INDUSTRIAL INCENTIVES STUDY

This year's Act also authorizes the Secretary of the Interior to make a full and complete investigation and study of methods to provide incentives for the construction of facilities and works by industry to reduce or abate water pollution, including possible use of tax incentives. This will be a very important study.

I think from my brief discussion of this year's Act that everyone can see the magnitude of it.

OTHER FEDERAL ACTS PROVIDING WATER POLLUTION CONTROL ASSISTANCE

In addition to P.L. 660, as amended, there are also other Federal financial assistance programs in this area. Federal grants for the construction of water pollution control, water supply, and related facilities can be obtained under the Housing and Urban Development Act, the Public Works and Economic Development Act, the Demonstration Cities Act, the Consolidated Farmers Home Administration Act, and, although not applicable to Florida, the Appalachian Regional Development Act. Loans are also available under the public facilities loan program.

EXEMPTION FROM INVESTMENT TAX CREDIT SUSPENSION

The recognition by Congress of the need for industry to control its pollution was reflected this year in the suspension of the 7 percent investment credit under the Federal tax code. The legislation, as enacted, specifically exempts from this suspension those capital expenditures for facilities, installations, machinery, and equipment which contribute to the elimination, control, or prevention of air and water pollution.

RECENT FEDERAL LEGISLATION ON ADEQUATE WATER SUPPLIES

The increasing awareness of the "water famine" has recently been reflected in the enactment of the Northeast Water Supply Act, the enactment of the Water Resources Planning Act, the creation of a Water Resources Council, the maintenance of full appropriations for the small watershed development program, the provision for Federal grants and loans for basic water supply facilities, and in several other important actions.

THE EXTENT OF THE FEDERAL EFFORT

I have directed my remarks up to this point to the Federal effort to control or abate water pollution and to maintain sufficient water supplies, but I am not trying to make you think that the Federal Government has done, is doing, and will do everything that needs to be done throughout the Nation in this field. That is not and should not be the role of the Federal Government in this program. The Federal Government's efforts have been enormous, but, in my opinion, we are probably very close to the maximum extent of the Federal effort.

There are several philosophies on the Federal role in controlling water pollution and in insuring adequate water supplies. There are those who say the Federal Government should do everything, and there are those who say it should do nothing. There are those, like myself, who say that the Federal Government does have a responsibility in these areas, but I also say the programs will be a success only if all levels of government assume their proper responsibilities.

In my opinion, the Federal Government is largely meeting its responsibilities in the construction of sewage treatment works and pollution abatement enforcement. You have seen in the Water Quality Act and in the Clean Waters Restoration Act several distinct trends which, I am sure, are obvious to you. They are trends toward greater State participation; toward full cooperation among all levels of government; toward bringing the largest single source of pollution—industry—into the picture through incentives; and toward greater reliance on the States to enforce water quality standards.

The recent increase in the Federal effort is not a sign that the Congress is permitting the Federal Government to take over responsibility for the entire program. Rather the intent runs, in my opinion, in the opposite direction. As one of the drafters and principal supporters of workable Federal water pollution control legislation, I say to you that the non-Federal interests must now assume their rightful responsibilities and fully implement effective programs.

THE NEEDED FLORIDA EFFORT IN THE FUTURE

My purpose here today is not only to tell you what the Federal Government has done but also to leave with you some thoughts on what the future role of the State of Florida should be in these programs, if Florida is to meet its responsibilities.

Toward such an end, I offer the following proposals for your consideration in the course of this week's conference:

1. *I propose the creation by the next session of the Legislature of a Florida State Natural Resources Commission,* headed by a person with Cabinet rank and with full responsibility for air and water pollution control and natural resources development programs. It is time to elevate these programs from the bureaucratic jungles of Florida boards to their proper level in responsible State government.

2. *I propose State and Federal tax incentives* for any industrial facilities, installations, machinery, or equipment, which contribute to pollution treatment and provide for the elimination, control, or prevention of air and water pollution, provided those units meet certain standards established by the appropriate Federal and State agencies.

3. *I propose the appropriation by the Legislature of adequate funds* to permit the State to meet its responsibilities under Federal law and to take maximum advantage of the Federal grant program to abate water and air pollution and also to permit the State to take such other action as may be needed to attack air and water pollution, including the training of additional State technical personnel, provided such trainees agree to remain in the State's employment for at least a minimum specified period of time.

4. *I propose the requirement by State statute that all county, metropolitan area, or regional planning agencies must provide for minimal air and water pollution control and abatement requirements.*

5. *I propose that all developers of industrial parks and housing developments of specified size to be constructed in the future by required to construct adequate waste treatment works to treat the discharge from such industrial facilities and residences.*

There are, of course, other proposals which could be made, but I consider the ones which I have just enumerated to be the most important, although their relative importance is not necessarily in the order in which I presented them. Unfortunately, I cannot be with you for the duration of your conference, but your consideration of these and other proposals should be a worthwhile effort. Although the realization of my proposals will require a substantial expenditure by the State, I am confident that the benefits which would accrue to the State, if these proposals are carried out, would more than offset the expenditures. Furthermore, I think these programs should have a higher priority than some of the items we now find in the Florida budget.

IN CONCLUSION

The Federal Government has done much to control and abate water pollution and to provide measures to insure against inadequate water supplies, but the responsibility lies now, more than ever before, on the State and local governments, public and private organizations, industries, and concerned citizens.

It will be groups like the Florida Pollution Control Association and the American Water Works Association and citizens like yourselves on whom will rest the ultimate success of this effort. Like any governmental program, the realization of the goals envisaged in the enactment of statutes and ordinances to rectify our critical water problems ultimately rests with the people in a free society.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 16, 1967

The House met at 12 o'clock noon.

The Reverend (Father) Walter J. V. Schmitz, Sulpician priest, and dean of the School of Theology of the Catholic University of America, Washington, D.C., offered the following prayer:

Let us pray: Lord, Jesus Christ, who said to Your apostles: *In whatever home you enter, greet it saying, "Peace be in this house";* may this same peace abide here. Be pleased, O God, to shield and to free from any harm all those here dedicated to serving their country. Fill these legislators, these chosen leaders of our country, these representatives of our good people with the spirit of wisdom, prudence, and strength, and instill in them a holy fear, so that they may faithfully use their talents for Your glory and for the benefit of their fellow men.

Our legislators, Lord God, rely on You as their source of knowledge and understanding, and so we earnestly beg You to put Your blessing on their every effort and project, so that mankind will deepen their convictions of charity and good will toward their fellow men and ultimately be nearer to their God who is the way, the truth, and the life. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, January 12, 1967, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Vice President, pursuant to title 20, United States Code, sections 42 and 43, appointed Mr. SCOTT as a member of the Board of Regents of the Smithsonian Institution.

The message also announced that the Vice President, pursuant to Public Law 89-491, appointed Mr. PASTORE, Mr. BYRD of Virginia, Mr. COTTON, and Mr. BROOKE as members of the American Revolution Bicentennial Commission.

RESIGNATION OF ASSISTANT DISBURSING CLERK

The SPEAKER laid before the House the following communication from the

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

assistant disbursing clerk, minority, U.S. House of Representatives:

DECEMBER 6, 1966.

Hon. JOHN W. MCCORMACK,
The Speaker,
U.S. House of Representatives,
Washington, D.C.

MY DEAR MR. SPEAKER: I feel that the time has come for me to retire from active employment, and it is therefore requested that you accept my resignation as assistant disbursing clerk (minority), United States House of Representatives, as of December 30, 1966.

You may be assured that my nearly twenty years service as an employee of the House has been a most pleasant and gratifying experience.

With all good wishes.

Sincerely yours,

FREDERICK M. KISSINGER.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE of REPRESENTATIVES,
Washington, D.C., January 14, 1967.

The Honorable the SPEAKER,
House of Representatives.

SIR: From the United States District Court for the District of Columbia, the Clerk of the House of Representatives has received a subpoena duces tecum, directed to him as such officer, to appear before said court as a witness in the case of U.S. v. Robert G. Baker, and to bring with him certain and sundry papers therein described in the files of the House of Representatives.

The rules and practice of the House of Representatives indicates that no official of the House may, either voluntarily or in obedience to a subpoena duces tecum, produce such papers without the consent of the House being first obtained. It is further indicated that he may not supply copies of certain of the documents and papers requested without such consent.

The subpoena in question is herewith attached, and the matter is presented for such action as the House in its wisdom may see fit to take.

Sincerely yours,

W. PAT JENNINGS,
Clerk, U.S. House of Representatives.

(Note: Report to room No. 3825, 3d floor, United States District Court Building, Third and Constitution Avenue, NW., Washington, D.C.)

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Spa ad Test—Court of Chief Judge Curran.

United States of America v. Robert G. Baker, Criminal Case No. 39–66.

The President of the United States to the Honorable W. Pat Jennings, Clerk, House of Representatives, Washington, D.C.

And bring with you: All records of any nature relating to reports filed by the Democratic Senatorial Campaign Committee for the years 1962 and 1963 pursuant to the Federal Corrupt Practices Act.

You are hereby commanded to attend the said Court on Friday, January 13, 1967, at 9:00 O'Clock A.M., to testify on behalf of the United States, and not depart the Court without leave of the Court or the United States Attorney.

WILLIAM O. BITTMAN,
MARVIN R. LOEWY,
Attorneys for the United States.

STerling 3–5700, ext. 7073.

Witness, the Honorable Edward M. Curran, Chief Judge of said Court, this 13th day of January AD., 1967.

By MARJORIE W. VANDIVIER,
Deputy Clerk.

ROBERT M. STEARNS,
Clerk.

Marshal's Return

Summoned the above-named witnesses____.

_____,
U.S. Marshal,
District of Columbia.

By _____,
Deputy U.S. Marshal.

RESOLUTION RELATING TO PRODUCTION OF CERTAIN DOCUMENTS BY THE CLERK OF THE HOUSE

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Res. 127) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 127

Whereas in the case of United States against Robert G. Baker, (Criminal Case No. 39–66), pending in the United States District Court for the District of Columbia, a subpena duces tecum was issued by the said court and addressed to W. Pat Jennings, Clerk of the House of Representatives, directing him to appear as a witness before said court at 9 antemeridian on the 13th day of January 1967, and to bring with him certain and sundry papers in the possession and under the control of the House of Representatives: Therefore be it

Resolved, That by the privileges of this House no evidence of a documentary character under the control and in the possession of the House of Representatives can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession but by its permission; be it further

Resolved, That when it appears by the order of the court or of the judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that documentary evidence in the possession and under the control of the House is needful for use in any court of justice, or before any judge or such legal officer, for the promotion of justice, this House will take such action thereon as will promote the ends of justice consistently with the privileges and rights of this House; be it further

Resolved, That W. Pat Jennings, Clerk of the House, be authorized to appear at the place and before the court named in the subpena duces tecum before mentioned, but shall not take with him any papers or documents on file in his office or under his control or in possession of the House of Representatives; be it further

Resolved, That when said court determines upon the materiality and the relevancy of the papers and documents called for in the subpena duces tecum, then the said court, through any of its officers or agents, have full permission to attend with all proper parties to the proceeding, and then always at any place under the orders and control of this House, and take copies of any documents or papers; and the Clerk is authorized to supply certified copies of such documents and papers in possession or control of said Clerk that the court has found to be material and relevant, except minutes and transcripts of executive sessions and any evidence, of witnesses in respect thereto which the court or other proper officer thereof shall desire, so as, however, the possession of said documents and papers by the said Clerk shall not be disturbed, or the same shall not be removed from their place of file or custody under said Clerk; and be it further

Resolved, That a copy of these resolutions be transmitted to the said court as a respectful answer to the subpena aforementioned.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MEMBERSHIP OF STANDING COMMITTEES

Mr. ALBERT. Mr. speaker, I offer a resolution (H. Res. 128) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H.R. 128

Resolved, That during the Ninetieth Congress the Committee on Agriculture shall be composed of thirty-five members;

The Committee on Appropriations shall be composed of fifty-one members;

The Committee on Armed Service shall be composed of forty members;

The Committee on Banking and Currency shall be composed of thirty-three members;

The Committee on Education and Labor shall be composed of thirty-three members;

The Committee on Foreign Affairs shall be composed of thirty-six members;

The Committee on Government Operations shall be composed of thirty-five members;

The Committee on Interior and Insular Affairs shall be composed of thirty-three members;

The Committee on Interstate and Foreign Commerce shall be composed of thirty-three members;

The Committee on the Judiciary shall be composed of thirty-five members;

The Committee on Merchant Marine and Fisheries shall be composed of thirty-three members;

The Committee on Post Office and Civil Service shall be composed of twenty-six members;

The Committee on Public Works shall be composed of thirty-four members;

The Committee on Science and Astronautics shall be composed of thirty-one members.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION OF MEMBERS TO STANDING COMMITTEES

Mr. LAIRD. Mr. Speaker, I offer a resolution (H. Res. 129) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 129

Resolved, That the following-named Members be, and they are hereby, elected members of the following standing committee of the House of Representatives:

COMMITTEE ON WAYS AND MEANS: John W. Byrnes, Wisconsin; Thomas B. Curtis, Missouri; James B. Utt, California; Jackson E. Betts, Ohio; Herman T. Schneebeli, Pennsylvania; Harold R. Collier, Illinois; Joel T. Broyhill, Virginia; James F. Battin, Montana.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE LATE HONORABLE JOHN E. FOGARTY

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent to extend my remarks

at this point in the RECORD and include a newspaper article.

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

There was no objection.

Mr. KIRWAN. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to include an article written by Howard A. Rusk, M.D., which appeared in the New York Times of Sunday, January 15.

I believe this to be a most worthy article depicting some of the worthwhile things accomplished for his fellow man in the short, but full life, of the late, beloved, John Fogarty.

The article follows:

MR. PUBLIC HEALTH—DEATH ENDS LONG FIGHT BY REPRESENTATIVE FOGARTY TO GIVE AMERICA FREEDOM FROM DISEASE

(By Howard A. Rusk, M.D.)

If hospitals, research laboratories and institutes for the aged, infirm and retarded had flagpoles, every flag would have flown at half-staff this past week to mourn the loss of John E. Fogarty.

Representative Fogarty of Rhode Island died of a heart attack last Tuesday at the age of 53.

Flags at half-staff would not, however, been limited to institutions. They would also have been in evidence in thousands of homes throughout Rhode Island and the nation.

Mr. Fogarty was not just interested in institutions and dollars. He was interested in people, and no appeal for help that went to his office was ever left unanswered. He would go to inordinate ends to try to find the solution to problems that were all too often insoluble.

No one in the history of this country has done more to promote more and better health services, more and better health facilities and more and better health research than Representative Fogarty.

PLANNED NEW CRUSADE

Ironically, his death came just before he was to be sworn in for his 14th term—a time when he was mobilizing his forces for another all-out crusade against disease, disability and death.

Also ironically, his death was caused by a heart attack, his own personal public enemy number one as the primary killers of others.

The contribution of John Fogarty to improving health and rehabilitation services for the American people are legend.

When he entered Congress our Federal investment in medical research was but $3-million. It is now well over $1-billion.

During his freshman year in the House of Representatives, the number of disabled persons rehabilitated into employment under the public program was but 12,000. Last year it was more than 154,000.

Medicare, Medicaid, more nursing home beds, Federal aid for the training of physicians and other health workers, the clinical center of the National Institutes of Health, workshops and classrooms for the mentally retarded and all of the other tremendous advances in health and rehabilitation in the last quarter century stand as monuments to this late "Mr. Public Health."

He and his co-worker in the Senate, Senator Lister Hill from Alabama, were recognized as the great health leaders of all time. They complemented and supplemented each other in their continuing fight for the fifth freedom—freedom from disease.

STARTED AS BRICKLAYER

Mr. Fogarty's formal education ended when he received his high school diploma. He immediately followed in the footsteps of his father and older brother and became an apprentice bricklayer.

He was only 27 when he was first elected to Congress from Rhode Island. During World War II he served as an enlisted man in the Navy construction corps. After the war he returned to Congress to carry the torch for the enlisted men in the armed forces.

Having been denied a formal education and a college degree, he made possible through his untiring efforts the education of literally thousands of others as physicians, scientists and technicians because he cared.

Some years ago Mr. Fogarty was challenged with the opportunity to run for the Senate from Rhode Island. After a great deal of discussion with his friends and colleagues he decided his destiny was in the House of Representatives where he could continue his fight for health as chairman of the Subcommittee on Appropriations for Labor and Health, Education and Welfare.

This was a decision that for suffering humanity was a blessed one.

John Fogarty, who started as a bricklayer, ended his career by placing countless bricks in a solid foundation of modern laboratories, medical schools, hospitals, institutions for the mentally ill and the retarded, and research laboratories that extend from the halls of science to the community itself.

With his bright green tie and his Irish accent, he was a circuit rider for health, a teacher, a preacher, a fearless foe to any challenger who stood in the way of his crusade.

He died on the field of battle. His friends from the scientist to the sick mourn his loss and call him blessed.

HAIL TO THE PACKERS

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

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

There was no objection.

Mr. RANDALL. Mr. Speaker, hail to the Packers. As one of the Members who represents the Kansas City metropolitan area, it would be a happier thing to be able to say today, "Hail to the Chiefs" as a poetic parallel to that great band music which is played whenever our Chief Executive appears.

Yesterday, the first "Gridiron World Series" was witnessed by 63,000 in the Los Angeles Coliseum and was seen on nationwide TV by 45 million for a sports event record. It was Green Bay most of the way or certainly after the entertaining halftime activities.

In the second half the Packers exhibited such methodical, machine-like play that they kept the Chiefs under constant pressure. Green Bay exhibited fine team play but the difference was Bart Starr's performance. His timing was so perfect it appeared he could have thrown those passes blindfolded.

The first Super Bowl was really two games. For all Kansas Citians, the first half was a dandy ball game and the second half was something else. For this reason some of us from the Kansas City area now believe the length of professional games should be shortened so they play just half as long.

Those who have talked about the superiority of the National Football League will now be able to continue to refer to the American Football League as the "other league" or the "juniors." The Packers were rather rude to our Chiefs but if we did not compare so well in yesterday's game, remember one game is not a true test of the ability of both leagues. The AFL will catch up after we have the opportunity for common drafts of collegians.

Our Kansas City Chiefs have nothing to be ashamed of. We won the American League title and as matters turned out, it was no disgrace to be beaten by a great team such as the Green Bay Packers. As several of the Chiefs players promised after the game, "We will be back next year." On behalf of all Members of the House who represent American League Football cities, I know I can say, like those who enjoy another great national game, "Just wait until next year."

But on this day following the first Super Bowl game in history, all those who love professional football and every true sportsman can join in the salute, "Hail to the Packers."

All loyal Kansas Citians felt the sting of the loss by our Chiefs but we will be good losers, as we would have been good winners. It is a pleasure to bow with lifted hat to my counterpart, the gentleman from Wisconsin [Mr. BYRNES], who today enjoys the privilege to bask in the glory of a truly great world champion professional football team from the district he has the privilege to represent.

HAIL TO THE WORLD CHAMPION GREEN BAY PACKERS

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

The SPEAKER. The Chair will recognize our good friend, the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. Mr. Speaker, I rise with a real sense of pride.

Yesterday, the Green Bay Packers became the world professional football champions by defeating the Kansas City Chiefs in Los Angeles, 35 to 10.

I am proud to represent this magnificent football team and the Green Bay community in Congress, and I extend to every Packer, on behalf of the entire Eighth Congressional District of Wisconsin, heartiest congratulations on their historymaking achievement.

The Packers yesterday became the first team to win the world's championship in a playoff between the champions of the American and National Football Leagues. It is fitting that Green Bay should be the first world champions. The team has a long and proud history. They were one of professional football's first teams. They have won 10 previous championships. They have become a synonym for excellence. They have shown by their conduct, on and off the field, in victory and in defeat, that they are true champions in every sense of the word.

I congratulate each member of the team. I congratulate Vince Lombardi, general manager and coach, for a victory which climaxes a truly remarkable coaching career at Green Bay. I congratulate the officers and directors who have provided leadership for this com-

munity-owned team. I congratulate the people of Green Bay, the Eighth District and all of Wisconsin, who have supported the Packers through thick and thin and who, in the final analysis, have made the success of this team possible.

At the same time, I want to pay tribute to the Kansas City Chiefs, a fine football team, who showed, in the way they took their defeat, that they, too, are real champions. Kansas City can be proud of them.

Mr. Speaker, I know every Member of this House joins me in extending congratulations to the world champion Green Bay Packers.

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

Mr. BYRNES of Wisconsin. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. It might be a little premature to claim that championship until the Green Bay Packers have played Alabama.

THE FEDERAL-AID HIGHWAY PROGRAM SHOULD PROCEED

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

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

There was no objection.

Mr. FLYNT. Mr. Speaker, today I introduce a House concurrent resolution expressing the sense of Congress that the Federal-aid highway program should proceed as rapidly as available revenues to the highway trust fund permit, and that the integrity of the highway trust fund should be preserved.

I introduce this resolution because in November 1966 the U.S. Bureau of Public Roads announced that Federal funds for highways would be reduced substantially because of increased costs associated with the Vietnam war.

While we all are concerned about inflation resulting in part from increased Government spending necessitated by this war, it is doubtful that the announced cutback in the amount of Federal funds which can be committed for highway construction in fiscal year 1967 will have any great effect on current inflationary trends.

Mr. Speaker, the national interest will continue to be served if the Federal-State highway program is allowed to proceed as planned. Early restoration of the cutback in Federal highway expenditures is essential in view of the ever-mounting number of traffic injuries and fatalities which improved highway facilities can help to reduce.

If this important program is cut back and funds are withheld at this time, it will be more expensive to build the same highway 1 year from now than it is today, because of constantly rising construction costs.

It would seem only just that adherence to a Federal program, paid for by special taxes which are held in trust for one specific purpose, should be given first consideration in an assessment of national economic policy.

WILDERNESS AREAS AND OUTDOOR RECREATION

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

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

There was no objection.

Mr. ASPINALL. Mr. Speaker, one of the permanent achievements of the 88th Congress was its adoption of the Wilderness Act. Not only did that act extend protection to a vast acreage of national forest land that had already been classified as wild or wilderness but it also provided for review of other lands in the national forest system, the national park system, and the fish and wildlife refuge system to see which could properly be classified for inclusion in the wilderness system. That review is now going forward in the departments, and we can expect quite a number of bills this year and next as a result of this review. Extension of the wilderness system is a matter in which both our Committee on Interior and Insular Affairs and the Public Land Law Review Commission are taking and will take a great interest.

Two statements have recently been made by Mr. John F. Buchanan, of Del Norte, Colo., which deserve consideration by all persons interested in wilderness legislation. One was presented at a hearing held by the Public Land Law Review Commission in Albuquerque, N. Mex., on November 11 last year. The other was presented at a hearing on the Washakie wilderness proposal in Riverton, Wyo., on December 8. I commend them to my colleagues for the information they convey and the point of view they espouse:

STATEMENT OF JOHN F. BUCHANAN, PUBLIC LAND LAW REVIEW COMMISSION, ALBUQUERQUE, N. MEX., NOVEMBER 11, 1966

Members of the commission, Commission Staff, Advisory Council, Governors' Representatives, Ladies and Gentlemen:

I am John F. Buchanan, a lumberman; I live in Del Norte, Colorado. We of the Rocky Mountain region welcome you to the heartland of the "public domain" West. We thank you for coming to us to listen to our views as to future public land use and administration. We are grateful you have come to this land and its people for the destinies of both, in no small measure, rest with the decisions of this Commission.

Today, I wish to talk about a new and dangerous philosophy in land use, the causes and motivations underlying this philosophy, the disastrous consequences that lie ahead, if it prevails, and the injury it will do to balanced recreational use of our public lands.

What is this new philosophy, a philosophy being ever louder drummed into the ears of an uniformed public? It is the philosophy of "de facto wilderness", propagandized by a small but very skillful group of people.

And what is "de facto wilderness?" Bluntly stated, shorn of half-truths, stripped to bare-bone facts, "de facto wilderness" simply means that all public domain lands, other than waterless and treeless desert, now unroaded and under-developed in multiple-use management, should, forthwith, be incorporated in the Wilderness Preservation system.

With apparent total disregard for sound, proven conservation practices, heedless of the need for a balanced recreation use of our public lands, unmindful of other multiple uses, these individuals and groups incomprehensibly cry, "more, more, evermore."

Well they know that no responsible user-group or individual is, today, opposed to the incorporation of existing primitive areas into the Wilderness Preservation system. Over the years, to their credit, they have educated a majority of our people to the need of preserving unique areas having true wilderness quality, in a permanent preservation system.

What, then, is the underlying cause in this shift from responsible advocacy of quality wilderness preservation to an irresponsible advocacy of vast increases in the wilderness system, with the sole criteria that of quantity? What is at the root of this apparently insatiable demand for more wilderness, to the point of public assertion that any large area of presently unroaded, forested, federal land is "de facto wilderness?"

What has motivated these groups and individuals to demand, far beyond the acreages in our present primitive areas, these increases to the point that never before in our history have so many been asked to give so much to so few?

The root of the problem lies in what has been happening, over the last twenty to thirty years, in our large cities. No need to document, here, the sociological, physical, moral, and racial changes overwhelming our metropolitan areas. No need to document, here, the abdication of social and civic responsibility by the affluent and the moderately well-off, the so called responsible citizens, who have fled from the cities to the suburbs, taking with them their churches, their schools, and their culture.

In their desertion of civic and social responsibility, they have left behind, today's crisis problems of social frustration, racial tensions, ethnic and racial ghettos, ballooning crime, moral and physical decay. The resulting guilt complex has brought on a psychotic trauma that must have relief in some direction. Unwilling to face peril where peril is, unwilling or unable to cope with rot and blight in their cities, they go far afield to exercise the trauma that engulfs them.

Having permitted blight to overcome their cities, these groups and individuals embrace a cause to stop imagined blight elsewhere. To expiate their guilt complex, they turn their backs on the tough, hard job of the rejuvenation of their cities, and in self-exoneration rush headlong to the cause of quantity wilderness preservation and loudly cry, "There shall be no blight here—no devastation like unto our cities—no vandals to destroy—no mobs to desecrate—no use but for the enlightened few."

Does it not follow, then, that the greater the guilt complex, the deeper the trauma, the more frustrating the feeling of shame because of the blight of their cities, the more pronounced is the dedication to preserve, in sterile bondage, not only true, quality wilderness, but all forested areas as yet unroaded and not fully developed under dynamic, multiple-use management?

The tragedy is that rushing headlong, with misguided zeal, to freeze vast acreages in static preservation, they are sowing the seeds of destruction that will destroy the very thing they seek to preserve.

These groups and individuals glibly argue that such single-use preservation will maintain the ecological purity of these locked-up areas. Little do they realize that, long ago, civilization's demands and needs irrevocably destroyed nature's ecological balance of our forested lands—be they public or private.

Over the centuries, the true cyclical pattern of our forests has been growth, disease, decay, death, followed by the cleansing purge of natural wildfire with resulting re-birth and new growth. Man has, and rightly so, subverted this natural cycle. We can no longer tolerate unchecked wildfire as a balancing agent.

What, then, must we do to correct the imbalance in the ecological cycle created by our suppression of fire? Man must substitute man's management instead of nature's age-old management to maintain balance in our forest. What are the tools of scientific forest management? They are access, harvest, insect control, fire prevention and suppression, and tree planting—Access, above all, as it is the key to sound, many-use, resource management—Harvest, to remove diseased and decadent trees, to increase water production, to improve game habitat—Insect and fire control, to prevent catastrophic destruction—Tree planting, to hasten the renewal of our forest wealth.

The miners, stockmen, water users, the vast majority of our recreationists, timber harvesters, and public land managers ask only that resource facts prevail over resource folly. A forest, like a city, is an ever-changing, living organism. Lock-up the Western Forests in barren, single-use preservation, neglect them, subject them to non-management, look the other way when they are ravaged by uncontrolled fire, disease and insects, and as surely as God made them, they will suffer the blight and devastation of our cities.

The proof, you ask. What better proof than the White and the Routt Forests, up where I come from, where some twenty years ago, these healthy, flourishing forests were attacked by the spruce bark beetle. Unchecked by management controls, we have, today, in the Flat Tops Primitive Area, some 60,000 acres of whitened sepulchres bearing mute but forceful testimony to the futility of sterile preservation.

Again, look at our Rocky Mountain Lodgepole pine forests where dwarf mistletoe is twice-over destroying more timber than is being harvested.

On all our National Forests, fire, disease, insects, blowdown, animals and other causes are taking an annual toll greater than the annual harvest for all the wood using industries.

In the light of these facts, with loss greater than harvest on our managed public lands, it is not crystal clear this nation simply cannot afford to put additional vast acreages, over and above the presently designated wild, wilderness, and primitive areas, into single-use, non-managed, "de facto" wilderness.

On the contrary, we must place greater emphasis in achieving full resource-utilization on those public lands now designated for multiple-use management. In the field of recreation alone, we are neglecting that great majority of our people who cannot take advantage of wilderness type recreation. Because of cost, family make-up, physical attributes, time, and inclination, most people are restricted to, and prefer, that kind of recreation requiring roads, campgrounds, readily accessible lake and stream side areas.

We must seek compatibility and balance between the multiple-use choices on our public lands. We must avoid those choices that lead to conflict and strife in the use of our public lands. Let us preserve our heritage through true conservation, that of sound, multiple-use, forest management. Let us re-dedicate ourselves to those multiple-use, management practices that will enhance, protect, and perpetuate the one principle, above all others, governing Public Land policy, that of achieving the greatest good, for the greater number, over the long run.

The overwhelming majority of us, the stockman, miner, water user, lumberman, hunter, fisherman, and roadside recreationist, have confidence this Commission—coming to the people, as it has, for our views and opinion—will establish in its ultimate decisions, those objectives, principles, and policies that will assure the well-being of the land and its people.

STATEMENT—WASHAKIE WILDERNESS HEARING, RIVERTON, WYO., DECEMBER 8, 1966, BY JOHN F. BUCHANAN, DEL NORTE, COLO.

Mr. Chairman, Distinguished Guests, Ladies and Gentlemen: My name is John F. Buchanan. I reside in Del Norte, Colorado.

I wish to commend the Forest Service, in its proposal on the Stratified Primitive Area, for giving increased emphasis to the needs of America's largest, but least recognized and most under-privileged, vacationing class making use of our public lands—the family camping and sight-seeing groups.

I direct your attention to three significant areas described in the Washakie Proposal. In Area "A"—South Fork Wood River (an addition)—the recreation potential of the Running Cedar is recognized by establishing the boundary approximately a mile above this area. In Area 2—Lean-To Creek (an exclusion)—634 acres are recognized as "lands predominantly valuable for developed recreation." And finally, in Area 3—Wiggins Park (an exclusion)—the Forest Service again recognizes "lands which are primarily valuable for potential developed recreation."

These areas, relatively unimportant, in themselves, have an importance, beyond that of their size or location. Their importance, I believe, lies in the indication of a trend, both on the part of the Forest Service and the National Park Service, toward a major increase in facilities for the forgotten people in the public land recreation picture—the camping, picnicking, and recreation-travel families.

Today, I want to plead the cause of that vast majority of those American families whose voices are never heard in wilderness hearings, who, though they have the most compelling interest in a vacation opportunity suited to their needs, are unremembered and unrepresented in hearings such as this.

I'm going to make some comparisons between wilderness, wild, and primitive acreages and their visitor-day use, on the one hand, and campground, picnicking, organization-camp use, resort use, and recreation-residence use acreages and their visitor-day use, on the other hand. And I'm going to present other comparisons that should bring home to the thoughtful, responsible, and reasonable people of this country, the realization that there is a great and growing disparity in the public-land vacation opportunity for the majority of our people.

All of the statistics as to acreages and visitor-day use are taken from the latest available Forest Service and National Park Service publications.

First, let's examine the magnitude of today's set-asides by the Forest Service in wilderness, wild, and primitive areas and the National Park set-asides in tentative wilderness designation. The combined total, both agencies, is 21,758,800 acres. To give some perspective to 21,758,800 acres: this is more than the combined total acreage of Connecticut, Delaware, Massachusetts, Maryland, New Jersey, Rhode Island, and Chester County, Pennsylvania. These six states and one county have a population of 18,367,600, which is over 10% of the total population of the United States. Place every man, woman, and child—all 18,367,600 of them—simultaneously on today's reserved wilderness and each of them would be the sole occupant of 1.3 acres.

In 1965, 160,336,100 visitor-days were spent on National Forest lands. Of this total number of visitor-days only 4,522,400, or 2.8%, were visitor-days of wilderness use. Certainly, there is no indication here that we need an expansion in the present wilderness, wild or primitive areas.

By way of contrast, let's see how the other 97% of visitor-days were spent by National Forest visitors in 1965.

	Visitor-days	Percent
Camping	40,065,000	25.4
Picnicking	9,444,800	6.0
Recreation travel (mechanized)	29,325,400	18.6
Boating and water sports	8,482,300	5.4
Hunting and fishing	30,296,300	19.2
Organization, resort, and residence use	18,530,300	10.8
Other	19,669,600	11.8
Total	155,813,700	97.2

These visitors—over 97%—did not want or could not use a wilderness type of vacation.

What, then, do they need? The greatest need is campground facilities—40,065,000 nights were spent by 40,065,000 people in campgrounds. 30,296,300 days were spent hunting and fishing; this use, also, requires camping facilities. The balance, boating, water sports, picnicking, organization, resort, and residence use, all require developed recreation areas. All of these uses are family vacation uses and all can be participated in and enjoyed on the multiple use portion of the Forests. All of these uses need road access, developed areas for safety, sanitation, and people convenience.

What facilities are offered by the Forest Service for this vast majority of public-land vacation-users? They offer 7,228 developed campsites occuping 41,015 acres. Visualize these comparative figures: For the 4,617,461 visitor-days of wilderness use, which is only 2.8% of the total use, the Forest Service provides 14,617,461 acres, or 7.8% of the total National Forest Area. Compare this wilderness vacation opportunity with the vacation opportunity of the campground user. For the 40,065,000 visitor-days of campground use, which is 25.4% of the total use, the Forest Service provides only 41,015 acres, or .022% of the total National Forest area.

Let me repeat. Wilderness use 2.8%—Campground use 25.4%; Wilderness acres 14,617,461—Campground acres 41,065 acres; Wilderness 7.8% of total acres—Campground .022% of total acres. For each acre of visitor-day campground use the wilderness user has 3,545 acres for each visitor-day use, over three thousand to one available recreation opportunity in terms of acres.

In terms of people, we have ten times as many people who want and use a campsite as the people that want and use wilderness areas. By 1972, the Forest Service estimates it will need facilities for 80,000,000 visitor-days use of campgrounds.

In spite of this tremendous inequality in acreage, people-use, and future demand, no responsible land user groups (with minor exceptions) are advocating reduction in the present acreage of wilderness, wild, or primitive areas. No one here today, I venture to say, will call for elimination or substantial reduction of the Stratified Primitive Area.

Not so with those, who in spite of the self-evident, gross imbalance in vacation opportunity, continue to press for ever-increasing acreages devoted to single-use in sterile, wilderness preservation.

Let's look at the record. "The Wilderness Society" report, dated October 24, 1966, Page 2, lists the following tabulation entitled "Nine Hearings Completed, 40 to Go by Mid-1967."

Area	Agency's acreage recommendation	Wilderness Society's acreage recommendation
San Rafael Wilderness Area	110,403	154,000
Great Smoky Mountains National Park	247,000	350,000
San Gabriel Wilderness Area	36,137	36,137
Spanish Peaks Wilderness Area	54,894	78,000
Mount Baldy Wilderness Area	6,975	8,500
Craters of the Moon National Monument	40,800	40,800
Lassen Volcanic National Park	49,800	101,000
Flat Tops Wilderness Area	153,245	250,000
High Uintas Wilderness Area	322,998	374,000

The Agency's recommendations, which in most cases, were for greater acreages than are now in the reserved area, totaled 1,022,252 acres. The Wilderness Society's recommendations totaled 1,392,437 acres—a 37% increase over the Agency's recommendations.

