however, question the reasonableness of the methods chosen to try to attain the goals. The goal of equality of opportunity for some citizens does not and should not encompass the denial of personal privacy to millions. This is especially true when there is no proof that the information solicited will be of any relevant or overriding value to the nation or to the operation of government, or that it will be instrumental in achieving the goals of public policy as expressed by Congress.

In the light of these comments, I hope that the Commission will reconsider the advisability of using the Minority Group Status Questionnaire. I would be interested in receiving your views on these matters.

With all kind wishes, I am,

Sincerely yours,

SAM J. ERVIN, JR., *Chairman.*

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C., June 23, 1966.

Hon. SAM J. ERVIN, JR.,
Chairman, Subcommittee on Constitutional Rights, Committee on the Judiciary, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I am glad to furnish our views on the further questions raised in your letter of May 24 concerning the minority group statistics system prescribed for Federal departments and agencies.

The principal questions relate to the reasonableness or propriety of obtaining statistical data on the employment of members of minority groups in the Federal work force, which involves the matter of personal privacy, and whether such data will be relevant and instrumental in achieving the goals of equal employment opportunity pursuant to public policy as expressed by the Congress.

It is our experience that data on current minority employment is essential information for agency management in fulfilling its responsibility to ensure equal employment opportunity in the Federal service. It has proved extremely useful in appraising employment practices ever since the first statistical survey was directed by President Kennedy in Executive Order 10925, dated March 6, 1961.

The Congress recognized the propriety and necessity for such data by directing private employers, in Title VII of the Civil Rights Act of 1964, to make and keep such records relevant to the determination of whether unlawful employment practices have been or are being committed, and to make such reports therefrom, as are prescribed by the Equal Employment Opportunity Commission. The same Title provided that it shall be the policy of the United States to insure equal employment opportunities for Federal employees and that the President should utilize his existing authority to effectuate this policy.

The minority data requirements established by the Equal Employment Opportunity Commission for reporting by covered employers were established after extensive consultation with representatives of the employers and other interested parties and the public hearing prescribed by the Act. They call for data reports showing the total number of employees and the number of American Indian, Negro, Oriental, and Spanish American employees, by specified occupational categories. Employers are authorized to obtain the necessary information either by visual surveys of the work force or, at their option, by the maintenance of post-employment records as to the racial or ethnic identity of employees. In the latter case, however, the EEO Commission recommended that any such records maintained be kept separate from the employee's records available to those responsible for personnel decisions. The same rules were established for Government contractors covered under Executive Order 11246 and for employers participating in the Plans for Progress program.

The minority group statistics system established by the Civil Service Commission for Federal employees, under Executive Order 11246, covers the same minority groups and follows the same pattern of maintaining data as described above. Being mindful of the desirability of preserving personal privacy to the maximum extent possible, our regulations specify—where data is being gathered by employee questionnaire—the conditions of employee option, privacy in completing the questionnaire, and confidentiality in collecting and maintaining the data outside the normal personnel process, as reported in my May 17 letter. A point which my letter apparently did not make clear is that the minority statistics system does not apply to applicants but only to employees in the Government.

We are concerned, of course, to see that these safeguards are carefully preserved in the operation of the system. If any of the complaints received by the Subcommittee allege a violation of the safeguards, which are mandatory, we would appreciate very much your sharing them with us so that we can make a prompt investigation.

The follow-up provisions in the system are for the purpose of insuring that employees have not been overlooked in the distribution of questionnaires or merely neglected to return them, and to correct questionnaires that are incomplete or illegible. This procedure is normal in statistical surveys and is not intended to compromise the voluntary character of surveys. If an employee returns the questionnaire telling his supervisor that he does not wish to complete it, there should be no follow-up to the employee. Even if another questionnaire should be sent to this employee, he need only return it again uncompleted to his supervisor.

The Commission's letter of May 11, 1959, prohibiting inquiries into the race or religious beliefs of employees provided that such inquiries were permissible when required for employment surveys. The general prohibition on inquiries into race or religious beliefs stems directly from Section 4.2 of Civil Serv-

ice Rule IV. Section 4.2 is designed to prevent persons from ascertaining, through inquiry, the race or religious beliefs of any individual employee because the information may be used to discriminate against the employee. It is not designed to prevent a government agency, which is responsible for furthering the government's nondiscrimination policy, from collecting statistical information on the nature and extent of the employment of minority group members, when such information is to be used to evaluate and improve the effectiveness of the Equal Employment Opportunity Program.

We have reexamined the minority statistics procedures in light of your comments and find them both essential and proper to our carrying out our responsibilities under the Equal Employment Opportunity Program.

By direction of the Commission:

Sincerely yours,

JOHN W. MACY, Jr., *Chairman.*

Mr. ERVIN. I also ask unanimous consent to have printed in the RECORD the following articles: "Lollypop Equality," an article by W. O. Rittenhouse in the June 15, 1966, edition of the Government Employees Exchange; and article, entitled "Under Fire: Race Check on Federal Workers," from the May 23, 1966, edition of U.S. News & World Report; and a column by David Lawrence entitled "Questionable Questionnaires." All of these are enlightening, perceptive analyses of the meaning of these questionnaires.

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

[From the Government Employees Exchange, June 15, 1966]

LOLLYPOP EQUALITY

(By W. O. Rittenhouse)

The May 18, 1966, issue of *The Exchange* gave a full report on the "Minority Group Status Questionnaire" which was added to the Federal personnel record keeping system by FPM Letter No. 293-5, dated March 4, 1966. Under instructions issued by the Civil Service Commission, all full-time Federal employees are expected to complete a card form, checking one of four blocks which best describes their race or national origin. The fifth block is reserved for *"None of These."* Related statistical reports required by the FPM Letter include "Effective Date of Current Grade or Level."

BACKGROUND

Some years ago, candidates for Civil Service examinations were required to attach their photographs to their application forms. In some cases, this served to identify distinctive racial differences when applicants were considered for jobs. Beyond the point of hire, the record keeping system then in effect made no provision for identifying the race or national origin of employees.

Later, one of the minority group organizations objected—and properly so—to the use of photographs. Photographs were eliminated, and Federal agencies were instructed by the Civil Service Commission to stop using any informal type of coding system on application forms which might serve to identify a candidate's race. This and related events combined to form the cornerstone for what now is known as the "Equal Employment Opportunity" program in Government.

There was an abrupt about-face on identifying job applicants and employees by race, beginning in about 1961. Periodically, Federal agencies were required to furnish data on minority employment based only on a head count. Occasionally, the President's Committee on Equal Employment Opportunity requested some or all agencies to furnish "flash reports," due within a matter of several days, on the number of Negroes hired and promoted. The cost to taxpayers was staggering. Think of this in terms of one of the military departments. Several high paid employees in the Washington headquarters had to spend hours on the phone contacting their command headquarters, scattered throughout the world, to outline information needed. There were more telephone calls from the command headquarters to their many subordinate bases. And all of this was repeated in reverse to get the data back to the Washington headquarters.

The new questionnaire form will eliminate the costly head count. It will also encourage racial consciousness and create morale problems.

UNHINGED CLASSIFICATIONS

The classifications listed in the questionnaire form, for the most part, must be the product of an unhinged imagination. "American Indian" is a proper classification and indicates that the Indian is an American first. They are a great and proud people. Unfortunately, they represent a relatively small segment of our total and Federal-employee population. To the knowledge of this column, this is the first time American Indians have been identified in Civil Service statistics as members of a minority group.

The next category is "Negro." This is a proper racial identity, but there are Negroes scattered throughout the world. The same is true of the third classification, "Oriental." Unlike Indians, Negroes and Orientals are not identified as American Negroes or American Orientals. They have contributed much to our society. Have they not earned the right to be classified as Americans?

The next designation is "Spanish-Americans." Is this a special category of people who consider their national origin more meaningful than their American citizenship? Americans of Spanish descent and the peoples of other national origin who came to our shores and became citizens of the United States are, and have reason to be proud of their citizenship.

The final classification is a catch-all for the faceless American, "None of These." Apparently, this includes Americans of British, Irish, Italian descent and so on down the alphabet. It includes the peoples of Europe and elsewhere who came to America to seek freedom from political or religious persecution. It includes the peoples who went through troubled times, but who helped each other. They grew in numbers as America became known as a haven for freedom-loving people, and now form the largest segment of our population. These and other peoples who have made America great have been stigmatized as "None of These."

"NONE OF THESE"

What does "None of These" mean? Does it mean that "None of These" have reason to expect equal treatment when it comes to getting a government job or being considered for promotion?