With seemingly total disregard for the vacation opportunity of 97% of those who vacation on the National Forests, this willful minority of less than 3%—the wilderness advocates—are relentlessly pushing the implementation of a "de facto" wilderness policy.

If you have any remaining doubts as to the policy and plans of this minority of less than 3%, let me quote from an address delivered in Seattle in April, 1966, by Mr. Stewart M. Brandborg, Executive Director of the Wilderness Society, entitled "The Future of the Wilderness Act." He says, and I quote: "Our job now is to see that this nine-million-acre National Wilderness Preservation System grows to its proper size—perhaps 50 million acres by 1974."

Fifty million acres is approximately two and one-half times more than the twenty-one million acres now classified as wilderness, wild and primitive areas by the Forest Service and National Park Service.

This small minority of less than 3% continue to build straw men to mask their bold and thoughtless pursuit of "de facto" wilderness preservation. They continue to create "bogey men" where none exist. They state they "must fend off attacks by the lumber industry," "must fend off schemes of dam builders."

They attack where no force opposes them. Where has a responsible voice been raised these last few years against preservation of existing wilderness under the Preservation Act?

Let them take heed, however, that there is an increasing awareness, by the overwhelming majority, of those public-land vacationists, who desire and need developed recreation areas, that "de facto" expansion of wilderness will, in the end, short-change them out of their rightful place in the recreation picture.

The wave of the future lies not in the increase of public lands devoted to single-use preservation, but rather it lies in the preservation of existing single-use areas, with a many-fold intensification of multiple-use on non-reserved public lands, including accelerated development of multiple-purpose vacation areas.

AFRICA, CONTINENT OF CHANGE, AND AMERICAN INTEREST

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include two addresses by Assistant Secretary of State Palmer.

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

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, as chairman of the Subcommittee on Africa of the Committee on Foreign Affairs, I am extending my remarks to include the full text of two recent addresses by the Honorable Joseph Palmer II, Assistant Secretary of State for African Affairs, with the strong recommendation of their careful and thoughtful reading by my colleagues.

Africa, with its large domain, its great natural wealth, and the spirit of restless drive that characterizes its people, is certain to occupy a position of ever-increasing importance. It is no exaggeration to say that the nations of Africa will contribute in no insignificant measure to the building of the world of tomorrow. It is my hope and prayer that the United States and the new nations of Africa will continue to work together in understanding for the goals that are ahead and have mutual attraction.

Assistant Secretary Palmer has had more than 20 years of experience in African affairs. From 1960 to 1964 Mr. Palmer was U.S. Ambassador to Nigeria.

Born on June 16, 1914, in Detroit, Mich., where his family lived for a brief interval, Mr. Palmer went to school in Boston, Mass., area. He attended Harvard University where he received a bachelor's degree in 1937. The following year he did graduate work at Georgetown University's School of Foreign Service.

Mr. Palmer's long experience in African affairs began in June 1941, when he was assigned as vice consul in Nairobi. He served there until 1945 when he returned to the Department where he worked in the Division of African Affairs and was concerned with Ethiopian matters and the disposition of the former Italian colonies in Africa.

He was promoted to Assistant Chief of the Division in October 1947 and later became Acting Chief. He went to the Embassy in London in May 1949, where he served as an African, Near Eastern, and South Asian specialist. During his tour in London he was promoted to first secretary and consul. Returning to the Department in October 1953, he was appointed Deputy Director of the Office of European Regional Affairs and in March 1955, became Acting Director.

When it was decided in 1956 to set up a separate Bureau of African Affairs, Mr. Palmer was named Deputy Assistant Secretary of State for African Affairs and given the responsibility for organizing it.

Upon completion of this task he was assigned as consul general at Salisbury, capital of the then Federation of Rhodesia and Nyasaland, in Septmber 1958. He was accorded the personal rank of minister for this assignment.

Mr. Palmer's appointment as Ambassador to Nigeria followed in 1960. In July 1962, he was promoted to the rank of career minister in the Foreign Service. He returned to the United States in 1964 to take up his duties as Director General of the Foreign Service. His son, Joseph Woodbury, now serving with the Navy in Vietnam, was born in Africa.

Following is the address of Hon. Joseph Palmer II at Brandeis University, Waltham, Mass., on November 9, 1966:

THE NEW AFRICA: CONTINENT OF CHANGE

I. INTRODUCTION

I am deeply honored to have been invited to participate in the Harry B. Helmsely Lecture Series. I know that you will understand me, moreover,, when I say that as a public servant with "a passion for anonymity"—to use Franklin Roosevelt's words—I am not a little overawed to be following such an impressive list of distinguished philosophers, educators, and religious leaders as those who have graced this platform before me.

Nevertheless, I am comforted by the fact that I am speaking in the area in which I grew up and which I therefore know to be traditionally egalitarian in its outlooks.

I also am most pleased to be able to speak to you tonight on *The New Africa: Continent of Change* at Brandeis University. I think this is particularly appropriate because this great institution has in a very short period of time acquired a well-deserved reputation for sensitive understanding of the need for change and for creative thinking, both of which are so essential to a comprehension of present day Africa.

II. THIS NEW AND CHANGING AFRICA

The emergence of 35 nations in fifteen years is—as the mathematicians might say—the outward and visible sign of a progression of change in Africa which is reaching geometric—and even exponential—proportions. The full dimensions of this change are as elusive to calculate as the definitive value of pi. Yet if we are really to understand the New Africa, this change is so all important that we must attempt to factor it however imperfectly.

New aspirations

In the comparative isolation of a colonial cocoon for generations, the African saw himself and his world in a peculiar optic. In a changing world, he found that certain of his time-honored traditions lost at least a portion of their relevance, while many of the colonial innovations failed satisfactorily to replace them. To change the verb tense of the title of a book by the Nigerian writer, Chinua Achebe, "Things Fell Apart". One of the most striking elements of the new Africa, however, is the rediscovery by Africans of themselves. Reflected most eloquently in writings of poet and political leader Leopold Senghor, the African has found a new dignity in his freedom, in his history, and in his color. It is a fascinating coincidence that in these same years the evidence is mounting that Africa may well be the cradle of earliest man. The African thus finds himself both the oldest and, in a sense, the newest of mankind.

Coinciding with the achievement of African independence and the revitalization of an African personality, there has been opened up to the people of this continent the new world of education and technology. The revolution of independence brought an explosion of education—a threefold increase in literacy in those fifteen years.

The influx of ideas has so stimulated the change in African minds that the span of generations, as far as outlook was concerned, has become as short as four or five years.

All of this has involved an acceleration of aspirations with respect to almost every aspect of human life: individual rights, economic growth, national goals and continental unity, international understanding and world peace. This is hardly surprising, particularly when one takes into account the past isolation of Africa from progress in these fields. For what independent people can justify to themselves—or to others—foregoing the fruits of the great intellectual and material advances which are the common heritage of all mankind—or of failing to

make their own unique contributions to these challenging developments?

The fact that these many nations obtained their independence in such a short time represents retrospectively the end of three major colonial empires—British, French and Belgian. Although the process of decolonization is not yet completed, the die has been cast and the significance of this great historical process belongs largely—if not yet completely—to the past. In a far more meaningful sense for the present, the end of this colonialism marks the beginning of 35 major experiments in the government of men. This experimentation is bound to produce its share of problems along with its successes. It is plagued by contradictions and disappointments along with its consistencies and achievements. And, just as in older independent societies, the process of adapting to change will be a never ending one. In spite of a bewildering variety of developments, there appear to be three trends which predominate. Together they give Africa a distinctive pattern which will probably condition its political life for the foreseeable future.

First, the dialogue between the modern and the traditional in political life has entered a new phase, both on the national and at the local level of these new nations. In the eyes of new nations, the colonial officials—hitherto the purveyors of the modern—suddenly became old-fashioned. Overnight, new powers and responsibilities were acquired, new goals were set, and an intensive sorting began out of what was really important in the body politic. The political leaders no longer were constrained to rule under benevolent governors or impelled to agitate as opponents of a foreign power. They were free to govern and propelled by the very nature of their societies to transform their governments into instruments which reflected the mores of their people. This brought into a new perspective the modern and the traditional, the national and the tribal, and the efficient and the less effective. But quite understandably, there has been no clear single answer to these conflicts. Instead, the dialogue—which occasionally has moved to dispute and disorder—has already provided a variety of responses. For example, monarchies have been renewed in some cases, parliamentary responsibility has continued in others; while presidential executive in various forms have flourished in still others. But under all of these institutional rubrics, indigenous political systems are undergoing far-reaching transformation to evolve institutions that are African in their inspiration and expression.

This thought leads to a second post-independence development which characterizes the African search for self-expression. In most of the new nations, a one-party government in one form or another has consolidated its power. But even here the pattern has not been rigid, ranging from the highly authoritarian structure in Nkrumah's Ghana to the far more flexible system obtaining in states such as Zambia. It is no surprise that the debate on the merits of this change has been widespread. For example, President Nyerere has persuasively defended the establishment of a single party in terms of need for fully utilizing all available leadership in the development of his country. And almost everywhere, the African respect for dissent has fostered an atmosphere for exposing and debating opposing ideas.

Third, another manifestation of change has been the emergence of the military as a dominant force in a number of new stations. Except in Algeria, independence came with relative speed and with minimal organized fighting. The leaders of almost all of the other states came from civilian professions. For many reasons, however, the military elements in a number of the new nations lost confidence in their civilian leaders. In some cases, they disapproved of corruption or became frustrated because of inefficiency. In others, they were unprepared to accept restrictions on their positions; and in still others, personal elements in a struggle for power were undoubtedly important. In the eight countries where this has taken place, however, there has been no single pattern of development. One military government has yielded to civil power; two have yielded to other military officers; some have retained important elements of the civilian government; while at least one has clearly expanded rather than restricted the political powers of civilian elements in the country.

There is little reason to believe that this process of experimentation in government and politics has any more than just begun. To underline this point, I need only refer to the concluding chapter of the study of Political Parties in French-Speaking West Africa by a distinguished Africanist, Ruth Schachter Morgenthau, in which she notes both the dynamics which developed within the parties during the surge toward independence and the implications for the future inherent in this change.

Economic change

While economic change in the New Africa has in some ways been less dramatic than the political transformation, it has certainly not been less complex. In the period of decolonization, political preparation for independence was increasingly compressed in time through crash programs of progressive self-government. The pace of economic advancement was never commensurate with this trend and the resulting situation confronted the new leadership with a tremendous gap in the task of modernizing largely subsistence, low productive and highly vulnerable economies.

The nature of Africa's economic problems can be illustrated, if not solved, by looking at the changing patterns of its production, its communications, and its trade.

In the period of colonial dependence, the pattern of African production was asymmetrical, in that the economic life was not directed toward the whole needs of the country. For example, one of the largest and most advanced activities concerned the production of sub-surface resources, with little relationship to their use in Africa. Thus, the copper, diamonds, iron ore, and other minerals were produced in terms of external use by a metropole. Alongside this modern exploitation of Africa's resources, plantation crops received heavy emphasis as part of the export activity. It is true that all of this production for foreign markets produced the foreign exchange required to import consumer goods, but there was little incentive for the colonial power to encourage the manufacture of even the simplest of these locally. And we still have the anomaly of a potentially rich agricultural continent having to import a considerable part of its food needs.

With the advent of independence a new symmetry of economic activity is emerging—one which continues a basic emphasis on exportation of mineral and agricultural resources, but which also recognizes the changing situation in Africa. Agriculture, for example, is slowly and sometimes unevenly being transformed from subsistence to cash crop production. Greater stress is being placed on indigenous food production and the need for correcting dietary deficiencies in crop concentration. One needs only see the products available in remote markets or watch the cattle coming from hundreds of miles to be sold at central points to mark the increase of the money economy throughout the Continent. Also noteworthy is the expansion of manufacturing in the new Africa. A trend in production from simple to more complex consumer goods is already evident, followed by the beginning of heavier industry and basic processing of raw materials.

Similar changes flowing from independence can be found in other areas of economic activity. The lines of communication, for example, were formerly oriented to the needs of the colonial power. Telegraph and telephone links went to the metropole, instead of to neighboring countries. Roads and railroad nets tended to be developed in conformity to the geography of political control, rather than on an economic or regional basis. With independence, the need for communication among Africans has become imperative. Hence, new African nations are most eager to link their telecommunications and enlarge the transportation facilities with each other. No more dramatic example can be cited than the preoccupations of Zambia and Tanzania with their road, rail, and pipeline links.

The pattern of African trade traditionally developed within the framework of colonial purchases, preferences and investments. Hence, the new African nations find themselves not only seeking to achieve freedom from complete dependence upon a principal external power, but they see an urgent need to develop economic relations among themselves. A common market for the whole continent may, in fact, be a goal which will take decades to reach, but as an aspiration it is high on the list of African desiderata.

III. ITS NATION-BUILDING TASKS

The building of new nations is a hazardous business. African leaders, in particular, must carry with them burdens of an onerous past. Suffering from long periods of internecine warfare and drained of generations of manpower through slavery, much of Africa has undergone a colonial occupation which entailed, among other things, a division of peoples and regions on the basis of great-power politics.

The resultant boundaries, of course, were a blend of diplomatic compromise and imperial conquest. They served purposes that were primarily extraneous to Africa, and they not only disregarded the elemental principles of tribal cohesion but they became linguistic walls between French and English, trading barriers between otherwise complementary economies, and sources of discord among governments and peoples.

In the new Africa, they pose so many problems that the sheer complexity of trying to give the continent sensible frontiers makes it necessary for African statesmen to affirm their sanctity. In fact, one leader is reported to have remarked that the boundaries of African countries were so absurd that it was impossible to consider changing them.

In spite of this advice, however, the question of frontiers has erupted into several disputes in the continent. The most notable have been the long-standing differences between Ethiopia and Somalia—which spill over to the south with respect to Kenya and on the north with respect to French Somaliland—and the Algerian-Moroccan boundary dispute. These, however, merely highlight the exceptions to the general rule. On the whole, the Africans deserve great credit for their mutual forbearance in accepting present borders.

The pull of the past, however, is much more than the patch-work quilt of international frontiers; it also derives from tribal inheritance, which in its original form sought to regulate the entire life of all its members. Shaken by missionary efforts—both Christian and Islamic—baffled and often broken by colonial administrators, and finally penetrated by modern communication—from press to transistor radios—tribalism is frequently able to resist change but it is rarely able to provide an enduring alternative. Hence, it has usually hampered rather than helped Africans in their task of nation building. While tribal virtues and loyalties are frequently of value to the individual in his personal life, collectively they tend to be resistant to the integrative imperatives of the modern nation state.

Nevertheless progress is being made and for every identifiable case of tribal resistance to national integration, there is a host of lesser publicized cases where the transition is taking place.

The problems of the past—and I've mentioned only two of a much larger number—have been particularly onerous to many of the leaders of Africa, whose aspirations have been equaled only by the pressures for change which have been placed upon them. Exhilarated by the momentum of rapid independence, impelled by a desire for rapid and general success, buoyed up by faith that their leaders could quickly move these mountainous problems, the peoples of many new nations quickly found out what many of their leaders already understood, namely, that independence did not in and of itself provide answers to their pressing problems. It is under these circumstances that the glamour of panaceas has been irresistible in the case of several nations.

There is another pressure on the leadership of the New Africa which is often overlooked. It might be called the Kleig-light approach to both domestic and foreign affairs. With communications much more rapid than anyone imagined a few years ago, and with travellers, journalists, international committees and diplomats in every part of the globe, the struggling leader with real problems of nation building has no alternative but to work them out in circumstances in which each untoward development is instantaneously reported—and usually interpreted—for a vast world audience of Monday morning quarterbacks. My objective in saying this is to emphasize how important it is for recipients of these reports to keep these problems in perspective and to provide an opportunity for the same considered approach to their solutions that older nations enjoyed.

Despite these problems, there is good reason to view the political prospects of nation-building in Africa with much more than just forbearance. Given the speed of independence, the limited size of administrative cadres, and the centrifugal pressures we have mentioned, the record of achievements is impressive. If the problem of cohesion within the new states is not yet solved, and that of transition from one government to another is not always peaceful, we must recognize that these are problems which have long plagued mankind in its effort to govern itself equitably and efficiently.

Economic growth in Africa, as elsewhere, is connected with the eternal triangle of man, his soil and his productive capabilities. While in many ways Africa is no different in this respect than the rest of the world, it has five particular characteristics which hold promise of beneficial change.

First, its sub-soil resources are substantial and assuming a new importance within the context of independent Africa as geological surveys are extended. The prospects in many parts of the continent are therefore bright for earning the foreign exchange resources which are so badly needed in economic development. For example, production is rapidly increasing in the copper from Zambia and the Congo, the iron ore from Gabon and Liberia, the bauxite from Guinea and Ghana, and most dramatically the oil from Algeria, Libya and Nigeria. Along with its agricultural production, these minerals have helped Africa increase its exports by one-third since the independence movement got under way.

Second, the problem of over-population is not yet as acute as in many other parts of the world. Even though some countries such as Burundi are directly afflicted and signs of large unemployment in urban centers are multiplying, the continent has at least a limited period of grace before the population increase threatens to overtake its economic expansion. We should not be complacent, however, for Africa's birth-rate is the highest of any of the underdeveloped continents. Its death-rate is bound soon to drop as sanitation and health measures such as mass inoculation programs become more effective. As we prepare a program of smallpox eradication and measles control for 100 million persons in West Africa, we hope that the states of the area will also begin thinking about the basic issues of population control.

Third, the population question underlines the paramount importance to Africa of a genuine agricultural revolution. During the past thirty years Africa has changed from an exporting area in food products to an importing continent of even such necessities as grain and rice. Having some advantages over other parts of the world in the nature of its land ownership and exploitation, Africa nevertheless must achieve basic land reform, apply scientific knowledge, often available in the research station but not known to the farmer, counteract the frequent droughts and overcome the widespread poverty of soil. Only by such fundamental changes in its most important of all economic activity can the continent expect to advance its economic growth faster than its population increase.

Fourth, the external assistance to Africa during the past five years has totaled over $7.8 billions, which is a higher per capita assistance than elsewhere in the underdeveloped world. Measured in terms of need, of course, this assistance has only begun to meet Africa's problems. Nevertheless, external aid has done its major share in preparing the base in a number of African countries for significant growth. Its expansion is necessary if Africa is to obtain the essential infrastructure and capital assets. As the President of the IBRD, Mr. Woods, wrote in Foreign Affairs: "The underdeveloped countries are seeking to enter the twentieth century, but many of them, in some respects, have not yet reached the nineteenth." He warns the developed nations that "it would be unthinkable for the richer nations, by their inaction, to let the developing world lose hold of its hard-won gains and lose sight of its goals."

Fifth, the substantial increase in education is one of the most heartening developments in the New Africa. For example, south of the Sahara the universities have multiplied in the past decade from a handful of small colleges to some twenty-five fully qualified institutions. Equally important, secondary education has almost tripled during this same period.

While education itself is no panacea—and the problems of school-leavers, of the wrong kind of training, and of literacy without education exist in Africa as elsewhere—it is, in the eyes of all of Africa, the greatest hope for the future. From these ranks come the new generations of leadership; from such training must come the new direction for Africa's development; from these elites will come the molders of African opinion—whether on government or economics, or on the world at large. These young men and women will be the mainsprings of further African change; they, more than anyone else, will fashion the destiny of their country, for in no continent is the past more open to new leadership than in Africa.

Intellectual ferment

One of the exciting aspects of this new and changing Africa is the intellectual ferment which accompanied its emergence and which is pacing its growth.

I have already mentioned Leopold Senghor as a prophet of Negritude, but he should also be described as a president and nation-builder. In addition to his poetry, which in its glorification of one people is also speaking of mankind—Senghor is, as you know, the President of a new nation and one of the great leaders seeking to achieve a synthesis of what is good in both European and African civilization. We should also recall that Jomo Kenyatta was an anthropologist before he was caught up in the maelstrom of politics. Moving from prison to presidency in Kenya, he has also brought with him the encouragement of learning and the support of multiracial concepts of government. In Tanzania, President Julius Nyerere is a political scientist and practical humanist, who as one of the most articulate exponents of African ideals is also the translator of Shakespeare into Swahili.

In unofficial spheres of African life, we see a burgeoning of many kinds of artistic expression. Interestingly enough, this is reflected in our own interests in African art. Not only has a Museum of African Art opened in Washington, but Howard University recently presented a special exhibit of the Nigerian sculptor Fakeye, and the Harmon Foundation in Philadelphia is presently sponsoring a major exhibition of African art. One of the more contemporary aspects of our admiration of Africa's artistic creation is discovery of African designs, colors and fabrics by America's fashion industry.

The most exciting display of the artistic upsurge of New Africa, however, was the First World Festival of Negro Arts, held at Dakar last April. Over ten thousand visitors gathered for almost a month to immerse themselves in the dance, drama and poetry of the African continent. The world also saw how it owed an artistic debt to Africa. The American participation included some of our remarkable artists in music and literature, and when they performed they spoke for both continents.

IV. TWO CHALLENGES TO ITS FUTURE

A continent as diverse as Africa cannot help but have a dynamic future. The problems which 39 nations will face in their many interrelations could not possibly be all anticipated, let alone discussed in a single evening. I would like, however, to pick out two important challenges which are increasingly facing the continent: that of continental cooperation, more frequently called the challenge of unity; and the problems of Capricorn Africa.

Just as there developed during the emergence of independent Africa aspirations concerning human dignity, political freedom and economic well-being, there also developed an affinity among Africans and a common need to support each other in their aspirations. Thus the desire for African unity became part of the struggle for national independence. If there had been a coin for all African nationalists, it might well have had the head of the national leader on one side, while the reverse would have been a map of all of the continent.

It should be added that while the most obvious manifestation of this aspiration has been the series of political conferences beginning in the late fifties, the urge has also extended to the economic area—where human rights and racial equality were projected on to the continental screen.

The Organization of African Unity, established at Addis Ababa in May 1963 was the practical result of this movement. It appropriately dedicated itself both to the defense of national sovereignty and to the achievement of continental unity. It made an eloquent appeal to the conscience of mankind in the area of human rights. Described by observers at the conference as a remarkable feat of the nearly impossible, the OAU is a reflection of both what unites and divides the continent.

In spite of crises of various sorts—varying from who shall participate to territorial disputes—the OAU has shown both endurance and adaptability. In each of its annual Summit meetings, and through its more frequent meetings of Foreign Ministers, the OAU has strengthened its organization, increased its capabilities to settle disputes, and acted as the conscience of the continent in a number of issues. Having rejected the panacea of early confederation, it has nevertheless tried repeatedly and with considerable success to develop consensus and coop-

eration in matters of deep importance to the African people.

The economic counterpart of African cooperation is the UN Economic Commission, with its headquarters also at Addis Ababa. Born in 1958, this body has the exceptionally difficult task of trying to chart and guide the economic growth of the continent. Moving with some difficulty—in part because its budget does not come directly from its members but from the United Nations—the Commission has sought to strengthen institutional cooperation throughout the continent. One offshoot of this effort has been the Development Institute at Dakar. Another recent effort is the African Development Bank, whose headquarters has opened at Abidjan.

The African approach to cooperation is above all pragmatic—a realization that welfare is not subject to territorial boundaries. African leaders, moreover, are interested in working together in many different ways. Thus, under ECA auspices subregional economic communities are being planned for different parts of the continent. Under UN auspices a series of river basin groups are being developed for several of the great arteries of Africa. In the east, there continues to be a common services organization which may well eventually provide the basis for an East African federation in one form or another. In the north, Maghrebian unity remains more of a vision than a reality, but elements of increased cooperation are present on an ad hoc basis. Other plans for regional institutional development in other parts of the continent—such as West and Central Africa—are proceeding in spite of language and historical differences. The theme often heard of "African Solutions for African Problems" is thus a challenge for the cooperative effort of the new nations of this changing continent.

Capricorn Africa

This same theme has special relevance to the second challenge to the future of Africa. The African—whether he is a student meeting you over coffee, a Foreign Minister greeting you in his office, or a clerk in a local bank—is likely to get around to the problems in the southern sixth of his continent.

Those countries and territories lying near the Tropic of Capricorn pose to the African the most basic issues affecting his life, his country, and his race:

There is a clash between the political and economic aspirations which motivate him as an individual and the tenets of the authorities of that area.

There is a denial of the principles which underlie the emergence of his new nation.

There is a challenge to accepted standards of human equality and dignity which have been written into the charters of the world community.

There is the dilemma of peaceful or violent change in each of the particular problems.

In view of these thematic problems throughout the Southern Sixth of the continent, the African naturally tends to consider the questions of Southern Rhodesia, Portuguese Territories, South West Africa and South Africa as all part of the challenge to the existence of his New Africa.

In Rhodesia, he views the domination of 94% of the population by a white minority as an affront to the principle of racial equality and majority rule.

In Angola and Mozambique, Portuguese colonialism appears to the New Africa as an example of the past frustrating the hopes for the future in an effort to reverse direction.

In South West Africa, he looks with hope on the recent UN decision terminating South Africa's mandate over this international territory and expects the realization of the territory's "inalienable right to self-determination."

In South Africa, he sees a bastion of officially sponsored political and human inequality, which is also a principal source of strength for the perpetuation of minority rule in nearby territories.

Finally, he does not believe that these problems and these dilemmas are his alone. He sees them as the common responsibility of the world conscience. So, I am glad to be able to say, does the United States.

V. AFRICA AND THE WORLD

The New Africa has been preoccupied with its own national and continent problems, but this does not mean that it has had no interest in the rest of the world. In fact, one of the dramatic results of the independence movement in Africa was to change drastically its representation in the United Nations—from four to thirty-nine members. The African leaders, however, faced their new role in the world with minimum of training and a maximum of handicaps. Having little prior experience in the field of foreign affairs, they had to pull men from all professions to represent them abroad and to train additional staff almost instantaneously. With many problems of rapid change and even instability at home, these new diplomats and their leaders found themselves called upon to deal with some of the major international issues of all times.

In choosing a foreign policy path, the Africans have all elected non-alignment. Admittedly, this meant many things to many leaders, but it has certain common elements. Essentially non-alignment has sought to do four things:

It has tried, first, to achieve on a continental basis what President Washington advised early in our own history on a national basis, an avoidance of entangling alliances.

It has been concerned, second, with obtaining the time and opportunity for African nations to concentrate on their own internal political and economic development.

It has searched, third, for an African consensus with respect to important world issues, for while most African nations wish to avoid individual alignment they have not sought neutrality or isolation. Instead, they want to exercise together an influence which they know they cannot expect to exert as single states.

It has hoped, fourth, to obtain for the continent a certain immunity from dangers to its existence through such arrangements as a nuclear free zone.

VI. CONCLUSION

I have this evening tried to give something of the feel of the New Africa in a changing continent. In so doing, I have deliberately avoided the specifics of our policies towards the continent. In turning from these comments to my conclusion, however, I would like to recall to you certain essential themes which President Johnson elaborated last May, on the occasion of the third anniversary of the Organization of African Unity.

First, that there is a close identity between the people of the United States and those of Africa in their aspirations for freedom, equality, justice and dignity.

Secondly, that there is a close bond between our two continents in our common experiences with political development, economic progress, and search for human rights.

Thirdly, that we wish to see Africa succeed in the tasks that it is setting for itself and that we stand prepared to assist it in this great undertaking.

Responding to the best of our ability to African hopes and aspirations, the President proposed that we strengthen our assistance to Africa in those areas, such as regional organization, telecommunications, transport, education and agriculture, where we have a special contribution to make, and which are also essential for the advancement of the African continent as a whole.

It is our fervent hope that, together with other nations which wish Africa well, we can effectively assist the New Africa to achieve its goals and to realize its full potential as a vital, dynamic force in a world of change.

Following is the text of the address by the Honorable Joseph Palmer II, Assistant Secretary of State for African Affairs, at Muskingum College, New Concord, Ohio, on November 10, 1966:

AMERICAN INTERESTS IN AFRICA

I am indeed happy to be here with you in New Concord this evening. I consider it a signal honor to be invited to address such a distinguished audience of scholars and students of Africa.

Speaking on behalf of those in your Government who are concerned with African affairs, I wish to congratulate President Manley and the members of the faculty at Muskingum who have had the vision to organize this conference and to bring together so many of the outstanding authorities on Africa. The emphasis given to African art, literature and drama, which so well illustrates the creativity of the African peoples, is particularly to be commended.

This conference—and others like it held each year in the United States—is indicative of the intense interest in this country in Africa—a continent which has become such a significant factor in the global relationships of the United States in the post-war period. There is every indication that this trend will continue and intensify—a fact which underlines the strong national interest of deepening our understanding of and sensitivity to the aspirations and motivations of the African peoples.

UNITED STATES INTERESTS IN AFRICA

We risk a double error in considering the interests of the United States in Africa. Those of us in government and private life who deal with Africa's problems throughout the day—and frequently at night, for crises have a habit of ignoring union hours—perhaps too often take these interests as being widely understood and accepted. They are in fact the matrix of our activities—the premises on which we formulate our policies and programs. To others, whose exposure to this vast and often bewildering continent may be somewhat less intensive, the interests of the United States in the fifty nations and territories making up Africa may not be as apparent. It might therefore be helpful to outline what I believe to be the essential American interests in Africa.

The initial—and indeed underlying—interest of the United States in Africa springs from the practical implications of common aspirations. We realize that in the long run we cannot expect to enjoy peace and prosperity unless the people of Africa can also realize the same fundamental goals which we ourselves seek. The time is long past—if it ever existed—when nations can practice the self-deception of double standards. Our nation was founded on the right of self-determination; we cannot do otherwise than support that aspiration for others. We have committed ourselves to government by the consent of the governed and to individual rights and dignity at home; we have no alternative, consistent with our national character, to seeking their realization abroad. We have recognized the fundamental congruity between the well-being of every citizen and the health of our nation; we cannot ignore the imperatives of a similar relationship in Africa where the gap is often too wide between economic and social progress on the one hand and political responsibility for achieving such advancement on the other.

It is significant, in my opinion, that President Johnson, with his deep dedication to the effective realization of human rights and of economic and social opportunity in this country, emphasized these points at the beginning of his speech last May 26, on the occasion of the Third Anniversary of the Organization of African Unity, when he said:

"The United States has learned from

lamentable personal experience the waste and injustice that result from the domination of one race by another. Just as we are determined to remove the remnants of inequality from our own midst, we are also with you [the Africans]—heart and soul—as you try to do the same."

The American interest has a second cornerstone, with roots that also run deep into our history. From the tragic generations of men and women brought to this country in bondage, we have gained in strength as we have increasingly realized the potential for a dynamic contribution to *our* national life of the second largest emigrant population of African origin in the world. Only Brazil outranks the United States in this respect. But it is the role and contribution of the Negro American that gives this interest in Africa a special importance. Not only are these Americans naturally proud of their ancestral origins and heritage; they are also making their national contribution to American policy and presence in Africa—some as Ambassadors and Foreign Service Officers, others as AID officials, still others in our information services and Peace Corps, while many more serve in the wide ranging activities undertaken by private endeavor. In holding high the banner of civil rights and human dignity in a country which reads and responds to responsible demands, the American Negro also lends encouragement and inspiration to those seeking such rights in Africa and, indeed, elsewhere in the world.

A third element of our interest in this continent is a direct result of Africa's changing role in world affairs. In an explosion of independence, colonial Africa has produced thirty-five new nations in less than two decades. One dramatic result of this is the transformation of Africa's role in the United Nations. The African Group of 38 members casts more votes than any other continent. Along with Asians, the Africans can, if they wish, command a majority in the General Assembly. The fact that on most issues they do not wield this weapon, but vote according to their national consciences and interests is often obscured by the far fewer occasions on which they feel a compelling sense of solidarity on a given problem. It is not enough for us in such circumstances to write their viewpoints off as emotionalism. Rather, we must try to probe for the premises that lead them to the conclusions they reach—and to assure that they understand ours.

Fourthly, there are the more material interests which assume importance in this increasingly interrelated world at a time of rapidly advancing technology. African facilities are important to our worldwide communications network, and we have important space-age ties with Africa. Our manned space flights are tracked by stations in Africa, and African facilities are cooperating in other space experiments and operations which hold great promise for the advancement of their—as well as our—knowledge and development.

Moreover, from Africa's extensive mineral resources we purchase products of critical importance to our science and technology. Our machine tool industry, for example, relies heavily on Africa's industrial diamonds. Other rare African metals, such as beryllium, columbium and tantalum, are essential to our industrial and scientific community because of their ability to resist heat and corrosion. From Africa's agricultural capacity, we buy increasing quantities of coffee and cocoa. In Africa's commerce and investment we are finding larger opportunities for mutually advantageous business arrangements which contribute substantially to development and understanding. Even though our volume of trade and investment with Africa is relatively small in relationship to the total, it has both more than doubled in the past decade and a half, and has opened up with vast new areas which were closed to use during the colonial era. Two dramatic examples suffice: American companies have helped the Government of Libya to transform the economy of that country through their discovery and production of oil; similarly, in Liberia, large American investments have been instrumental in developing the great iron ore resources and natural rubber potential to the benefit of that oldest republic in Africa.

Fifth, world geography and world security give Africa still another significance to the United States and to all other nations who seek peace and freedom. One need only glance at the map to realize the interrelationship between the security of Africa and that of Europe and Asia. Similarly, one need only compare the latitudes of Africa with those of the Western Hemisphere to verify the extent of the Atlantic proximity of the two land masses—from the Carolinas on the north to the lower part of Argentina on the south. In today's world, the Mediteranean and Red Seas have become ponds, while the Atlantic and Indian oceans have shrunk to lakes. It is vital to the mutual interest of both Africa and the United States that these contracted bodies of water—and the even more constricted airspace above them—should be roads of peaceful intercourse to the advantage of all.

AFRICAN REALITIES

Because of our significant interests in Africa, let us be certain we have a clear understanding of the basic realities of African life. In these realities we find problems that are both obvious and obscure, and characteristics which are both common to mankind and unique in their African context.

Africa is enormous and blessed with great human and natural resources. But the realization of this huge potential is too widely limited by poverty, disease and illiteracy. The reasons for this are to a considerable extent locked in the colonial past. But they are also found in tradition and resistance to change that become entrenched by Africa's long isolation. Whatever the explanation, incomes average less than $125 per capita annually; chronic illness debilitates much of its population; and illiteracy persists in almost 85% of its peoples.

Moreover, most African states are basically producers of primary products, whose foreign exchange earnings are their principal means of obtaining the manufactured products required to raise their standards of living. Often single crop countries, African states depend upon the world prices for their economic welfare. The wide fluctuations in price-levels of cocoa, coffee, peanuts, cotton and copper—to mention a few—do two things to African countries: they recurrently jolt and demoralize their economies, and they cause frustration and bitterness between the African and industrialized nations. The former makes planning difficult; the latter accentuates the psychological gap between the Rich Nations and the Poor.

All African nations suffer from inadequately trained manpower. This inhibits production, restricts ability to absorb aid, curtails reform, detracts from efficiency, and limits mobilization of even the modest capital resources available. In no area is this more true than agriculture, where primitive methods are often made still more ineffective by outmoded land systems, inefficient tools and lack of water.

Every African nation needs better transportation, and truly regional networks of any sort have hardly been started. Communications links persist from the colonial periods, still tieing many African nations more closely to their former metropoles than to their neighbors.

These are the realities of the past. But the new Africa—the recently independent Africa along with its older nations—reflects present and future realities of a very different nature.

The first, and most important, of these newer realities is the continuing drive for freedom and independence. Having achieved this independence in most of the continent, African peoples are determined to consolidate their gain. Benefitting from the largely peaceful nature of this transition, African leaders are intent on achieving real political and economic development.

A second reality is independent Africa's abiding concern with self-determination and majority rule for all of its peoples. There are major territories, especially in Southern Africa, in which neither the principle of self-determination nor of majority rule has been applied. On this issue, the African consensus is clear. They want responsible, effective and timely action, and they expect others to match their professions with their deeds.