Many employees in government are shocked by the possible implications of the questionnaire. They know there is relatively little question of discrimination in hiring and promoting individuals in the classifications listed. They ask whether a few have been included as window-dressing to obscure the real purpose of collecting and reporting minority group data. They wonder whether this will encourage over-zealous, crusading officials in government to translate "equal employment opportunity" into "political opportunity" or "racial balance." All responsible citizens—even including the "None of These"—do not like the political overtones obvious in an attempt to reach a "racial balance" in government employment.

Discrimination because of racial or other identity is an evil. It exists in all societies. It cannot be eliminated overnight. The cure is not to encourage racial consciousness, nor to identify the large segment of our population as "None of These." An attempt to reach a "racial balance" in employment and promotional opportunities is an over-simplification of the basic problem. It bears the mark of its manufacturer too clearly. It compliments neither the giver, nor the receiver of the special consideration implied. As an objective, it disregards the human dignity characteristic of Americans who prefer to get ahead by hard work, determination and devotion to duty.

QUESTIONABLE QUESTIONNAIRE

(By David Lawrence)

WASHINGTON.—Racial consciousness, which has long been deplored, is likely to be encouraged unwittingly by a new move just taken by the federal government. A card has been issued to all government employes to set up a racial classification, though for some unexplained reason it lists only certain races and nationalities. "A minority group status questionnaire" is being handed to every employe with the requirement that it be filled out with his surname, date of birth and Social Security number. The card reads as follows:

LISTS ONLY CERTAIN RACES

"TO EMPLOYE:

"1. Please read the statement on the other side of this card if you have not already done so.

"2. Check the one block below which best describes your race or national origin:

( ) American Indian
( ) Negro
( ) Oriental
( ) Spanish-American
( ) None of these (check this block if you are other than listed above.)

"3. After you have checked your answer, return this card according to the instructions given by your supervisor."

On the reverse side of the questionnaire is the following message:

"To employe:

"The federal government and your employer want to be sure that every individual whatever his race or national origin, gets fair and equal treatment. To do this, we need to know how many minority group employes there are, what kinds of jobs they hold, what grade level their jobs are, and other things that will show whether or not there is discrimination. Minority group records are being set up for this purpose.

"You are asked to help by checking the block on the other side of this card which describes your race or national origin. Your answer will be kept confidential and will not be used against you in any way."

Many government employes are astounded by the nature of the questionnaire, and some of them are asking why there is no reference to other racial groups, such as Polish-American, Greek-American, Italian-American, or to any religion. Since the questionnaire ignores these classifications, it gives the impression that a few have been mentioned as window-dressing and that the real purpose is to obtain information as to the number of Negroes and whites actually employed. Certainly it is not assumed that, in the offices of those agencies of the government where there is a predominance of Negroes, any employes will be discharged to make room for whites, but some of the latter are concerned nevertheless that they may be removed to permit more Negroes to get jobs.

The use of the questionnaire among government employes could mean that before long, the government would issue the same questionnaire to every private business, from which a tabulation could be made to determine whether the proper percentage of

Negroes is being employed according to government concepts.

The attempt to reach a "racial balance" through some quota system disregards, of course, whether an employe holds his job by reason of merit or because of discriminatory practices. The emphasis now apparently is on whether there is discrimination because of race or color. The same reasoning can be applied by the government to deal with any religious discrimination that may exist.

No information has been made available by any government source as to what standards will be used in making the final judgment as to whether "every individual whatever his race or national origin gets fair and equal treatment."

Would it be based on population percentages alone?

QUESTIONS NOT CHALLENGED

The truth of the matter is that, inside the government, there are some crusading officials who believe that "equal employment opportunity" cannot be achieved except by compelling a "racial balance."

The new questionnaire is being studied by the Senate Subcommittee on Constitutional Rights, of which Sen. SAM ERVIN, JR., of North Carolina, is chairman. Concern is expressed that thus far no action has been taken, either through the courts or through legislation, to block the use of the questionnaire which now has been distributed to hundreds of thousands of government employes, together with instructions to their supervisors to obtain the answers.—(c).

[From the U.S. News & World Report, May 23, 1966]

UNDER FIRE: RACE CHECK ON FEDERAL WORKERS

WASHINGTON.—The Federal Government is running into trouble in its campaign—just getting started—to record the race of every employee and put the results through a computer system.

A growing number of federal workers are refusing to fill out the computer-type cards that have been handed out in the racial survey. Many protest that the questionnaire violates their constitutional right to privacy.

The Senate Subcommittee on Constitutional Rights has expressed concern about the situation. Its chairman, Senator SAM J. ERVIN, Jr. (Dem.), of North Carolina, has just asked the Civil Service Commission to state "whether or not the survey indicates an intent to establish a quota system for the federal service."

What the law says. Civil-service law prohibits any consideration other than merit and fitness in hiring workers. Up to now, it has been Government policy not to include racial designations on application forms and personnel records.

Nevertheless, since 1961, all federal agencies have been making an annual head count of white persons and Negroes on their payrolls. Supervisors would literally count heads, deciding the race of an employee by his physical characteristics.

One result of this annual head count has been an increase in the number of Negroes hired and the advancement of more Negroes to better-paying jobs.

This year, the Civil Service Commission decided to try the card system for a more accurate count. Going into the computers, the cards will be keyed to the employees' Social Security numbers. Officials said the information would be kept confidential, and used on a group rather than an individual basis.

"If we are to offer equal employment opportunities," a Commission official added, "we need to have some basic data to tell where the soft spots are."

Cards sent recently to hundreds of thousands of U.S. employees stated:

"The Federal Government and your employer want to be sure that every individual whatever his race or national origin gets fair and equal treatment. To do this, we need to know how many minority-group employes there are, what kind of jobs they hold, what grade level their jobs are, and other things that will show whether or not there is discrimination. Minority-group records are being set up for this purpose."

The choices. The employe is then asked to indicate on the card whether he is American Indian, Negro, Oriental, Spanish-American or "None of These."

Asked why the questionnaire was confined to four specific minority groups, a Civil Service spokesman replied that it was in these groups that most complaints of discrimination originate. "We don't have the problem with other minorities," he said.

No employee is required to complete the questionnaire against his will, and he is assured that "no disciplinary action will be threatened or taken for failure to do so."

Senator ERVIN has commented, however, that when an employe is asked to do something by a superior he is subjected to pressure that is hard to resist.

Subcommittee staff members point out that there is to be a close follow-up on the questionnaire, and that supervisors will be asked for an explanation if any employe doesn't fill one out.

What many federal workers are now worried about, they say, is this:

"If I refuse to fill out this thing, will I go down in the records as an un-cooperative employe?"

CODE OF ETHICS QUESTIONNAIRE

Mr. ERVIN. The second device for invading employee privacy is the questionnaire requiring disclosure of financial and property interests, creditors, and other personal data for employees and members of their families, to assure that they are not violating the conflict of interest statutes or the codes of ethics. This is not a one-time disclosure. It now must be done periodically. Authority for this new questionnaire is Executive Order 11222, which the President signed on May 8, 1965, prescribing standards of ethical conduct for Government officers and employees.

Here is another example of how the career Federal civil servant—as well as uncompensated expert volunteers—must bear the brunt of a campaign to wipe out some evil or promote some cause in Government. There are over 26 Federal laws dealing with conflict-of-interest matters and most departments and agencies have published standards of conduct for their employees. Civil servants have been held responsible for observance of these statutes and standards and could be reprimanded, dismissed, or prosecuted for violations. While a few agencies required disclosure by special categories of employees, there was no governmentwide disclosure requirement. In the interest of apprehending an occasional corrupt employee, we have now consented to having the private lives of countless civil servants monitored and tabulated and evaluated.

In the process, we seem also to have sanctioned the establishment of counseling systems in the departments so that employees may go to their advisors before they or members of their families engage in outside activities, buy property, or seek credit.

Mr. President, I do not believe Congress would sanction the wholesale invasions of privacy which are possible under this new system. I would yield to no one in my interest in promoting adherence to the highest ethical standards and in prohibiting the appearance of conflict of interest in Government, but I have the gravest doubts about the wisdom of these questionnaires. They offer untold opportunities for Government continually to examine every facet of an employee's life. They sanction a big-brother approach to the employer-employee relation which will seep into every cranny of our national life.

I predict that, if continued unchecked, the present devil-may-care attitude of the Federal Government toward the American citizens who also happen to be its employees, will result in an intimidated, lack-luster, unimaginative and fearful civil service. And I predict that not all the heavily financed attractive recruitment policies of Federal management, not all the pay raise bills passed by Congress, will offset the long-term effects on the operations of Government and on our society.