A third reality is the African aspiration for unity. This assertion may sound questionable, in light of the disputes and divisions which persistently exist in Africa. But this view fails to take into account both the trends of events in Africa and the way Africans look at this aspiration. A broad basis for continental cooperation is emerging in the Organization of African Unity and the UN Economic Commission for Africa. While the ideal of full unity remains a distant goal, Africans are developing the practical steps of cooperation in both the political and economic spheres. The pressure for greater cooperation lies in their realization of their individual weaknesses; the benefits of regional effort are being more widely recognized; and the institutions to make this cooperation meaningful are being constructed.

A fourth reality is Africa's desire to be free of foreign intervention. Occasionally, taking the form of emotional attacks on neo-colonialism, this spirit is most generally reflected in the African desire for non-alignment. Springing historically from two sentiments—an instinctive suspicion of colonialism and an intense desire to stay out of great power conflict—non-alignment has different meanings for different African leaders. At its core, however, it is generally a search for genuine independence and a desire as Africans to express themselves in their own ways—both aspirations with which we can completely identify ourselves.

U.S. OBJECTIVES

Against the background of these African realities, and in light of the United States interest in Africa, let us define our fundamental foreign policy objectives in Africa.

The primary objective of all U.S. foreign policy is, of course, the security and well-being of the United States, and this consideration is basic to our African policy. Fortunately for the peoples of both continents, there is nothing inconsistent between this basic concern and what Africa wants for itself. In today's interdependent world, we can best guarantee our own safety and prosperity by directing our policy toward the building of a world of peace and freedom. Our credentials are enhanced by the fact that we have no territorial or other special ambitions in Africa, nor elsewhere. We understand that the best guarantee of our own independence and prosperity is the independence and prosperity of others. These are the guarantees of American national interests.

Our basic objectives in Africa are, therefore:

1. Responsiveness to the efforts of Africa to develop effective governments reflecting their own aspirations and capable of bringing about peaceful and sustained progress for the African people. We believe that such governments will place their own interests ahead of those of any foreign power and will reject imperialism and subversion, whatever their forms.

2. Assistance to African nations in their efforts to develop economic, educational and social institutions which will provide the means of meeting the peoples' needs for a better life.

3. Support to African efforts to develop national, regional and inter-African political institutions which will permit African countries to play increasingly constructive roles in the world community of nations.

4. The long-term growth of American trade and investment in a manner that will serve the needs of both Africans and Americans.

5. The development of comprehensive African-American ties which will enhance U.S.-African friendship.

U.S. POLICY IN AFRICA

Having defined our objectives, the problem is: what policies should we adopt to govern our relations with African countries? The United States has developed a broad, and I believe realistic, policy toward Africa. It is calculated to further American interests in the most favorable long-range sense of the word.

Five basic principles govern American policy toward Africa. Of those five principles, self-determination—and the several corollaries that flow from it—is the first and most important.

We support the right of African peoples to choose their own future. American policy has consistently supported the right of the African people to opt for independence or self-government. Whenever political change is indicated, the United States strongly supports a peaceful transition. We believe that the interests of all concerned can best be served by a progressive approach, over a reasonable period of time, within a framework of agreement by all parties. This continues to be our policy with respect to those areas of the continent that continue under colonial rule.

For example, the recent transition to independence by Botswana and Lesotho, which was worked out between the people of those states and the Government of the United Kingdom, fulfills not only our definition of self-determination, but also our belief as to the best means of realizing it.

On the other hand, we have given every encouragement and support to the efforts of the United Kingdom and the United Nations to restore legitimate government in Southern Rhodesia following last year's illegal declaration of independence by the Smith regime. What has happened in Southern Rhodesia is a complete negation of what we mean by self-determination. As President Johnson said on May 26 in emphasizing the importance of restoring legitimate government in Southern Rhodesia: "Only when this is accomplished can steps be taken to open the full power and responsibility of nationhood to all the people of Rhodesia—not just six per cent of them."

Another aspect of United States support of self-determination is that we believe in government by the consent of the governed, which is broader even than formal independence. The Republic of South Africa has independence, but it certainly does not have consent of the majority of the governed. Nor does South Africa's policy of apartheid—to which the United States is completely and unalterably opposed—portend that there will soon be a government with consent of the governed. American policy has sought by every appropriate means to convince the South African Government that apartheid contains the seeds of its own destruction. We seek to suggest no special formula to South Africa, but rather we would hope in due course to see a dialogue develop between the government and representatives of all citizens, including those with no present effective representative voice in government.

Our policy of self-determination also embraces our support for the free choice by African peoples of their own form of government and society as long as they respect the rights of others. We applaud the fact that the new African governments are desirous of developing their own political and social institutions in their own image and likeness and in a manner best calculated to reflect the traditions and aspirations of the African peoples. We hope that they—as we hope others—will in this process accord equal rights and opportunities to all persons residing in their country.

United States understanding of and respect for a policy of nonalignment is a logical extension of our support of self-determination. There is sometimes a tendency to categorize foreign countries as being "pro-this" or "pro-that" without fully realizing that a country can be seeking the same kind of a world we seek without necessarily being aligned with us on all international issues. To view Africa's current problems as though they were primarily manifestations of the East-West conflict is a dangerous over-simplification of Africa's preoccupations.

Perhaps the reason for our relative diplomatic successes in Africa—as compared to communist countries—has been precisely because we have understood that the first task of the leaders of Africa was to protect the interests of Africa. Thus, we have gone to great lengths to encourage this kind of healthy non-involvement, as for example, in our support of the UN effort in the Congo.

The second main principle of United States African policy is encouragement of African solutions to African problems and support of institutions through which solutions can be reached. The United States has welcomed and encouraged the Organization of African Unity in its efforts to bring about responsible solutions to disputes among its members, such as the border problems between Algeria and Morocco and between Ethiopia and Somalia. Moreover the Organization subsumes a wide range of other cooperative activities supportive, in the words of its charter, "of the inalienable right of all people to control their own destiny." As President Johnson has said "My country knows what these words mean. To us, as to you, they are not abstractions. They are a living part of our experience as men and as nations."

The United States has also welcomed and encouraged the creation of the United Nations Economic Commission for Africa, which is actively seeking ways to boost African economic growth. The two major results of this growing activity have been the establishment of the African Development Institute at Dakar and the African Development Bank at Abidjan. The ECA has also sponsored the development of subregional economic communities to integrate efforts of the nations in four subregions of the continent.

The third principle of our African policy is our support of African economic development and independence through aid and trade.

In Africa, aid is a vital addition to indigenous efforts to achieve a rate of economic and social growth responsive to the requirements of political stability. Any government—however progressive and constructive and however cloaked with the prestige of having won independence—that fails to reckon with its people's desire for progress will find itself in jeopardy, with order and stability gravely disturbed. This not only adversely affects the country involved, but, as I said earlier, could create a situation affecting the peace and security of the United States as well.

African governments are not yet of and by themselves able to generate the thrust required for the economic and social improvement to meet the needs of their peoples. They must obtain aid or risk deepening troubles. The key questions are from whom aid will be sought, whether it can be obtained on acceptable terms, and when it can be delivered and put to work. It is worth noting that in almost every instance the newly independent nations of Africa turn first to the West as their preferred primary source of aid, and look elsewhere either to demonstrate their non-alignment or because they are disappointed by the Western response.

In recent years our over-all aid program for Africa has embraced a variety of methods—grants and loans, technical and supporting assistance, development and research, help through international organizations, Food for Peace, and the Peace Corps. The emphasis has generally been on a bilateral, rather than multilateral or regional approach.

One important guiding principle of our assistance to Africa is to make available skills and experience rather than to try to transplant American methods and institutions. It is up to the Africans who are responsible for building their continent to decide whether our particular talent and accomplishments are adaptable to what they are trying to achieve. If they believe they are, we are ready to assist to the extent we can. If they believe our concepts are not suitable to their environment, we look to them to tell us so, since to apply what won't work is neither in their interests nor ours.

Within this context of responding to African desires and initiatives, the President last May suggested the paths along which the United States might work in assisting African development. They were, in particular—

(1) To strengthen the regional economic activities already emerging in Africa.

(2) To increase the number of trained Africans through helping expand regional centers of excellence and assisting students to attend them.

(3) To help develop Africa's regional infrastructure, such as regional power and air, road and rail links.

(4) To assist the growth of agriculture, the expansion of investments, and other essential needs.

(5) And to put to work in Africa the great technological advances that are being made, particularly in the field of telecommunications and communications satellites.

Under the President's directive, representatives of the various agencies concerned with aid to Africa are undertaking a comprehensive review of American development assitance in order to find ways and means of making it more effective and responsive to Africa's needs. We are restudying, with international institutions and other governments, means by which our aid, in conjunction with aid from other donors, can best maximize assistance to Africa in its national, subregional, and continental dimensions.

The fourth main principle of our policy toward Africa is our desire to discourage arms build-ups beyond the needs of internal security or legitimate self defense. Given the very limited economic resources of the newly independent countries, most of them realize the importance of concentrating their resources on economic and social development, rather than on expensive and non-productive weaponry. Regrettably this simple rule of thumb is not everywhere applied, and in a few areas the race is already on with escalating acquisitions as one state tries to get ahead of its neighbor. The key to this problem is mutual self denial and cooperative restraint, concepts which we hope the nations of Africa will examine and adopt before local tragedies ensue.

The fifth, and final, principle of our African policy is to encourage other free world countries, and particularly the former European metropoles, to enlarge their responsibilities toward assisting Africa. With few exceptions, colonial ties have been laid aside for new types of cooperative arrangements between Africa and Europe based on equality, mutual respect and reciprocal advantage. And, where African aspirations for independence and dignity have been satisfied, it has been the African nations themselves who have sought fruitful and continuing relations with former metropoles. We consider this sound policy, and we are pleased that the new cultural, economic and other cooperative relationships between the former metropoles and the newly independ-

ent African countries are, in most instances, close, cordial and mutually beneficial.

CONCLUSION

There are, of course, strong external forces which seek to frustrate the principles which I have described during the course of this talk. We have seen them at work in various parts of the continent. Their methods are sometimes blatant but more often subtle and deceptive. Nevertheless, the events of the past few years have demonstrated clearly that Africa's leaders themselves are generally alert to unacceptable encroachments on their hard-won independence and prepared to act to resist them. While the danger remains of African miscalculation regarding an acceptable level of communist influence, it can generally be said that our support of African efforts to strengthen their independence and advance their development is, in the long run, the surest guarantee we could have that Africa will remain in the world of free choice.

In closing, I would like to recall the words of a wise African leader who once said to me, "I hope that you Americans will look upon our efforts to build a nation in the full light of your own early history. If you do, you will understand the excitement we feel as we assume the responsibility for the conduct of our own affairs. And you will also better understand the magnitude of the challenge which we face in building a cohesive and prosperous society from many diverse elements. So as you watch our efforts, please remember these elements of your own history."

If we keep in mind this perspective, we can have well-founded confidence in the continent of Africa, and we can also have well-founded confidence that the principles of our policy will have a relevance to Africa beyond the crisis of the moment as we move together towards goals to which both of our continents are committed.

PRESIDENTIAL UNIT CITATION FOR THE 761ST TANK BATTALION

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

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

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, I am reintroducing in the Congress today a bill to authorize and request the President of the United States to award a Presidential Unit Citation to the 761st Tank Battalion because I feel this recogniton of the gallant 761st is long overdue.

It was during World War II that the 761st compiled its impressive record of almost 400 battle awards, including Purple Hearts, Silver Stars, Bronze Stars, Certificates of Merit, and the high praise of the War Department.

The 761st Tank Battalion was the first armored unit in the history of the American Army to enter combat with Negroes manning its weapons and vehicles. The battalion was activated in April 1942 at Camp Claiborne, La., and in its first encounter with the enemy, the 761st lived up to the highest expectations. The men fought gallantly and their ingenuity and ability carried them through the grimmest and most difficult situations.

The records shows that after the 761st had been in combat less than 2 months, the commanding general of the Headquarters XII Corps, issued a special commendation, saying:

I consider the 761st Tank Battalion to have entered combat with such conspicuous courage and success as to warrant special commendation. The speed with which they adapted themselves to the front line under most adverse weather conditions, the gallantry with which they emerged from their recent engagements in the vicinity of Dieuze, Morville le Vic, and Guebling entitle them surely to consider themselves the veteran 761st.

Mr. Speaker, it is a matter of record that in the battles of Morville, Metz, Obreck Dieuze, Guebling, Tillet, and countless others, the men of the 761st conducted themselves admirably under stress and the relentless fire of the enemy. I want to refer particularly to the rugged fighting at Tillet, the heavy casualties sustained by both sides, and finally, the retreat of the crack German 13th SS Panzer Division as the 761st Tank Battalion pushed forward and turned the tide.

Courage and bravery of this high caliber deserves to be remembered. Indeed, the pages of American military history would not be complete without official recognition of the 761st Tank Battalion, which fought with valor in France, Belgium, Luxembourg, Holland, Germany, and Austria.

Therefore, I am requesting my colleagues to give their support to my measure providing for a Presidential Unit Citation for the 761st Tank Battalion. This recognition is long overdue and should be extended now.

WASHINGTON POST RECOMMENDS CHAIRMAN MARTIN RETIRE FROM FEDERAL RESERVE BOARD

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

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

There was no objection.

Mr. PATMAN. Mr. Speaker, the current Chairman of the Federal Reserve Board, William McChesney Martin, Jr., just last week publicly launched his campaign for reappointment by President Johnson. Mr. Martin's 4-year term as Chairman expires this March 31 and his 14-year term as a Board member expires on January 31, 1970. He is ineligible to serve on the Board beyond that time.

While espousing an almost pathological fear and distrust of "politics" and popular rule, particularly as related to the Nation's monetary policies, Mr. Martin is generally regarded as one of Washington's most astute politicians. By publicly announcing his willingness to step aside if President Johnson desires to appoint another as Chairman, Mr. Martin has thus sought to bring Wall Street pressure to bear on President Johnson to keep him on. The profits of the large Wall Street banks set new records for 1966, a year when Mr. Martin's high interest rates broke a 40-year record. Mr. Martin really outdid himself. Naturally, the Rockefellers and the Morgans like to have Mr. Martin running the Federal Reserve because it lines their pockets with gold, even if it results, among other things, in the devastation of the homebuilding industry, as actually happened.

It is truly remarkable that Mr. Martin should indulge in this little game of political intrigue. Just 13 months ago he openly defied the President, acting despite Mr. Johnson's low interest program. President Johnson strongly reiterated the dangers of high interest rates and tight money in his state of the Union message just this week. Will Martin once again impose his high interest bias in the face of President Johnson's remarks that—

Our greatest disappointment in the economy during 1966 was the excessive rise in interest rates and the tightening of credit . . . And I pledge the American people that I will do everything in a President's power to lower interest rates and to ease money in this country.

Hopefully, Chairman Martin will follow the suggestion in the Washington Post editorial of January 10 that he resign from the Federal Reserve Board and "give the Board a greater opportunity to refashion its defective tools of monetary policy." While devoted and dedicated to his principles, Mr. Martin's ideas are those one associates with 19th century European central bankers, rather than the problems and goals of an active and growing 20th century American economy.

The entire Washington Post editorial follows:

CHAIRMAN MARTIN'S TENURE

Speculation about the tenure of Mr. William McChesney Martin, the Chairman of the Board of Governors of the Federal Reserve System, is something of a quadrennial event in Washington. He has served in the post for 16 years and because of the aura of virtue with which myth surrounds him, the reappointment of Mr. Martin is regarded by some as a test of a President's allegiance to "sound" monetary policy. "Soundness" in this context connotes a morbid fear of inflation and the assignment of so high a priority to price stability as to purchase it through excessively high unemployment and a very low rate of economic growth.

Although he espoused opposite views, the late President Kennedy not only reappointed Mr. Martin to the chairmanship in 1963 but strengthened his position on the Board with the appointment of a stout supporter to an unexpired term. President Johnson, notwithstanding the criticisms that are now leveled against him by wrong-headed purveyors of the "new economics," perceived the conflict between a chronically restrictive monetary policy and the requirements for rapid economic growth and never attempted to conceal it. The three Johnson appointments to the Board were calculated to achieve a more expansionary monetary policy.

Mr. Martin is a thoroughly admirable gentleman and a devoted public servant. But it is highly unlikely that he will ever again exert so strong an influence on this country's monetary policies as he did in the 1950s. His reappointment, in view of the changes that have been made in the Board and its professional staff, would not be so harmful at this juncture as it would be under different circumstances. Yet it would be far better to give Mr. Martin a well-deserved respite from public responsibilities and to give the Board a greater opportunity to refashion its defective tools of monetary policy.

RURAL ELECTRIC PUBLICATIONS ATTACK HIGH INTEREST RATES

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

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

There was no objection.

Mr. PATMAN. Mr. Speaker, members of rural electric cooperatives throughout the Nation have always been in the frontlines of the battle against high interest rates and tight money.

Their concern can be well understood. It is always the rural areas and the farmers who are hit hardest and first by the destructive consequences of high interest rates. The farmer depends heavily on credit and interest charges are always a substantial part of his budget.

Rural communities are hard pressed for loan funds to meet the most basic development needs. When credit gets tight, it is invariably the rural school district and the small town that are cut off first.

In recent days, two outstanding publications in the rural electric field—the Indiana Rural News and the East River, S. Dak., Guardian—have analyzed the interest rate situation as it affects their areas. Both of these editorials are excellent and reflect opinion at the real grassroots of America.

I place these editorials in the RECORD, as follows:

[From the East River (S. Dak.) Guardian, November 1966]

TIGHT MONEY POLICIES ENDANGER FARM, BUSINESS

Times are critical for the American farmer. He is being forced to walk a financial tightrope.

The Agriculture Department points out farmers spent $1 out of every $7 they earned last year to pay interest charges on loans. Prospects appear darker after the Federal Reserve Board "seized independence," without benefit of law, creating chaotic financial conditions on the farm and throughout the country.

At the request of President Johnson, the Farm Credit Administration is cooperating with federal lending agencies to limit loans, supposedly reducing "inflationary pressures." But on the other hand, the Farm Credit Administration says it wants to supply money to farmers and farmer-cooperative borrowers for 1967 production needs.

The Farm Credit Board has adopted a policy stand which said inflationary pressures can be lessened most effectively by making loans that result in maximum agricultural production. The board said the President asked that loans be made only to meet essential and non-postponable needs and that the agencies reduce borrowings in the private money market.

An overpowering fact remains: farm and other credit needs will be higher in 1967 than this year. Tight money is behind the high interest rates being clamped down on farmers.

High interest costs prevailing throughout the economy are the results of actions by a single agency—the Federal Reserve Board. The board, acting in defiance of the President and Congress, raised interest rates 37½ per cent on Dec. 6, 1965.

Since 1953, the Federal Reserve Board has become more and more defiant. The board has warped and twisted the laws governing its operation, to move it closer to complete control by a handful of big banks holding $16.5 billion in certificates of deposit.

What can we do about this? The Federal Reserve System must be brought back under the control of Congress. The Federal Reserve must be made to come to Congress for appropriations. Its books must be made subject to the General Accounting Office, as are other agencies of the government. Open market operations must be carried out in the public's interest and not in big bankers' interests.

East River resolutions the last two years make it clear that we feel the Federal Reserve Board is endangering the economic well-being of the entire nation through its actions.

Rising interest rates are siphoning off billions of dollars that should be channeled into productive projects. Instead, the money goes only to money lenders.

Frankly, Congress has not been doing its duty in the area of monetary affairs. Congress should take action now to make sure that monetary matters are brought under the control of the people. Only a strong demand for action from the grass roots can bring this about.

Let our congressional delegation know how you feel. They want to know your views.

[From the Indiana Rural News, December 1966]

DECISION IS OURS

With monetary conditions worsening, what can the average Hoosier do to fight for lower interest rates and relieve the "tight money" policy that has been adopted by the Federal Reserve Board?

This country, as a result of high interest rates, is facing a serious problem and a possible major disruption in its economy.

Laying full blame on the Federal Reserve Board and its closed door operations for the current monetary crisis, Representative Wright Patman of Texas declares:

"Outside of the top secret Central Intelligence Agency, no agency in our Federal Government operates with more secrecy than the Federal Reserve."

All other agencies of the Government, points out Mr. Patman, come before Congress each year for authorizations and appropriations. This permits the activities of the agencies to be reviewed in great detail. Through the years this has prevented the bureaucratic processes from becoming out of balance with the public interest. As a further safeguard, these same agencies are subject to the audit by the General Accounting Office.

But, emphasizes Congressman Patman, the Federal Reserve Board does not come to Congress for appropriations. Its books are not audited by the General Accounting Office. As a result, Mr. Patman says, the Congress, the President and the American People are completely in the dark about what is going on at the Federal Reserve.

In the 90th Congress, Mr. Patman plans to introduce legislation to bring the Federal Reserve System back under the control of the people and their elected representatives. His proposal will require that the terms of the members of the Federal Reserve Board be reduced from fourteen to five years and that the term of the chairman be made coterminous with that of the President of the United States. The Patman bill also would direct the Federal Reserve to come to the Congress for annual appropriations and that most of the $42-billion in bonds, presently being held by the Federal Reserve, be retired. The bill, in addition, would direct the Federal Reserve to open its books to a General Accounting Office audit and to make public the records.

One of the most fantastic examples of the attitude of the Federal Reserve as far as the public is concerned is its portfolio of $42-billion in U.S. Bonds which are held by the Federal Reserve Bank in New York. These are bonds which have been paid off once, yet the Federal Reserve continues to hold them and to charge American taxpayers $1.7-billion in interest annually.

The Federal Reserve uses these interest payments, says Congressman Patman, to carry on its far-flung operations, including salaries, huge expense accounts and other incidentals of the Board. Also included are about $90,000 in annual dues to the American Bankers Association and various state and local banking associations, which, in turn, lobby for the bank interests.

Whatever is done about returning our monetary system to the people will depend largely upon the people themselves. If Hoosiers want action, they must let their elected representatives at all levels know their desires. The 90th Congress will act if the demand from the people grows strong enough.

The real decision is in our hands.

STUDY OF BANK STOCK OWNERSHIP AND CONTROL—EDITORIAL COMMENT AND REPLY

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

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

There was no objection.

Mr. PATMAN. Mr. Speaker, on January 4 of this year the Journal of Commerce printed an editorial which was highly critical of a House Banking and Currency Committee report entitled "Bank Stock Ownership and Control." This editorial contained several inaccuracies and drew some erroneous conclusions. Therefore, I wrote a letter to the Journal of Commerce discussing these points. This letter was published on Wednesday, January 11. My letter was accompanied by a short editor's note.

While the editorial, my letter, and the editor's note speak for themselves, it seems to me quite significant that the Journal of Commerce now acknowledges that a potential conflict of interest may exist when a commercial bank holds and votes a large block of its own shares held in trust for the benefit of others. Since this seems to be a widespread practice among large commercial banks, both national and State chartered, I think it is clear that further investigation and consideration of congressional legislative action be given to this problem.

Under unanimous consent, I include the editorial, my letter, and the editor's note at this point in the RECORD:

[From the Journal of Commerce and Commercial, New York, Jan. 4, 1967]

TO GO TO SO MUCH

After wasting for several years a considerable amount of taxpayers' money in exploring something that didn't really need to be explored, the House Banking and Currency Committee headed by Rep. Wright Patman has come up with a staff report which Mr. Patman says reveals a "startling degree" of interlocking stock ownership among commercial banks, insurance companies and mu-

tual savings banks. If the staff report is not a lot of twaddle, Mr. Patman's deductions from it certainly are. It is a matter of going to so much to come to so little.

Mr. Patman notes that, according to the report, 5 per cent of the stock or more in almost three-fourths of the nation's largest banks is held by other financial institutions, including banks. Mr. Patman then makes the startling observation that "in corporations where stock is widely held, this 5 per cent often represents actual control."

That, of course is pure nonsense. We have heard that in some corporations 20 per cent of stock in a single place may, under favorable conditions, represent working control. We have never heard of anybody controlling a corporation of any kind by owning 5 per cent of it.

The staff report on which Mr. Patman has made such reckless deductions utilized a net which caught only a few minnows. It was based upon reports from some 3,200 banks, bank nominees, brokerage firms, insurance companies, mutual savings banks and various foundations, together with various corporations. The questionnaires sent out were aimed at determining who "beneficial owners" were.

Let us assume that this cross section of stock ownership represents a varied number of true investors, who obviously included bank trust accounts, in which enormous amounts of stock are held for single or multiple investors. What is so surprising in the fact that as much as 5 per cent or even more of the stock in financial and other institutions should be so owned? People invest in bank stocks as well as in industrial stocks, and they naturally tend to buy stocks which have a long record of excellent earnings and dividends. Banks are pre-eminent on the list of long time dividend payers.

Two years ago Mr. Patman tried hard to draw wrong conclusions from a survey of the 20 largest stockholders of record in member banks of the Federal Reserve system. The study was concentrated upon the 300 largest banks in the United States. It produced nothing of startling import and got nowhere. Not even eyebrows were raised.

Now, on the basis of the wider sampling, Mr. Patman says that his staff report "raises serious questions concerning the use and management of trust funds by banks." Also, that this aspect needs another close look by his committee to determine the need for future legislative action. Let us hope that Congress will not authorize more money to be poured down this particular rathole. Apparently Mr. Patman is hopeful of more unnecessary appropriations for this purpose.

After all, what stocks banks hold for others and how they vote them are determined by the real owners of the securities. The banks are merely agents. With some clearly defined exceptions banks are not allowed to hold stocks for their own accounts.

Mr. Patman professes to find something unhealthy in the fact that between 70 and 75 per cent of 275 large banks report 5 per cent or more of their stock held by financial institutions and that over 54 per cent of them have 10 per cent or more of their stock so held. Well, why shouldn't sophisticated investors naturally gravitate toward successful and money-making institutions such as these large banks? Some of the banks have 25 per cent to 50 per cent of their stock so held. Presumably "financial institutions" include bank holding companies, some of which own all but directors' qualifying shares of banks included in their groups.

The idea that all big banks control each other is something that one would expect to be stressed 50 years ago, when everything connected with Wall Street, LaSalle St. or Montgomery Street was supposed to be hot stuff politically. But in this day and age, when so many billions of stocks are held by institutional investors, usually on behalf of somebody else, we feel Mr. Patman's alarm is fanciful; he is, in fact, getting scared over will-o-the-wisps. Like will-o-the-wisps, modest holdings by other financial institutions in banks are quite harmless and in fact, to be expected. We are hopeful he won't persuade a nervous House to get excited about it.

[From the Journal of Commerce, Jan. 7, 1967]

THE SKIRMISH LINE—MR. PATMAN SAYS WE ARE WRONG

To the EDITOR:

Your editorial of Jan. 4, 1967, attacking the study of commercial bank stock ownership and control recently published as a staff report by the Domestic Finance Subcommittee of the House Banking and Currency Committee was frankly amazing in its intemperate tone as well as its almost total diregard of the most important specific points made in the study.

You completely fail to point out, for example, the serious problem of banks holding in trust and voting large blocks of their own stock, a serious built-in conflict of interest. Seven states have by statute seen fit to protect the beneficiaries of trusts from this potential abuse by prohibiting trustees from voting their own shares.

In another state, Ohio, there is at this time a controversy over this very point.

However, most large banking states, such as New York, Illinois, Pennsylvania and California, provide no such protection, thus leaving thousands of people, who are almost totally at the mercy of the judgment of bank trustees, unprotected from this potential abuse. At least 198 of the 300 largest banks in the country hold some of their own shares, according to the report, and 63 of these banks exercise complete or partial control over the voting of 5 per cent or more of their own shares. If the study exposed no other problem, this problem of potential self-dealing alone would be enough to justify it.

But this is not the only serious problem uncovered by this study which your editorial chose to ignore. The report not only points out the extent to which funds managed by various types of financial institutions are invested in commercial bank stock, but also the extent to which these shares are voted by these institutions. The data on this point clearly support the conclusion that the heavy investment in and voting control over commercial bank stock by these institutions raises serious questions about the true level of competition among commercial banks and among financial institutions in general.

Let me also point out two misstatements of fact in your editorial. You state that ". . . what stocks banks hold for others and how they vote them are determined by the real owners of the securities. The banks are merely agents." This statement, as the study clearly points out, is not correct in a very large number of cases, and shows a complete lack of understanding of the powers of the trustee holding securities for the benefit of others. Voting control as well as investment powers often resides in the hands of bank trust departments. This is one of the major points brought out in the study, that control in many cases resides with the banks.

EXCLUDES HOLDING FIRMS

Another incorrect statement in your editorial is that the figures quoted in the study include the bank stock held by bank holding companies. Nowhere is this stated to be the case. In fact, if the data did include the bank stockholdings of bank holding companies, the figures would show an even greater degree of concentration of bank stockholdings in financial institutions. A quick check of the tables in the study would have shown that bank holding company stockholdings were not included, as is evidenced, for example, by the very small number of shares shown for banks in the Marine Midland group.

There are other points in your editorial that might be disputed, but the truth of the matter is that most of the banking industry and those who serve it take the attitude that they should be exempt from all public scrutiny, should be free to do virtually anything that they want to do in order to serve their own interests, and should be completely free from the public interest investigations and regulations that other industries have been subjected to. A thoughtful critique of the specific points made in this report and other criticisms of the banking industry rather than an automatic defensive negative reaction to every criticism levelled at the banking industry would far better serve the public interest.

WRIGHT PATMAN,
Chairman, House Committee on Banking and Currency.

EDITORS NOTE

(We have never argued that the banking industry and those who serve it should be exempt from all public scrutiny. We are glad to be corrected in our assumption that the Patman committee investigation included bank holding companies. We feel that Mr. Patman's own figures that only 63 of 198 large banks control voting of 5 per cent or more of their own shares indicates they realize there may be some conflict of interest. We still feel no substantial federal question is involved in the control of 5 per cent or thereabouts of their own bank stock by bank trust departments and that this is a matter for state laws or regulations. And we still feel that Mr. Patman and his committee are making a mountain out of a molehill.—ED.)

BIRTHDAY RECOGNITION FOR CONGRESSMAN ANNUNZIO

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

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

There was no objection.

Mr. PATMAN. Mr. Speaker, I want to apologize for being a bit tardy in recognizing the birthday of the gentleman from Illinois, the Honorable FRANK ANNUNZIO, who celebrated his 52d birthday last Thursday.

Congressman ANNUNZIO is one of the rising young Members of Congress and an important member of the Banking and Currency Committee.

Congressman ANNUNZIO was one of the leaders in the committee's investigation of loan sharks and sharp-practice operators in their dealings with servicemen. He has been hailed by a large number of veterans, civic, and industrial groups for his efforts in this field. He is a tireless worker and the 80-percent plurality by which he was returned to the 90th Congress indicates that he will be celebrating a number of birthdays in this body in the years to come.

NATIONAL SENIOR SERVICE CORPS

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

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

There was no objection.

Mr. HICKS. Mr. Speaker, I am happy to join with my distinguished colleagues, the gentleman from New York, Representative JONATHAN BINGHAM, and the gentleman from New Jersey, Representative PETER RODINO, in sponsoring legislation to create a National Community Senior Service Corps.

The need to encourage our senior citizens to participate more fully in our society is clear, for if they do not the loss is ours as well as theirs. The growth of our older population, and its increased percentage of our total population, are matters requiring immediate attention. We are faced with a double problem: How to accord to these men and women the dignity and comfort they deserve, and how to insure that their talents and rich experience are not lost to us because we isolate them from meaningful activity in our society.

The Senior Service Corps bears on both these problems. It would make possible the useful participation by senior citizens through the performance of needed community services, and would help to provide such services that would not otherwise be available. The bill I am introducing today would provide funds and technical assistance to nonprofit private organizations, municipalities, counties, and States to develop and implement programs meeting this dual purpose.

The programs would be administered by the State agency responsible for State plans for the elderly under the Older Americans Act of 1965, and close coordination will be required with Government agencies having duties in this area, such as the Department of Labor and the Office of Economic Opportunity. In this way previous experience relevant to the new programs can be brought to bear efficiently.

Under this legislation, programs would be required to be developed with the advice of competent specialists in the problems of the elderly, and would require the greatest possible participation by persons 60 and over in the planning and conduct of the programs.

The legislation would provide for short-term training necessary to utilize available skills in particular programs, but since the emphasis is upon the employment of existing skills, there will be no long-term job-training projects. Payment may be made for services, at the discretion of the local sponsoring agency, but, except in the most unusual circumstances, no individual would receive more than the maximum figure permitted under social security.

The bill would authorize an appropriation of $9 million for the first fiscal year, and $15 million for the second. It would authorize the Secretary of Health, Education, and Welfare to pay 100 percent of program costs during the first fiscal year, and 90 percent for the second year. The bill provides for a 2-year authorization.

Mr. Speaker, I believe this legislation is a promising new approach to the increasing urgent problem of how to enrich the lives of our senior citizens, which would also add to the resources upon which we can call to meet the needs of our communities.

TO LOWER THE VOTING AGE

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

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

There was no objection.

Mr. OLSEN. Mr. Speaker, each year since I came to the Congress as Representative of Montana's First Congressional District I have supported legislation calling for a constitutional amendment to lower the voting age from 21 to 18. It is noteworthy, I believe, that enthusiasm for such an amendment has grown over the years among my colleagues and throughout the Nation.

Naturally I was pleased last week when my fellow Montanan, Senator MIKE MANSFIELD, introduced a joint resolution in the Senate to put to the States the question of lowering the voting age to 18. Today I introduced this measure in the House of Representatives and I ask that my colleagues in the House and the Senate give careful consideration and attention to this important proposal.

Educational psychologists have informed us that the ability to grasp new ideas reaches its peak at the age of 18. I believe this is significant in light of the fact that our educational system—the finest in history—is doing a remarkable job of producing well-informed graduates. Our high schools are succeeding in instilling in our young citizens an interest in their Government, and it is my conviction that we are discouraging this important, vibrant segment of our population if we continue to insist that young Americans remain on the sidelines for 3 years after many of them have reached the peak of interest and enthusiasm.

Such programs as VISTA and the Peace Corps have indicated the interest our young people have in public affairs and demonstrated their potential for valuable public service. I know many of my colleagues agree that our Nation would be strengthened if our young people are given an active role in selecting their representatives in government.

These points alone are, I think, dramatic support for the proposal to lower the voting age, but there is another basic consideration. Our young people become subject to the draft and compulsory military service at the age of 18. Certainly if our 18-year-old citizens are subject to governmental decisions which, in time of war, are matters of life and death for them, they deserve a voice in choosing the leaders responsible for making such important decisions.

The proposal I have introduced today requires the concurrence of two-thirds of the House and Senate and ratification by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress.

INCREASING EDUCATIONAL OPPORTUNITIES THROUGHOUT THE NATION BY PROVIDING GRANTS FOR CONSTRUCTION OF ELEMENTARY AND SECONDARY SCHOOLS

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

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

There was no objection.

Mr. PERKINS. Mr. Speaker, I have today introduced a bill to increase educational opportunities throughout the Nation by providing grants for the construction of elementary and secondary schools and for supplemental educational centers. No greater need faces this Nation today than the need to assure all citizens appropriate opportunities to obtain the best possible education that technological developments and new teaching methods and techniques can provide. The 89th Congress made a great stride forward in legislation to authorize grants to local educational agencies to fund programs to strengthen educational opportunities, particularly on the elementary and preschool levels.

While I have been greatly disappointed that many of these programs have not been funded until late in the school years in 1965 and in 1966, the accomplishments to date forecast positive results in increasing educational achievement and progress in literally hundreds of thousands of classrooms throughout the Nation, as a direct result of the support being given schools under the Elementary and Secondary Education Act of 1965—Public Law 89–10—as extended and amended under Public Law 89–750.