At the time the order was issued last year, considerable emphasis was placed on disclosure by high-level political appointees, which raises different, if related, problems. But few realized the extent of this questioning, down into the ranks of the civil service and into the lists of thousands of private citizens who serve as unpaid consultants and advisors.

In this connection, I ask unanimous consent to submit for the RECORD the following article from the Charlotte Observer by Jay Jenkins which is a subtle and eloquent illustration of the losses which Government can expect to sustain as a result of these questionnaires. This case involves a North Carolina journalist who is one of many newsmen, professors and others who were asked to serve as unpaid consultants to the U.S. Information Agency, and who are now being told this makes them Government employees subject to disclosure requirements.

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

[From the Charlotte Observer, July 6, 1966]

NO-DOLLAR-A-YEAR USIA EMPLOYEE QUITS

(By Jay Jenkins)

RALEIGH.—First, let us fix the scene:

The U.S. Information Agency tapped a number of Tar Heel newsmen, professors and others for the USIA reserve so that in times of emergency we could help continue the functions of the agency.

We are unpaid, unhonored and unsung. The one honorarium we did receive, several years ago, was a week in Washington as the guests of USIA.

It was a sort of introductory training session. Various officials pumped us up about the importance of our mission. We felt like true patriots.

The other day, I, along with the other USIA reservists, received a letter from J. A. Bush, USIA coordinator for emergency planning. The salutation was, "Dear Dr. Jenkins."

Momentarily, I was elated because the "Dr." certainly should improve my credit standing. But the elation died in the first paragraph:

"For some years now you have served as a consultant to the agency. From the standpoint of routine this makes you a government employee and a recent regulation requires certain information of all of us who fall in that category."

Enclosed was a 19-page single-spaced, typewritten document entitled "Uniform Regulations on Employee Responsibilities and Conduct," and a JF-1" form I was asked to fill out and return to Richard M. Schmidt Jr., USIA general counsel.

The JF-1 form was titled, "Confidential Statement of Employment and Financial Interests," and I was told that unless I completed it I would lose my unpaid, unhonored and unsung position.

Presumably also, I would lose my nonexistent status as a federal government employee. The stakes, as you can see, are considerable.

What JF-1 asked was that I list my creditors, my interests in real property, and every dime of my financial holdings. After you get past the creditors, the listing is brief indeed.

Of what possible use to Uncle Sam would be information about a 1963 station wagon with a knock in the motor, a modest deposit in The Observer's Credit Union and two Kennedy half-dollars?

U.S. Sen. SAM ERVIN, head of a subcommittee on constitutional rights, has his dander up because the 2.5 million federal civil servants have been asked to fill out the JF-1 form.

"A colossal vote of nonconfidence in the integrity" of the civil service brigade, Sen. ERVIN. called it.

When he finds out that the dollar-a-year men, as well as we no-dollar-a-year men, also are being asked to fill out the form, Senator SAM may really blow a gasket.

I was tempted to call a few of my USIA reservist colleagues and ask them to join me in a test case of this thing.

USIA, I quit.

Mr. ERVIN. The subcommittee study has shown that the Commission regulations accompanying the Executive order give great leeway to agency and department heads to formulate their own questionnaires, to prescribe the type of information to be solicited and to designate the employees required to fill out the forms and supplement them periodically.

Far from being limited to top-level employees, part 735.403 of the regulations require statements from:

(a) Employees paid at a level of the Federal Executive Salary Schedule established in 1964;

(b) Employees in grade GS–16 or above of the General Schedule established by the Classification Act of 1949, as amended, or in comparable or higher positions not subject to that Act;

(c) Employees in hearing examiner positions;

(d) Employees in positions specifically identified in the agency regulations as positions in the basic duties and responsibilities of which require the incumbent to exercise judgment in making or recommending a Government decision or in taking or recommending Government action in regard to:

(1) contracting or procurement;

(2) administering or monitoring grants or subsidies;

(3) Regulating or auditing private or other non-Federal enterprise; or

(4) other activities where the decision or action has an economic impact on the interests of any non-Federal enterprise.

(e) Employees in positions specifically identified in the agency regulations as positions determined by the agency head as requiring the incumbent thereof to report employment and financial interests in order to carry out the purpose of law, the Executive Order, this Part, and the agency regulations.

In the Department of Commerce alone, the subcommittee is informed, it is estimated that 3,555 officers and employees will be asked to complete the questionnaires. The complex administrative problems faced by the Office of Civil Defense in deciding who should file statements is reported in an article in the Federal Times of July 13, 1966. I ask unanimous consent to have that article printed in the RECORD at this point.

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

[From the Federal Times, July 13, 1966]

ARMY CIVIL DEFENSE PEOPLE WONDER HOW IT HAPPENED

WASHINGTON.—Employees in the Army's Office of Civil Defense recently wondered how some of their jobs could be covered by the Standards of Conduct directive. They scratched their heads in trying to learn how their positions had any financial impact on the federal government or the private economy. The employees in the GS–13 and higher levels were busy right through June 30 in meeting that day's deadline for filing their financial statements.

Although the Department of the Army had not issued its implementing regulation, AR 600–50, to carry out the DoD directive, civil defense chiefs decided to be bound by the June 30 deadline set by Defense. The Army's regulation will permit reports to be filed by August 15, retroactive to the June 30 deadline.

But William P. Durkee, director of Civil Defense, on May 20 issued a memorandum to his employees, "I have determined that all OCD personnel in Grades GS–13 or above shall file a statement of employment and financial interest by June 30, 1966."

All very proper, agreed an Army official in the Office of the Deputy Chief of Staff for Personnel. "They had the forms, so they could go ahead," he said. "It will take a while longer for them to reach all of the field commands."

Now that it had been "determined" that the statements were due, several more points were questioned by employees.

The March 22 DoD directive number 550.7 requires financial reports from civilian GS–13 and above, and military of lieutenant colonel of commander rank and above whose duties are in contracting or procurement, auditing or "other" fields.

The public and employees will generally applaud the DoD directive's purpose stating that "Close adherence to these principles will insure compliance with the high ethical standards demanded of all public servants."

Very well, some civil defense employees ask, how about some fair ground rules being laid down by the bosses? Section B of subchapter XV states under "Review of Positions:"

"Each DoD component shall review its positions in Category 4 above military and civilian, and include in each military and civilian position description, or similar document describing the duties and responsibilities of the position, a statement as to whether the incumbent of the position must file a statement of employment and financial interest as required by this section."

These "civilian position descriptions" have been in the process of being rewritten since last September. As the Army told Federal Times earlier, "Job descriptions are being prepared to reflect the current duties and responsibilities required to carry out the OCD mission."

But the new job descriptions haven't been completed, an employee stated: he said OCD is thereby flouting this part of the Defense Dept. Directive.

Feeling now like the baseball manager who always loses the argument to the umpire, some employees this week asked why they must file a statement when their jobs were not connected with contracting or procurement, or auditing.

To which the legal counsel of the OCD handed down the opinion that such GS–13 and higher jobs came under "Other," or "Activities in which the decision or action has an economic impact on the interests of any non-Federal enterprise."

In other words, all federal jobs could have an economic impact on the business economy, an employee concluded.

Still not bowing to this reasoning, an employee who disliked the oblique questioning of his honesty, prepared a list of civil defense positions that have no "economic impact on the interests of any non-Federal enterprise." They include:

Resources officer, digital computer officer, intelligence officer, foreign liaison officer, program analyst, operations liaison, labor liaison (working with unions), special assistant for civil rights.

Program officer, shelter operations plans officer, doctrine and system officer, support systems officer, fire protection engineer, survey and analysis engineer, survey statistician.

Management systems officer, personnel officer, statistics and reports chief, research administration officer, research management analyst, general engineer, program engineer, support system electronic engineer, fire research coordinator, general chemist, social science research analyst, systems evaluation officer, and social science officer.

The employment and financial statements of these 359 employees in grades GS–13 through 15 will be kept in the general counsel's Defense. Records of GS–16 and higher will be sent to the general counsel's office of the Defense Department.

Director Durkee's letter stated the employee didn't need to report "checking accounts, savings accounts in banks and savings and loan associations, or shares in a credit union need not be listed, nor need an employee list his life insurance policies."

But, Mr. Durkee pointed out, "It should be noted that the interest of a spouse, minor child or other member of an employee's immediate household is considered to be an interest of the employee."—DICK RITTER.

Mr. ERVIN. In view of the scope of Federal activities today, it is obvious that, far from being limited, this regulation amounts to a mandate for a nationwide probe of the personal affairs of Federal employees, consultants, and advisors, and their families. It places all of them under the rule of administrative judges who will determine whether their conduct and proposed conduct meets the vague standards of each agency's particular program.