The funds provided under that act envision a wide variety of special educational programs devised by local school districts and a strengthening of existing educational programs to meet the special needs of schools impacted with disadvantaged children and children coming from low-income families. In too many instances the ability of local school districts to operate effective programs has been handicapped by the lack of appropriate facilities. The lack of facilities is most apparent in those areas least able to finance their construction. Thus in extensive hearings conducted by the General Subcommittee on Education during the 89th Congress, it was disclosed from a variety of sources that obsolete, dilapidated, hazardous, and overcrowded school facilities in the core of our Nation's cities and in hard-pressed, small rural and isolated communities dilute the effect that the special programs authorized under title I of ESEA would otherwise have had. Of course, in some instances the construction of facilities is authorized by title I of Public Law 89–10 as well as title III. However, situations are limited in which the urgent needs of educationally deprived children for program improvement will justify the use of title I funds for bricks and mortar.

Many of our school facilities today are themselves stark examples of poverty and it is difficult for the best education programs to meet the needs of disad-

vantaged children in a setting which is characteristic of poverty itself. If a real breakthrough is to be achieved in providing good educational opportunities in these needy areas of our Nation, it is essential that school facilities be up to date, safe, healthy, modern, and convey to children the importance with which our Nation regards the educational process and academic achievement. Little wonder to me that our dropout rates are high in low-income areas when we have placed so little value on the educational system as to house this most important activity so poorly.

Evidence submitted to our subcommittee during the 89th Congress indicated that there were approximately 28.8 million pupils or about three out of every four pupils attending school in buildings with two or more of the following gross deficiencies: First, structural defects; second, heat deficiencies; third, fire alarm deficiencies; fourth, stairway nonfire resistive; fifth, inadequate exits; sixth, no fire detection systems nor sprinklers; seventh, no electrical services; eighth, improper lighting.

Further evidence reveals that 5.5 million pupils or approximately one out of every eight are assigned to schools where the site and the buildings are not considered free of health, sanitation, fire safety, and structural deficiencies. Moreover, studies presented to our committee indicated that three out of every 10 pupils or 12.1 million are adversely affected by crowding of school facilities.

Mr. Speaker, the following charts disclose some of the findings of our subcommittee as to classroom construction needs:

TABLE 1.—*Conditions of public school plants, 1964–65—Specific highlights*

	Totals, 50 States—	
	And District of Columbia	District of Columbia, and 4 outlying areas
1. ____ million pupils attend schools where lighting is rated as partly satisfactory by local school officials	9.323	9.67
2. ____ pupils attend schools where lighting is rated unsatisfactory	831,000	920,000
3. ____ pupils are currently housed in school plants with combustible school buildings, constructed before 1928 and have reported structural, fire, and site deficiencies	448,000	461,000
4. ____ percent of the pupil population does not have access to hot water at most handwashing lavatories	29.4	30.3
5. ____ pupils are in buildings that have no electric service	10,000	64,000
6. ____ million pupils attend schools which are unable to maintain temperatures in instructional rooms between 68° and 74° F., about one-half of these are in elementary school buildings	9,023	7,785
7. ____ million pupils are in buildings in which the fire alarm system is not audible throughout the building	35,972	19,785
8. ____ million pupils attend school in buildings without fire alarm systems (excludes 1-room schools)	39,739	1,686
9. ____ million pupils are in buildings with extensive structural deterioration	═══	1,865
10. ____ million pupils are in buildings with combustible stairways and stairwells	3,207	3,223
11. ____ pupils occupy buildings with major infractions of local and/or State existing standards	361,000	474,000
12. ____ percent of the pupils are housed in buildings without fire detection or sprinkler systems in high fire hazard areas	71.6	72.0
13. ____ pupils are on school sites where water supply does not meet local or State health requirements	707,000	850,000
14. For ____ pupils, toilets on the school site are located in outdoor privies	248,000	518,000
15. ____ million pupils are attending school with 30 or more pupils per room	12.115	12.645
16. ____ pupils attend school on sites which have no water piped into the ____ buildings	133,000 4,100	183,000 4,600
17. ____ school plants need science facilities	5,330	5,085
18. ____ school plants need industrial, vocational, or technical shops	4,195	4,810
19. ____ additional classrooms would be needed to eliminate overcrowding ____ according to local school officials and to replace ____ makeshift, ____ nonpermanent and ____ offsite facilities	183,000 107,000 30,000 31,000 15,000	183,000 109,000 31,000 32,000 15,000
20. ____ buildings have 4 or more defects	8,300	9,720

TABLE 2.—*Additional instructional rooms needed in public school plants based on varying methods of pupil accommodation* [1]

Population area	25 elementary, 20 secondary	Median—27.6 elementary, 26.3 secondary	30 elementary, 30 secondary
Total	268,249	115,298	64,611
Urban	105,472	51,078	30,604
Suburban	79,010	30,177	15,340
Outside SMSA's	83,768	34,043	18,667

[1] Source of data: 92,006 individual school plant records in the National Inventory of School Facilities and Personnel, spring 1962 and updated in 35 States to spring 1964 by adding new school plants and eliminating abandoned school plants.

TABLE 3.—*Additional pupil schoolrooms to eliminate certain deficiencies in school buildings for the 50 States, District of Columbia, and 4 outlying areas, 1964–65*

[Number of additional rooms]

	Pupil-room ratios			
	25 per elementary, 20 per secondary	Determined locally with local appraisal	27.4 per elementary, 27.5 per secondary, with U.S. median	30 per elementary, 30 per secondary
To eliminate selected deficiencies	376,000	187,000	185,000	135,000
To eliminate off site	15,000	15,000	15,000	15,000
To eliminate nonpermanent	32,000	32,000	32,000	32,000
To eliminate improvised or makeshift	31,000	31,000	31,000	31,000
To achieve pupil-room ratio	298,000	109,000	107,000	57,000

Source: "Condition of Public School Plants, 1964–65," George J. Collins and William L. Stormer, Washington, D.C., U.S. Department of Health, Education, and Welfare, Office of Education, 1965.

TABLE 4.—*School plants and pupils enrolled, by organizational level and pupil per room interval for 50 States, the District of Columbia, and 4 outlying areas, 1964–65*

[Data for plants are rounded to nearest 100 and pupils are rounded to nearest 1,000]

Pupils per room [1]	Number of plants							
	Total [2]		Elementary		Secondary		Combined	
	Plants	Pupils	Plants	Pupils	Plants	Pupils	Plants	Pupils
Grand total [2]	87,800	40,011,000	60,600	21,284,000	13,300	12,056,000	13,700	6,672,000
1 to 9	4,100	168,000	1,600	85,000	400	44,000	2,200	60,000
10 to 14	7,100	977,000	4,800	381,000	800	247,000	1,300	350,000
15 to 19	13,100	3,675,000	8,200	49,000	2,100	1,042,000	2,300	1,140,000
20 to 24	21,900	9,462,000	15,300	4,000	3,500	2,720,000	3,100	1,823,000
25 to 29	23,500	13,084,000	17,800	7,736,000	3,700	3,803,000	2,100	1,550,000
30 to 34	12,100	7,985,000	9,300	4,858,000	1,700	2,340,000	1,000	787,000
35 to 39	3,400	2,820,000	2,000	1,086,000	800	1,250,000	500	484,000
40 to 44	1,300	943,000	800	333,000	200	344,000	300	266,000
45 to 49	500	346,000	300	177,000	100	101,000	100	69,000
50 to 54	200	186,000	100	42,000	[3]	66,000	100	78,000
55 to 59	200	105,000	100	66,000	[3]	20,000	[3]	19,000
60 to 64	100	103,000	100	62,000	[3]	15,000	[3]	26,000
65 to 69	100	48,000	100	24,000	[3]	11,000	[3]	13,000
70 and over	100	109,000	100	49,000	[3]	52,000	[3]	8,000

[1] Pupils in nursery and kindergarten are counted as ½ the total number reported in each plant to approximate the practice of providing ½-day instruction for these pupils.

[2] Columns may not add to exact totals because of varying inflation factors applied to individual school plants and because of rounding.

[3] Less than 50.

The following is a summary of the major provisions of H.R. 2365 which I have introduced today which is designed to take a step forward in meeting the pressing school construction needs of our Nation:

DISTRIBUTION OF FUNDS UNDER TITLE I

Title I of the bill would distribute funds to local public educational agencies on the basis of a formula similar to the formula contained in the Elementary and Secondary Education Act of 1965 as amended and extended by Public Law 89–750.

USES OF FUNDS TITLE I

A local educational agency could use funds granted pursuant to this title for the construction of school facilities of the local educational agency which are designed to serve school attendance areas having high concentration of children from low-income families including facilities for special projects conducted by the local educational agency in which children from such areas who are enrolled in nonpublic elementary or secondary schools may participate as authorized by title I of Public Law 89–10.

The State educational agency in approving applications by local public educational agencies for the use of funds under title I of the bill would follow basic criteria which would give priority for projects that provide for:

(1) The replacement or restoration of hazardous or unsafe facilities;

(2) Consolidation of school facilities;

(3) The modernization or replacement of facilties which are antiquated or functionally obsolescent; and

(4) The modernization or replacement of facilities to provide innovative facilities or equipment.

OTHER USES OF FUNDS UNDER TITLE I

In those local school districts where a maximum effort is being made by the local public educational agency to provide broadened educational opportunities for children in school attendance areas where there are concentrations of educationally deprived children, the local public educational agency could use construction grants provided by title I for the construction of any needed school facility in the district.

Such maximum effort must be evidenced by—

(1) The local educational agency is making a reasonable tax effort and is exercising due diligence in availing itself of state and other financial assistance and

(2) The facilities in the school district for carrying out the provisions of section 205 of Public Law 89–10 relating to education programs for educationally deprived children, are adequate and appropriate.

These determinations are to be made by the State educational agency under broad criteria prescribed by the Commissioner of the U.S. Office of Education. The State educational agency also makes the determination with respect to the need for the construction of a facility other than one to carry out the program authorized by section 205 of Public Law 89–10 in the event that the local education agency qualifies for this special use of funds granted pursuant to title I of the bill.

DISTRIBUTION OF FUNDS FOR CONSTRUCTION UNDER TITLE II

Title II of the bill would amend section 301 of title III of the Elementary and Secondary Education Act of 1965 by adding additional authorizations for the purpose of constructing facilities to house programs authorized by title III of such act.

Authorizations for construction grants for this purpose would be as follows:

[In millions]

Fiscal year:	Amount of grant
1967	$250
1968	500
1969	500
1970	500
1971	500

In addition, authorizations for regular program operation under title III of Public Law 89–10 would be as follows:

[In millions]

Fiscal year:	Amount of grant
1967	$150
1968	200
1969	250
1970	300

GENERAL PROVISIONS

The language under title I of the bill would become a permanent title II of Public Law 815 of the 81st Congress, title I of which upon the enactment of H.R. 9948 would deal with school construction in areas affected by Federal activities and title II would deal with school construction in areas where there are concentrations of educationally deprived children.

BAD PRECEDENT IN POWELL CASE

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

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

There was no objection.

Mr. PATTEN. Mr. Speaker, I am very pleased to call attention to a couple of editorials which have recently appeared in two distinguished newspapers in the State of New Jersey—namely, the Daily Home News of New Brunswick, N.J., on Thursday, January 12, 1967, and the Newark Evening News of Newark, N.J., on Wednesday, January 11, 1967.

[From the Daily Home News, New Brunswick (N.J.), Jan. 12, 1967]

BAD PRECEDENT IN POWELL CASE

"Each House shall be the judge of the elections, returns and qualifications of its own members. . . .

"Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with a concurrence of two-thirds, expel a member."

These are quotations from the Constitution of the United States which should be considered with regard to the Adam Clayton Powell case.

The first quotation rather clearly refers directly to the seating of members, and it seems to be directed solely to the fact of election and to the meeting of qualifications presumably those set by the Constitution with regard to age, citizenship and residence. It does not appear to authorize the members of a legislative house to go beyond those facts.

The second quotation refers to a house's punishment of its members, even to expulsion.

Neither quotation seems to bulwark the House majority which has refused to seat Adam Clayton Powell, pending a committee investigation. He is not a member of the House until he is seated, and thus does not appear now subject to House punishment.

What the House seems to have done is to refuse to Powell the protection of the traditional presumption of innocence until guilt is proved. He is not being permitted to represent his constituents until a House group probes his actions. No proof has been adduced in the House.

A proper procedure would have been to seat Powell, who has met the constitutional requirements of election and qualifications, and then, if it be the House's will, proceed to investigate him and expel him by the two-thirds vote if reason for expulsion is found.

We bear no brief for Powell. We do not believe he is being persecuted for his color's sake. We think his attacks on Congress this week have been intemperate to the point of slander.

But our disappointment at the mess Powell is making of his promising congressional life, our sense of outrage at his defiance of the law, should not lead us to set a dangerous unconstitutional precedent and bar from House membership, if only for a day, a man legally elected to represent a constituency.

[From the Newark Evening News, Jan. 11, 1967]

MR. POWELL'S FALL

Adam Clayton Powell, by his irregular conduct, had disqualified himself for the chairmanship of the House Education and Labor Committee, and the Democratic caucus was on sound ground in removing him. Going his freewheeling way, Mr. Powell had offered little in defense except his race.

Now Mr. Powell finds himself in deeper trouble. He has been denied a seat by the House membership, pending outcome of an investigation which presumably will range over the full course of his affairs. Here, however, the House seems on less solid ground, even though it holds the constitutional power to judge the qualifications of its members. Instead of affording Mr. Powell fresh opportunity to cry prejudice, as he did so arrogantly immediately after the vote, the House, without further damage to its reputation, could have seated him to represent his constituency while the inquiry proceeded.

Yet his impatient colleagues are in part responsible for Mr. Powell's troubles. Congress has consistently refused to adopt standards necessary to prevent abuses of public trust, conflicts of interest and otherwise to police the ethical conduct of its members. Neither house can satisfy its honor by prosecuting only conspicuous cases.

THE KENNEDY DREAM

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

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

There was no objection.

Mr. PATTEN. Mr. Speaker, Miss Isabel M. Brylawski, of the Home News, of New Brunswick, N.J., wrote me:

It (a letter-to-the-editor by Stephen G. Callas on the late President John F. Kennedy) expresses what is the opinion of many people in the United States and all over the world and deserves insertion in the CONGRESSIONAL RECORD. It is a moving and beautiful tribute to one of our greatest Presidents, the late and beloved John F. Kennedy.

The writer of the article, Stephen G. Callas, of Edison, N.J., is my legislative assistant in Washington and was office manager of Middlesex County, N.J., Citizens for Kennedy-Johnson in 1960, when the county produced a plurality of 32,000 for those two outstanding and victorious candidates.

Mr. Callas' article, which was entitled "The Kennedy Dream" by the Home News, and written on November 30, 1966, is hereby inserted in the CONGRESSIONAL RECORD:

THE KENNEDY DREAM

"The dreamer dies," wrote Burnet, "but never dies the dream."

John F. Kennedy's dream did not perish. It lives on. It was not an impractical dream, for Kennedy, though an idealist, was also a pragmatist. And dreams should not be disparaged, for often the dreams of the past become the programs of the present and future.

He envisioned, ". . . a new world of law where the strong are just and the weak secure and the peace preserved."

That was the goal he sedulously worked for, and although he did not live long enough to reach it, he brought it closer to realization.

The courage and judgment of John F. Kennedy during the Cuban missile crisis helped produce "one of the great turning points in history," Harold Macmillan told the House of Commons. This one act alone may have saved millions of lives.

To the millions who mourn John Kennedy, there are at least two consolations:

—In those brief but memorable years he gave America and the world a new hope, which Robert F. Kennedy told West Berliners, remains "a living force."

—The work that John Kennedy left unfinished may be completed by his brother Robert, who may lead the nation some day.

There was once a tribute to the assassinated president, which ended with these thoughtful words of solace: ". . . for what is remembered is never lost."

John F. Kennedy left much to be remembered—more than anything else, his unlimited promise. That is why those who loved him in life, love him even more in death, for only now do they fully appreciate him—for what he was, what he represented, and what he might have achieved if he had served for eight years.

What beautiful memories he left with us.

Perhaps never again with the United States have a president who had "everything"—the brilliant mind, the engaging personality, the brave and compassionate heart, the vigorous leadership, the handsome appearance, the lovely family, these and more.

The years will pass and some memories will dim, but to many Americans, John Fitzgerald Kennedy will forever be remembered as young and eloquent and smiling—and, above all, unconquerable.

His moving words, notable deeds and inspiring ideals will arouse this and future generations—to hope and work and fight—until his dream of ". . . a new world . . ." comes true.

And because dreams and hopes help sustain us in the battles we face in life and death, Burnet's words can help give us the strength and faith needed to prevail:

"Still shall the vision live! Say nevermore
That dreams are fragile things. What else endures
Of all this broken world save only dreams!"

STEPHEN G. CALLAS.

EDISON.

THE DOW REPORT

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

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

There was no objection.

Mr. DOW. Mr. Speaker, a number of times during the recent campaign in my district we debated aspects of the U.S. involvement in Vietnam. While I tried on several occasions to summarize my views on this difficult subject, due to the heat of the campaign and the complexity of the problem no such statement was ever put out.

However, it seems to me that the man in the street in my district wants to know in an overall way the position of his Congressman on the critical issue of Vietnam. This is all the more so because this particular Congressman believes that the policy of our country is a mistaken one and that we should take measures to reduce our part in the conflict. Accordingly I submit as an extension of my remarks, the summary of my views that is being sent to all papers and news media in my congressional district at this time.

I do not mean to imply that a summary completes the case in all particulars. Much more of detail could be filled in. I merely contain herein remarks which were sent to the press:

THE DOW REPORT

Many times in newspapers and on radio, I have discussed Vietnam for I take it very seriously. This statement to you is as important as anything I have said or done since being in Congress.

Vietnam is becoming more critical to us all the time. A crossroad may soon be reached where our nation will face a decision of the gravest sort—whether to expand the conflict or reduce it.

To me, the one bright spot in America's involvement is the courage and devotion of our fighting men. All the rest of it seems to me a colossal mistake, that Americans, fine as they are, have difficulty in admitting. In order to judge about Vietnam you do not need to know bookfuls of facts. All you need in order to understand the problem in Vietnam is some knowledge of the situation over there as given over and over again in the press, some common sense, and a sense of morality.

AGGRESSION EXAGGERATED

The infiltration of Vietnamese from the North zone of Vietnam to the South zone was used by the United States in 1965 as a reason for increasing our military actions in Vietnam. We called the infiltration "aggression," although all the infiltrators were Vietnamese and a high proportion were originally South Vietnamese. And all this movement was happening inside Vietnam, not outside.

Unlike Pearl Harbor, this movement of Vietnamese was not a very obvious "aggression." Our State Department published a book to "prove" that it was "aggression." Without a book to explain, the world evidently didn't see it as "aggression."

I would like to know how the nations can get along safely in the nuclear age, if one nation such as the United States decides on its own to punish another people for something which does not suit it? This is even more serious when we punish these people for actions inside their own country. And it is more serious still when the "aggression" we object to was not directed against us.

These are the regretable circumstances of Vietnam.

In addition, a good deal is said in order to link Red China with "aggression." Yet it must be stated that Red China today has no troops fighting outside her own borders. I do not care for Red China, but I also think this whole problem is so important that we must look at it accurately.

A further justification for American involvement has been offered because the Viet Cong are so cruel. No doubt they are, and do torture civilians. However, our side is hard put to point a finger at this as long as innocent civilians are being burned by the jellied gasoline and white phosphorous that is dropped from American planes. When I see pictures of little children burned and without limbs, I wonder how long our nation wants to continue this warfare of which the rightness is seriously questioned. This does not add any lustre to the American heritage.

FEAR OF RED CHINA

For the United States to fear that Red China will overwhelm small countries in Southeast Asia, like Vietnam, shows that we have a kind of unhealthy belief in Communism. All nations in the world today are nationalistic. Even if they accept Communist doctrine they are unlikely to knuckle under to China. Moreover, Communist enemies could not strike our shores any quicker if they were intrenched in Southeast Asia than they could right today from many missile bases.

Our actions in Vietnam are not preventing alien ideology from arising in South America, Africa, or elsewhere. As a matter of fact, by fighting in Vietnam, we are not stamping out Communism at the roots in Peking and Moscow. I do not advocate war on Peking or Moscow. I just regret that fellow Americans are making terrible sacrifices in Vietnam for so little gain.

RISK TO WORLD PEACE

The United States' exaggeration of aggression in Vietnam is all the more to be regretted because it is a threat to world peace. Peace was never so important as today, when any small incident could trip off the destruction of the world.

For example, there might be an accidental dropping of bombs on China by American planes; or the sinking of a Russian freighter in a harbor of North Vietnam; or possibly an effort by China to oust American warships from Hong Kong harbor. Any of these occurrences could set the world aflame.

Is it right for the United States to allow this risk in our world? All nations are deeply alarmed about the danger in Vietnam to world peace. Pope Paul has prayed for no more war. Mr. U Thant, Secretary General of the United Nations, has asked us to stop the bombing. The Prime Ministers of England and India and the President of France have spoken in like terms. Nowhere does any great leader of another nation support the United States' action.

It is all right to respect our own leadership, but we owe it to other people to listen also to their leaders. Remember, they have no democratic voice in the decisions about Vietnam. Even though we may be acting as a world policeman, the other nations have not selected us for that role. Their existence is threatened by errors which United States forces may make—and clearly it troubles those nations.

OUR COMMITMENT TO ALL

It seems to me that the very first commitment the United States has is to work for peace in this world of three billion human beings. This tremendous commitment to the world comes far ahead of any commitment in Vietnam.

There are some who say we are fighting in Vietnam for freedom. But we can fight for freedom best in our own back yard by helping our many Negro and white brethren in this country who have neither political, economic, or social freedom. You will find people without these freedoms in nearly every American community. I can show you some in our own district, in your own community. To our own fellow Americans we owe more than any commitment in South Vietnam.

VIETNAMESE WANT PEACE

It is beginning to appear that even the Vietnamese want peace rather than "freedom" as we speak of it. The South Vietnamese army is twice the size of their opponent's and better armed.

Our South Vietnamese government has hardly shown that it deserves the special sacrifice of Americans. The South Vietnamese government feuds within itself. Its promise of land reform has not been kept. Well-fixed Vietnamese stay in Paris while American boys fight for them in Vietnam. Black markets thrive in Saigon on goods pilfered from American shipments. And so it goes. The picture among South Vietnamese is scarcely one of universal dedication and sacrifice. I think this is basically because the present South Vietnamese government is not one that commands their respect. It is their responsibility to work out their own problems. That is not our commitment.

OUR OBLIGATION

We have an immense obligation to our own men in Vietnam for they are serving in a spirit of dedication and sacrifice. Most importantly we owe it to them to provide statesmanship that is wise. Let us keep them out of the jungles of Asia as General MacArthur warned us to do. We should not send them into combat against other men who are dedicated fighters for a cause of reform. That dedication has been shown by the enemy, the Viet Cong, whether we believe their idea of reform is good or not.

We should not send our men 8,200 miles from home to the edge of a hostile continent, where there is no ocean or span of water to give them the strategic advantage. We have allowed our opponent to choose the battleground.

Finally, it is claimed that we owe our men in Vietnam a victory, a win. This is said even though our actions in Vietnam may cause the world as we know it to go up in flames. When we talk about a "win," let us remember that the situation in Vietnam is not an athletic contest. It is an immense problem of great social and political complexity that is unlikely to yield to such a nice, trim ending.

Even though, after years of effort and expenditure of more thousands of our men, the United States manages to occupy some major part of Vietnam, can we ever go away and leave it—or leave a puppet Vietnamese government there? As soon as we do, those guerrillas will come back again.

In fact, it's my belief that there can be no peace for us, and none for the world, as long as we keep our forces in Vietnam. They are too much a thorn in the side of Asia. Only recently the British, French, and Dutch empires have been expelled from Asia. A number of United States bases still form a ring around China and eastern Asia. Our American effort to set up another base in Vietnam on the mainland, is an invitation to never-ending warfare. In order to help ourselves in Vietnam we're now building a second base in Thailand. Asiatics will give us no peace whatsoever as long as we stay in those bases.

COST OF THE CONFLICT

We must not count the cost of warfare when defense of our country is at stake. The appalling cost must certainly be counted, however, in a case like Vietnam where we have so little reason to be there. That cost is believed close to two billion dollars a month. It is certainly a principal reason for the high prices noted when we go to the supermarket. War always raises prices.

One newspaper has divided the cost of our operations in Vietnam by the number of Viet Cong who have been slain. According to this it costs $332,000 to kill one Viet Cong. That is enough to send 30 young men and women to college.

WHAT IS THE SOLUTION?

I believe the solution for us in Vietnam is a clear-cut decision, like the cutting of the Gordian Knot by Alexander of Macedonia. Since an expansion of the hostilities has so little to commend it, the best advice would be to begin reducing our military activity in Vietnam. This would mean an end to bombing. Then we should schedule a withdrawal. No doubt it would take time. Such time could be employed to encourage negotiation.

Our Generals Gavin and Ridgway have advised us to pull back to set positions along the coast. This would be a good beginning of an end to the war. After that we should, it seems to me, plan a complete withdrawal on our own initiative, regardless of whether this, that, or the other group is willing to negotiate.

It is rather weak of us to stake peace, as we do, on the answers of the North Vietnamese leader, Ho Chih Minh, to the many peace suggestions that have been showered upon him. When we put such decisions up to Ho Chih Minh we are really leaving world peace, and even our destiny as a nation, in his hands.

Let us make our own American decision to be done with that fruitless, needless, and dangerous conflict.

LOWERING THE LEGAL VOTING AGE TO 18

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

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

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, there has been increased sentiment over the past year or two toward lowering the voting age to 18. Along with a number of my House and Senate colleagues, I have introduced a joint resolution for a constitutional amendment to lower the voting age to 18. I noted with great interest that both the majority and the minority leaders of the other body have introduced similar resolutions, which have received considerable public support throughout the Nation and also in the legislatures of the various States. I believe the fact that we have so many young men between the ages of 18 and 21 who are fighting in Vietnam gives added emphasis to the need for lowering the voting age.

I would also point out that when the voting age was first set at 21 in the early years of our Republic, our educational system was far inferior to what it is now. Young men and young women at the age of 18 are far better educated today than they were in the early years of our Republic when the voting age was set at 21. As we all know, the States of Georgia and Kentucky now allow 18-year-olds to vote, and two other States, Alaska and Hawaii, have set the voting age below 21. I would urge my colleagues to give support to a constitutional amendment lowering the voting age to 18.

In the near future, I will ask for a special order to elaborate on the many reasons why we should now proceed toward adoption of such an amendment to the Constitution.

PROPOSAL TO EXCLUDE FROM INCOME CERTAIN REIMBURSED MOVING EXPENSES

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

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

There was no objection.

Mr. BURKE of Massachusetts. Mr. Speaker, I introduced on January 10, 1967, H.R. 47, a bill to exclude from income certain reimbursed moving expenses. This bill is identical to H.R. 13070 which I introduced in the 89th Congress. As you know, there were 148 bills of a similar nature introduced in the House, including 19 by other members of the Committee on Ways and Means. Moreover, eight members of the Senate Committee on Finance joined with 16 other Senators in the sponsoring of a similar Senate measure. I am confident, Mr. Speaker, that support for this measure has grown in the past year and that H.R. 47 should and will be enacted this year.

For a number of years confusion has existed with respect to the treatment for income tax purposes of moving expenses reimbursed to employees. The prevailing practice, until the IRS announced its present position in 1965 (Rev. Rul. 65–158, C.B. 1965–1, 34), had always been to exclude reimbursed moving expenses from income of the employee.

The uncertainty began when the IRS issued a rule in 1954 (Rev. Rul. 54–429, C.B. 1954–2, 53), permitting employees to exclude reimbursed "moving" expenses from income, without defining such expenses. After a number of years it became apparent that employers and the IRS were defining "moving" expenses differently. To employers this term included all reasonable out-of-pocket expenses incurred by the employee in moving since the purpose of reimbursement was to make the employee whole. Anything less than full reimbursement of moving expenses would be a deterrent to acceptance by employees of changes in assignment requiring relocation. The free mobility of employees is essential in modern business.

On the other hand, "moving" expenses were finally defined by the IRS in Rev. Rul. 65–158, after years of inaction in clarifying its position, to mean only the direct costs of transporting a person, his family and personal property from one location to the other. This interpretation, which is highly unrealistic, most likely was strongly influenced by the then existing rule applicable to civil service employees which permitted the Government to reimburse only the direct costs of transportation, which rule, of course, was made obsolete by Public Law 89–516.

Over the years there has been considerable litigation. When the Supreme Court denied a petition for certiorari in January 1966, in the England case (382 U.S. 986), upholding the position of the IRS, it was believed that this might

dispose of the issue so far as litigation was concerned. However, now that the Starr case (46 TC —, No. 78, Sept. 26, 1966), has been decided by the Tax Court in favor of the taxpayer, substantially accepting the view that reimbursement of reasonable out-of-pocket expenses incurred in moving were excludable from income, the uncertainty has been raised anew. The uncertainty will likely continue until the court of appeal of two circuits are in conflict at which time the U.S. Supreme Court would no doubt hear the case on the merits and finally resolve the issue. This process, however, will take many years.

In these circumstances, legislation is clearly the best course for quick clarification of the existing uncertainty. As I have already indicated, legislation was attempted during the previous Congress. There was much congressional support, particularly since the Civil Service Commission requested and Congress passed legislation—Public Law 89–516—granting reimbursement to Government employees for moving expenses over and above the direct costs of transportation. It was made clear by the Chairman of the Civil Service Commission that taxing the employee on the additional reimbursement nullified, to the extent of his tax liability, the objective of the reimbursement.

The principal opposition to clarifying legislation comes from the Treasury Department and its objection is not based on the merits but, primarily, on the revenue loss involved. The revenue loss is hardly an adequate basis for objection since the Government's right to the revenue has not been finally established in litigation.

Further, I am well aware of the necessity for minimizing tax revenue loss but I am equally well aware of the necessity for maintaining taxpayer confidence in the operation of our self-assessment system. Most of us, I am convinced, believe that existing law represents an attempt to tax something that is not really income. The attitude of harassment that these employee-taxpayers derive from present enforcement endeavors seriously jeopardizes the voluntary aspects on which our entire self-assessment system is founded. The tax revenue loss involved in this bill is a loss of tax revenue to which the Treasury has no right in equity or commonsense.

Each year of delay in solving this problem creates mounting inequity if litigation ultimately favors the taxpayer. As I have already pointed out, it is essential to business that employees be reimbursed their moving expenses. Since the IRS is now adamant in its position that such reimbursements over and above the direct costs of transportation constitute taxable income, the employers in most cases have increased the amount of the moving expense reimbursement to include the income tax on the reimbursement in order to make the employee financially whole. This, of course, is a cost of the employer. If the courts ultimately hold that reimbursed moving expenses are excludable from income of the employee, it is not likely that very many employees will exercise the right to recover tax for past years since they already have been made whole and any refund would have to be returned to the employer or included in the taxable income of the employee. Thus, the Treasury Department will have received a windfall because the employer, the one who has absorbed the cost, has no standing to claim a refund. The question of revenue loss, since the Government may yet be ruled by the courts not to be entitled to the tax it claims, should not influence the desirability of legislative action.

I feel it is unconscionable that this sort of uncertainty and increasing inequity should be allowed to continue. I hope the Congress will recognize its responsibility in this matter and legislate the governing rules.

SUMMARY OF PROVISIONS OF H.R. 47

Under present law, expenses of moving the employee, his family and household goods to the new place of work are clearly nontaxable.

This bill would also make nontaxable the following reimbursed expenses:

First. House-hunting trip of employee and spouse when both the old and the new job locations are located within the United States.

Second. Temporary living expenses at the new employment location while awaiting occupancy of permanent quarters. Reimbursement here cannot exceed a period of 30 days except that the period is extended to 60 days when a taxpayer is moved from or to a foreign country such as Puerto Rico, the Canal Zone, or one of the possessions of the United States.

Third. Selling commissions and other residence or to the settlement of an unexpired lease on the employee's old residence.

Fourth. Out-of-pocket expenses incident to the purchase of a residence at the new job location.

Fifth. Other miscellaneous expenses directly attributable to the transfer but not to exceed the lesser of 2 weeks' pay or $1,000 in the case of a family man or the lesser of 1 week's pay or $500 in the case of a single employee.

The benefits of the special exclusion for employees who were reimbursed for the above items are limited under the bill to those employees who have worked for the same or a related employer for at least 1 year at the time of the transfer.

THE LINDBERGH KIDNAPING ACT

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

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

There was no objection.

Mr. HUTCHINSON. Mr. Speaker, news reports late last week included the decision of a Federal district judge holding the Lindbergh Kidnaping Act unconstitutional. The Lindbergh Act prescribes the death penalty, but only if the verdict of the jury so recommends. The judge sees in this proviso somehow a limitation on the constitutional right to trial by jury. If a defendant pleads guilty, the judge reasons, the death sentence cannot be imposed against him, because there has been no jury to recommend it. Thus, according to the judge, the exercise of his right to trial by jury subjects him to the possibility of greater punishment than if a jury trial is waived.

The Lindbergh Act has stood as the law of the land for 35 years. It is a necessary weapon in combating crime against the safety of persons. Congress should not tolerate any loss of the act's effectiveness under a cloud of unconstitutionality.

I am today introducing a bill to remove the jury proviso in the Lindbergh law. As amended, the act would permit the court to impose the death sentence or life imprisonment if the kidnaped person is not released unharmed, or to impose life imprisonment or for a term of years if the person is released without harm.

The Congress should act with all deliberate speed to plug up the loopholes which the courts bore in our criminal law.

CONGRESSMAN HORTON SUBMITS PLAN FOR EASING TENSIONS IN MIDDLE EAST

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

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

There was no objection.

Mr. HORTON. Mr. Speaker, we have all noted with a great deal of concern the buildup of tensions in the Middle East over the last few months. As I address you today, increasing numbers of Syrian and Israel troops face each other across the U.N. armistice line near the Sea of Galilee.

We cannot wait until the day that bullets replace the blistering charges and countercharges which have been regularly exchanged across the frontiers. It is time that our Nation took affirmative action to soften the tensions in this area. Just yesterday, U Thant, Secretary-General of the United Nations, urged a meeting between Israel and Syrian officials as a first step toward reducing military clashes. Today, Israel expressed its agreement to such a meeting, but the latest statements from Damascus appear to add up to a rejection of U Thant's plea. The solution to the present crisis, and prevention of a large-scale war in the Middle East cannot be allowed to depend on the whim of Arab militance. There is far too much at stake for the rest of the world's people to sit idly by waiting for the nations of that area to work out their own problems, by whatever means they are driven to use.

Thus, Mr. Speaker, I have today proposed that the United States through its delegation at the United Nations, should take immediate steps toward agreement on a joint guarantee of present Middle Eastern frontiers by our country and the Soviet Union. By stating clearly that neither America nor Russia will tolerate the creation of another "hot spot" over Arab-Israel bound-

aries, will be serving notice on the aggressors that there is nothing to be gained from continued attack or harassment.

Last August, I went to the Middle East as a representative of this House to the dedication of the new Israel Capitol Building. At that time, I visited the border area where current clashes are occurring. I can tell my colleagues from firsthand conversations that the people on the Israel side of the border live in constant fear for their security from Syrian guerrilla attacks. Israel is a nation which is constantly on the alert; her men and women stand guard in watchtowers which dot the border. Since Israel gained her independence in 1948, U.N. truce teams and military patrols have been an ever-present fact of life. As Arab attacks continue, the pressure on Israel policymakers to retaliate reaches a point beyond the realm of measured restraint.

It is important that we not allow Israel to be pushed into a war of face-saving or a war to defend her territory against intermittent slaughter. One way we can ease this pressure is to put world opinion squarely behind maintaining the territorial status quo in the Middle East. A frontier guarantee agreement between the United States and Russia would have this effect; but we must act quickly if we are to succeed. I hope my colleagues will take prompt and favorable action on the measure I have submitted today, as a demonstration of the desire of the American people to prevent an armed flareup in the Middle East.

CONGRESSMAN HORTON SUBMITS PROPOSAL TO EXCLUDE MOVING-EXPENSE REIMBURSEMENTS FROM TAXABLE INCOME

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

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

There was no objection.