I have directed the Subcommittee on Constitutional Rights to conduct a survey of all Federal agencies and departments to determine how this Executive order is being implemented, just what type of information is being solicited in each agency, what provisions have been made for confidentiality of replies and who in each organization will review the data. I ask unanimous consent to have that survey letter printed at this point in the RECORD.

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

U.S. SENATE, COMMITTEE ON THE JUDICIARY, SUBCOMMITTEE ON CONSTITUTIONAL RIGHTS,
July 11, 1966.

DEAR ———: As part of its study of the rights of Federal employees, the Constitutional Rights Subcommittee is investigating the use of questionnaires to elicit information about creditors, property, business, financial and other interests and activities of Federal employees and members of their families.

In this connection, we should appreciate your supplying the Subcommittee with copies of any regulations, memoranda, directives and forms issued by your agency or any of its components to implement Executive Order 11222, Prescribing Standards of Conduct for Government Officers and Employees.

Would you also indicate:

(1) How many employees in your agency and what categories of employees have been or will be asked to complete standard of conduct questionnaires under the Order?

(2) Who in your agency is responsible for soliciting this information?

(3) Which officials review it for violation of the standards?

(4) (a) What administrative procedures have been established to safeguard the confidentiality of the data?

(b) Where is the information deposited when it has been reviewed?

(5) Have you previously utilized similar questionnaires or required such information from your employees? If so, how does the new system differ from your former practices? Please supply copies of earlier forms.

Thank you for your assistance in our study.

With all kind wishes, I am

Sincerely yours,

SAM J. ERVIN, JR.,
Chairman.

Mr. ERVIN. On June 23 I expressed my deep concern about these matters in a letter to the Chairman of the Civil Service Commission. I ask unanimous consent to insert that letter in the RECORD at this point, together with Executive Order 11222 and the text of the Commission regulations implementing the Executive order.

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

FEDERAL PERSONNEL MANUAL SYSTEM LETTER

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C., October 1, 1965.

FPM Letter No. 735-2.

Subject: Regulations on Employee Responsibilities and Conduct Implementing E.O. 11222, Prescribing Standards of Ethical Conduct for Government Officers and Employees

Heads of Departments and Independent Establishments:

Under Executive Order 11222 of May 8, 1965, the Commission is responsible for issuing Government-wide regulations setting forth the standards under which each agency head shall issue regulations governing the conduct of employees and special Government employees covering such matters as the acceptance of gifts, entertainment and favors, outside employment, teaching and writing, and the use of Government information for private gain. The order also directs the Commission to issue regulations requiring that certain employees and officials file statements of employment and financial interests.

The Commission has approved regulations setting forth the standards under which each agency head shall issue regulations governing the conduct of Government employees and special Government employees and the reporting of employment and financial interests. These regulations (new part 735), issued in accordance with the order, are attached.

Each agency must prepare its own regulations in accordance with the requirements of the Commission's regulations and submit two copies of them for approval to the Office of the General Counsel of the Civil Service Commission, Washington, D.C. 20415, not later than December 30, 1965.

The Commission's regulations are designed to allow maximum flexibility for each agency to prescribe regulations that will meet its particular needs so long as they are consistent with the intent of the Executive order to achieve Government-wide uniformity with respect to the minimum standards set forth in the Commission's regulations. Realistic and effective communication to employees and to the public doing business with the Government of the ethical standards under which Government business shall be conducted is called for. Also, the individual privileges of employees of the Government have been specifically recognized by the regulations in such sensitive areas as teaching, lecturing, and engaging in financial transactions in which no conflicts of interest issue exists.

The regulations contain the following particularly significant provisions which should be noted.

(1) After Commission approval of agency regulations, the regulations must be submitted to the Federal Register for publication.

(2) Each agency shall designate a top ranking employee who has appropriate experience, preferably legal, to be the counselor for the agency and to be the agency's designee to the Commission on matters covered by these regulations.

(3) The agency's regulations (or a comprehensive summary) must be given to each employee.

(4) The establishment of an interpretation and advisory service in each agency so that counselors are available to any employee who requests guidance is required.

(5) Statements of employment and financial interest are required from employees in specified positions and from other employees whom agencies may designate.

Under Executive Order 11222, the issuance of these regulations revokes the President's Memorandum of May 2, 1963, Preventing Conflicts of Interest on the Part of Special Government Employees. However, the Commission is administratively adopting as Federal Personnel Manual instructions those portions of the memorandum which set forth rules for obtaining and utilizing the services of a consultant, adviser, or other temporary or intermittent employee. Those rules are the section entitled, Conflict of Interest Statutes, in the revoked memorandum. Therefore, agencies should continue to observe these rules until such time as the Commission publishes a revised FPM Chapter 735 incorporating them.

These regulations are effective October 1, 1965.

By direction of the Commission:

NICHOLAS J. OGANOVIC,
Executive Director.

Attachment: New part 735 regulations.

PART 735—EMPLOYEE RESPONSIBILITIES AND CONDUCT

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735.411 Effect of employees' statements on on other requirements.
735.412 Specific provisions of agency regulations for special Government employees.

Authority: Secs. 735.101 to 735.412 issued under secs. 602, 701, 703, E.O. 11222, 30 F.R. 6469, 3 CFR, 1965 Supp.

SUBPART A—GENERAL PROVISIONS

Sec. 735.101 Purpose: The maintenance of unusually high standards of honesty, integrity, partiality, and conduct by Government employees and special Government employees is essential to assure the proper performance of the Government business and the maintenance of confidence by citizens in their Government. The avoidance of misconduct and conflicts of interest on the part of Government employees and special Government employees through informed judgment is indispensable to the maintenance of these standards. To accord with these concepts, this Part sets forth the Commission's regulations under which each agency head shall issue regulations covering the agency's employees and special Government employees, prescribing standards of conduct and responsibilities, and governing statements reporting employment and financial interests.

Sec. 735.102 Definitions: In this Part:

(a) Agency means an executive department or independent establishment or agency in the executive branch, including a Government-owned or controlled corporation.

(b) Employee means an officer or employee of an agency, but does not include a special

Government employee or a member of the uniformed services.

(c) Executive order means Executive Order 11222 of May 8, 1965.

(d) Person means an individual, a corporation, a company, an association, a firm, a partnership, a society, a joint stock company, or any other organization or institution.

(e) Special Government employee means a "special Government employee" as defined in section 202 of title 18 of the United States Code who is employed in the executive branch, but does not include a member of the uniformed services.

(f) Uniformed services has the meaning given that term by section 101(3) of title 37 of the United States Code.

Sec. 735.103 Applicability to members of the uniformed services: This Part, except this section, is not applicable to members of the uniformed services. Each agency having jurisdiction over members of the uniformed services shall issue regulations covering those members and regulating their ethical and other conduct and the reporting of employment and financial interests in a manner consistent with the Executive order and this Part.

Sec. 735.104 Issuance, approval, and publication of agency regulations: (a) Except as provided in paragraph (f) of this section, each agency head shall prepare, and submit to the Commission for approval, regulations in accordance with this Part that:

(1) Implement the requirements of law, the Executive order, and this Part; and

(2) Prescribe additional standards of ethical and other conduct and reporting requirements that are appropriate to the particular functions and activities of the agency and are not inconsistent with law, the Executive order, and this Part.

(b) After Commission approval each agency head shall:

(1) Submit the agency's regulations to the Federal Register for publication;

(2) Furnish each employee and special Government employee a copy of the appropriate agency regulations (or a comprehensive summary thereof) within 90 days after approval;

(3) Furnish each new employee and special Government employee a copy of the appropriate agency regulations (or a comprehensive summary thereof) at the time of his entrance on duty;

(4) Bring the appropriate agency regulations to the attention of each employee and special Government employee annually, and at such other times as circumstances warrant;

(5) Assure the availability of counseling to each employee and special Government employee as provided in section 735.105; and

(6) Have available for review by employees and special Government employees, as appropriate, copies of laws, the Executive order, agency regulations, and pertinent Commission regulations and instructions relating to ethical and other conduct.

(c) Agency regulations issued under this Part are effective only after approval by the Commission and publication in the Federal Register.

(d) Requests for approval of agency regulations to be issued under this Part shall be directed to the United States Civil Service Commission, Office of the General Counsel, Washington, D.C. 20415.

(e) This section applies to any amendment of agency regulations issued under this Part.

(f) Any agency head who does not consider it feasible to prepare agency regulations under this Part because of the small number of his employees, or for another reason acceptable to the Commission, may adopt the regulations in this Part for application, as appropriate, to the employees and special Government employees of his agency if:

(1) He obtains the approval of the Commission for that adoption; and

(2) After obtaining that approval, he submits a notice to the Federal Register announcing the applicability of this Part to his employees.

Sec. 735.105 Interpretation and advisory service. (a) Each agency head shall designate a top-ranking employee of his agency who has appropriate experience, preferably legal, and in whom he has complete personal confidence, to be the counselor for the agency and to serve as the agency's designee to the Commission on matters covered by this Part. The counselor shall be made responsible for coordination of the agency's counseling services provided under paragraph (b) of this section and for assuring that counseling and interpretations on questions of conflicts of interest and other matters covered by this Part are available to deputy counselors designated under paragraph (b) of this section.

(b) Each agency head shall designate deputy counselors for the agency's employees and special Government employees. Deputy counselors designated under this section shall be qualified and in a position to give authoritative advice and guidance to each employee and special Government employee who seeks advice and guidance on questions of conflicts of interest and on other matters covered by this Part.

(c) Each agency shall notify its employees and special Government employees of the availability of counseling services and of how and where these services are available. This notification shall be made within 90 days after approval of the agency regulations to be issued under this Part, and periodically thereafter. In the case of a new employee or special Government employee appointed after this notification, notification shall be made at the time of his entrance on duty.

SEC. 735.106 Reviewing statements and reporting conflicts of interest: (a) Agency regulations issued under this Part shall establish a system for the review of statements of employment and financial interests submitted under Subpart D. The system of review shall be designed to disclose conflicts of interest or apparent conflicts of interest on the part of employees and special Government employees.

(b) The system of review established under paragraph (a) of this section shall provide that, when a statement submitted under Subpart D or information from other sources indicates a conflict between the interests of an employee or special Government employee and the performance of his services for the Government and when the conflict or appearance of conflict is not resolved at a lower level in the agency, the information concerning the conflict or appearance of conflict shall be reported to the agency head through the counselor for the agency.

(c) The employee or special Government employee concerned shall be provided an opportunity to explain the conflict or appearance of conflict.

Sec. 735.107. Disciplinary and other remedial action: (a) Agency regulations issued under this Part shall provide that a violation of these regulations by an employee or special Government employee may be cause for appropriate disciplinary action which may be in addition to any penalty prescribed by law.

(b) When, after consideration of an explanation of the employee or special Government employee provided by section 735.106, the agency head decides that remedial action is required, he shall take immediate action to end the conflicts or appearance of conflicts of interest. Remedial action may include, but is not limited to:

(1) Changes in assigned duties;

(2) Divestment by the employee or special Government employee of his conflicting interest;

(3) Disciplinary action; or

(4) Disqualification for a particular assignment.

Remedial action, whether disciplinary or otherwise, shall be effected in accordance with any applicable laws, Executive orders, and regulations.

SUBPART B—AGENCY REGULATIONS GOVERNING ETHICAL AND OTHER CONDUCT AND RESPONSIBILITIES OF EMPLOYEES

Sec. 735.201 Specific provisions of agency regulations: Agency regulations issued under this Subpart, as a minimum, shall contain provisions covering the standards of and governing the ethical and other conduct of its employees set forth in sections 735.202 through 735.210.

Sec. 735.202 Gifts, entertainment, and favors: (a) Except as provided in paragraph (b) of this section, an employee shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value, from a person who:

(1) Has, or is seeking to obtain, contractual or other business or financial relations with his agency;

(2) Conducts operations or activities that are regulated by his agency; or

(3) Has interests that may be substantially affected by the performance or nonperformance of his official duty.

(b) Agency regulations implementing paragraph (a) of this section may provide for such exceptions as may be necessary and appropriate in view of the nature of the agency's work and the duties and responsibilities of the employees. Appropriate exceptions which may be made by an agency include, but are not limited to, those that:

(1) Govern obvious family or personal relationships (such as those between the parents, children, or spouse of the employee and the employee) when the circumstances make it clear that it is those relationships rather than the business of the persons concerned which are the motivating factors;

(2) Permit acceptance of food and refreshments of nominal value on infrequent occasions in the ordinary course of a luncheon or dinner meeting or other meeting or on an inspection tour where an employee may properly be in attendance;

(3) Permit acceptance of loans from banks or other financial institutions on customary terms to finance proper and usual activities of employees, such as home mortgage loans; and

(4) Permit acceptance of unsolicited advertising or promotional material, such as pens, pencils, note pads, calendars and other items of nominal intrinsic value.

(c) An employee shall avoid any action, whether or not specifically prohibited by this Subpart, which might result in, or create the appearance of:

(1) Using public office for private gain;

(2) Giving preferential treatment to any person;

(3) Impeding Government efficiency or economy;

(4) Losing complete independence or impartiality;

(5) Making a Government decision outside official channels; or

(6) Affecting adversely the confidence of the public in the integrity of the Government.

(d) An employee shall not solicit contributions from another employee for a gift to an employee in a superior official position. An employee in a superior official position shall not accept a gift presented as a contribution from employees receiving less salary than himself. An employee shall not make

a donation as a gift to an employee in a superior official position (5 U.S.C. 113).

(e) An employee shall not accept a gift, present, decoration, or other thing from a foreign government unless authorized by Congress as provided by the Constitution and in 4 U.S.C. 114–115a.

Sec. 735.203. Outside employment: (a) An employee shall not engage in outside employment or other outside activity not compatible with the full and proper discharge of the duties and responsibilities of his Government employment. Incompatible activities include but are not limited to:

(1) Acceptance of a fee, compensation, gift, payment of expense, or any other thing of monetary value in circumstances in which acceptance may result in, or create the appearance of, conflicts of interest; or

(2) Outside employment which tends to impair his mental or physical capacity to perform his Government duties and responsibilities in an acceptable manner.

(b) An employee shall not receive any salary or anything of monetary value from a private source as compensation for his services to the Government (18 U.S.C. 209).

(c) Employees are encouraged to engage in teaching, lecturing, and writing that is not prohibited by law, the Executive order, this Part, or the agency regulations. However, an employee shall not, either for or without compensation, engage in teaching, lecturing or writing that is dependent on information obtained as a result of his Government employment, except when that information has been made available to the general public or will be made available on request, or when the agency head gives written authorization for the use of nonpublic information on the basis that the use is in the public interest. In addition, an employee who is a Presidential appointee covered by section 401(a) of the Order shall not receive compensation or anything of monetary value for any consultation, lecture, discussion, written, or appearance the subject matter of which is devoted substantially to the responsibilities, programs, or operations of his agency, or which draws substantially on official data or ideas which have not become part of the body of public information.

(d) An employee shall not engage in outside employment under a State or local government, except in accordance with Part 734 of this chapter.

(e) This section does not preclude an employee from:

(1) Receipt of bona fide reimbursement, unless prohibited by law, for actual expenses for travel and such other necessary subsistence as is compatible with this Part for which no Government payment or reimbursement is made. However, an employee may not be reimbursed, and payment may not be made on his behalf, for excessive personal living expenses, gifts, entertainment or other personal benefits.

(2) Participation in the activities of national or State political parties not proscribed by law.

(3) Participation in the affairs of or acceptance of an award for a meritorious public contribution or achievement given by a charitable, religious, professional, social, fraternal, nonprofit educational and recreational, public service, or civic organization.

(4) Outside employment permitted under the regulations of his agency issued under this Part.

Sec. 735.204. Financial interests: (a) An employee shall not:

(1) Have a direct or indirect financial interest that conflicts substantially, or appears to conflict substantially, with his Government duties and responsibilities; or

(2) Engage in, directly or indirectly, a financial transaction as a result of, or primarily relying on, information obtained through his Government employment.

(b) This section does not preclude an employee from having a financial interest or engaging in financial transactions to the same extent as a private citizen not employed by the Government so long as it is not prohibited by law, the Executive order, this section, or the agency regulations.

Sec. 735.205 Use of Government property: An employee shall not, directly or indirectly, use or allow the use of, Government property of any kind, including property leased to the Government, for other than officially approved activities. An employee has a positive duty to protect and conserve Government property, including equipment, supplies, and other property entrusted or issued to him.

Sec. 735.206 Misuse of information: For the purpose of furthering a private interest, an employee shall not, except as provided in section 735.203(c), directly or indirectly use, or allow the use of, official information obtained through or in connection with his Government employment which has not been made available to the general public.

Sec. 735.207 Indebtedness: An employee shall pay each just financial obligation in a proper and timely manner, especially one imposed by law such as Federal, State, or local taxes. For the purpose of this section, a "just financial obligation" means one acknowledged by the employee or reduced to judgment by a court, and "in a proper and timely manner" means in a manner which the agency determines does not, under the circumstances, reflect adversely on the Government as his employer. In the event of dispute between an employee and an alleged creditor, this section does not require an agency to determine the validity or amount of the disputed debt.