Mr. HORTON. Mr. Speaker, last year, we enacted a provision of law which allows the Federal Government to reimburse its employees for certain expenses incurred in moving as a result of a Government requested transfer. Our passage of that law is important because it encourages mobility in the American labor force.

Private industry has recognized the importance of mobility for many years, and most firms have liberal moving-expense reimbursement policies. The bill we enacted last year brought Federal policies up to date by adding many items to the list of reimbursable moving expenses. Prior to this law, house-hunting trips, temporary living costs, costs of selling one home and buying another, and certain other miscellaneous expenses were not considered reimbursable by the Government. Now a Federal employee, like his counterparts in private industry, stands to lose far less when he transfers from one job to another at his employer's request.

But the enactment of H.R. 10607 last year did not complete the job of updating Federal law on this subject. There remains the very important question of tax treatment of these reimbursement payments. While we have broadened the concept of what expenses should be reimbursed, the state of income tax law on this subject lags far behind. Only the actual costs of travel to the new home and shipment of household effects have been exempt from taxation under present law. Thus, reimbursements for other moving-expense items which are now paid by the Federal Government as well as by private industry are treated as taxable income to the employee.

This tax policy has serious effects on the reimbursement practice which has grown up in the past few decades. First of all, the reimbursement for expenses, when taxed, does not fully cover the paid-out costs to the employee of moving from one place to another, as his employer intends it to. Second, the employer is forced to treat the payment as taxable, and thus withhold the appropriate tax from the employee. Thus, the tax law works against the principle of full-expense reimbursement which we adopted for the Federal Government last year.

In a recent case where the taxpayer sought to test this tax policy before the Supreme Court, the Attorney General argued that Congress, and not the Court should decide this issue. A hearing before the Court was denied on these grounds. Thus, Mr. Speaker, I have introduced again in the 90th Congress a bill that would exclude from gross taxable income reimbursements for certain costs of moving, in keeping with the premise that we in Congres must take the responsibility for updating this law.

For two reasons: First that it is manifestly inconsistent for the Government to recognize the legitimacy of these expenses for reimbursement on the one hand, while taxing these employer payments as income on the other; and second, that it is not proper policy for the Government to impose a drag on the necessary mobility of our society and economy, I urge my colleagues to consider closely the need for prompt passage of this legislation.

THE LATE HENRY F. SCHRICKER

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

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

There was no objection.

Mr. BRAY. Mr. Speaker, in Indiana's long history of great political leaders, few men have made such a mark, and few have left such a fine heritage, than did former Gov. Henry F. Schricker. The State of Indiana mourns the passing of one of her noblest sons.

The respect and admiration accorded to this man was not limited by party or class. He was known and looked up to throughout the State as one whose life was an enduring symbol of good government.

America needs more men in public life like Henry Schricker, and his service and devotion to his State and his country will never be forgotten.

[From the Ellettsville (Ind.) Journal, Jan. 4, 1967]

ELLETTSVILLE COMMUNITY LOSES A LOYAL AND LONGTIME FRIEND

Former Governer Henry F. Schricker, who died last Wednesday, was a loyal friend of the Ellettsville community throughout the years and he will always be remembered here for his many contributions for the betterment of this community as well as the advancement of the Hoosier state and the nation.

Henry F. Schricker, who became a legend in his own life time, had become a vital part of this community and the annual Monroe County Fall Festival.

He made his first official visit here in 1937 at Ellettsville's Centennial celebration which was held in connection with the third annual Fall Festival. This was his first year as lieutenant-governor. He was impressed by the Festival and by Ellettsville and its people, and Ellettsville and its people were impressed by him. Since that first visit in 1937 he never missed a Fall Festival, and in the years that the Festival was not held, he attended a Festival-sponsored or community-sponsored event each year.

His visit here in 1966 was his twenty-ninth annual. He drove his own car a distance of 180 miles from Knox last fall to crown the Fall Festival Queen and to participate in a number of programs that marked the sesquicentennial year of the State of Indiana. The Edgewood High School Library was named the Henry F. Schricker Library and dedicated in his honor during the 1966 Festival. The beloved elder statesman spoke on the opening night program of the Festival and addressed an all-school convocation in connection with the library dedication ceremonies, and both addresses were considered masterpieces.

During the past twenty-nine years the former Governor had made a hundred speeches in the Ellettsville community. He spoke here during World War II at the dedication of Memorial Park and at the Victory Service following the end of World War II; he participated in the dedication of the Edgewood High School building in May, 1965 and at the dedication of Ellettsville's new fire station in the fall of 1964. He also spoke here at a number of union church services.

Many of these trips were made when he really was not physically able to come or when he had other commitments; but still he came.

Aside from the Festival, Henry F. Schricker supported this community in various ways. He was a strong supporter of the Richland-Bean Blossom School District, and he contributed to the new fire station and boosted various community projects.

He had worshipped in our churches and visited with our people and was truly loved by the citizens of this community.

Henry F. Schricker, by official action of the Town Council, was an adopted citizen of Ellettsville and in 1949 was elected honorary president of the Monroe County Fall Festival Association.

We could go on and on telling of his many good deeds and contributions to this community, but we think a statement of a young gas attendant made Friday night as some of our people were preparing to leave for Knox for the funeral sums up the feeling this community had for Henry F. Schricker. This young man said, "I know where you're going—you're going to the funeral of the man who was everybody's friend."

Yes, Henry F. Schricker was everybody's friend—the great, the near great, and the lowly. He has been lauded by many as the state's greatest governor and Indiana's first citizen. We believe history will prove these statements true. He was not only the only

man in Hoosier history to be elected Governor of Indiana twice, but, his record was also one of accomplishment, thrift, and honesty in government. Henry F. Schricker was a great man because he was always close to the people. He had the common touch, and he was a Christian gentleman in all his dealings.

His contributions to this community, to the state, and to the nation were great, and his memory will live on in the hearts of thousands here and throughout the Hoosier state he loved so much and served so well.

[From the Martinsville (Ind.) Daily Reporter, Dec. 29, 1966]

AN HONEST MAN

Perhaps the most perceptive tribute to Henry F. Schricker, was made by former Governor Ralph F. Gates. Gates said of Schricker: "He never let politics interfere with doing what he thought was the right thing for the state of Indiana."

We don't know what else to say about the late distinguished governor that could throw more light on his career, except to note that he was a politician whose primary reputation was for honesty; and that's not a reputation that's easy to come by nowadays.

[From the Lebanon (Ind.) Reporter, Dec. 29, 1966]

HENRY F. SCHRICKER

Henry Schricker was a man of many talents who leaned heavily on common sense during his eight years as Indiana's Chief Executive.

He was a good listener . . . willing to hear the views of others and give them careful consideration. But when he made up his mind on the course he felt would do the most good for the most people, he acted with finality. "The voters put me in this high office, but I am beholden to no politician, for my duty is to represent all the people," he once told me.

He well could go down in history as Indiana's greatest non-partisan Governor. He liked people, and people liked him. You couldn't help but respect his executive ability, honesty, sense of fair play and sense of humor.

Our paths crossed frequently on the banquet trail. Near the end of his second term he was trying to make up his mind whether to return to the banking business, go into insurance or retire to his Knox home "just to catch up on Maude's (his wife) sensible cooking."

After participating in three dinner meetings within a week, we were comparing notes. At French Lick I noticed he passed up the vegetables on his plate. "I hope I never see another green pea as long as I live," he said.

We had a controversial squirrel law in Indiana and when Mr. Schricker was running for the State Legislature he closed one of his speeches with: "Now, does anyone have a question?"

One fellow in the crowd yelled out: "Yeah, Henry, how do you stand on the squirrel law?"

Other candidates on the platform trembled, because it was a loaded question.

Mr. Schricker said calmly: "Glad you asked asked me, Charlie. I understand that half of my friends are for it and half are against it. I want it definitely understood that I'm for my friends."

The Man in the White Hat has passed on. Indiana is richer for his unselfish public service, and friendly interest in his fellowman.

AL WYNKOOP.

[From the Indianapolis (Ind.) Star, Dec. 29, 1966]

MAN IN THE WHITE HAT

Small town boy, hard worker, dutiful son, quietly ambitious, modestly proud, possessed of grass-roots shrewdness and a down-to-earth approach to the problems of politics and life, Henry F. Schricker was, in the most flattering sense, a "typical Hoosier."

His father was a German immigrant. The boy always needed money. Being busy sun-up to sundown became part of him at an early stage. But he had something else—political magic. Hard to define, it came from inside.

He spoke the people's language. He talked at county fairs, state fairs, church meetings, pitchin-in dinners, political rallies on the Main Streets of Indiana. He was at home on the banks of the Wabash, among the two-story buildings of towns where the courthouse and grain elevators were the only towering structures, among farmers still dusty from cornfields, barns, silos and hog lots. He understood the Hoosiers and they understood him.

Henry Schricker was above politics but not too haughty to join the rough-and-tumble. When he had to he did, facing a hostile majority, like lions waiting to devour a martyr in a Roman coliseum.

Need always spoke loudly to Henry Schricker, and he answered it, clerking in his father's grocery store, lacking funds to study law at the university. After high school he worked in the Starke County clerk's office and "read law" at night. He was admitted to the bar. He ran for county clerk and lost, a Democrat in a Republican stronghold. He became cashier of a small bank. Two years later he bought a weekly newspaper, and by pitching in and helping out with all jobs, he made it a success. He joined the Indiana Democratic Editorial Association and rose to president. He ran for the General Assembly and lost.

Everyone who wanted a job done well wanted Henry Schricker. He headed his county's Liberty Loan Drive in World War I. He was on the school board, was chief of the volunteer fire department, helped organize and was first president of the Knox Chamber of Commerce, was at the forefront of endless civic campaigns and programs.

He married a schoolteacher. They had three children.

Henry Schricker won his political spurs in the Democratic landslide of 1932, helped push through emergency legislation as a state senator in the 1933 General Assembly and made big enough impression to be nominated and elected lieutenant-governor in 1936. This helped pave the way for his first term as Governor in 1941.

But it was a Republican year in Indiana. He won by only 4,000 and faced a hostile GOP majority in the legislature which rammed through a series of "ripper" bills stripping his authority. Henry Schricker fought back tenaciously. He vetoed the bills. The GOP passed them again. This time he fought through legal channels. The State Supreme Court finally declared them unconstitutional.

Pearl Harbor came and the Governor—whose spotless white hat was now a trademark—spent most of his time turning Indiana's energies and resources to the war effort. In 1948 he became the first man to be elected to a second term as Indiana's Governor.

He hated, denounced and fought corruption with the zeal of a country preacher. He kept Indiana government on a pay-as-you-go basis and each year he was in office the state had a tidy surplus.

In the fullness of his years he was given many honors. He had won the trust and love of many thousands. He deserved it all, the slender, white-haired, blue-eyed man in the white hat.

It has been said that this nation is as great as the sum of its Main Streets. As long as its Main Streets produce men like Henry Schricker, its heart will be sound.

[From the Indianapolis News—Dec. 29, 1966]

HENRY F. SCHRICKER

The people of Indiana took Henry Frederick Schricker to their hearts with pride and reserved for him a respect and trust they extended to no other man in our time.

Now that he is gone it will be said, as it is often said carelessly, that we will not see his kind again. But in the passing of this man, it is true. Throughout his long and distinguished life he managed to retain the best of the eras in which he lived, and carried those qualities forward with an admirable grace and style and wisdom.

The confidence the people placed in him he earned. He did not merely talk of the old virtues. He practiced them, with his family, in his business and his public life, in the varied relationships he had with so many thousands of people in his lifetime.

When he said that public office was a public trust, when he talked of the meaning of freedom and democracy, when he spoke of a dedication to honest and efficient government those who listened, and many listened, came to know he meant what he said. They knew, regardless of party, and his support always cut across party lines, that very little would go wrong in the statehouse as long as Henry Schricker was there. And very little ever did.

State senator, lieutenant governor, the only man in Indiana history twice elected to four-year terms as governor, twice his party's nominee for the U.S. Senate, he dominated Democratic politics in Indiana for two decades and after his active days were past his counsel and support continued to be sought.

His standing in Indiana and his appeal, though, went far beyond politics or even public service. He maintained a simple serenity, a sense of duty and a steadfast faith in the principles in which he believed, in whatever he did, and whether he was in or out of office.

Born of immigrant parents, Henry Schricker knew better than most what it meant to live in freedom. He chose, early in life, to do what he could to preserve and enlarge that freedom. He kept the faith.

[From the Indianapolis News, Dec. 30, 1966]

"HIS PEOPLE" PAY SCHRICKER TRIBUTE IN KNOX MORTUARY—LOVED BY ALL

(By Gerry Lafollette)

KNOX, IND.—Henry F. Schricker passed through here from his home town of North Judson in 1905 on his way to college, and he never really left.

Schricker first left this Starke County seat town in the early 1930s to go to Indianapolis and serve a term in the state Senate.

In 1936 he was elected lieutenant governor and four years later governor. In 1948 the voters again chose the man with the white hat to run the state.

No matter where he was—talking with Dwight D. Eisenhower at a 1950 dinner in the Columbia Club in Indianapolis or nominating Adlai Stevenson at the 1952 Democratic convention in Chicago—Henry F. Schricker always remained a man of the people.

The people who came last night to the Harry Price Funeral Home, in Knox, were his people.

On the announcement board at the funeral home was a list of three funerals—George H. Schmidt, Friday 2 p.m.; Henry F. Schricker, Saturday 1 p.m. and Edward D. Cowen, Sunday 1 p.m.

Price said Schmidt had worked "for the Chicago City Transit Authority as a conductor, or something, and had a heart attack and died. Cowen, who owned a filling station, slumped over in his chair Tuesday night and they found him next morning—his wife was in Chicago."

Wednesday afternoon Schricker died in Starke Memorial Hospital, just a few blocks up U.S. 35 from a sign that reads, "Welcome to Knox" and then, underlined, "Home of the Honorable Henry F. Schricker."

Last night, the family arrived about 7 p.m.; Mrs. Schricker, her two sons, Henry F. Jr. and George, her daughter, Mrs. Lewis C. Robbins, and most of their families.

The notice in the newspapers had said the public could come after 7 p.m. but some people had come earlier.

Two state troopers, Don Harner and Leo Comminskey from the Dunes Park Post, arrived at 6:30 p.m. Harner said their orders were to stand near the bronze casket "as long as it is open for public viewing."

TROOPERS SERVE AS HONOR GUARD

Until after 9:30 p.m., when the last person had left, the two troopers alternated standing at parade rest in their dress uniforms and white gloves.

Arthur Campbell, executive secretary to Schricker in the Governor's second term, said, "The Governor was always close to the state police, you know he introduced the bill in 1935 which set up the department."

Another early arrival was Ernest Zank, a small man in his early 60's, who took off his cap but wore his overcoat, scarf and rubber overshoes and held onto his cane. Price said, "Ernie shovels walks and mows lawns and takes care of the old folks in town, right, Ernie?"

Zank answered "Yep, I shoveled his walk just yesterday morning."

In answer to a question about Mrs. Schricker, Campbell said, "She's holding up pretty well. They took her to Plymouth this afternoon to buy her a new dress."

George Schricker said to one man, "It was nice of you to come." The man, pointing with his hat in his hand to the casket said, "It was nice of him . . . many times."

Ward Lane, warden of the State Prison at Michigan City, came in, shook his head, and said to Campbell, "I should have come down to see him the day before he died."

Lane, a career man with the Correction Department, was made superintendent of the Indiana Reformatory at Pendleton by Schricker. As Lane left he said, "I never went to him in my life that I didn't get consideration."

State trooper Howard Bashore, who lives here, said, "I drove the governor many times to Indianapolis. We went to Adlai Stevenson's memorial service together. I got to be real fond of that man."

FARM FOLKS SHOW RESPECT

One young man in a crew cut greeted Mrs. Schricker. She said, "Now, let's see, you're married." He answered, "Yes. Got two daughters. I'll bring them down to see you sometimes." Mrs. Schricker, seated on a couch, a small pink handkerchief clutched in her left hand, answered, "You do that."

William E. Shaw said, "I was his county chairman in 1948 when he was elected. I'll bet 50 to 60 per cent of this town turns out on Saturday. I never knew a man more respected or loved by his community.

Shaw identified some of the other callers: "That's Arnie Singleton. He's a farm boy from north of town. You'll see a lot of farmers in here tonight.

"He's Vance Good, runs a filling station. His father, Alvin, was about the governor's age and they were good friends.

"They're Mr. and Mrs. Earl Zechiel, lived right across the street from the governor for many years.

"He's a factory worker from the south end of town."

Henry F. Schricker:

Born Aug. 30, 1883.

Died Dec. 28, 1966.

Last night he belonged to the townspeople.

Today, he will belong to the Roger Branigins, the Matthew Welshes, the Harold Handleys, the Frank McKinneys, the Frank McHales and the other dignitaries.

And then to history.

[From the Indianapolis Star, Jan. 1, 1967]

SCHRICKER BURIED AS STATE'S LEADERS BOW THEIR HEADS

(By Robert P. Mooney)

KNOX, IND.—The Honorable Henry Frederick Schricker, Hooser political immortal who was elected twice Governor of Indiana, yesterday was buried beneath a patch of snow-covered ground about one mile east of Knox in Starke County under a gray wintry sky.

The 83-year-old patriarch of the Indiana Democratic Party died Wednesday in Starke Memorial Hospital.

A white hat, the symbol Mr. Schricker made famous during his long and popular career, was laid on top of a flower-blanketed casket as he was eulogized for "honesty, freedom and obedience."

The eulogy was made before more than 1,000 persons in the Knox Center Gymnasium by Dr. Otto P. Kretzman, a Lutheran minister and president of Valparaiso University.

"His simple, yet profound faith, had little use for theological argument but his honest and open faith in Jesus Christ as his Saviour must be mentioned in any biography," Dr. Kretzman said.

As a man who walked among both the great and lowly, Mr. Schricker had learned two great fundamentals for leading a successful Christian life, starting as a boy in his native North Judson, Dr. Kretzman said.

"The words, 'freedom and obedience' were the two words Mr. Schricker used as the touchstones for an honest life," he added. "These two words are seldom coupled in this modern and sometimes neurotic, self-centered age."

"Mr. Schricker knew that there could be no true freedom without true obedience and he used it in his daily task, to his friends and to his Founder in which he found wisdom and guidance," Dr. Kretzman said.

"And so the flags are flying at half mast all over the great state of Indiana today . . . not only for a former Governor . . . but for a good man, a man who for a half century reminded us that America can be great, if her sons and daughters are great . . . great in the knowledge of their manifest destiny . . . and in their freedom and obedience under God."

The son of German immigrants, Mr. Schricker's political career included election as a state senator, lieutenant-governor, and twice Governor. His two attempts to become United States senator were unsuccessful.

Mrs. Schricker, whom the late Governor married 52 years ago, and their two sons, Henry F. Schricker, Jr., and George Schricker, both of Indianapolis; a daughter, Mrs. Margaret Robbins of Washington, D.C., and six grandchildren sat together at the funeral ceremony.

Before the ex-Governor's casket was moved from the gymnasium for burial in Crown Hill Cemetery at Knox, the casket was opened briefly for the family only.

Mr. Schricker's great integrity and strict adherence to Jeffersonian principles gave him particular strength to conservative-minded Hoosiers from both political parties.

Dr. Kretzman opened the service with the reading of the 23d Psalm, "The Lord is my Shepherd."

A local quartet sang, "Nearer My God to Thee," and the minister opened his eulogy by saying that in the Christian ethic, "death brings no sorrow to those who die; it brings sorrow only to those who live."

Despite the family's request that flowers be omitted and that contributions be made to the Boys and Girl Scouts of America, the gymnasium stage and area surrounding the casket was covered with floral decorations.

The former Governor was buried with two high scouting awards—the Fleur de Lis, a gold badge imbedded with a diamond, presented in recognition of more than 50 years of scouting activity, and the Silver Buffalo medal, which was hung around his neck on a ribbon sash, the highest national award given by the Boy Scouts.

Troop 13 of the Knox Boy Scouts, second oldest troop in Indiana, which Mr. Schricker helped found more than 50 years ago, served as honor guard along with troopers of Indiana State Police.

Indiana political leaders of both parties attended the funeral. Governor Roger D. Branigin was the only man on the platform behind the casket with Dr. Kretzman.

Others attending included former Republican Governor Ralph F. Gates, who served between the two Schricker terms, and former Governors Harold W. Handley, a Republican, and Matthew E. Welsh, a Democrat.

U.S. Senators R. Vance Hartke and Birch E. Bayh, Jr., Indiana Democrats, headed a delegation of Hoosiers from Washington which included Democratic Congressman John Brademas of South Bend, Andrew Jacobs, Jr., of Indianapolis, and J. Edward Roush of Huntington, and Republican Congressmen William G. Bray of Martinsville, Richard L. Roudebush of Noblesville and Charles A. Halleck of Rensselear.

Also John J. Barton of Indianapolis; State Treasurer Jack L. New; John A. Watkins of Bloomington, lieutenant-governor in Mr. Schricker's second term; Federal Judges S. Hugh Dillin and James E. Noland; former State Democrat chairman Ira L. Haymaker; Indiana attorney general John J. Dillon; Dr. Herman B. Wells, chancellor of Indiana University, and Arthur Campbell, Mr. Schricker's executive secretary when he was Governor.

Sheriffs' deputies from four surrounding counties helped form the honor guard.

Dr. Kretzman recalled in his eulogy that when the elder statesman returned to Knox after his second term as Governor he was asked why he chose to leave the State capital for a rural community.

Mr. Schricker replied: "Mom and I are at home here."

EXECUTIVE BRANCH REVIEW AND REFORM

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

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

There was no objection.

Mr. MATHIAS of Maryland. Mr. Speaker, many commentators, in surveying the tasks ahead for the 90th Congress, have concluded that one of our most important jobs will be to review and refine the operations of the executive branch. Last Tuesday night, in his state of the Union message, the President gave this effort top priority when he declared:

> We must see to it, I think, that these new programs that we have passed work effectively and are administered in the best possible way.

Because of the gravity and scope of this challenge, I am very pleased to announce that more than 20 of my colleagues have already joined me in reintroducing legislation—H.R. 69 and others—to establish a new, Hoover-type Commission on the Organization of the Executive Branch of the Government to conduct a comprehensive, objective as-

sessment of all Federal administrative operations and recommend overall reforms.

The need for such a review is unquestionable. During the past few years, the President and Congress have vastly expanded Federal activity in many fields, including urban development, health care, transportation, and education. These larger commitments have brought great administrative difficulties. Federal civilian employment by the end of 1966 had risen over 2.8 million; Federal paperwork last year cost more than $8 billion. The sheer bulk of Federal operations has produced increasing confusion, inefficiency, and poor coordination, clear symptoms that the entire Federal Establishment is under tremendous strain. Many agencies, for example, are now unable to deal efficiently and effectively even with the most routine local and State applications for information and aid.

Of course, some efforts to reform, to increase coordination and to reduce red-tape have been made within individual departments and agencies, but these attempts have been fragmented, intermittent, and too often inconclusive. The Congress, too, has tried in particular cases, and will, I trust, be exercising its oversight powers even more energetically this year. Congressional review, however, is also fragmented by the divisions inherent in the committee system, and is seldom free from partisan considerations and the pressures of time.

Mr. Speaker, it is time for us to establish a body capable of taking a long look at the entire scope of Federal administrative operations. It is time for us to enlist in this work the best talents available in every field of American business, industry, education, and the professions. It is time for us to insist that the most advanced tools of modern management be applied in all aspects of the public business.

H.R. 69 would thus establish an independent, 14-member Commission to conduct a comprehensive, objective review, similar to those undertaken so successfully by the two Hoover Commissions of 1947–49 and 1953–55. The Commission would include two Senators, two Representatives, two Governors, two members from the executive branch, and six individuals from private life. It would be fully authorized to hire an expert staff, to conduct hearings and investigations, and to secure access to all relevant documents and information within all Federal departments, agencies, bureaus, and offices. The Commission would be required to submit period interim reports, including recommendations for changes and reforms, and to submit a final report to the Congress within 2 years.

In my judgment, such a review is fully in the public interest. The Commission's work would be tremendously helpful to the Congress, for it could supplement and integrate the inquiries made by individual congressional committees. It would aid the executive branch itself, by looking into problem areas which cross present jurisdictional lines, and by evaluating many proposals for reform which have not received top-level scrutiny or approval. It would have special importance for State and local officials, who must now struggle with far too many intricate Federal forms and requirements, and who often find their best efforts undermined by Federal delay and indecision. Finally, the Commission's efforts would serve the American people by helping to guarantee that every taxpayer gets his full dollar's worth from his Government.

Finally, I am convinced that such a blue-ribbon Commission would approach the great task of review in a constructive, independent, and open-minded spirit, and would be by far the most appropriate and effective vehicle for identifying and advancing far-ranging reforms. I urge the Committee on Government Operations to give serious consideration to this bill, for in my judgment the alternative to such a reassessment will be simply creeping chaos and dangerous policy difficulties.

I would like to include at this point the names of the Members who, according to the RECORD of Thursday, have joined with me by sponsoring an identical or very similar measure this year:

Mr. MORSE of Massachusetts, Mr. WIDNALL, Mr. REID of New York, Mr. HALPERN, Mr. ERLENBORN, Mr. ANDREWS of North Dakota, Mr. MCDADE, Mr. KLEPPE, Mr. MCCLORY, Mr. HOSMER, Mr. RUMSFELD, Mr. STANTON, Mr. ROBISON, Mr. REINECKE, Mr. STAFFORD, Mr. SCHWEIKER, Mr. CURTIS, Mr. CAHILL, Mr. CONTE, Mr. CRAMER, Mrs. DWYER, Mr. HORTON, Mr. KUYKENDALL, Mr. MORTON, Mr. WYDLER, Mr. WYMAN, Mr. DENNEY, and Mr. ANDERSON of Illinois.

CONGRATULATIONS TO ALLEGHENY AIRLINES

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

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

There was no objection.

Mr. CAHILL. Mr. Speaker, it is always encouraging to observe a real effort to service the needs of the general public by franchised companies who have exclusive rights. Many times such companies interpret these exclusive rights as absolute authority to conduct business as they see fit without regard to the public at large.

I, therefore, wish to compliment Allegheny Airlines and its president, Leslie O. Barnes, for recognizing the needs of the traveling public between Washington and Philadelphia, and by their act in providing better equipment and more service in the early evening hours when commuters are in the greatest need of accommodations.

Together with Congressmen BARRETT and SCHWEIKER, of Pennsylvania, I brought to the attention of Mr. Barnes some of the problems facing the commuter between Philadelphia and Washington in the early evening hours. His investigation confirmed our observations and the resulting implementation of new scheduling will, I believe, be of great service to the commuting public.

Congressman BARRETT and Congressman SCHWEIKER have asked me to say that they, too, join in congratulating Allegheny Airlines and Mr. Barnes.

REMARKS BY THE HONORABLE WILLIAM M. McCULLOCH TO THE COUNCIL OF THE INTERGOVERNMENTAL COMMITTEE FOR EUROPEAN MIGRATION IN GENEVA, SWITZERLAND

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

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

There was no objection.

Mr. CAHILL. Mr. Speaker, I was privileged to be a congressional delegate to the 26th session of the Council of the Intergovernmental Committee for European Migration in Geneva, Switzerland, during November 1966. A major item on the Council agenda was the review of ICEM's record of performance and consideration of a possible extension of ICEM's activities. The remarks of the ranking minority member of the Judiciary Committee, the gentleman from Ohio, WILLIAM M. MCCULLOCH, on this subject were warmly received by the delegates from the 31-member nations of ICEM. I am pleased to have his speech inserted in the Record.

Mr. MCCULLOCH's speech follows:

STATEMENT BY CONGRESSMAN MCCULLOCH

Mr. Chairman, Members of the Council, its officers and its friends everywhere, I am honoured to have this opportunity to join in tribute to the achievements of the great humanitarian organization whose work you are carrying on.

The record of moving a million and a half refugees and migrants to freedom and opportunity, since the birth of ICEM at Brussels in 1951, is eloquent testimony both to the need for the organization and to its success. I am pleased, yes, even proud of what my country has done in this tremendous accomplishment.

Today, as we review this record we must also face the obvious fact that the nature of the refugee problem has changed and changed materially, and the needs of some of the people throughout the world for resettlement are much different from what they were only a few years ago.

I endorse the remarks of my long time, distinguished friend, Congressman Celler, which I view as a challenge to this organization—a challenge to re-evaluate its mission—to adjust its sights, in view of these unbelievably changing times. The expertise and "know-how" of ICEM must not be allowed to wither and die. The needs of the world and the problems of the dispossessed and depressed—the miseries of millions—cry out for solutions.

As an illustration of a new area of need, I recite to you the record of my country in reference to Cuban refugees. Since 1959 more than 300,000 Cubans fleeing oppression have been welcomed to our shores. We have spent more than $215 millions for transportation, adjustment allowances, welfare payments, vocational training and other services to the Cubans.

The orderly United States airlift, in which we have had experience you know, which began December 1, 1965, day after day, regu-

larly as clockwork, is bringing in Cuban refugees at the rate of 4,000 each month. Of the more than 222,251 Cubans who have registered at our refugee centre in Miami up to November 4, 1966, some 119,529 have been resettled in more than 2,100 communities throughout the 50 states of our Union. The adjustment of these Cuban refugees with the invaluable assistance of the voluntary agencies and their absorption into the stream of our economic, social and cultural life has been a remarkable thing. I pay tribute to the energy, the initiative, and the creative ability of these Cuban refugees; thousands of whom have elected permanent residence and citizenship in my country. The Congress of the United States only recently enacted legislation to assist the Cubans in acquiring this United States citizenship.

As of this date, all of the "priority A" class of close relatives of Cubans in the United States have been admitted into the United States and reunited with their families. However, the list of those expressing a desire to come to the United States numbers approximately 750,000—one tenth of the total population of Cuba. Three-fourths of those admitted to the United States to date, other than housewives, children and students, have been classed as professional, semi-professional, managerial, clerical, sales, and skilled workers.

It is reasonable to conclude that those waiting in Cuba for escape from oppression represent a vast reservoir of similar skills.

Latin America urgently needs skilled and professional people. Why cannot this tremendous pool of manpower in Cuba, in addition to those of the European skilled workers, be directed where the need is greatest?

At the present rate of approximately 50,000 per year, the Cuban airlift will continue for a number of years. My country has welcomed and has absorbed a large number already. Why cannot ICEM lend its staff, its machinery and its "know-how" to assist in relocating these capable, energetic people in the Latin American countries where they are so badly needed? This is but an illustration of a situation where ICEM's experience and expertise will and should be most helpful. I challenge the Council to direct its attention to this area as well as to the other refugee problem areas of the world. Because ICEM has accepted responsibility and acquitted itself well, because it has the capability and the experience to meet the needs of refugees and migrants, wherever they may be, ICEM must accept the new challenges of our changing world. Thank you.

AVOIDABLE BANKRUPTCIES

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

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

There was no objection.

Mr. POFF. Mr. Speaker, during the past 25 years consumer credit in the United States has risen from an aggregate of $9.2 billion to about $93 billion. This has greatly contributed to the expansion of our national economy. Continued growth of sound and constructive consumer credit is being seriously jeopardized by the rapidly increasing rate of consumer bankruptcies filed in the country each year. In 1940, 39,073 nonbusiness bankruptcies were filed. In fiscal 1966, the figure was 176,000. Nonbusiness filings in 1940 amounted to 74.79 percent of the total bankruptcy filings. In 1966 nonbusiness filings was 91.5 percent of the total. This startling rate increase will apparently continue as long as our consumer credit expands.

Today, many bankruptcy petitions are filed by individuals who have either lost interest in the orderly payment of their debts or have no knowledge of an alternative solution. Studies conducted by several universities have revealed that from 25 to 50 percent of wage-earner debtors who petition courts for a discharge in bankruptcy could pay their debts out of future earnings without undue hardship.

The Bankruptcy Act presently permits a wage-earner debtor who chooses not to proceed in straight bankruptcy to use a chapter XIII wage-earner plan under which such debtor can either pay his creditors in full over an extended period of time or effect a composition under which a percentage of his debts will be satisfied over a period of time. Taking the chapter XIII route benefits a wage earner in many ways: the stigma and consequences attached to a personal bankruptcy are avoided; contracts into which he has been induced through fraud or misrepresentation to enter may be entirely set aside or reformed; and payment of interest and finance charges on all claims classified by the court as unsecured may be eliminated. Chapter XIII wage-earner plans are also sufficiently flexible to allow the court to reduce payment by a debtor in case of unforeseen occurrences.

Chapter XIII, in the areas where its use has become widespread, has proven to be effective and of great value. Creditors in many instances have made substantial recoveries where chapter XIII has been used, whereas less than 10 percent of the straight bankruptcy cases throughout the Nation produce anything at all for creditors.

Unfortunately, utilization of chapter XIII has not been increasing as rapidly as one might hope. The reasons for failure to make use of chapter XIII appear to be threefold: First, a hesitancy on the part of referees to undertake supervision of chapter XIII plans; second, lack of knowledge of the existence of chapter XIII by the debtor; and third, a tendency to pursue straight bankruptcy as the easiest way out.

On the first day of the current session, I introduced H.R. 1057. This proposed amendment to the Bankruptcy Act would give the bankruptcy courts discretionary authority in appropriate situations to dismiss a voluntary bankruptcy proceeding where the wage earner fails to show that adequate relief cannot be obtained through a chapter XIII wage earner plan. Any debtor who shows that adequate relief could not be afforded by chapter XIII would in no way have either his right to file a bankruptcy petition or his right to a straight discharge affected by this amendment. The proposed amendment is designed only to improve the handling of cases involving wage earners by encouraging or stimulating implementation of chapter XIII in those instances where it reasonably appears that a debtor could pay his obligations out of future earnings without causing undue hardship.

Responsible judicial, business, civic, and church leaders have long been concerned over the demoralizing and detrimental effects of avoidable bankruptcies. H.R. 1057, which is similar to H.R. 292 introduced in the last Congress by the chairman of the Committee on the Judiciary, the gentleman from New York [Mr. CELLER] will help improve the situation.

A BUSINESSMAN AND HIS GOVERNMENT

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

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

There was no objection.

Mr. DERWINSKI. Mr. Speaker, one of the most gratifying developments in the past decade has been the very alert and effective public affairs programs augmented by our major corporations.

One of my constituents happens to be one of the pioneers and new leaders in the field of corporation public affairs.

Jim Patterson received a B.S. from Birmingham-Southern University in 1936 and a master's degree from Emory University in 1937. He became a supervisor of youth activities in the public relations department of Standard Oil Co., Indiana, in 1946. He later served as assistant director of public relations and director of field services in Standard's public relations department. In 1958 he moved to New York City as director of public relations of American Oil Co. Returning to Chicago in 1961, he transferred to the marketing department in 1963 and became manager of the Eau Claire, Wis., sales district. He again became director of public relations at Chicago in 1965. Mr. Patterson has played a leading role in petroleum industry public relations. He has served as national chairman of API's public relations advisory and employee information committees. Last October Mr. Patterson addressed the annual meeting of the National Lubricating Grease Institute in Chicago on the subject of "A Businessman and His Government." I felt this was an especially effective message and ask unanimous consent that it be reprinted in the RECORD at this point:

A BUSINESSMAN AND HIS GOVERNMENT

(By J. M. Patterson, American Oil Co., presented at the NLGI 34th annual meeting in Chicago, October 1966)

I'm very pleased that you've asked me to talk about business and government. Because I am sure that viscosity and pour-point are more familiar terms to you than, say, caucus and cloture, I'm particularly encouraged by the interest you're showing in the subject.

Since my speciality is public relations and public affairs, I may not be altogether unbiased—but I am thoroughly convinced that a knowledge of government and a concern for governmental activities ought to be a part of every businessman's intellectual and educational equipment.

This was important yesterday. Today and in the future, it is absolutely essential.