Sec. 735.208 Gambling, betting, and lotteries: An employee shall not participate, while on Government-owned or leased property or while on duty for the Government, in any gambling activity including the operation of a gambling device, in conducting a lottery or pool, in a game for money or property, or in selling or purchasing a numbers slip or ticket. However, this section does not preclude activities:

(a) Necessitated by an employee's law enforcement duties; or

(b) Under section 3 of Executive Order 10927 and similar agency-approved activities.

Sec. 735.209 General conduct prejudicial to the Government: An employee shall not engage in criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, or other conduct prejudicial to the Government.

Sec. 735.210 Miscellaneous statutory provisions: Each employee shall acquaint himself with each statute that relates to his ethical and other conduct as an employee of his agency and of the Government. An agency shall direct the attention of its employees, by specific reference in the agency regulations issued under this Part, to each statute relating to the ethical and other conduct of employees of that agency and to the following statutory provisions:

(a) House Concurrent Resolution 175, 85th Congress, 2d Session, 72 Stat. 312, the "Code of Ethics for Government Service".

(b) Chapter 11 of title 18, United States Code, relating to bribery, graft, and conflicts of interest, as appropriate to the employees concerned.

(c) The prohibition against lobbying with appropriated funds (18 U.S.C. 1913).

(d) The prohibitions against disloyalty and striking (5 U.S.C. 118p, 118r).

(e) The prohibition against the employment of a member of a Communist organization (50 U.S.C. 784).

(f) The prohibitions against (1) the disclosure of classified information (18 U.S.C. 798, 50 U.S.C. 783); and (2) the disclosure of confidential information (18 U.S.C. 1905).

(g) The provision relating to the habitual use of intoxicants to excess (5 U.S.C. 640).

(h) The prohibition against the misuse of a Government vehicle (5 U.S.C. 78c).

(i) The prohibition against the misuse of the franking privilege (18 U.S.C. 1719).

(j) The prohibition against the use of deceit in an examination or personnel action in connection with Government employment (5 U.S.C. 637).

(k) The prohibition against fraud or false statements in a Government matter (18 U.S.C. 1001).

(l) The prohibition against mutilating or destroying a public record (18 U.S.C. 2071).

(m) The prohibition against counterfeiting and forging transportation requests (18 U.S.C. 508).

(n) The prohibitions against (1) embezzlement of Government money or property (18 U.S.C. 641); (2) failing to account for public money (18 U.S.C. 643); and (3) embezzlement of the money or property of another person in the possession of an employee by reason of his employment (18 U.S.C. 654).

(o) The prohibition against unauthorized use of documents relating to claims from or by the Government (18 U.S.C. 285).

(p) The prohibition against proscribed political activities—The Hatch Act (5 U.S.C. 118i), and 18 U.S.C. 602, 603, 607, and 608.

SUBPART C—AGENCY REGULATIONS GOVERNING ETHICAL AND OTHER CONDUCT AND RESPONSIBILITIES OF SPECIAL GOVERNMENT EMPLOYEES

Sec. 735.301 Specific provisions of agency regulations: Agency regulations issued under this Subpart, as a minimum, shall contain provisions covering the standards of and governing the ethical and other conduct of its special Government employees as set forth in sections 735.302 through 735.306. In addition, to the extent considered appropriate by the agency head, the agency regulations issued under this Subpart shall require its special Government employees to adhere to the standards of conduct made applicable to employees by the agency regulations issued under Subpart B of this Part.

Sec. 735.302 Use of Government employment: A special Government employee shall not use his Government employment for a purpose that is, or gives the appearance of being, motivated by the desire for private gain for himself or another person, particularly one with whom he has family, business, or financial ties.

Sec. 735.303 Use of inside information: (a) A special Government employee shall not use inside information obtained as a result of his Government employment for private gain for himself or another person either by direct action on his part or by counsel, recommendation, or suggestion to another person, particularly one with whom he has family, business, or financial ties. For the purpose of this section, "inside information" means information obtained under Government authority which has not become part of the body of public information.

(b) Agency regulations implementing paragraph (a) of this section may provide that special Government employees may teach, lecture, or write in a manner not inconsistent with section 735.203(c) in regard to employees.

Sec. 735.304 Coercion: A special Government employee shall not use his Government employment to coerce, or give the appearance of coercing, a person to provide financial benefit to himself or another person, particularly one with whom he has family, business, or financial ties.

Sec. 735.305 Gifts, entertainment, and favors: (a) Except as provided in paragraph (b) of this section, a special Government employee, while so employed or in connection with his employment, shall not receive or solicit from a person having business with his agency anything of value as a gift, gratuity, loan, entertainment, or favor for himself or another person, particularly one with whom he has family, business, or financial ties.

(b) Agency regulations implementing paragraph (a) of this section may provide for exceptions for special Government employees that are not inconsistent with the exceptions authorized for their employees under section 735.202(b).

Sec. 735.306 Miscellaneous statutory provisions: Each special Government employee shall acquaint himself with each statute that relates to his ethical and other conduct as a special Government employee of his agency and of the Government. An agency shall direct the attention of its special Government employees, by specific reference in the agency regulations issued under this Part, to each statute relating to the ethical and other conduct of special Government employees of that agency and to those statutory provisions listed in section 735.210 that are applicable to special Government employees.

SUBPART D—AGENCY REGULATIONS GOVERNING STATEMENTS OF EMPLOYMENT AND FINANCIAL INTERESTS

Sec. 735.401 Form and content of statements: The statements of employment and financial interests required under this Subpart for use by employees and special Government employees shall contain, as a minimum, the information required by the formats prescribed by the Commission in the Federal Personnel Manual.

Sec. 735.402 Specific provisions of agency regulations for employees: Agency regulations issued under this Subpart for employees, as a minimum, shall contain provisions covering the reporting requirements set forth in sections 735.403 through 735.411.

Sec. 735.403 Employees required to submit statements: Except as provided in section 735.404, each agency head shall require statements of employment and financial interests from the following employees:

(a) Employees paid at a level of the Federal Executive Salary Schedule established by the Federal Executive Salary Act of 1964, as amended.

(b) Employees in grade GS-16 or above of the General Schedule established by the Classification Act of 1949, as amended, or in comparable or higher positions not subject to that Act.

(c) Employees in hearing examiner positions as defined by section 930.202(c) of this chapter.

(d) Employees in positions specifically identified in the agency regulations as positions the basic duties and responsibilities of which require the incumbent to exercise judgment in making or recommending a Government decision or in taking or recommending Government action in regard to:

(1) Contracting or procurement;

(2) Administering or monitoring grants or subsidies;

(3) Regulating or auditing private or other non-Federal enterprise; or

(4) Other activities where the decision or action has an economic impact on the interests of any non-Federal enterprise.

However, employees in positions that meet these criteria may be excluded from the reporting requirements when an agency head determines that the duties of a position are at such a level of responsibility that the submission of a statement of employment and financial interests by the incumbent is not necessary because of the degree of supervision and review over the incumbent and the remote and inconsequential effect on the integrity of the Government.

(e) Employees in positions specifically identified in the agency regulations as positions determined by the agency head as requiring the incumbent thereof to report employment and financial interests in order to carry out the purpose of law, the Executive order, this Part, and the agency regulations.

Sec. 735.404 Employees not required to submit statements: A statement of employment and financial interests is not required by this Subpart from an agency head, a Presidential appointee in the Executive Office of the President who is not subordinate to the head of an agency in that Office, or a full-time member of a committee, board, or commission appointed by the President. These employees are subject to separate reporting requirements under section 401 of the Executive order.

Sec. 735.405 Time and place for submission of employees' statements: An employee required to submit a statement of employment and financial interests under the regulations of his agency shall submit that statement to the office designated in the agency regulations not later than:

(a) Ninety days after the effective date of the agency regulations issued under this Part if employed on or before that effective date; or

(b) Thirty days after his entrance on duty, but not earlier than ninety days after the effective date, if appointed after that effective date.

Sec. 735.406 Supplementary statements: Changes in, or additions to, the information contained in an employee's statement of employment and financial interests shall be reported in a supplementary statement at the end of the quarter in which the changes occur. Quarters end March 31, June 30, September 30, and December 31, except when the Commission authorizes different dates on a showing by an agency of necessity therefor. If there are no changes or additions in a quarter, a negative report is not required. However, for the purpose of annual review, a supplementary statement, negative or otherwise, is required as of June 30 each year.

Sec. 735.407 Interests of employees' relatives: The interest of a spouse, minor child, or other member of an employee's immediate household is considered to be an interest of the employee. For the purpose of this section, "member of an employee's immediate household" means those blood relations who are residents of the employee's household.

Sec. 735.408 Information not known by employees: If any information required to be included on a statement of employment and financial interests or supplementary statement, including holdings placed in trust, is not known to the employee but is known to another person, the employee shall request that other person to submit information in his behalf.

Sec. 735.409 Information prohibited: This Subpart does not require an employee to submit on a statement of employment and financial interests or supplementary statement any information relating to the employee's connection with, or interest in, a professional society or a charitable, religious, social, fraternal, recreational, public service, civic, or political organization or a similar organization not conducted as a business enterprise. For the purpose of this section, educational and other institutions doing research and development or related work involving grants of money from or contracts with the Government are deemed "business enterprises" and are required to be included in an employee's statement of employment and financial interests.

Sec. 735.410 Confidentiality of employees' statements: An agency shall hold each statement of employment and financial interests, and each supplementary statement, in confidence. An agency may not disclose information from a statement except as the Commission or the agency head may determine for good cause shown.

Sec. 735.411 Effect of employees' statements on other requirements: The statements of employment and financial interests and supplementary statements required of employees are in addition to, and not in substitution for, or in derogation of, any similar requirement imposed by law, order, or regulation. The submission of a statement or supplementary statement by an employee does not permit him or any other person to participate in a matter in which his or the other person's participation is prohibited by law, order, or regulation.

Sec. 735.412 Specific provisions of agency regulations for special Government employees: (a) Agency regulations issued under this Subpart for special Government employees, as a minimum, shall contain provisions covering the reporting requirements set forth in this section.

(b) Except as provided in paragraph (c) of this section, each agency head shall require each special Government employee to submit a statement of employment and financial interests which reports:

(1) All other employment; and

(2) The financial interests of the special Government employee which relate either directly or indirectly to the duties and responsibilities of the special Government employee.

(c) An agency head may waive the requirement in paragraph (b) of this section for the submission of a statement of employment and financial interests in the case of a special Government employee who is not a consultant or an expert when the agency finds that the duties of the position held by that special Government employee are of a nature and at such a level of responsibility that the submission of the statement by the incumbent is not necessary to protect the integrity of the Government. For the purpose of this paragraph, "consultant" and "expert" have the meaning given those terms by Chapter 304 of the Federal Personnel Manual, but do not include:

(1) A physician, dentist, or allied medical specialist whose services are procured to provide care and service to patients; or

(2) A veterinarian whose services are procured to provide care and service to animals.

(d) A statement of employment and financial interests required to be submitted under this section shall be submitted not later than the time of employment of the special Government employee as provided in the agency regulations. Each special Government employee shall keep his statement current throughout his employment with the agency by the submission of supplementary statements.

LETTER FROM SENATE SUBCOMMITTEE ON CONSTITUTIONAL RIGHTS

JUNE 23, 1966.

DEAR MR. CHAIRMAN: In connection with its study of the rights of Federal employees, the Constitutional Rights Subcommittee has been increasingly concerned about the massive surrender of individual privacy to which the government is subjecting its civil servants by the use of various questionnaires and scientific instruments. Although many of these intrusions may be justified in the name of worthwhile ends of public interest, national security, and program goals, I am disturbed, as I indicated in my letter of May 24, about their effects on the individual employee, on our civil service, and on our society generally. While some agencies have issued regulations demonstrating a concern for providing employees due process in some matters, many seem all too willing to utilize expedient devices for personnel purposes which invade basic rights and offend the individual's sense of fairness.

The latest in this long series of devices for gathering information is the questionnaire requiring employees to list creditors, property, financial interests and outside activities, not only for himself but also for members of his family, and to update the data periodically. As though this self-disclosure were not insulting enough, we understand that it is proposed to establish within

agencies and departments a system of "special counselors" to advise employees about matters relating to standards of conduct. Furthermore, contrary to the impression given the public in press reports, the policy applies not only to top-level presidential appointees but to thousands of Federal employees throughout the country.

This "big brother" approach to the employer-employee relation will, I believe, prove detrimental to the morale of our Federal service which throughout its history has demonstrated the highest caliber integrity and honesty. It is strange that in a technological era marked by an inescapable potential for privacy invasion, government should add to this burden by requiring a man to spell out his credit situation and details of his personal life in order to obtain and hold a job. For many years we have relied on a system in which employees were trusted and generally held accountable for observance of standards of conduct prescribed by regulation and statute, while affording government the option of reprimanding, dismissing and prosecuting an employee who violated those standards. Although this approach does entail more time and work for personnel people, it has preserved certain basic values in our system of government.

I am not unaware that there have been a few cases of conflict of interest in different agencies, some of which have been damaging to the public interest, to the public image of the agency involved, and generally embarrassing to all concerned. To apprehend a few corrupt individuals, however, it seems unwarranted to require countless thousands to reveal their personal business and financial affairs. In effect, this policy amounts to a demand that the employee, on pain of losing his job, prove every few months that he and members of his family are not violating or even appearing to violate Federal laws. To my mind, this questionnaire constitutes a colossal vote of no-confidence in the integrity of over two and a half million citizens who work for the Federal government.

I have in the past registered my strong protest about some of the instruments and procedures being used to gather information from and about an employee or applicant which has nothing to do with his ability and qualification to do a job. Although I would yield to no one in my interest in promoting adherence to the highest ethical standards and in prohibiting the appearance of conflict of interest in government, I have the gravest doubts about the wisdom of these questionnaires.

It is my understanding that each department and agency may formulate its own questionnaire specifying any additional personal information it feels it must obtain from employees, and may determine which employees are required to submit the data. Would you inform the Subcommittee approximately how many Federal employees are affected by this requirement and what is being done to assure the confidentiality of replies? In addition, we should like to know (1) what prompted this new policy, (2) what in particular it is envisioned that employees will list under the heading of "Creditors," and (3) what type of personnel action is indicated for employees who refuse to reply.

Although considerable publicity was engendered last year when the Executive Order was issued, the primary emphasis was on reporting of major conflict of interest holdings by Cabinet members and other political appointees. Now that departments and agencies are issuing their regulations implementing the Order and the full impact of the policy is beginning to be felt, the Subcommittee is finding the complaints and questions raised by employees warrant an inquiry into the matter.

Thank you for your assistance in our study.

With all kind wishes, I am,

Sincerely yours,

SAM J. ERVIN, JR.,
Chairman.

Mr. ERVIN. In reply to my letter the subcommittee has just received a letter stating that the new program "is not a response to past abuses," but "looks to the future and its preventative." Mr. President, in dosing its patient with preventative medicine, I fear the Commission will render him immobile. As I wrote Mr. Macy:

I am not unaware that there have been a few cases of conflict of interest in different agencies, some of which have been damaging to the public interest, to the public image of the agency involved, and generally embarrassing to all concerned. To apprehend a few corrupt individuals, however, it seems unwarranted to require countless thousands to reveal their personal business and financial affairs. In effect, this policy amounts to a demand that the employee, on pain of losing his job, prove every few months that he and members of his family are not violating or even appearing to violate Federal laws.

I ask unanimous consent to have the text of Mr. Macy's letter printed in the RECORD.

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

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C., July 13, 1966.

Hon. SAM J. ERVIN, JR.,
U.S. Senate.

DEAR SENATOR ERVIN: Your letter of June 23, 1966, expressed concern over possible adverse effects of the questionnaire concerning outside employment and financial interests of Federal employees and asked several questions about the arrangements involved. I appreciate this opportunity to explain the use of the confidential statement of employment and financial interests in our ethical conduct program.

In issuing Executive Order 11222, the President emphasized that its purposes were to codify, clarify, and strengthen the standards of ethical conduct for executive branch personnel and to direct the attention of both the Federal employees and those who do business with the Government to situations in which careful attention is needed in order to avoid improper conduct or conflicts of interest. The order and related Commission and agency regulations brought together, in order to communicate in a more understandable way, the requirements of existing laws, executive memoranda and agency policies on this subject and added express limitations with respect to the acceptance of gifts, entertainment and favors.

Thus, in reply to your inquiry as to "what prompted the new policy", the ethical conduct program, including the use of statements of employment and financial interests, looks to the future and is preventative; it is not a response to past abuses. It meets the evolving needs to communicate meaningfully and systematically with both Federal employees and the large segment of private industry which deals with the Government on business or regulatory matters. The mutual understanding we hope to engender among Government and industry should help to ensure against unwitting or careless violation of the many specific provisions of law including the criminal laws on conflict of interests which relate to Government employees.

I should point out that the new counseling service established by the order and regulations is provided only because employees in the past have requested such a facility to assist them in making ethical judgments. The counselor's function is limited to the furnishing of advice and guidance to employees who seek his assistance.