Businessmen—and I mean anyone involved in the management of a business or industry,

whatever their background may be—are going to have to learn to live successfully with government. It is closer to their lives now than ever before, and I see no signs that it won't be still closer in the future.

Already I can hear myself sounding like some of the speakers I've heard so often over the past 30 years. The burgeoning power of big government, they say, is leading us to socialism and bankruptcy and ruin. Federal regulation and encroachment on free enterprise, they add, are stifling the economy. If government would just go away and leave us alone . . .

Well, now—I think that as businessmen we have every right to be concerned about the tremendous growth in the power and influence of government. Certainly we can't ignore the way our activities, private as well as business, have become increasingly subject to some form of control by one or another agency at one or another governmental level. But at the same time, we might as well recognize two things: First, it is absolutely futile merely to complain about the trend. Second, it is equally futile to regard all government officials as fuzzy-minded bureaucrats, guided by a personal commitment to oppose business at every turn.

These, I'm afraid, have been the twin attitudes of all too many management people in American industry over the past three decades: complaint and suspicion. At best they have been grossly inadequate; often they've proved positively harmful.

What we must develop—what I think we are, slowly, developing—are some new and positive approaches to this relationship between business and government.

I've said that I was encouraged by your interest in this subject, and that's especially true because what I'm going to suggest will involve you—and people like you—much more deeply than most of you have been involved before. The approaches we need are not going to be easy to follow, and they can't be handled by the company president and his public affairs officer alone. Increasingly they are going to require the committed, active participation of others in the company, especially middle and upper management.

Business generally and businessmen individually are going to have to learn to spot potential trouble. This would be the first of the new, positive approaches: *to identify those social and economic problems which, if they're left uncorrected, will lead inevitably to government-imposed solutions.*

A case in point: Had the automobile industry had its ear a shade closer to the ground during the past few years, it might have heard the rumblings about auto safety. It might then have taken some action in advance to make some of the changes that now are being forced on the industry by government edict.

Case two: Business management had a hundred years to understand that the Negro, freed from slavery and awarded his constitutional rights as an American citizen, was entitled to equal opportunity for employment. This was a long time to have abdicated a social responsibility—and, in the end, government moved to speed up the process of correction which was moving all too slowly.

Air and water conservation is an area where our own oil industry is taking some effective steps to identify and help solve problems that concern all our citizens.

George Champion, chairman of the Chase Manhattan Bank, put the situation this way: "I can think of nothing that would put the brakes on big government faster than for business to identify critical problems and take the initiative in dealing with them before Washington felt the need to act."

And in that quote is the clue to a second new, positive approach I believe that business—and businessmen—must take toward their relationship with government. After the problem is identified, take action—take it quickly—and take it locally wherever possible.

I'd like, if you'll forgive me, to use one illustration from my personal experience. As it happens, I'm opposed in principle to federal aid to education. I was equally opposed to it some years ago when I first moved to the community of Park Forest, Ill. The village was the newest of Chicago's south suburbs then—and it needed a good high school.

I was fortunate. I found a good many other citizens who, like me, didn't want the federal government to help us build a school under the federal impactment provision. We wanted our own, and we were determined to have a good one. In short, we'd rather do it ourselves.

If any of you have ever worked to pass a very substantial bond issue in a small community, you probably know something of what's involved. It takes time—time to study the problem, to canvass the neighborhoods, to talk to people, to round up support. It takes money and effort, too—to produce the materials, to make the telephone calls, to argue and persuade, and then to get people to vote. I found, too, that it takes a very considerable knowledge of politics on the local level. This is knowledge, believe me, that you acquire very quickly on a job like this.

In any event—to make a short story happy—we were able to pass the bond issue that gave us our own school.

It's a far cry, of course, from a school bond election in a Chicago suburb to some of the tremendous economic and social problems our people face in America today. And the third positive approach of a businessman to government is, I believe, to concede this basic difference.

After identifying problems and acting locally where we can, we must recognize that some problems are just too widespread and too complex for local solutions alone. *In these cases, we have to be willing to cooperate with others—including our government—to find and carry out solutions that are reasonable, practical and in the public interest.*

Air and water conservation is such an issue. A lot can be done—and responsible industry is doing a lot—on the local level to see that wastes from specific factories or refineries don't contribute to hazardous pollution. But over-all, the difficulties have been too great to allow us to depend on individual action by enlightened companies.

Here is an area where industry—consciously or not—faced a choice. It was not a choice of whether or not government would take action; that much was assured. The choice lay between cooperating with government or waiting until government felt compelled to assume full control and direction of the air-water conservation effort. For the most part, industry wisely chose to cooperate.

Sometimes the cooperation came on a project of relatively small scale. A paper company, for example, has worked directly with a commission of the state of Maryland to finance and build a four and one-half million dollar plant to clean up industrial wastes—and treat municipal sewage at the same time. And when communities along the lower end of Lake Michigan decided that something had to be done about lake and stream pollution, representatives of several industries in the area sat down with conservation officials and worked out a set of standards for water purity.

At other times, government-industry cooperation can be carried out on a much broader scale. ORSANCO—the Ohio River Sanitation Commission—has been a very effective combination of government and private-industry efforts to clean up serious pollution problems along the Ohio River.

The oil industry itself has provided one of the best examples of broad-scale cooperation with government in this field of conservation. There was a threat—and it still exists to some extent—that federal agencies would take the advice of "instant experts" and write into federal law all the tight, local restrictions developed in places like California to solve specific problems.

Oilmen agreed that something needed to be done—and they did two things: offered their cooperation to the federal agencies studying the issue and then took the initiative in seeking some practical solutions. First of all, they urged caution in adopting nationwide conservation rules that would be more restrictive and more costly than necessary. Then, through the API, the industry began its own research program—tied in with government efforts in the same direction. The purpose wasn't to prevent action, but to get the facts that are needed to take intelligent action.

Particularly this is true of air conservation, where the oil industry helped convince the Department of Health, Education and Welfare—and others—that we still know all too little about the real causes and effects of air pollution. In one instance, when government was studying a very restrictive regulation on the sulfur content of fuel oil the industry developed a monitoring plan designed to enable a community to take steps to avoid at much lower cost the kind of "killer-smog" incidents that made headlines in London, England, and Donora, Pa.

Cooperating with government—on this issue or any other—doesn't mean accepting uncritically what the government experts suggest and making the best of it. This informal partnership I'm talking about is like any other: It works best when both sides have something valuable to contribute. Business has much of value to contribute to a new working relationship with government.

One of the most valuable is the successful businessman's ability to evaluate and judge the effectiveness of a program. Our urban society has some vastly complex problems. They're going to be solved by someone. It seems to me that the role of the businessman is to deal with our every-day business problems. We examine any particular solution to determine whether it will be efficient or wasteful, practical or unrealistic. In our own work, we know well enough that a problem doesn't go away just because we can prove that one particular solution is too expensive or impractical. We just look for something better.

What we must do, I'm convinced, is to take this same analytical approach to the problems of society. Business can offer a great amount of expertise—and a considerable measure of creativity—in problem-solving. By doing so, it can play a significant part in the new, cooperative role with government in today's society.

Besides identifying problems and cooperating on solutions, there remains a third kind of positive approach that I'm suggesting for the businessman and his relations to government. It's a change in his traditional attitude toward the people in government—the public servants, if you will.

That attitude has all too often been one that divides all government people into two classes: politicians and bureaucrats. And just by using those two words, we've implied that politicians are interested only in votes, while bureaucrats want only to boost their own power and prestige. We haven't been willing to recognize that these are people facing big problems.

Particularly we've tended to kid ourselves that government people, when they talk or act in a way we don't like, are just perversely anti-business through some quirk in their own nature. Granted—there have been some horrible examples of just this kind of lawmaker or administrative officer in Washington. There have also been some horrible

examples of businessmen to whom every move, every suggestion emanating from the government is automatically wrong.

Today's times and conditions demand a different response. We'd better learn—and learn soon—that government officials represent people. Elected officials, of course, depend for their survival on responding to the wishes of their constituents. But more than that—the administrative officers in agencies and bureaus, whose job is to carry out government policy, must also respond at least indirectly to what the majority of American people want.

If Congress and government agencies call for action on stream pollution or highway beautification and safety, we'd better believe that it's because the citizens back home want action on stream pollution and highways. And we'd better not forget that these people back home are our customers—we're just as dependent on responding to their needs and opinions as any government official.

What's more, we stand to gain a great deal by treating representatives of government as if they were the rational, reasonable people that, in fact, they are. One of the things our industry's representatives have learned in recent dealings with Washington is that the technicians and specialists in government are eager to hear from all sides of an issue—particularly from business. They will listen to the reasoned, practical solution of a problem—if we offer it to them.

The same thing is true of legislative bodies. Ted Sorenson, as former special counsel to President Kennedy, had plenty of opportunity to work with and to judge Congress and Congressmen. Here's what he says about the men and women on Capital Hill:

"Today, compared with a generation ago, those men and women are better educated and better informed; better acquainted with more issues . . . better staffed and briefed . . . less likely to be new members and more likely to be re-elected. . . more responsible to the public interest . . . (and) more responsive to public opinion."

And while I'm quoting, here's what Ben Heineman, chairman of the Chicago and Northwestern Railway, says about the same subject:

"I have never believed that political bodies are inherently unreasonable. I am convinced that if our arguments are rational, if we are discriminating in what we oppose and propose, and if we admit that there are problems that must be solved by government, we will get a much fairer hearing in the legislative halls . . ."

I agree with Mr. Heineman—and I would add this thought, too: We businessmen will get a much fairer hearing if we talk less loudly about the evils of all government regulation of business. Not only do we sound as if we're living in the past, we leave ourselves open to the charge of hypocrisy.

For, after all, we accept—and even embrace—some forms of federal regulation. We accept the protection the Food and Drug Administration offers our health. And we accept the regulation of currency by the Federal Reserve Board, of the stock market by the Securities Exchange Commission, and of competition by the antitrust laws.

We have no more reason, of course, to accept all forms of government regulation without protest than we have to condemn them all without study. What we must do, once again, is to bring reasoned judgment to bear—reasoned judgment of any new proposal for solving a difficult problem, reasoned judgment of the man or men who are making the proposal.

When we can do that—and the job isn't an easy one—we're on the right road to a profitable and positive new relationship between business and government in this country.

Now, this is all very well so far. Business should do this, government should do that. All rather ethereal and not very practical to a man who's attending the annual meeting of the National Lubricating Grease Institute.

Let's get this matter straightened out now. My title today isn't "Business and Government;" it's "*A* Businessman and *His* Government."

There are some things that you as a businessman can do to help carry out these new, positive approaches to dealing with government. And you don't have to be a board chairman or a president to do them. Likewise—you don't have to hop the next plane for Washington and start trying to lobby your Congressman.

You begin, like charity, at home. You take part in the public affairs of the community where you live.

I don't, in this particular instance, mean by taking over that vacant job as Scoutmaster or by leading the fund-raising efforts of your local Community Chest. These are civic affairs—and worthy ones. What's more, I expect most of you are already doing a fine job in this kind of work. But is this enough?

Suppose, in your town, you had the same relationship with the mayor that you have now with, say, the head of the United Fund or the president of the local university. Suppose the city council, looking at a proposed ordinance involving the oil business, knew you and respected your opinion enough to ask your advice. There's no reason why these hypothetical cases can't be real. And it doesn't take much imagination to see how this kind of friendly relationship between local business and local government could be beneficial to all concerned.

Why not begin by asking yourself a few questions about the government of the town where you live. Are your public officials honest and efficient? Does the city provide the services it should—the police and fire protection, the water, the streets and sewers? Is the law enforced impartially? How reasonable are the budgets of the local taxing bodies? Does the community have enough facilities such as hospitals, parks, shopping areas and libraries?

Now, as your next step in civic responsibility, find the answer. As you search for them, you're going to find yourself more and more deeply involved with the administration of local government. You'll be attending the meetings of the city council, or the board of zoning appeals, or some special committee appointed to handle a specific problem. You'll be meeting the people who are in government. And while you'll probably do most of the listening and little of the talking in the early stages, you'll find that soon they'll be listening to you. Provided, of course, that you've taken a reasonable attitude and offered some constructive ideas.

Out of this knowledge of local people and local issues you'll be able to spot potential problems before they become acute. And perhaps, too, you'll be able to offer some reasonable solutions before someone else steps forward with one of those grandiose, appealing, but completely unrealistic ideas that so often appear.

One of the things that *won't* help you, or your company, is the attitude that you can get out of your responsibilities with little money. I know there are some people who openly boast that a donation of a thousand dollars will get practically anybody off their backs. But money doesn't do for you—or for your community—what work and service do.

Rousseau made the point in these words: "As soon as public service ceases to be the chief business of the citizen, and they would rather serve with their money than with their persons, the State is not far from its fall."

Inevitably—as you do begin to take an active part in community affairs—you will find yourself involved to some extent in party politics. Don't let the idea frighten you. Welcome it.

There's nothing disreputable about party politics. There can be, and sometimes are, disreputable *men* in politics. But the system of parties itself has been the operating basis of our government for most of our history as a nation. Party politics is a fact of life in our society today—and any businessman who deals with government deals with politics and politicians.

There are a couple of good reasons why it will pay you, as a businessman, to take an active role in the work of a political party. One of them is your own education. Unless you're already a party worker, by becoming one you can learn a lot about what makes a political party—and a government—work.

You may be one of the people who has complained that "government ought to be run the way I run my business." This is usually followed by the observation that "the trouble with government people is that they never had to meet a payroll."

Perhaps. But it may not have occurred to you that the government people have been saying to themselves that "the trouble with businessmen is that they never had to carry a precinct." And they're right.

Don't hesitate to volunteer for some work with the party of your choice. Your education will start the first time you work on a voter-registration campaign—or the first time you have a talk with a precinct captain.

At the same time, you'll learn to know the local political leaders—to know them as personalities, and to know what they stand for.

Finally—in time—your continued activity in the party will earn for you the right to speak—to offer your opinions—to exert your own influence on the choice of candidates and on the stand which your party takes on important public issues. It's at this point that you will begin to make the kind of creative contribution that each of us ought to be trying to make toward good government.

There still remains one effort which the individual businessman should be willing to make in his search for a meaningful relationship with government—an effort to know and understand the elected officials who represent him in local government, in the state legislature and in Congress.

The more active you become in party politics, of course, the more likely you'll be to know a legislator—even a Congressman—on a first-name basis. But even more important than knowing him personally is your ability to recognize the problems he faces, the pressures under which he operates, and the knowledge he may or may not have about a particular issue.

Even the most well-meaning Congressman can be led into a serious error in judgment if he hears arguments on only one side of an issue. He needs your information and your help when the issue at stake is one on which you're qualified to speak. Sometimes he'll ask for your opinion. With his busy schedule, however—with the multitude of issues he has to deal with—it's not likely that he will. But he'll welcome a constructive idea when you volunteer it. And if it's a good idea, he'll be encouraged to seek you out the next time he's faced with a bill that affects your business.

In the words of C. E. Reistle, board chairman of Humble:

"Businessmen have got to learn that government people don't have horns . . . Few Washington officials really want to be unreasonable. They are trying—most of them—to do a conscientious job of public service. But they can use assistance from business, and we should be willing to provide it in an atmosphere of tolerance and understanding."

Now—how often you, personally, will have the chance to appear on Capitol Hill on behalf of your company is problematical. But

I would remind you of two things: One—you can make known your opinions as an individual and offer your informed judgment on an issue where you're concerned and knowledgeable. Two—professional lobbyists, even the highly touted ones, are rarely as effective with a member of Congress as a knowing, concerned businessman himself.

It's much easier, of course, for a businessman to hide behind his trade association. We in the oil industry can, if we want, rely on the API to deal with the issues at the federal level. But we can often do more—and be more effective—by knowing and helping our own Congressmen. And certainly we can't expect the API to handle our problems with the city council or the zoning board.

Officials at the local level of government—even more than those in Washington—are likely to need the kind of technical information you can provide. Before they can make sound decisions, they have to have the same kind of data a businessman needs to solve his problems—but it's not often that they have either the time or the money to get it.

One formula that has worked successfully is the formation of a local research council to provide technical know-how to municipal and county governments. Several companies with major plants along the Texas Gulf Coast joined in an effort like this a few years back. They formed what was called the Galveston County Research Council.

When the county tax assessor's office needed technical information on tax records and data processing, for example, experts from the cooperating companies were able to provide it. Purchasing people from the industries helped the county set up a more efficient system of buying stores and equipment. Engineers were able to provide technical data to help evaluate proposals for capital improvements.

In all these ways, and more, businessmen like you were able to contribute some of the know-how of modern industry to the solution of public problems. And for those of you who might still hesitate at the prospect of diving headlong into partisan politics, this kind of cooperative effort makes a good place to start broadening your participation in public affairs.

I'm sure this isn't the first time you've heard an appeal for you to become active in public life, to discharge your duty as a business citizen. I wouldn't be at all surprised if, on these occasions, you had protested to yourself that your duty as a company manager is to help produce a profit for the company stockholders, not to spend time and effort trying to pass bond issues or win elections.

But business management, it seems to me, has a dual responsibility—to the stockholders, of course, but to the public as well. And there's no reason to consider that the two are mutually exclusive. It's obvious that a successful company should be making a current profit for its stockholders. But—in addition—its management should be concerned with creating that economic and political environment in which *future* profits are possible.

And there is no better way that I know of ensuring a favorable public climate in the future than by carrying out our responsibility to the public today.

The new breed of businessman recognizes this. And the new relationship that's developing between business and government rests on this point: that being a good businessman and being a good business citizen are both part of the same role. To be one is to accept the responsibility of the other.

Your ability to take on this new role requires of you two things: One is a knowledge and understanding of public problems; this you get by becoming a part of your community, by being active in its development. The other is a willingness to become involved with people, to help them work out solutions to the issues they face in our society.

How do you acquire that willingness to be involved? I'm not sure that I can give you any formula that will help if you don't already recognize the basic obligation. But I do know that the root of the word "businessman" is "man." And I know that the relationship of a businessman and his government is—at its best—the same as that of any other man to his government: a relationship of active participation, reasoned cooperation, and real understanding.

For a man and his government are going to remain very close neighbors in the years ahead. They'll do well to know each other and live peaceably together.

HISTORICAL LESSONS FOR EAST-WEST TRADE

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

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

There was no objection.

Mr. DERWINSKI. Mr. Speaker, it is quite evident that the administration and some circles in this country are determined on liberalizing trade with the Red empire in the naive hope that this would appease the totalitarian Red regimes and render them more peaceable. Through Executive decree and action we have already gone too far in shipping goods of strategic military and cold war value to Moscow and its Red associates. All this, while the U.S.S.R., Poland, Czechoslovakia, Rumania, East Germany and others shore up the Hanoi regime to kill Americans in South Vietnam.

REPETITION OF OLD ERRORS

The directions of our present trade policy toward Eastern Europe are not only irrational in the present context but they also defy all the historical lessons we should have learned from our trade with similar totalitarian powers in the thirties. Old errors are being repeated with the same illusions that such trade contributes to peace, understanding, and good will.

A very interesting study on "Historical Lessons in Totalitarian Trade" appears in the November–December 1966 issue of the Intercollegiate Review. Based largely on hitherto classified papers in the Department of Commerce, the study was prepared by Dr. Lev E. Dobriansky, professor of economics at Georgetown University. In the forthcoming debate on East-West trade I urge all Members to read this documented article carefully. The lessons we have forgotten or never learned should be sufficient to call for a complete, critical review of our present policy and to formulate a realistic political trade policy based on political freedom concessions. I request that the article "Historical Lessons in Totalitarian Trade" be printed in full in the RECORD:

HISTORICAL LESSONS IN TOTALITARIAN TRADE

(By Lev E. Dobriansky)

(NOTE.—Dr. Dobriansky *is professor of economics at Georgetown University. The originator and author of the Captive Nations Week Resolution enacted by Congress, he is the author of* The Free Ideal *and* Veblenism: A New Critique.)

Those who cannot remember the past are condemned to repeat it.

Santayana's wise dictum cannot be repeated too often when it comes to present pressures for liberalizing trade with the totalitarian Communist Empire. As are many in Western Europe, a number of circles in the United States are prepared, at whatever cost, to repeat the errors of the not-too-distant past.

Concerning the present, there is no mystery about the needs and goals of all sectors of the Communist Empire: their desperate need for advanced Western technology, their economic deficiency in both capital and consumer goods, their aim in overcoming glaring economic defects for general psycho-political reasons, their requirements of surplus resources destined for intensive and extensive Cold War aggression, and their continuous improvement of space technology and the military machines strewn about the empire. One would think the heavy Russian material commitment in Viet Nam is in itself sufficient cause not only to drop the liberalization idea but also to wage a Free World campaign for curtailed trade with the empire. However, the Bear and his associates have set an economic trap for us, and we are prone to fall into it. The nature and outline of this trap require a separate discussion; our concern here is with certain prominent, historical lessons for the present, drawn from U.S. trade with other imperio-colonialist totalitarian powers.

Research into U.S. trade with the totalitarian states of Japan, Germany, and Italy before World War II discloses several powerful truths which many persons involved in the current discussions of East-West trade do not know or have completely forgotten. The logical period covered is that of the 1930's, after Japan had begun its aggression in Manchuria, Germany had come under Hitler's rule, and Mussolini's Italy had embarked upon its imperialistic adventure in Abyssinia.

The chief focus of attention is on the strategic commodities furnished by the United States through normal export channels to these powers. To some extent imports are also considered since they constitute a source of dollar balances available to the aggressive powers for purchases elsewhere. Strange as it may seem, much of the material presented here was only recently declassified upon my own request. No one had bothered to tap these sources and approach the subject from the angle developed here.

Although no two historical periods or occasions are ever precisely alike, in certain essential respects they can be rationally compared, particularly in terms of the repitition of human error. At this moment we can profit immensely from the 1930's and their historical lessons in totalitarian trade. True, Japan, Germany, and Italy were have-not nations, heavily dependent on trade and raw material imports: on this limited scale the Soviet Union and Communist China are not so dependent. However, Japan, Germany, and Italy were basically nation-states; the Soviet Union and Communist China are fundamentally empire-states, with all the potential disadvantages accruing to such a status.

On the broader scale of an imperialistic Cold War economy, both the Soviet Union and Communist China with the inclusion of their "external satellites" are have-not states in terms of capital, latest technology of a broad spectrum, and even certain strategic raw materials. Significantly, all of these totalitarian states were and are punctuated by self-sufficiency drives and *ersatz* developments. Of supreme importance is the

sharp difference between the blunt, crude, aggressive behavior of the earlier totalitarian powers and the studied, subtle political warfare of the present totalitarian states, for whom trade is a vital Cold War instrument.

By way of introductory generalizations, the following selected and only partial data reveal (1) unmistakable U.S. contributions were made to the war economies of Japan, Germany, and even Italy prior to World War II; (2) the weight of our economic influence was far greater over Japan than over Germany or Italy, though in combination with Great Britain, France, and several Latin American countries our decisive influence could have been exerted over Germany and Italy, too; (3) marked discrepancies exist between the observations and conclusions of several hitherto classified studies and the judgments and decisions of the leadership in the 1930's; (4) a review of the arguments and counterarguments in the 1930's suggests that we are going through another cycle, with a generation that in some areas has forgotten the arguments and lessons of that period as concern trade with imperialistic totalitarian states; and (5) projecting the lessons of the 1930's to the present, we see a need for even tighter controls, since under global Cold War conditions the nature of a strategic good is far more extensive than it was three decades ago. Regarding the last, we are better armed now with certain trade controls, but because of our inadequate grasp of what the Cold War means and involves, we are still unsure about the scope of a "strategic good;" we are vulnerable to helping the enemy today. As will be shown, some executive analysts in the 1930's knew then what the nature of a strategic good meant in relation to an imperialistic totalitarian economy.

UNITED STATES AND JAPANESE WAR ECONOMY

The tremendous economic assistance we gave to the Japanese war economy, either directly or indirectly through Manchuria, Korea, or China, suggests the possibility of a striking parallel with the present totalitarian states. The commodities we shipped to Japan and the "yen bloc" enabled Japan to prosecute its wars in Manchuria and China, to liquidate American businesses in those areas, and to prepare for general war. The parallel intimated for today would be our growing economic assistance to the USSR and the "Soviet bloc," enabling this sector of the Communist Empire to intensify its Cold War in targeted areas of the Free World, to negate progressively our foreign aid in many underdeveloped areas, and eventually to squeeze out any American or Western business interests and prepare for the oft-repeated "Communist takeover."

Literally ten years have to be accounted for in our contributions to the build-up of the Japanese war economy. Without controversy or contradiction, one can determine the beginning of this period with Nippon's conquest of Manchuria in 1931. The year marks not only the start of Japan's imperialist advances but also the unfolding of its plans for economic self-sufficiency and a closed economic sphere in the New Order of the Far East.[1] It was the beginning drive for a self-sufficient "yen bloc." With the steady expansion in Japan's industry since 1931, Japanese demands for scrap iron, steel, crude oil, copper, and tin plate increased.[2] But, as had been shown time and time again, "The most serious weakness in Japan's industrial self-sufficiency insofar as a war economy was concerned was her deficiency in important industrial raw materials, notably iron ore, pig iron, and petroleum products."[3]

In 1932, Secretary of State Henry L. Stimson sought economic sanctions against Japan, but it was evident that he and other advocates found few allies among the members of the Fourth Estate.[4] Walter Lippmann, for example, writing in his *New York Herald Tribune* column, "Today and Tomorrow" (March 26, 1932), said of the United States: "It should oppose a one-sided embargo on munitions as inconsistent with the general policy of non-intervention by force." The theme, "Embargo would mean war," ran through all of the opposition, right up until 1940. Lippmann himself changed his tune by 1937, after Roosevelt's Quarantine Address.

Prior to 1932 every year indicated a trade balance in favor of Japan. After 1933 it favored the United States. The depreciation and devaluation of the dollar helped Japan considerably. In 1933–34 it imported larger quantities of machinery of all kinds from the United States and Germany. In 1934 the Japanese Government adopted a Petroleum Industry Law, which placed the industry under close governmental control. As one analyst put it, "Lack of oil resources was perhaps the most vulnerable aspect of Japan's economy and steps were taken early to attempt to overcome this handicap."[5] For the "Greater East Asia Coprosperity Sphere," the "yen bloc," stockpiling, and war, a top priority was oil. American exports to the end of the decade helped immensely.

Beyond any shadow of doubt, Japan's policy in the 1930's was designed not only to organize production for self-sufficiency and strengthen the military, but also to conquer areas rich in materials which Japan lacked. In the latter half of 1936 and early 1937, marked shortages of pig iron and steel developed. From 1936 on, when cotton accounted for 43% of total Japanese imports from the United States, Japan concentrated on the expansion of industries supplying military necessities and imposed severe restrictions on imports of cotton, wood pulp, and other commodities entering into the production of consumers' goods. Before Pearl Harbor a Commerce Department analyst observed, "Since that year (1936) however, Japan has concentrated on the expansion of its heavy industries at the expense of its export industries, purchasing increasing quantities of scrap iron, steel-mill products, machine tools and petroleum products largely from the United States."[6] Significant, too, is the fact that after 1936 Japan instituted a statistical blackout on its imports of ore, metals, autos, parts, and the like.

In July, 1937, the Japanese Army moved into China. Through its representatives China raised the question of economic sanctions against Japan but received no support.[7] Tightening its trade controls, on September 9 Japan passed an Emergency Trade Control Law, intensifying the development of its imperial self-sufficiency program. In that period official and unofficial observations make for interesting reading and reflection. A State Department analysis pointed out, "Although during the first half of 1937 the expansion in U.S. export trade with Japan was inclusive in its scope (with cotton sharing in the general rise), increases were most marked in the metal, iron and steel, petroleum, machinery, and vehicle groups, reflecting the accumulation of stocks of war materials and the government's program of speeding up the development of heavy industries. During the last half of 1937, when selective import controls became effective under conditions of actual war, American exports to Japan showed a predominantly military character."[8]

SOME SELECTED DATA

A Commerce Department analysis then stressed these many points: (1) our trade with Japan for 1937 showed an unusually large expansion over 1936—$288,378,000, the highest figure since 1920 and an advance of $84,030,000 or 41.1% compared with 1936; imports increased by 18.8% over 1936, and for the sixth consecutive year the United States enjoyed an export excess with Japan; (2) in 1937, Japan was our third principal export market, accounting for 8.6% of our total export trade; (3) crude materials and semi-manufactures for Japan's expanding industries constituted the bulk of American goods supplied to that country, semi-manufactures about 43.3% of total to Japan, raw materials 32%; (4) scrap iron and steel and tin scrap increased to $39,278,000 from $14,177,000 in the previous year, with an equally sizeable increase in tonnage; (5) exports of refined copper jumped from 79,852,000 pounds valued at $7,293,000 in 1936 to 145,689,000 pounds valued at $17,997,000 in 1937; (6) these gains plus smaller increases in exports of wire rods, tin plate, scrap copper, and lead brought total exports of metals and manufactures, except machinery and vehicles, up to a value of $104,423,000 compared with $28,842,000 in 1936; (7) exports of nonmetallic minerals increased from $29,769,000 in 1936 to $44,821,000 in 1937, largely due to heavier shipments of crude oil; and (8) shipments of American machinery and vehicles to Japan assumed large proportions, $34,202,000 in 1937 compared with $20,459,000 in 1936, with power-driven metal-working machinery accounting for most of the increase.[9]

It is quite evident that analysts in our executive agencies were acutely cognizant of what was then transpiring. To cite another example, State Department papers reveal that:

in 1937 Japan was engaged in building up large stocks of raw materials and materials of a military and heavy industry character. During the latter part of the year 1937 and throughout 1938, Japan was engaged in hostilities in China. The increased imports of Manchuria in 1937 and 1938 from non-Japanese sources were obviously connected with Japan's preparation for an execution of military operations, and the figures for those years warrant no inference that Japans' occupation of Manchuria has more widely opened the doors of commercial opportunity or benefited America enterprise in Manchuria. By administrative measures of a discriminatory character, Amreican business enterprises have been excluded from the field of distribution within Manchuria. Preferences in force, favoring Japanese enterprises, have compelled many American enterprises to withdraw from Manchuria and have discouraged other American enterprises from operating in Manchuria.[10]

Meanwhile, as statistics show, U.S. exports of strategic goods to Manchuria increased substantially in this period.

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[1] Isoshi Asahi, *The Economic Strength of Japan* (Tokyo, 1939), p. 324.

[2] *Trends in United States-Japanese Trade*, U.S. Department of Commerce, Special Circular No. 333, June 1, 1935.

[3] Kate L. Mitchell, *Japan's Industrial Strength* (New York, 1942), p. 26.

[4] An illuminating record on this in Richard Grigg, *Japanese-American Relations, 1930–1937* (Washington, 1950).

[5] Jerome B. Cohen, *Japan's Economy in War and Reconstruction* (1949), p. 23.

[6] Victoria C. Hungerford, *Effects on American Economy of an Embargo on Exports to Japan*, Department of Commerce, February 26, 1941.

[7] Arnold Toynbee, *Survey of International Affairs*, 1937, p. 289.

[8] *Analyses of United States Import Trade with Japan in 1937*, U.S. Department of State, April 12, 1938.

[9] *United States Trade with Japan, Including Taiwan and Chosen*—1937 *Compared with* 1936, U.S. Department of Commerce, 1938.

[10] *Papers Relating to the Foreign Relations of the United States, Japan:* 1931–1941 (Washington: U.S. Government Printing Office, 1943), I, 156.

There are many angles from which statististical data may be viewed and evaluated, but in this case the data point largely and conclusively in one direction: Japanese war preparations and our heavy contribution to them. In terms of the percent distribution of U.S. trade with selected Far Eastern countries, Japan ranked second producer of our imports for 1926–30 with 9.4% of the total; by 1937, it ranked third with 6.6% of the total. As concerned our exports to the Far East, Japan ranked fourth for the earlier period, with 5.2% of the total, and third in 1937 with 8.6%. Viewing the subject from the angle of Japan's total volume of imports and exports after the Manchurian crisis, Japan's percentage of import trade with the United States was 36.5% in 1931–32 and 33.6% in 1937, ranking first among selected Far Eastern countries in both periods; its export trade showed the same rank for the two periods, with 32.1% in 1931–32 and 20.6% in 1937.

One fairly accurate, private analysis shows that between 1936 and 1937, U.S. exports to Japan increased by 41%, but a breakdown of the export figures by commodities discloses an increase of about 124% in shipments of war essentials. The American share in Japan's imports of materials essential for war purposes was in 1937 the following: as a percentage of total Japanese imports in copper, 92.9%; automobiles and parts, 91.2%; all oil, 60.5%; pig iron, 41.6%; other iron, 59.7%; machinery and engines, 48.5%; zinc, 20.4%, with a total in the aggregate 54.4%.[11] In other words the weight of the U.S. contribution to the war economy of Japan was almost twice what Japan's aggregate figures of imports from the United States indicates.

Some recognition of these dangerous trends was registered in President Roosevelt's Quarantine Speech in 1937. However, by all accounts, the speech was vigorously opposed by major segments of the press and, we shall see, the President retreated and his Administration shrank from economic measures as had the Hoover Administration in 1931–33. Nevertheless, reports then and many years later continued to relate the same story. One forthright report submitted by a Far Eastern expert in the Department of Commerce stated, "Let us, then, in our realistic interpretation of statistic call Japan's *heavy industries* by their right name—war industries—and let us recognize that our sales of scrap iron and steel are going into aerial bombs for final 'distribution' in China to an unwilling 'consuming public'—the defenseless Chinese civilians, men, women, and children."[12]

When some speak of the "good customers" in the present Red Empire, they should read this report on the "good" Japanese cash customer. Confirming much of this from hindsight, another analyst, in her coverage of Japanese trade from 1937 into the first nine months of 1940, wrote, "During this period, Japan was seriously preparing for war, and its trade figures reflect these preparations."[13]

CONGRESSIONAL AND ADMINISTRATION VIEWS

Certain developments in 1938 shed further light on this whole issue. Congressional restlessness with the existing situation began to appear. For instance, in June, Senator Pope of Idaho spoke out in this vein: "It is just as well . . . for us to recognize the bitter fact that it is America which is supplying 54.4 per cent of the materials absolutely necessary in order that Japan may continue her aggression against China."[14] Figures compiled from the Commerce Department's *Far Eastern Financial Note* (No. 246, January 19, 1938) disclose that the British Empire supplied 17.5% of such materials. The following month, in July, the United States finally initiated a hesitant policy of economic pressure against Japan.

A "moral embargo" was put into effect despite the objections of Ambassador Grew, our representative in Japan. As a matter of fact, until the latter part of 1940, Mr. Grew was against economic sanctions, because they would worsen our relations with the aggressive power and would lead to war.[15] He urged a new commercial treaty with Japan when later the 1911 treaty was scrapped. It was not until September 12, 1940, that in a long dispatch he finally called for stern economic measures.[16] However, in light of the situation a "moral embargo" was scarcely adequate for the purposes intended. Pointing out a fact reiterated by many others, a well-known scholar recently wrote, "With the exception of the 'moral embargo,' which had been in force since the summer of 1938 and which effectively prevented aircraft, aircraft equipment, and aerial bombs from going to Japan from the United States, Japan could still secure from this country all the oil, copper, scrap iron and steel, automotive equipment, and other materials useful to a military machine that it wished."[17] Right up to 1940, Japan maintained its third place in U.S. export trade, yielding its place in that year to France because of the latter's war demands for goods.