The requirement to submit statements of employment and financial interests is specifically limited by the executive order, the Commission's regulations, and agency regulations approved by the Commission to those employees in (a) the Federal Executive Salary Schedule, in grade GS–16 or above, in hearing examiner positions, and (b) in positions which involve the exercise of judgment in making or recommending a Government decision relating to contracting, procurement, grants, subsidies, audits, or which have an economic impact on non-Federal enterprise. An agency head may exclude positions from the reporting requirement in category (b) or include additional positions which he considers necessary to carry out the laws peculiar to his agency and the intent of the executive order.

Disclosure is directly related to avoidance of conflict of interest situations within the meaning of the criminal law as well as to avoidance of improprieties of a noncriminal nature. It is in no way intended to reflect upon the integrity of Federal employees and to my knowledge has had no significant adverse effect upon morale. That public employment involves a public trust has been generally well recognized by employees.

As to the number of employees required to file statements, there are approximately 9,000 employees in category (a). I do not at this time know the number of employees in category (b) since the program has not been in operation long enough to gather statistics. We will get this information as soon as it is feasible to do so and I will be glad to advise you further when the information becomes available.

In connection with the disclosure requirements I want to correct any misunderstanding that an agency is free to require additional personal information from employees beyond that related to employment and financial interests. The Commission's formats for confidential disclosure statements are designed to obtain the minimum information necessary to ensure that official duties are performed in compliance with the conflict of interest laws, the order, and applicable regulations. An agency may alter these formats to suit its individual needs, but requests for personal information unrelated to this purpose would not be justifiable on the basis of the ethics program.

In response to your question as to the particulars to be listed under the heading of "Creditors", the format expressly excludes those to whom the employee is indebted by reason of a mortgage on his personal residence or for ordinary household and living expenses. This makes it unnecessary to report the great majority of credit relationships and limits the listing to credit situations which may be related to the conflict of interest prohibitions. The purpose, here again, is to foster a systematic review by the individual and his employing agency of circumstances which may indicate a conflict between his financial interests and the performance of his services for the Government.

The executive order and the Commission's regulations expressly require that all statements of employment and financial interests be held in the strictest confidence. Only the Commission or any agency head for good cause shown can disclose any information from a statement. Agency procedures to insure confidentiality are the subject of Commission inspection. We will require strict adherence to these procedures.

With respect to your question as to the type of personnel action indicated in the event an employee should refuse to file a required statement, the agency head should take whatever remedial or disciplinary action might be needed in order to obtain com-

pliance with the order and regulations. If a less severe action would not serve he might have to change the employee to another position where the responsibilities did not require the filing of a statement or, if this were not possible, to effect his removal from the service. In any case, as spelled out in our regulations, no adverse action could be taken against an employee without full compliance with any laws, executive orders and regulations applicable to such action.

In closing I would like to emphasize that we in the Commission are entirely dedicated to the preservation of individual rights against unwarranted invasions of privacy. The standards of ethical conduct and the requirement of confidential statements of employment and financial interests from certain employees in responsible positions, in our judgment, will contribute materially to the public's confidence in the integrity of Government and are in the public interest. I am confident that the great majority of those in the Federal workforce whose positions necessitate the submission of these statements will recognize their proper value as well as the spirit in which they are required.

Sincerely yours,

JOHN W. MACY, Jr.,
Chairman.

Mr. ERVIN. Mr. Macy also writes that the requirement of such data from employees "will contribute materially to the public's confidence in the integrity of Government and are in the public interest."

In considering the Commission's argument as expressed in this letter, I think it is interesting to note that the New York City Bar Association, in its 1960 report on conflict of interest, discussed the proposal for compulsory full disclosure and found that to the extent that the conflicts problem is one of public confidence, it is probable that disclosure of personal economic affairs would make a favorable public impression and a contribution to public confidence, yet "on balance, a statute requiring full disclosure does not seem to be the best route to pursue." They cited impeding of recruitment as the first objection and noted that "interviews indicate that among the obstacles encountered in efforts to fill vacancies, the disclosure requirement stands high." The report states on page 255:

Americans are loath to reveal their personal assets and income, for many reasons, and many will resist bitterly any efforts to make them do so.

Apart from the recruitment question the full disclosure approach raises substantial risks of another kind. It is an almost certain invitation to demagogic political attack of one kind or another—upon the poor man as one who cannot manage even his own economic affairs, and upon the rich man as one who is privileged and has lost contact with the mass of the citizenry.

But most important, disclosure alone will not do the job. The basic rules spelled out in the program advanced here are still needed—disqualification, bar on assisting outsiders, limits on gifts, post-employment control, and so forth. Disclosure as a remedy suggests that the main problems of conflict of interest arise out of asset holdings. As this entire book seeks to make clear, this is too simplified a view of the problem.

At best disclosure would help to police the kind of substantive restrictions that are needed . . . unless and until it can be shown that an integrated and aggressive program on all fronts has been a failure in relying upon a combination of rule and policing devices, the severe unfortunate side effects of the all-out disclosure requirement argue overwhelmingly against its adoption.

I think this report suggests important aspects of this whole disclosure problem, and that is that morality can neither be created nor enforced by questionnaires. First, an employee or official deliberately bent on conflict of interest and disobeys existing statutes can easily falsify his replies.

As with the minority status questionnaire, there is nothing to be gained by the invasion of privacy.

Second, the questionnaire policy ignores the fact that the most significant conflict-of-interest problems do not arise from business affairs and asset holdings, which can be listed, but from a wide range of more subtle activities, behavior, and pressures too varied to catalog. They involve judgment and commonsense, as well as personal morality and these are qualities which cannot be legislated or instilled by questionnaires. Throughout administrative history their presence in the civil service has depended in large measure on the appointment and recruitment process for Federal service; on the acumen and judgment of the Chief Executive, his department and agency chiefs, and his administrative people and on the skills of personnel specialists.

The Civil Service Commission has established rules and examinations to determine the qualifications of an applicant and his ability to do a job. Supposedly, this determination is based on a merit system. The use of these questionnaires is an admission by the Commission that it has failed in its mission. Its process of recruitment is apparently so unsuccessful for ascertaining the qualification of applicants and employees, that it must resort to many types of privacy invasions to check their private lives.

The Subcommittee on Constitutional Rights is continuing its investigation of these and other problems affecting the rights of employees and will hear expert witnesses discuss them for us during public hearings in the near future.

It has been ably stated by Frederick Mosher that:

Through its own personnel practices, the Federal Government may, by the force of example, give persuasive force toward social reforms it seeks in the non-public sectors of society. Conversely, by failing to practice what it preaches it may embarrass its leadership and severely weaken its case.

Forms and practices such as these I have described are appropriate to totalitarian countries and gestapo states. They have no place in a free society of free men.

In furthering protection of basic constitutional rights and liberties for all citizens, I believe Government clearly should be setting an example as a model employer for the Nation by respecting the privacy, the dignity and the integrity of those American citizens who are also its employees. In this we have much at stake as a government, as a nation, and as individuals.

AUTHORIZATION FOR SENATOR HOLLAND TO BE RECOGNIZED IMMEDIATELY FOLLOWING THE VOTE TOMORROW ON THE PROTOCOLS TO THE NORTHWEST ATLANTIC FISHERIES CONVENTION

Mr. HOLLAND. Mr. President, I ask unanimous consent that immediately following the vote on the treaty tomorrow I be recognized for not to exceed 20 minutes to speak on the airline strike situation.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

ADJOURNMENT

Mr. FULBRIGHT. Mr. President, I move that the Senate stand in adjournment until noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 29 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, July 19, 1966, at 12 o'clock meridian.

EXTENSIONS OF REMARKS

Constituents' Views

EXTENSION OF REMARKS
OF

HON. HASTINGS KEITH

OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, July 18, 1966

Mr. KEITH. Mr. Speaker, in late spring, I sent a questionnaire to all of the residents in my district. About 160,000 poll cards were delivered, and more than 12,000 replies have been received to date in my office.

I found that many of my constituents liked the convenience of the computer card method of expressing themselves. They not only completed the questionnaire, but wrote notes and letters to comment on other matters not specifically mentioned. It was a pleasure to hear from so many of my constituents.

The results of the poll have been widely circulated in the district through my newsletter and by an interested press as well. I would like to bring the poll results—and a few of what I found to be the more amusing and interesting letters—to the attention of the Members of the House by publishing my newsletter, in part, in the RECORD:

JULY 1966.

DEAR FRIENDS: Thanks to the 11,000 of you who answered my questionnaire. I can say in all sincerity that I have seldom—during my nearly eight years in Congress—been as truly informed as I am today in my constituents' views on such a variety of important