Commodity-by-commodity data substantiate what a Department of Commerce report on Japan stated in 1940, that "there has been a greater demand over the past few years for metal-working machinery, petroleum products, iron and steel products, copper and other materials entering into its heavy industries—petroleum and products $45,290,000 in 1939 amounted to 19.6% of our total exports to Japan; metal-working machinery $24,578,000 in 1939 and $23,627,000 in 1938, 1939 being 10.6% of total export value. Also exceeding 1938 values were exports of iron and steel scrap, steel bars and rods, refined copper. . . ." This report merely extended by one year the general conclusion arrived at in an earlier one: "In the past two years Japan has concentrated its efforts on the expansion of heavy industries rather than on the export industries."[18]

On April 27, 1939, the Senate Foreign Relations Committee had before it the Pittman Resolution (S.J. Res. 123), authorizing the President to end trade with Japan. There were a number of such resolutions. Secretary of State Cordell Hull suggested that they be deferred. Senate Resolution 166, submitted by Senator Vandenberg, called for the abrogation of the 1911 commercial treaty in six months. By July 26 the United States notified Japan by formal notice of its intention to terminate the Treaty of Commerce and Navigation on January 26, 1940. Thus, after six months we would be free to control or cease our exports to and imports from Japan. It is noteworthy that at the beginning of 1939 the Secretary of State planned to denounce some sections of the treaty and to substitute for these certain short-run and commercial agreements.[19] There can be no question that expression of Congressional sentiment led to a stronger stand, such as it was.

Even at that, when the Secretary announced our intent to abrogate, there was a degree of equivocation. The Japanese seized upon this and sought a new agreement since Hull intimated some "new consideration" for a treaty. Toward the close of the year, on December 20, 1939, he advised Ambassador Grew that the United States did not wish to enter into negotiation for a new treaty. As indicated earlier, Grew's position was well know then. In October, 1939, he stated it as follows: "In both my talks with the President I brought out clearly my view that if we once start sanctions against Japan we must see them through to the end, and the end may conceivably be war." After several months of absence from his post the Ambassador nevertheless expressed America's growing concern when, in an address to the American-Japan Society in Tokyo, he declared, "An effort is being made to establish control, in Japan's own interest, of large areas on the continent of Asia and to impose upon those areas a system of closed economy."[20]

It is also important to note several other developments at this late hour. A survey of newspaper clippings for the period shows much publicity given to U.S. exports of iron and steel scrap to Japan. With allowances made for item classifications, many papers pointed out that in the years 1933–1941 the United States exported over 10 million tons of iron and steel scrap to Japan. Relying on Department of Commerce estimates at the time, we tabulated the exports for 1936–40 as follows: 1936—1,184,536 tons, 1937—2,140,889, 1938—1,547,617, 1939—2,279,315, 1940—1,079,141, or a total of 8,231,498 tons in this short period of time. Moreover, the Gallup Poll of the day indicated general public opposition to such exports.

Some areas of business also expressed their opposition to these exports. For example, on March 23, 1939, Mr. E. T. Weir, then chairman of the National Steel Corporation, urged a complete stoppage of these exports. The following year, when an embargo was finally ordered on the export of scrap steel, Mr. Weir openly declared on October 15, "It should have been done long ago. The exported scrap that has been permitted thus far has brought inventories of this vital resource to a point where they are dangerously low." On this issue, there was a sharp clash between Weir and Secretary of Interior Ickes when the United States was already in the heat of war with Japan, and accusations of blame and responsibility were rife. Countering the Secretary's accusation that the steel industry was to blame for shipping scrap iron to Japan, Weir demanded from Ickes a public retraction of the charge, maintaining, "It would be natural to expect you to help alibi the shameful record of the Roosevelt Administration which, by permitting the export of millions of tons of scrap steel to Japan, helped Japan prepare for its war against the United States."[21] Obviously, whoever was to blame, the great wrong had been done.

TOO LATE, TOO LITTLE

Then, and in subsequent years, a favorite argument circulated about to the effect that severe economic restrictions by the United States alone would not have curbed aggressive Japanese designs and actions. In itself the argument is purely speculative, for the restrictions that were imposed came far too late and even then, as additional evidence reveals, they might at least have caused a Japanese withdrawal from China. Further-

[11] Ethel B. Dietrich, *Far Eastern Trade of the United States* (New York, 1940), p. 18.

[12] Bland Calder, *Japan Is a "Good" Cash Customer*, U.S. Department of Commerce, Special Report "E", June 8, 1938.

[13] Edythe M. Garber, *Japan's Prewar Foreign Trade*, U.S. Department of Commerce, International Reference Service series, May, 1946, p. 1.

[14] James P. Pope, "Sales of War Materials by the United States to Japan," U.S. Senate, June 8, 1938.

[15] Ambassador Grew to Secretary Hull, *Far Eastern Military Tribunal*, Defense Document No. 1400–U–2, Exhibit No. 58, Reject No. 315.

[16] Anthony Kubek, *Japanese-American Relations* 1937–1945 (Washington, 1956), p. 188.

[17] Meridith C. Cameron, *China, Japan and the Powers*, 2d ed. (New York, 1960), p. 483.

[18] Footnote not supplied.

[19] Herbert Feis, *The Road to Pearl Harbor* (Princeton, 1950), pp. 21–22.

[20] "The Far East," address by the American Ambassador to Japan, *Department of State Bulletin*, November 11, 1939.

[21] "Challenges Ickes on Scrap for Japan," *The New York Times*, November 2, 1944.

more, the argument clearly fails to exonerate us from the undoubtedly substantial contributions we made toward the practical advancement of these designs and aggressions.

Also, in view of our own behavior, it is almost gratuitous to point out the blatant absence of any serious attempt on our part to obtain a collective embargo against Japan. Nothing could be clearer in this respect than the British attitude toward American vacillation in the Far East. As one author discloses, "On September 13 Lothian had told Morgenthau that in view of the delicacy of the situation, neither the Dutch nor British could be expected to antagonize Japan by interfering with the flow of oil from the Indies, unless they were able to count on American support in the Far East." [22] This fact was recorded in Secretary of Treasury Morgenthau's diary for September 13, 1940. Applying all this to the present situation, it can be reasonably argued that many are repeating the same argument in relation to East-West trade and are in the process of committing the same mistake.

From July 1940 on, the United States proceeded to tighten the economic strings on Japan. A succession of executive orders on licenses for exports ensued, though Secretary of State Hull continued to oppose suggestions for full-scale economic warfare. On July 2, Roosevelt signed the Export Control Act, authorizing the President to license or prohibit exports of essential defense material. By this act Roosevelt issued his first order that day, placing under license all arms and certain basic raw materials like aluminum, specified chemicals, aircraft parts, armor plate, glass, plastics, and machine tools. On July 25, he ordered the same for petroleum products, tetraethyl, lead, iron and steel scrap. An instructive note here is that only two days before, General De Witt, who commanded the military forces on the Pacific Coast, had reported Japanese stockpiling of aviation gasoline and their signing of contracts with American companies for the delivery of 1,200,000 drums of gasoline.[23] Other Presidential orders followed in the remaining months of 1940 and into 1941, but their full application and effect were partly offset by the objections of Sumner Welles, Hull and others, who still felt that they would lead to war.

The war in Europe made Japan even more dependent on the United States, Japanese trade with Germany fell off. Exports to the United States, particularly Japanese raw silk, continued as an important source for Japan's acquisition of dollar balances for the purchase of materials here and elsewhere. According to a Department of Commerce study, in 1940 American exports to Japan of commodities under export license totaled about $125 million.[24] As of February, 1941, the remainder of U.S. exports not under export control included raw cotton, a number of petroleum products, wood pulp, lumber, automobiles, auto parts, and so forth. Meanwhile, numerous memoranda were directed at Japan for interference with U.S. trade in China. For example, a note delivered by the American Ambassador in Japan to the Japanese Minister for Foreign Affairs stated the case as follows: "I have the honor to refer to the representations made by my Government to the Japanese Government on frequent occasions during the last three years regarding interference with American enterprise and trade in China by the local Japanese authorities, as well as by local regimes under Japanese control. . . . Abundant indications have appeared in the course of recent weeks that the Japanese military authorities intend to institute similar controls over the very important trade of Shanghai." [25]

Just a few months before Pearl Harbor and the outbreak of American-Japanese hostilities, Roosevelt issued several more executive orders designed to tighten the economic restrictions against Japan. For example, on July 26 he froze all Japanese assets in the United States. On August 1 another order was issued prohibiting exports of wood pulp, metals, manufacturing machinery, and vehicles. Despite the fact that many viewed such sanctions as posing a critical choice for Tokyo between retreat and resistance, Japan soon moved for satisfactory negotiations, even involving its withdrawal from China.[26] The United States proved to be indifferent to this move. The Konoye cabinet resigned on October 16. The succeeding Tojo government, though it also sought negotiations, was not prepared to yield easily.

Another illuminating analysis was made that year in the Department of Commerce.[27] Most appropriate to our present conditions regarding trade with Communist totalitarian regimes, the study in effect expanded the "strategic goods" concept to include supplies for food consumption, clothing, and housing requirements. It showed how substantial our contributions were in these respects. Japan was wholly dependent on cotton and wool imports which the United States supplied. We also supplied the fertilizing material for Japanese food production. And to the pronounced relief of Japanese industry and its necessary diversion of resources, U.S. exports met a good portion of the housing requirements. The analyst did not exaggerate when he stated, "The United States has for many years contributed more to the national economy of Japan than has any other nation." [28] He also concluded that as an importer the United States could have seriously disrupted Japan's war economy by denying it approximately $135 million with an embargo on imports of silk, aquatic products, tea, toys, and other Japanese goods.

It is quite evident, then, that had we had a firm policy of economic restriction and embargo early in the 1930's, had we as a consequence allied others in this collective effort against imperialistic Japan, had political judgments been based on official economic studies in the executive area itself, the course of developments would have been radically different and war itself could have been staved off between the United States and Japan. This in turn could conceivably have produced entirely different results in Europe. "Generally," as one author puts it, "we failed to appreciate Japan's vulnerability to blockade and the extreme degree of her dependence on imported raw materials." [29] He goes on to show how we overestimated Japan's raw material reserves and emphasizes the "fact that Japan's productive machine had come virtually to a standstill by mid-1945 came as a major surprise to U.S. observers who surveyed the scene in Japan immediately after the surrender." [30] Progress toward such a standstill in the mid-30's was a real possibility.

Our experience with Japan leading up to Pearl Harbor is sufficient in and of itself to demonstrate the need for a sensible economic policy in dealing with aggressive, imperialistic powers. The irrationality of aiding such powers even in areas beyond the arbitrary limits of "strategic good" definitions becomes more impressive as facts, such as the selected few given above, are carefully reviewed. But, as though this were not enough, the United States also made its economic contributions to the totalitarian economies of Germany and Italy.

United States-Axis Trade Extended

In the 1930's many observers had insight and foresight as to the road being traveled by Hitler and Mussolini. Looking at their records today, it becomes evident that U.S. economic policy was equally unsound in relation to the imperialist powers of Germany and Italy. To be sure, U.S. trade patterns were different in these two cases, and countries such as Great Britain and France could have had a more determinative effect on the two totalitarian European economies if an economic embargo had been imposed. However, if U.S. leadership had been the order of the day, which of course it was not, collective sanctions would have been enormously effective. As it turned out, in the cases of the German and Italian war economies we made our contributions to their development and to world disaster.

About a year and a half after Japan invaded Manchuria, Adolf Hitler became chancellor of Germany, and that country was directed along a new, aggressive course. To be well impressed by the patent discrepancy between that course and our economic relations with Nazified Germany, one should review the rapid succession of aggressive events leading to the outbreak of World War II in September, 1939: (a) 1933—Germany withdrew from the League of Nations, October 14; (b) 1934—with the death of von Hindenberg, on August 2 Hitler consolidated the offices of chancellor and president and became the Fuehrer; (c) 1935—Hitler rejected the Versailles Treaty and German military conscription was ordered on March 10; (d) 1936—March 7, German troops reoccupied the demilitarized Rhineland zone in violation of the Locarno Pact; on November 25, Japan and Germany signed an anti-Comintern pact, to which Italy joined the following year on November 6; (e) 1938—on March 11, Hitler invaded Austria and on September 30, after the Munich conference, he occupied the Sudetenland; and (f) 1939—September 1, Germany, aided by the Stalin pact, declared war on Poland, and World War II began.

From 1933 on, Hitlerian Germany's policy was girded to rearmament, growing self-sufficiency, expansionism, and war. These formed the props of Germany's international economic relations. As one scholar assessed part of the pattern, "Payments made under the civil public works programs were large, but they were nothing compared with the enormous expenditures incident to the rearmament program." [31] Taking just the period of 1933–36, he added, "Therefore practically the whole of the increase in employment and investment over 1932 has been due to rearmament, strategic roads, and stimulus to industries which are of military importance." The German economic upswing after 1934 was abnormal, as "producers' investment goods," automobiles, and building construction rose violently but current consumption goods remained practically stationary. In the words of another close analyst, "The main line of policy adopted by the government was simple: to channel the increase of production primarily into those industries that were important for the realization of military goals." [32]

Confronted by raw material shortages,

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[22] Feis, *op. cit.*, p. 103.
[23] Kubek, *op. cit.*, pp. 185–186.
[24] Victoria C. Hungerford, *op. cit.*
[25] *Papers Relating to the Foreign Relations of the United States, Japan:* 1931–1941, (1943), II, 883–884.
[26] Kubek, *op. cit.*, p. 277.
[27] Halleck A. Butts, *Effect on Japan's Economy of an American Embargo on Exports to Japan*, U.S. Department of Commerce, February 26, 1941.
[28] *Ibid.*, p. 28.
[29] Cohen, *op. cit.*, p. 48.
[30] *Ibid.*, p. 49.
[31] Kenyon E. Poole, *German Financial Policies* 1932–1939 (Cambridge, 1939), pp. 100–101.
[32] Arthur Schweitzer, *Big Business in the Third Reich* (Bloomington, Ind., 1964), p. 335.

Germany resorted to all sorts of economic manipulations, including extensive bartering, *ersatz* substitute development, and selective importation, such as seen in the Communist Empire today. Normal foreign trade did not harmonize with a planned war economy. An observer at the time reported accurately when he said, "Yet, the barter system has found recognition and admiration even in the United States." [33] Analyses of reports by German industrial leaders reveal conclusively that Germany could not win a major war because of raw material dependence and relatively low stockpiles.[34] On the basis of this, if there had been an Allied embargo early in the period, it would certainly have deeply affected Hitler's war plans. Significant comparisons between Germany's economic posture prior to 1914 and that before 1939 reveal severe shortages in the latter period that Goering's Four Year Plan was supposed to have overcome.[35] *Ersatz* production, e.g., producing oil from coal, was another technique used in the plan, and so was the process of selective importation. It is here that the American contribution was made.

This part of the story is well summarized in a paragraph of a very instructive analysis of the period:

Many raw materials which are scarce in Germany are being imported in greater quantities than at any time before. During 1929, a year of prosperity, when barter trade was unknown, German industry had reached a high level of production. Yet in 1938 Germany had a net import of 30% more iron ore than in 1929, 143% more lead ore, 330% more chrome ore, 50% more copper ore, 140% more nickel ore, 26% more flax, 76% more hemp, and so on. The greater part of these raw material imports is needed for armaments.[36]

The author presents aggregate statistics of raw material imports gathered from official German sources.

On the basis of statistical data furnished by our own Department of Commerce, it is clear that certain U.S. exports to Nazi Germany in the period of 1933–39 inclusive contributed to the German war machine. They disclose many illuminating facts frequently associated with our trade with Japan but not with Germany. For many of these vital commodities the cumulation of German imports from the United States reached sizable amounts.

Germany ranked high in imports of certain goods exported by us: (a) it ranked high in U.S. exports of gas oil and distillate fuel oil, $1.1 million in 1935, $3.5 million in 1936, $4.4 million in 1937, and $6.3 million in 1938; (b) it ranked third in U.S. exports of lubricating oil, red and pale, $3.4 million in 1937, $2.7 million in 1938, $2.0 million in 1939; (c) it was second in imports of U.S. lubricating oil, cylinder, bright stocks, $3.4 million in 1937, $3.3 million in 1938, and $2.4 million in 1939; (d) it was second, after Great Britain, in imports of U.S. lubricating oil, refined stocks, $1.1 million in 1937, $0.8 million in 1938, and $0.6 million in 1939; (e) in 1937–38 it was first in imports of miscellaneous U.S. lubricating oils, $1.4 million in 1937, $1.7 million in 1938, $1.1 million in 1939; (f) German imports of U.S. aluminum ingots, scrap and alloys were $1.2 million in 1937, $1.7 million in 1938, $2.0 million in 1939; (g) Germany was top importer of U.S. rubber scrap in 1937 with 28.9 million pounds and second to Japan with 10.1 million in 1938; (h) it ranked high in imports of U.S. refined copper, with 75.0 million pounds in 1937, 148.6 million in 1938, and 42.5 million in 1939; (i) and for imports of U.S. old and scrap copper, Germany outranked Japan in 1937 with 23.7 million pounds, or more than 50% of total U.S. export, 23.6 million or over 50% in 1938, and 11.0 million or about 40% in 1939.

Turning now to Mussolini's Italy, it is well to bear in mind that Mussolini began to flex his muscles in 1935 with the invasion of Ethiopia on October 2; he joined the Anti-Comintern Pact in November, 1937, and the following month, on December 11, Italy gave notice of withdrawal from the League of Nations; in 1938–39, Italy was in effect an Axis partner. Though on a lower level of economic power, Italy displayed all the characteristic signs of an aggressive totalitarian economy—self-sufficiency, armed strength, and controlled trade. Pertinent to our subject, an Italian fascist publication states it as follows: "In carrying out the commercial policies outlined above the Government avails itself of the organised forces of the Totalitarian State. Thus imports of staples essential to national defense—solid and liquid fuels, iron ore and scrap, non-ferrous ores and metals—are made through special semi-official bodies. . . ." [37] Some of these items came in substantial amounts from the United States.

Not generally known is the fact that U.S. foreign economic policy in the 1930's contributed not only to Italy's war economy but also to the undermining of collective sanctions against Italian exports after the invasion of Ethiopia. Economic sanctions went into effect in November, 1935, supported by 52 members of the League of Nations and one non-member, Egypt. They ceased purchases of Italian goods and naturally restricted exports to Italy. "Although it is true," writes one keen analyst, "that while sanctions lasted they failed to achieve their objective, the damage done by them to Italy's international economic position was, nevertheless, considerable." [38] He also points out, "It is interesting to note . . . that during sanctions non-sanctionist countries bought 88.7% of Italy's total exports (37% of this going to Germany and 17% to the United States) and sold her 66.4% of her total imports (29% being sold by Germany and 18% by the United States). These figures show clearly that, had Italy not had the support of the non-sanctionist countries (the trade with whom amounted, even before the sanctions, to about 48% of her total foreign commerce), her foreign trade would in all probability have been completely paralyzed by the sanctionist measures." [39]

As in the case of Germany, a detailed commodity-by-commodity breakdown based on Department of Commerce data shows the strategic materials the United States was shipping to the Italian war economy during this whole prelude to war and even after the outbreak of World War II. From a cumulative, summational viewpoint, these values aggregate substantially over the years. As examples: (a) in 1937 Italy imported 0.2 million tons of U.S. old and scrap copper, in 1938 the figure jumped to 2.6 million tons, and in 1939, 3.9 million tons; (b) in 1939, U.S. exports of ferro-alloy ores to Italy amounted to $580,749; in 1940 after the outbreak of World War II they increased to $865,130; (c) Italy lagged behind top-importing Japan in U.S. refined copper exports but surpassed Germany in 1939, importing 41.6 million tons in 1937, 43.7 million tons in 1938, and 56.0 million tons in 1939; (d) Italy's imports of U.S. iron and steel scrap were less than 10% of total U.S. exports in 1937—381,000 tons—but in both 1938–39, they exceeded this percentage, with 435,000 tons in 1938 and 426,000 tons in 1939; (e) similar comparisons and the same tendency apply to Italian imports of U.S. residual fuel oil (257,000 barrels in 1937, 1,201,000 in 1938, and 1,402,000 in 1939) and lubricating oil (28,000 barrels in 1937, 30,000 in 1938, and 68,000 in 1939). And as in the two other cases these are only a few examples.

A CONCLUSION

The lessons of our experiences with aggressive powers before World War II must be understood more than ever now. The totalitarian Communist Empire is a far more insidious and sinister enemy than were any of our World War II adversaries. In the nebulous context of the Cold War the nature of a strategic good far surpasses what was construed as such in the 1930's. The lessons learned then should be firm guidelines for our trade policy toward the Communist Empire now.

[33] Karl Robert, *Hitler's Counterfeit Reich* (New York, 1941), p. 77.

[34] Louis P. Lochner, *Tycoons and Tyrants* (Chicago, 1954), pp. 191–197.

[35] Fritz Sternberg, *From Nazi Sources: Why Hitler Can't Win* (New York, 1939), pp. 87–100.

[36] Guenter Reimann, *The Vampire Economy* (New York, 1939), pp. 53–54.

[37] *Fascist Era, Year XVIII,* Fascist Confederation of Industrialists (Rome, 1939), p. 119.

[38] William G. Welk, *Fascist Economic Policy* (Cambridge, 1938), p. 176.

[39] *Ibid.,* p. 211.

ADDITIONAL HIGHWAY SEGMENTS NEED TO BE ADDED TO THE INTERSTATE SYSTEM THIS CONGRESS

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

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

There was no objection.

Mr. CRAMER. Mr. Speaker, I have introduced two bills today, which, if enacted, would provide for the designation of two important highway segments in the State of Florida as parts of the National System of Interstate and Defense Highways. Since the designation of the 41,000 miles of highway routes in 1956 for the Interstate System, it has become increasingly evident that certain links and segments in the national network of multi-laned, limited-access, interstate highways do need to be added to the presently authorized mileage of 41,000 miles on that Interstate System.

Section 3 of the Federal-Aid Highway Act of 1965, Public Law 89–139, requires the Secretary of Transportation, inasmuch as the functions of the Bureau of Public Roads were transferred last year from the Department of Commerce to the Department of Transportation, to report to Congress in January 1968, and in January of every second year thereafter, his estimates of the future highway needs of the Nation. I introduced a resolution and cosponsored the effort to enact this particular requirement so that there would be an orderly development of the Federal-aid highway programs after 1972 when the then-authorized Interstate System authorizations would expire.

The Committee on Public Works, on which I have the privilege of serving as the ranking minority member, made it clear in its report accompanying the legislation which was to become the Federal-Aid Highway Act of 1965 that the committee expected the January 1968 study of future highway needs to include specific route designations for any proposed increases in mileage on the Interstate System. Missing links and seg-

ments of highways, such as those which I have proposed to be included as part of the Interstate System in my bills today, should definitely be included in any additional authorizations recommended by the administration and enacted by the Congress.

The first of the bills which I introduced today provides for the construction of an interstate highway from the Interstate 75 terminus at Tampa, Fla., and from the Interstate 4 terminus at St. Petersburg, Fla., through Bradenton, Sarasota, Venice, Punta Gorda, Fort Myers, Naples, and Miami, to Fort Lauderdale and Homestead. In my judgment, this missing link is one of the most obvious inadequacies in the Interstate System. There is no interstate route whatsoever linking the west coast of Florida with the lower east coast area, despite the fact that the west coast would be the shortest route from many Midwestern and Eastern cities to the Fort Lauderdale-Miami area. In addition, the west coast of Florida is one of the fastest growing areas of the entire Nation. Interstate 75, which links such populated areas as Atlanta, Birmingham, Chattanooga, St. Louis, New Orleans, Dallas, and Chicago, with the west coast of Florida, presently deadends in Tampa. Interstate 4, which links many populous areas of the eastern United States to the Tampa-St. Petersburg-Clearwater area presently deadends in St. Petersburg. I therefore feel it essential that a new interstate highway be constructed so that the interstate traffic presently terminating in the Tampa-St. Petersburg area can be funneled down the lower west coast to the Fort Lauderdale-Miami area.

The second bill which I have introduced today would provide for the construction of an interstate highway between Interstate 65 in the vicinity of Montgomery, Ala., to the vicinity of Ocala, Fla., through Tallahassee, Fla. This highway would accommodate the large volumes of traffic from the Alabama, Tennessee, Kentucky, Ohio, Michigan, Indiana, and Illinois areas southeasterly from Montgomery to Interstate 10 in the vicinity of Mariana, on I–10 to Tallahassee and thence southeasterly to Ocala where the proposed extension would connect with Interstate 75 to Tampa-St. Petersburg and the Sunshine State Parkway to Miami. It is through the panhandle section of Florida that families travel by car from the great southwestern part of the United States. I believe that an interstate highway from Montgomery to the vicinity of Tallahassee and thence to Ocala is warranted and in the best interests of the motoring public.

I would expect that the routes designated by my two bills will be included as proposed additions to the Interstate System in the "after 72" study of future highway needs presently underway. I shall continue to press for their inclusion and subsequent enactment.

TOLL FACILITIES ON THE INTERSTATE HIGHWAY SYSTEM

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

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

There was no objection.

Mr. CRAMER. Mr. Speaker, the relationship of toll facilities to the Federal-aid highway programs, particularly the National System of Interstate and Defense Highways program, has been a matter of concern to me for a number of years.

One of my major concerns has been the fact that under existing law the Federal Highway Administrator does not even have to be consulted about the construction of a toll facility—a toll road, bridge, or tunnel—upon the route of a Federal-aid highway, including one on the Interstate System, unless Federal-aid highway funds have been expended on the section of the highway involved.

In 1961, during the first session of the 87th Congress, I learned that certain actions, and certain proposed actions concerning the Sunshine State Parkway in my own State of Florida were having an adverse impact on the interstate program in the State. At that time I introduced two bills: one to require congressional approval of the designation of toll roads as part of the Interstate System; and the other to prevent the possible abandonment of Interstate Route I–95 between Fort Pierce, Fla., and Daytona Beach, Fla., as a result of an extension of the Sunshine State Parkway which parallels it.

Hearings on the two bills were held by the Committee on Public Works; and although neither bill was enacted into law, the hearings served to pinpoint problems which exist, not only in Florida but in many other States as well, regarding the relationship between toll facilities and the Federal-aid highway systems.

On October 5, 1962, on the occasion of inserting in the CONGRESSIONAL RECORD considerable factual data concerning "toll traps" and the effect of toll roads on the Federal-aid highway systems, I commented:

> A careful and searching congressional review of this problem is long overdue. Under these circumstances, I feel that the Committee on Public Works of the House of Representatives should undertake a detailed investigation of the entire subject of toll facilities on the routes of the Federal-aid highway system. As a member of that committee, I intend to press vigorously for such an investigation.

The committee members began to agree with me more and more that public hearings were badly needed on this complex problem. As problems arose throughout the Nation from the location of toll facilities on the Federal-aid highway systems, the cries for detailed hearings increased.

Last spring, the Special Subcommittee on the Federal-Aid Highway Program and the legislative Subcommittee on Roads, both of which are subcommittees of the Committee on Public Works, held 17 days of public hearings on the relationship of toll facilities to the Federal-aid highway programs. Those hearings were exactly the kind of hearings I envisioned in 1962 when I called for a detailed investigation and careful, searching congressional review of the entire subject of toll facilities on the routes of the Federal-aid highway systems. The testimony we heard, which numbers some 944 printed pages, showed conclusively the need for corrective legislation concerning several aspects of this matter.

The fact that under existing law the Federal Highway Administrator does not even have to be consulted about the construction of a toll facility upon the route of a Federal-aid highway, including one on the Interstate System, unless Federal-aid highway funds have been expended on the highway section involved was graphically illustrated during these hearings by the disclosure that the construction of Interstate Route 95 in Georgia as a toll road was being seriously considered and by the disclosure that the Boston extension of the Massachusetts Turnpike was actually constructed as a toll road when it could have been constructed as a toll-free road with the Federal Government paying 90 percent of the cost. In my opinion, these examples serve to further emphasize the need for legislation such as that embodied in the bill which I have introduced today.

There is another serious matter in this area which I would like to call to the attention of the House. I am very troubled because of the lack of any clear understanding of the meaning and effect of the agreements entered into under section 129(d) of title 23 of the United States Code dealing with toll road approaches. The Bureau of Public Roads interprets these agreements in one way, while in some cases the State highway departments and toll authorities interpret them in an entirely different way. The committee heard witnesses who have entered into such agreements and who readily admit that they did not understand the Bureau's position relative to the limitations imposed upon them by the agreements. It seems obvious to me that when public officials enter into an agreement, particularly one involving the expenditure of large sums of money, limiting the construction of urgently needed highway improvements, and affecting the vested rights of bondholders and many others, the officials are delinquent in their duties if they do not have a clear and precise understanding—a true meeting of the minds—as to exactly what rights, obligations, and responsibiilties are created by the agreement.

Mr. Speaker, since I first introduced legislation concerning toll facilities in 1961, a total of 798 miles of new toll highway facilities were opened to traffic in the United States through 1965. We can expect many more miles of toll facilities, particularly if the Congress does not take early action to solve the financial problems confronting the Federal-aid highway program and to complete the Interstate System at a reasonably early date. Under these circumstances, it is essential that Federal laws and policies provide for effective and rational coordination of toll-free highway facilities.

I am satisfied that the hearings provided the committee with detailed information which will enable it to devise clarifying, corrective legislation at the earliest possible date.

Toward such an end, Mr. Speaker, I have introduced a bill today to amend section 129(b) of title 23 of the United States Code, which bill, if enacted, will clarify this situation. The bill which I introduced today is identical to my bill, H.R. 11685, of the last Congress. The text of the bill reads as follows:

H.R. 2304

A bill to amend section 129(b) of title 23, United States Code, relating to toll roads, bridges, and tunnels on the National System of Interstate and Defense Highways

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 129, United States Code, is amended by adding the following material after the last sentence of the subsection: "After the date of enactment of this Act, all agreements between the Secretary and a State highway department for the construction of projects on the Interstate System shall contain a clause providing that no toll road, bridge, or tunnel will be constructed on the interstate highway route involved without the official concurrence of the Secretary. The Secretary shall not concur in any such construction unless he shall affirmatively find that, under the particular circumstances existing the construction of such road, bridge, or tunnel as a toll facility rather than a toll-free facility is in the public interest."

CANAL ZONE SURRENDER AND PANAMA CANAL GIVEAWAY MUST BE BLOCKED

The SPEAKER. Under a previous order of the House, the gentleman from Iowa [Mr. GROSS], is recognized for 30 minutes.

Mr. GROSS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

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

There was no objection.

Mr. GROSS. Mr. Speaker, one of the gravest policy questions with which I have been associated for a number of years is that of the Panama Canal where U.S. treaty-based sovereignty over the Canal Zone now stands imperiled because of a series of blunders that are worse than crimes. It is important, especially for new Members of the Congress, to know that the present crisis affecting the Panama Canal enterprise was not suddenly thrust upon us but that it has a long history.

When the question of the formal display of the Panama flag in the Canal Zone first came up following anti-U.S. riots in Panama, the subject was studied at length by the House Committee on Foreign Affairs, which reported out House Concurrent Resolution 459, 86th Congress, in opposition to such display. On February 2, 1960, after considerable debate, the House adopted this resolution by the overwhelming vote of 381 to 12.

Seven days later, on February 9, this body unanimously agreed to an amendment, introduced by myself, to the 1961 appropriations bill for the Department of Commerce and related agencies. This measure provided that:

No part of any appropriation contained in title II of this act shall be used to construct a flag pole, platform, or any other device for the purpose of displaying the flag of Panama in the Canal Zone, the sovereign control of which is vested in the United States Government by virtue of long standing treaty.

What happened? In the Senate, House Concurrent Resolution 459, because of opposition of the Department of State, was pigeonholed in the Committee of Foreign Relations. The Senate, however, when given an opportunity to vote on the amended appropriation bill, passed it unanimously. Thus, the amendment became law.

As predicted on the floor of the House near the close of that session by my distinguished colleague the gentleman from Pennsylvania [Mr. FLOOD], soon after the Congress adjourned and in total disregard of the formally expressed intent of the Congress, the then President of the United States on September 17, 1960, authorized the display of one Panama flag at Shaler Triangle in the Canal Zone. Apparently this action was taken on the recommendations of his brother, Dr. Milton Eisenhower, and the Department of State that such token recognition would beguile Panamanian leaders from their radical demands.

Since that time succeeding Presidents have extended the number of Panamanian flags displayed in the zone, thereby giving full credence to extreme Panamanian claims of full sovereignty over the zone, which is now in a condition of chaos.

Unfortunately, the mass news media of our country, apparently dominated by the White House and State Department, has not only failed to present the Canal Zone sovereignty issue but also has declined to publish vital facts. These, if known by our people, would present the giveaway of the Canal Zone and canal under present administrative plans.

The facts incident to the current canal treaty negotiations have been wholly suppressed in Panama by the Panamanian Government and every attempt has been made by our own Government to assure a similar condition of affairs in the United States. Thus we have in both countries the tragedy of silence, and this on one of the gravest questions in diplomatic history.

Our Department of State, sad to relate, has long been—and is now—timid, servile, weak, obsequious, unmindful of the best interests of the United States, and altogether indifferent to our just and indispensable rights, power, and authority over the canal enterprise, which are vital for the protection of the free world.

The result is that the conspirators in Panama and their collaborators in the executive branch of our Government have been able to advance the long-range Red program for undermining our legal position in the Canal Zone virtually unopposed.

Flying the first Panamanian flag on the U.S. Canal Zone territory in 1960 was the thrust of the camel's nose into the tent and now, through the process of piecemeal erosions, the whole body of the brute is almost within the tent. If the new treaties now being negotiated are ratified that means that the entire body will be enclosed.

Fortunately, some of the Nation's most gifted publicists have been able to obtain a knowledge of the situation and thus to oppose what is taking place at Panama and in Washington.

In the November 7 and 14, 1966, issues of the Dan Smoot Report are two admirable articles on the Panama Canal situation by Dan Smoot, one of our best informed and most fearless commentators on public events. In these, he summarizes the preparations for the giveaway at Panama now in process and the plan to haul down the U.S. flag.

Mr. Speaker, because of the managed news procedures that now feature the operations of our Government, special attention is invited to the revealing description in the November 14 article of the atrocities committed during the January 1964 riots in which five Americans are reported as having been hanged. Although there have long been rumors of atrocities against U.S. citizens in Panama during the January 1964 mob attacks on the Canal Zone, we do not yet know the extent of them because of the controlled press and the silence imposed by the two governments.

During the last decade, the conduct of our Isthmian Canal policies has, indeed, been tragically inept. For those who wish to obtain authentic information, the scholarly and splendidly documented addresses and statements in the CONGRESSIONAL RECORD by the gentleman from Pennsylvania, Representative DANIEL J. FLOOD, are an unsurpassed source of information. An assembly of his significant contributions, 1958–66, pursuant to a House Concurrent Resolution 925, 89th Congress, unanimously adopted by both Houses, was published in one volume as House Document No. 474 under the title of "Isthmian Canal Policy Questions," and has been distributed to all Members of the Congress.

Because of the pertinence and timeliness of the two previously mentioned articles by Dan Smoot, I shall quote both as parts of my remarks and commend them for reading by all concerned with the canal question. Also I urge citizens of our country, in and out of this body, to write their views on the canal treaty question to Members of the Senate as recommended by Dan Smoot. Only an aroused public sentiment can prevent the un-American and pusillanimous attempt by the executive branch of our Government to surrender its indispensable authority with respect to the Canal Zone and Panama Canal.

The two indicated articles by Dan Smoot follow:

[From the Dan Smoot Report, Dallas, Tex., Nov. 7, 1966]

PREPARATION FOR THE PANAMA GIVEAWAY

On October 7, 1966, the foreign minister of Panama said that talks with U.S. negotiators are well on the way toward an agreement to abrogate the treaty of 1903.[1]

The importance of that statement is incalculable. President Johnson—sacrificing American lives in Vietnam under pretext of fighting communism and protecting American security interests—is preparing to

[1] "New Canal Treaty Said Well Along," by Sam Pope Brewer, *The Dallas Morning News*, October 8, 1966, p. A3.

surrender vital American interests to Panama, in compliance with demands which Communists have been making for years.[2]

The Panama Canal Zone is United States territory as clearly and completely as the city of Washington is. President Johnson has no more right to grant Panama sovereignty over our Canal Zone than to cede the State of Alaska to the Soviet Union.[2]

The current talks which are "well on the way" toward our final surrender in Panama have been going on since April 1964. Piecemeal surrender, for the purpose of appeasing Communists and other agitators, has been going on since the days of Franklin D. Roosevelt.

It is a twice-told tale which needs to be told again.

Prior to 1903, the Isthmus of Panama was a province of Colombia. The revolution which separated Panama from Colombia was promoted by a New York lawyer and five ambitious men in Panama, three of whom were United States citizens. This group, backed by the United States Government, created the nation of Panama in 1903.[2]

At that time, Panama (a land of chronic political instability, owned by a few wealthy families) was the pesthole of the world. Virulent tropical diseases had to be conquered before we could wrench worthless land from the voracious jaws of a steaming jungle and convert it into a mighty waterway to lift ships over the bedrock of the continental divide. Many American lives and millions of American tax dollars went into that dual miracle of sanitation and engineering.[2]

The Republic of Panama was not a partner in the Panama Canal enterprise: she was the principal beneficiary.

In our 1903 treaty with the new Republic of Panama, we *bought* the Panama Canal Zone—a ten-mile-wide strip across the Isthmus, from the Atlantic to the Pacific—for 10 million dollars plus an annuity. The annuity was not a *lease* or *rental* fee: it was a guarantee of revenue to keep the Panama government alive. We acquired full ownership and sovereignty, by grant in perpetuity, making the Canal Zone United States territory forever.[2]

When Roosevelt extended diplomatic recognition to the Soviet Union in 1933, he gave a boost to communist activity throughout the world. Most Latin American nations followed Roosevelt's lead in recognizing the lawless Kremlin gang as a lawful government. Communist agitators who had been operating illegally, came out in the open with their "yankee imperialism" propaganda; and many became successful politicians.

The ground swell of anti-United States propaganda, which developed south of the border after our recognition of the Soviet Union, was one reason for F.D.R.'s "good neighbor" policy in Latin America. F.D.R. presented his "good neighbor" policy in a way which implied that the United States had formerly been a bad neighbor. This encouraged more anti-United States activity until everyone, north and south, was ready for us to "make amends" for past behavior.

The most important consequence was a renegotiation of our treaty agreements with Panama. In the Hull-Alfaro Treaty (signed March 2, 1936, but not ratified by the U.S. Senate until July 25, 1939), the United States raised annuity payments to Panama from 250 thousand dollars to 430 thousand, to compensate for the 40% loss in purchasing power of the dollar which had resulted from Roosevelt's taking us off the gold standard in 1934. This concession was reasonable.[2]

In the 1936-39 treaty, we renounced the 1903 treaty provision which made Panama a protectorate of the United States; and we renounced our right to maintain public order in Panama, outside of the Canal Zone. These concessions were incongruous, because we must protect Panama from anarchy as long as we maintain and defend the Canal. Now we have the responsibility without clear treaty authority.[2]

The most harmful concessions Roosevelt made in the treaty of 1936–39 were: (1) renunciation of our right of eminent domain for the acquisition of property, in Colon and Panama City, needed for canal purposes; and (2) renunciation of our right to build defense bases in Panama outside the ten-mile Canal Zone. Roosevelt's treaty of 1936–39 left us with the responsibility of defending the Canal Zone—for ourselves, Panama, and every other maritime nation—but with no room to stand and fight. In less than two months after the treaty was ratified in 1939, World War II began in Europe; and we were begging Panama for defense sites to protect the Canal. We had to pay heavily for 134 base-sites which had been ours under the 1903 treaty provisions.[2]

Before the guns of World War II were silent, Panama was demanding evacuation of American bases, and more changes in U.S.-Panama treaties. President Truman evacuated most of the bases and *gave* them to Panama. President Eisenhower, his first year in office, sent a team to change the treaties.[2]

The result was the Eisenhower-Remon Treaty of 1955, in which the United States: (1) increased annuity payments from $430 thousand to $1.93 million; (2) gave Panama land and other properties—including the Panama Railroad Company's yards and terminal stations in the cities of Colon and Panama; (3) promised to build a $27 million bridge across the Canal on the Pacific side. The only thing Panama gave us in the 1955 treaty was the right to use, for 15 years, the Rio Hato Air Base—which we had built for World War II and had given to Panama in 1948.[2]

The American property which Eisenhower gave Panama (valued at about $20 million) quickly deteriorated into uselessness.[3] Before 1955, the United States, in order to enforce sanitation rules necessary to public health in Panama, collected garbage in the cities of Colon and Panama. Panamanians considered this service an affront to their national dignity. We permitted them to collect their own garbage—and Colon and Panama became filthy places, their streets littered with refuse.

As soon as the 1955 treaty was ratified, Panama started agitating for more concessions—specifically for recognition of Panama sovereignty in the Canal Zone and for 50% of *gross* revenue from the Canal. Gross revenue from the Canal is about $43 million a year; net revenue is less than $3 million. Panama—with no investment, or responsibility for operating, maintaining, defending the Canal—gets, in annuity alone, more than half of net revenues. Corollary benefits of Canal operations are the very life blood of Panama's economy.

In May, 1958, mobs of Panama "students," incited and led by communists, demonstrated for "Panama sovereignty in the Canal Zone" by invading the U.S. Zone and planting 70 Panama flags. U.S. authorities removed the flags and gave them to the Panama government. Riots in Panama ensued, and lasted some 3 weeks. Our State Department tried to appease Panamanians: by announcing that Dr. Milton Eisenhower would soon visit Panama on a "good-will" trip.[2]

On November 3, 1959, Panama mobs again demonstrated for Panama sovereignty by invading our Canal Zone to plant the Panama flag. They also pulled down the American flag at the U.S. Embassy in Panama, mutilated it, and hoisted the Panama flag. During the day, 82 people were injured. Some of the injured were American soldiers who had been pelted with rocks. The mobs were led by communists and prominent Panama politicians who apparently had the sanction of the Panama government, which had ordered Panama police to stay away from the scenes of violence.[2]

Our State Department tried to appease Panamanians by ordering U.S. Embassy personnel in Panama to "curtail" the flying of the American flag in front of our Embassy. Eisenhower tried to appease them by announcing that Panama does have "titular sovereignty" over the Canal Zone.[2]

Congress reacted angrily to Eisenhower's announcement. On February 2, 1960, the House passed a Resolution (381 to 12) which in essence, said that we should not permit the flag of Panama to be flown in our Canal Zone. On February 9, 1960, the House, in an amendment to an appropriations bill, prohibited the expenditure of tax money for any flagpole to fly Panama's flag in our Zone. On September 17, 1960, (after Congress, had adjourned) Eisenhower, defying Congress, ordered the flag of Panama to be flown at key places in the U.S. Canal Zone to demonstrate Panama's "titular sovereignty" over the whole Zone.

On October 25, 1960, Senator John F. Kennedy expressed approval of Eisenhower's action, but said it should have been taken 18 months earlier.[2]

On June 15, 1962, President Kennedy and President Chiari of Panama signed a secret memorandum agreeing to renegotiate the 1903 treaty.[4]

On October 12, 1962, the Thatcher Ferry Bridge at Balboa (which the U.S. had promised in the 1955 treaty) was dedicated. During the ceremonies, a riot erupted, and a Panama mob desecrated the American flag.[2]

On October 29, 1962, President Kennedy ordered the raising of the Panama flag at the American Canal Zone Administration Building.[2]

On January 10, 1963, the State Department announced that the United States had agreed: (1) to permit the Panama flag to be flown with the U.S. flag anywhere in the Canal Zone; (2) to recognize Panama's sovereign right to issue papers of authorization (exequaturs) to foreign consuls operating in the Canal Zone; (3) to use Panama postage in the Canal Zone; (4) to grant Panamanians in the Canal Zone opportunities and privileges equal to those of U.S. citizens, including U.S. Social Security benefits.[2]

On July 23, 1963, the State Department announced another agreement conferring more benefits and concessions on Panamanians employed in the Canal Zone. On October 29, 1963, the Panama government announced official arrangements for Panama Independence Day parades, *inside the Canal Zone.* On November 5, 1963, the City Council of Panama held an official Council meeting *on the steps of the United States District Court House in the Canal Zone.*[2]

In December, 1963, the American Canal Zone Governor (Robert J. Fleming, Jr.) ordered that the U.S. flag could no longer be flown at the U.S. Court House or at American schools in the Canal Zone. Americans were even ordered not to fly the American flag at the Gamboa War Memorial inside the Canal Zone—a memorial to American soldiers who died in World War II.[2]

On January 7, 1964, American students raised the American flag at the American Balboa High School in the American Zone. The principal and a Canal Zone official took the flag down. The students raised another

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[2] "Panama—Part I," and "Panama—Part II," *The Dan Smoot Report,* January 20 and 27, 1964, pp. 17–32 (1 copy for 25¢, 6 for $1.00).

[3] "U.S. Giving Up Canal; Agrees to Scrap Panama Pact, Write New One," *Chicago Tribune,* September 25, 1965, pp. 1, 2.

[4] "The Panama Canal—It Must Remain American," by Dr. Charles Callan Tansill (Committee on Pan-American Policy, 60 East 42nd Street, New York, New York 10017; price: 15¢), 12 pp.

flag, and gave the pledge of allegiance. Officials announced that the flagpole would be removed. Students kept raising the American flag each morning, taking it down at night, and keeping vigil over the flagpole to prevent its removal.[2]

On January 9, 1964, mobs of Panamanians rioted to protest the flying of the American flag at Balboa High School. The riots spread throughout Panama and the American Canal Zone. When they ended on January 13, an immense amount of American property had been destroyed or damaged. Twenty-one people were dead (including 4 American soldiers), and 300 injured.[2]

Present negotiations, already "well on the way" toward total surrender of American sovereignty in the Canal Zone, were initiated by President Johnson as a result of the 1964 riots.

[From the Dan Smoot Report, Dallas, Tex., Nov. 1, 1966]

OUR FLAG IS COMING DOWN IN PANAMA

Present U. S.-Panama negotiations of a new treaty (to meet demands of Panama politicians and of international communism that the U. S. surrender sovereignty over the Panama Canal Zone) were initiated by President Johnson as a result of the bloody Panama riots in January, 1964. Those riots were precipitated by Panama mobs protesting because American students raised an American flag, at an American high school, in the American Canal Zone. Here are excerpts from a contemporary log kept by a La Crosse, Wisconsin, radio commentator who was in Panama as a tourist at the time of the riots:

"The Canal Zone radio went off the air at 11 last night. . . . The radio announcers [on Panama stations outside the American Canal Zone] are screaming at the top of their lungs . . . 'to kill all the Americans you see.' Thelma King, a deputado (congress-woman) and Communist, screaming for two hours on the radio and loudspeakers in the city—to hunt out all the Americans and butcher them in the streets. . . .

"All kinds of armament . . . in the hands of the mob: pistols, clubs, Molotov cocktails. . . . Snipers previously posted on the surrounding rooftops . . . [firing] with rifles at the [American Canal Zone] police. . . . The looters . . . running in mobs . . . looking in the streets and in windows for Americans to kill. . . .

"Then they attacked the U. S. Embassy. We . . . phoned there, and were told to hang up as they were busy evacuating. So, there we were—no protection, and it appeared the U. S. didn't give a damn about us. . . .

"A show of force any time during this anti-American Red-inspired riot would have brought a quick end . . . and saved how many American lives? How many Americans are now dead in their apartments, or torn to pieces and hacked to bits? How many are dead in the outside villages hanging from trees and lamp posts? How many? . . . We know for sure the Panamanians hanged five Americans. Cut one more up in little pieces with machetes. This news . . . has been classified as secret and the . . . classifying is being done by our own government. . . ."[1]

All fighting in which Americans were involved occurred inside our Canal Zone where American troops were trying to protect American lives and American property from foreign mobs which had invaded American soil. Nonetheless, the Panama President accused the United States of "aggression," and broke diplomatic relations saying he would not resume relations until the U.S. promised to renegotiate U.S.-Panama treaties.

President Johnson said he would not yield to force and that violence was no basis for talks; yet, he rushed Thomas Mann to Panama for talks. On January 23, 1964, Johnson made an appeal for Panama to restore diplomatic relations with us, promising to discuss or renegotiate anything. Commenting on the riots, Johnson placed as much blame on American youngsters who had raised an American flag as on communist-led Panama mobs who had murdered, vandalized, and pillaged for more than a week.[2]

On March 21, 1964, Johnson sent Panama another conciliatory message re-emphasizing his willingness to discuss anything desired by Panama.

On April 3, 1964, Johnson resumed diplomatic relations with Panama—on Panama's terms—and began negotiations for "prompt elimination of the causes of conflict between the two countries, without limitations or preconditions of any kind."[3]

On April 5, 1964, when General Douglas MacArthur died, the American and Panama flags were lowered to half-mast in our Canal Zone. A few Panama "students" objected. The U.S. State Department, on orders from Johnson, had the Panama flag raised to full staff, above the American flag—in defiance of American military regulations, which forbid the flying of *any* flag above ours on American soil or at any American military installation.[4]

On July 10, 1964, an Alliance for Progress team submitted *to the government of Panama* a report saying that Panama should be given a more important role in the operation of the Canal; that Panamanians should be promoted to positions of high responsibility in the Canal organization; and that the U.S. should return to Panama all land in the Canal Zone that is not indispensable for maintenance, defense, and sanitation of the Canal.[5] Alliance for Progress is the organization which dispenses United States tax money to Panama and other Latin American countries.

On July 15, 1964, the government of Panama released a report revealing its future plans for the Canal Zone. Among other things, Panama will force all Canal Zone residents (Panamanians and non-Panamanians alike) to move out. This will require them to live somewhere in the Republic of Panama where the government of Panama can levy income taxes on them. This plan is supported, in part, by the Alliance for Progress.[6]

On December 18, 1964, President Johnson—with the election safely behind him—announced that he would negotiate a new treaty to recognize Panama's sovereignty over the Canal Zone.[7]

On September 24, 1965, Johnson gave a progress report, saying that, after 18 months of negotiations, the U.S. and Panama had decided to abolish the 1903 treaty, replacing it with a new one which would recognize Panama's sovereignty over the Canal Zone and permit "political, economic, and social integration" of the Zone into the Republic of Panama. The new treaty will also provide for a new sea-level canal across Panama—if the commission studying the problem decides that Panama is the best place for a new canal.[8]

Johnson says he thinks the new sea-level canal being planned can be built on the site of the present Canal; but he promises that Panama will receive "adequate compensation for any economic damage suffered" if the new canal is built elsewhere. The implication of this promise is enormous. Panama's two largest cities—Colon and Panama City, at the Pacific and Atlantic terminals of the Panama Canal—will die if a bigger Canal is built elsewhere. Johnson's promise of "adequate compensation" can mean nothing less than putting Panama's two major cities on the American dole forever.[9]

On October 7, 1965, Diogenes de la Rosa (an admitted marxist who is Panama's negotiator in treaty talks with the U.S.) spoke to the Panama National Assembly, giving Panama's official reaction to the promises President Johnson had made on September 24. De la Rosa said that Panama's objective is "a Panamanian canal in Panamanian territory under the Panamanian flag." He acknowledged that in 1964, Panama's direct income from the Canal was $115.4 million, which generated activities totaling another $233 million for Panama. This income derived from the Panama Canal Zone was 39% of the Republic of Panama's gross national product ($578.8 million)—a "fearful figure," de la Rosa said.[10]

Panama demands that the U.S. continue to supply technology, experience, and money to operate the Canal, but under Panamanian direction and sovereignty, guaranteeing to Panama whatever economic benefits Panama feels she should receive. Panama also demands that we pay for the privilege of rendering such vital services to Panama by: (1) constructing another bridge across the Canal—this one on the Atlantic side; (2) providing ports, piers, and auxiliary installations for the cities of Panama and Colon; (3) improving and expanding our facilities for furnishing sanitary water to the Republic of Panama; (4) providing short-range and long-range "training of Panamanians in all occupations."[10] In other words, they want us to pay for a poverty program that will embrace the total population of Panama.

On February 3, 1966, Dr. Arnulfo Arias (former President of Panama who was defeated by Marco A. Robles in 1964) said the Panamanian people will accept no treaty with the U.S. which is negotiated by the Robles administration. Asked whether he would support a Robles-negotiated treaty that conformed with his own position, Arias said, facetiously:

"If the treaty is very good—if they give us a few little things like New York City—we accept it."[11]

When the January, 1964, riots erupted in Panama, a propaganda campaign *against* the Panama Canal erupted in the United States. The theme of the campaign was that the Panama Canal, great in its time but now inadequate and obsolete, should be replaced with a larger sea-level canal. On September 2, 1964, Congress hastily passed a bill appropriating a large amount of tax money

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[1] "La Crosse Man, Caught in Panama Riots, Writes Home," by Don Athnos, *The La Crosse Tribune*, January 30, 1964, p. 1 and the editorial page

[2] "Johnson Talk on Panama," *The New York Times*, January 24, 1964, p. 13.

[3] "Texts on Panama Accord," *The New York Times*, April 4, 1964, p. 2

[4] "Humble Pie," editorial, *The Dallas Morning News*, April 28, 1964, Sec. 4, p. 2

[5] "RP Needs Bigger Role in PC, Alliance Says," *Panama American*, July 10, 1964, p. 1

[6] "Shift Zonians To RP, Levy Taxes, RP Asks," *Panama American*, July 15, 1964, p. 1

[7] "U.S. Decides To Dig A New Canal At Sea Level In Latin America and Renegotiate Panama Pact," by Tad Szulc, *The New York Times*, December 19, 1964, pp. 1, 10

[8] "U.S. to Scrap 1903 Treaty With Panama," by Mike Quinn, *The Dallas Morning News*, September 25, 1965, p. 1

[9] "U.S. Giving Up Canal," by Michael Pakenham and Jules DuBois, *Chicago Tribune*, September 25, 1965, pp. 1, 2

[10] "RP's Sweeping Treaty Agenda Revealed," *Star & Herald* (English-language newspaper published in Panama), October 8, 1965, pp. 1, 8

[11] "Arias Says Government Lacks Support To Get Treaty Passed," *Star & Herald*, February 4, 1966, p. 1 ff.

for studies of sea-level canal alternatives to the present Canal.[12]

The propaganda (preparing Americans to accept without protest the giveaway of one of their most valuable possessions, by convincing them it is no longer useful) does not recognize, much less answer, the critical question: If our government will not hold on to the Panama Canal which it has owned and operated for 52 years, will our government protect a multi-billion-dollar investment in a new canal?

Surrendering our Canal Zone territory and giving away our present Canal will whet foreign appetites for more. If we build a new canal (in Panama or elsewhere in Central America) the nation that provides the right-of-way will demand full sovereignty and ownership.

In all Central American nations where a sea-level canal might be built, general political instability is so commonplace, and communist influence so strong, that a canal operated under *any* authority except the *exclusive* authority of the United States would be a detriment, not an asset, to our nation.

From the day the Republic of Panama was born, her economy has revolved around benefits provided by the United States. Her military security, and the health of her people, depend on us. Our treatment of Panama has *always* been magnanimous. Our only disservice to that nation has resulted from our government's efforts to comply with the outrageous demands of Panama politicians—thus encouraging them to keep their country in turmoil, making it profitable for them to play politics with the "yankee imperialism" propaganda of communism.

The treaty of 1903—the birth certificate of the Republic of Panama—did not give us too much in comparison with what Panama got.

When we acquired right to build the Canal, we accepted responsibility to maintain, operate, and defend it. A vulnerable, critically-important, ten-mile-wide strip of land such as the Canal Zone cannot be easily defended by military bases confined within the strip itself. Our government did not insist on a wider Canal Zone in 1903, because the Treaty gave us the right to *acquire any property anywhere in Panama* which might be needed for operation, sanitation, or defense of the Canal.

In the treaty of 1936–39 and in the treaty of 1955, the Republic of Panama promised to cooperate in every way feasible to demonstrate mutual understanding and cooperation between the two countries and to strengthen bonds of understanding and friendship between their respective peoples.

Panama has blatantly and continuously violated the expressed intent of both treaties. Hence, we should declare both treaties null and void. We should return to the terms of the original treaty of 1903, and enforce them meticulously, with the military might of our nation if necessary.

The present Panama Canal is not obsolete. It is too small for a few of our aircraft carriers, but will handle most of our naval craft and commercial vessels. We should keep the Canal, as well as the Zone surrounding it, exclusively under our jurisdiction and control, making whatever improvements *our* national interests may require. We do not need the consent or approval of Panama. All we need is an aroused and determined public which will compel our government to assert our national rights.

Suggestion: Begin *now* demanding that Congress stop spending tax money on plans for a new transisthmian canal. Begin *now* bombarding U.S. Senators with demands that the Senate reject the new U.S.-Panama treaty when President Johnson submits it.

[12] Help! Save The Panama Canal," by Harold Lord Varney, *American Opinion* reprint, March, 1965, 16 pp.

A DAY TO REMEMBER

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

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

There was no objection.

Mr. RODINO. Mr. Speaker, last December 5 was a landmark day in the history of Montclair, N.J. For it was on that day that Lt. Col. Edwin E. (Buzz) Aldrin returned to his hometown to receive a hero's welcome. There were numerous difficulties in arranging a reception for this courageous American astronaut, but I am proud to say the citizens of Montclair met the challenge with superb ability and speed. I would like to include in the RECORD an editorial from the Montclair Times of December 15 commenting on this historic occasion and the local effort which made possible this unforgettable event. As the editorial concludes, it was "a day which showed that this community, given a good reason and a sound purpose, can do a matchless job."

The editorial follows:

A DAY TO REMEMBER

In its constant effort for perfection, Montclair has never come closer than it did on Dec. 5 when Lieutenant Colonel Edwin E. (Buzz) Aldrin returned home as the principal figure in a welcome whose size and warmth surprised even him.

There were all sorts of potential obstacles when the idea was first broached by Commissioner Theodore MacLachlan who became chairman of the committee in charge. There was no assurance, for instance, that Buzz would be allowed to take the time for a hometown visit. Later, when the assurance arrived, the date was problematical. When the date was finally fixed, the time was short. In addition, Montclair had never done anything quite like it.

But Montclair's citizenry has talent, experienced talent, willing talent. This talent went to work with unstinting effort. Montclair's citizenry has warmth and pride in its own. Both were shown on Dec. 5, beyond any question.

The crowning touch was the honored guest, himself. He is an astronaut to the world, a lieutenant colonel to the Air Force, a doctor of philosophy to Massachusetts Institute of Technology. But to friends and associates of his boyhood he was, and will ever remain, Buzz.

Dec. 5 was a day Montclair will forever remember. Not only was it a day when one of its own sons was honored, but a day which showed that this community, given a good reason and a sound purpose, can do a matchless job.

NEED TO REVISE SELECTIVE SERVICE LAW—III

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

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

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, the Defense Department has been caught between the long range need to tailor the military to the increased technological demands of warfare in a nuclear age and a flooding manpower pool. Military strategy and tactics are continually undergoing radical changes in anticipation of future developments. The machinery of modern defense is increasingly becoming fantastically more intricate and technical, and the weapons systems of the present age are regarded as but a passing stage in the headlong rush to technological discovery. America's defense is now so complex, its demands for highly skilled and specialized manpower so great, that the old-fashioned conscript army, in which many men serve short terms of duty, is becoming less and less suited to the needs of modern arms and it is becoming more and more expensive to maintain. The mission of the Defense Department is to make the National Defense Establishment as efficient as possible. Yet, strangely enough, the principles and practices which guide the recruitment, motivation, compensation, and development of men have not changed substantially or kept pace with other changes over the years.

The principles upon which our military conscription are based have not received a public airing since 1951. Congress has not been willing to take the responsibility of trying new approaches to manpower procurement, or, for the most part, even admit that the situation now may be too complex to rely upon a conscription policy developed primarily for a total mobilization situation. It has been clear for some time, however, that the inequities arising from the present law have bred dissatisfaction and cynicism.

There have been, in the past, too many piecemeal investigations of the military manpower problem. If there is to be an improvement upon the allocation of our human resources, we must devote more thought and study to our present and future needs. Congress should start now to anticipate tomorrow's difficulties with an extensive and comprehensive study of the procurement policies and needs of the Military Establishment.

ARE WE ON THE BRINK OF ANOTHER ARMS RACE?

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

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

There was no objection.

Mr. BINGHAM. Mr. Speaker, undoubtedly one of the main issues in the foreign policy field to confront the 90th Congress will be the question of whether the United States should promptly embark on the deployment of the anti-ballistic missile system.

My own conviction is that we should find some other way to respond to the reports that the Soviets have begun to construct such a system. Quite possibly, this is an area where our effort should be concentrated on seeking to slow down

the arms race by including the question of antiballistic systems in the agenda of our arms control discussions. The alternative would seem to be for us to embark, at enormous expense, on a new phase of the arms race, which is likely in the long run, to provide increased, rather than lessened danger, of a nuclear holocaust.

Yesterday the New York Times magazine contained a most interesting discussion of the subject by Roswell L. Gilpatric, of New York, who served as Under Secretary of the Air Force under President Truman and President Eisenhower and as Deputy Secretary of Defense under President Kennedy and President Johnson. This well-reasoned article is, I believe, worth careful study by all those who have an interest in this most vital issue.

I insert it herewith:

ARE WE ON THE BRINK OF ANOTHER ARMS RACE?

(By Roswell L. Gilpatric)

For many people, the idea of an "arms race" acquired its sinister connotation some 20 years ago with the beginning of the nuclear-weapons age. Yet in fact rivalry in arms, even in its earlier and simpler manifestations, has alway been a bane of mankind. Whenever two nations have found themselves in competition to develop, produce and deploy new arms, the results have been to divert national energy, resources and time from peaceful uses, to exacerbate relations between those nations in other fields by engendering fear and distrust, and, above all, to provide the ingredients of easily ignited conflict.

Notwithstanding the almost universal desire to contain competitive armament struggles, our generation has never been free of them. Since World War II the United States has gone through two cycles of competition with the Soviet Union in strategic armaments, and the signs are multiplying that we may be on the brink of engaging in still another arms race.

The first step-up in U.S. armaments after World War II grew out of Soviet actions and attitudes during the Berlin blockade of 1948–49 and the general intransigence of the Stalin regime on all international-security issues. When it became evident that the United States would have to provide itself with a strategic deterrent against Soviet aggressiveness, a decision was taken in the early nineteen-fifties to develop and produce a post-war generation of medium- and long-range jet bombers, first the subsonic B-47's and B-52's and later the supersonic B-58's. These manned-bomber programs were paralleled by other major technological advances, such as the development of more compact nuclear weapons through improvement in the yield-to-weight ratio of atomic warheads, and also by the production of jet tankers and the introduction of air-refueling techniques to make it possible for our bomber fleets to reach the heartland of Russia.

The Soviets reacted in two ways. First, they developed their own fleet of medium- and long-range bombers, the so-called Bears and Bisons; second, they installed elaborate defensive systems consisting of wide belts of antiaircraft cannon and missile emplacements supplemented by large fleets of interceptor aircraft.

These moves, in turn, led to extensive U.S. countermeasures, including the establishment of a far-flung radar network, known as the Distant Early Warning Line, whose outer perimeter extended from Alaska across the northern reaches of Canada to Greenland. Picket ships and plane-borne radar extended the bomber-warning systems along both the East and West Coasts. The U.S. also set up, under joint command with Canada, numerous air-defense centers consisting of fighter aircraft and antibomber surface-to-air missiles. Finally, to tie together all of the elements in this vast complex for the defense of North America, there was installed during the mid-nineteen-fifties what was called the Semi-Automatic Ground Environment (SAGE) system.

All these offensive and defensive measures cost the U.S. many billions of dollars before much of the equipment involved was rendered obsolete by the advancing state of the military art.

From the start of the first post-World War II arms race, fundamental differences became apparent in the Soviet and U.S. responses to each other's strategic-weapons programs. The U.S. sought to emphasize and to invest more of its resources in offensive capabilities, whereas the Soviets have always stressed defensive measures. In consequence, as the Russians built up stronger defenses, the U.S. added to the numbers of its strategic forces and provided them with the capacity to penetrate Soviet defenses. At the same time we learned that beyond a certain level of defense, the cost advantage lies increasingly with offense.

The next lap in the arms race, beginning in the late fifties and continuing into the early sixties, was characterized chiefly by a partial shift from manned bombers to ballistic missiles, in both offensive and defensive roles, and by improved intelligence through satellite-based reconnaissance about what the other power was up to. After what at first appeared to be, but never in fact materialized as, an early Soviet lead—the so-called "missile gap" of 1950 and 1960—the U.S. forged ahead in both the quantity and the quality of its intercontinental ballistic missiles (ICBM's).

Quickly on the heels of the first generation, liquid-fueled Atlas and Titan missiles, launched from "soft"—that is, vulnerable—land-based sites, came the Minuteman and Polaris families of ICBM's solid-fueled and fired either from "hardened"—protected—underground silos or underwater from submarines. With a force destined soon to comprise 1,000 Minutemen and 656 Polaris missiles, U.S. ICBM's have consistently outnumbered the Soviet missile force by a ratio of 3 or 4 to 1. Moreover, for some time Soviet missiles were of less advanced types, being liquid-fueled and deployed in soft or semiprotected sites and hence vulnerable to attack.

During this same period of the early nineteen-sixties, both U.S. and Soviet defenses against bomber attacks were strengthened by the development and installation of successively improved models of surface-to-air missiles of which, characteristically, the Soviets deployed by far the greatest number. To cope with toughter Soviet defenses, U.S. bombers were modified to carry air-launched missiles in addition to gravity bombs and were equipped with electronic countermeasures to confuse Russian radar.

Both sides began developing antiballistic missile (ABM) systems, but it was only toward the end of 1966 that our Government acknowledged publicly that the Soviets had moved from the development stage to the quantity production and deployment of ABM's. In contrast, the U.S. has kept its ABM effort at the engineering design and development level and continued to place its principal reliance on the capacity of its strategic-weapons-delivery systems, whether bombers or missiles, to penetrate any type of Soviet defense, no matter how sophisticated.

After the Russians had been stood down during the Cuban missile crisis of 1962 and had reached an accord with the U.S. for a partial test ban treaty in 1963, it appeared that the Soviets might accept the then-existing military equation with the U.S. and not challenge us to another round in the strategic arms race.

For a period after the present Soviet leadership headed by Brezhnev and Kosygin took over from Khrushchev, it seemed to be Soviet policy to seek a *détente* with the U.S. Our Government therefore felt safe in leveling off its strategic forces at least until the time—not expected before 1975–80—when the Chinese Communists might develop their own nuclear weapons to the point of being able to threaten the continental United States.

As 1966 drew to a close, however, the American people were told that not only were the Soviets proceeding with a comprehensive installation of ABM's, but in addition were setting out to build a larger force of solid-fueled and invulnerably sited ballistic missiles. Such a build-up might, it was indicated, reach a point, beginning in 1968, where the U.S. strategic force of some 1,650 Minutemen and Polaris missiles would no longer enjoy its present overwhelming margin of superiority.

It thus became apparent that, in determining how to respond to these new developments, the U.S. is once again facing the possibility of a stepped-up arms race with the Soviet Union of even more critical and dangerous proportions than the two previous cycles.

As he reviews the coming year's military proposals and budgets, President Johnson is therefore confronted with some hard choices regarding new weapons systems. Among them are the following:

(1) Should the U. S. now produce and deploy, either on a full or limited scale, an antiballistic missile system? The current version is known as the Nike X (consisting of two nuclear-tipped interceptor missiles, one short-range called Sprint and the other extended-range, the improved Zeus), supplemented with large numbers of a new high-performance interceptor aircraft, the F–12, and an extensive Civil Defense program for providing on a nationwide scale fallout shelter protection.

(2) Or should the U. S. instead rely for the maintenance of its "second strike" strategic deterrent on a new generation of ICBM's consisting of Minuteman III and Poseidon missiles, together referred to as Improved Capability Missiles (ICM's)—with the capacity to penetrate or saturate the new Soviet missile defenses?

(3) Should the U.S., in addition to procuring the new ICM's, equip its Air Force with quantities of an Advanced Manned Strategic Aircraft (AMSA) to take over the bomber role from the aging B–52 fleet and ultimately from the new supersonic jet bomber, the B–111, that will become operational a few years hence?

A go-ahead decision on the first, or the first and third, of these proposals will signalize a U. S. determination to do the Soviet Union one better in a new struggle for world power through force of arms and to base its relations with the Soviets more on a philosophy of conflict than on one of accommodation. Let us first consider the military implications of such a choice.

Defense Secretary McNamara states that the currently planned U.S. offensive force of missiles and bombers was specifically designed to hedge against several different contingencies, including the possibilities "first, that a Soviet ballistic-missile defense might be greater than expected by the intelligence estimates; and, second, that the Soviets might embark upon any one of several possible offensive build-ups, including variations in their target doctrine, variation in the technological sophistication of their weapons systems, and variations in the speed of deployment of those systems."

In thus taking into account possible Soviet threats over and beyond those projected in the latest national intelligence estimates, Secretary McNamara explains that "we have done so because an assured destruction capability, a capability to survive the first strike and survive with sufficient power to destroy the attacker, is the vital first objective which must be met in full regardless of the cost under all foreseeable circumstances and regardless of any difficulties involved."

His position is that, with the development of Minuteman III, the accelerated development of the Poseidon missile and moving ahead on new penetration aids to insure our weapons getting through any defenses the Soviets may put in place, the U.S. has in effect anticipated and insured against the latest moves by the Soviet Union. Notwithstanding a Russian ABM system and more and better Soviet ICBM's, he concludes that the U.S. strategic forces will continue to maintain their present power to survive a Soviet first strike with sufficient capability to destroy the attacker, which is the foundation of the deterrent power upon which our national security depends.

The conclusions of the Secretary of Defense are being severely questioned in a number of quarters. In the first place, there are indications that most of the professional military organization, from the Joint Chiefs of Staff on down, believes that the United States should go ahead with both production and deployment of an ABM system and also with a new generation of manned bombers as well as the new ICM's.

This military judgment will find strong support in the Congress, especially among the influential leaders of the Armed Forces committees, and will be backed by substantial sectors of public opinion, particularly in the South and on the Republican right. There is also likely to be considerable pressure from segments of the defense industry, backed by the communities that would benefit from increased armament production, for this nation to embark on a new round of strategic weapons building. It is possible that the Secretary of Defense's position may not enjoy undivided support even within the Johnson Administration.

But apart from the military implications of these new weapons choices, there are a number of political and economic issues which, so far as the public knows, may not have been fully considered.

If the U.S. decides to install ABM's to protect its population, should such systems also be placed in Europe, and if so, will not the countries on the other side of the Iron Curtain respond in kind? In that event, will the ABM's be furnished to our allies by ourselves, and to the bloc countries by the Soviets, and at whose cost?

Will our action to go ahead with an ABM deployment play into the hands of the Communist Chinese efforts to disrupt U.S.-U.S.S.R. relations? How far will we and the Soviets go beyond ABM's in building active defenses when the costs involved are measured by tens of billions of dollars, with enormous strategic implications and a long-lasting political impact?

The effects would be felt especially in Europe but also, as Communist Chinese nuclear capabilities develop, in India, Japan and other countries on the periphery of the Chinese mainland.

A new arms race will produce other casualties. Besides the hoped-for nuclear weapons nonproliferation treaty, toward which the Soviets and the U.S. have of late been making progress, there have long been under discussion between Russian and American disarmament negotiators a series of other arms-control measures. These include the extension of the partial test ban to include underground testing, the establishment of nuclear-free zones, a cut-off in the production of nuclear materials and a freeze on—or possibly a reduction in—strategic delivery vehicles.

In the event of a new arms race, all this effort, and the partial foundations thereby constructed for further disarmament moves, will go by the board, and whatever headway has been built up, both at the U.N. and in the 18-nation disarmament conference at Geneva, will be lost. Indeed, even if the Soviet Union and the U.S. should in their own interests come to terms on a nonproliferation treaty, it is hardly to be expected that the major nuclear have-not nations, such as India and Japan, will sign away their rights to join the nuclear club at a time when its two charter members, Russia and the U.S., are building up rather than cutting down their nuclear arsenals.

Still another danger inherent in a renewed arms race lies in its short-term effect in Europe. For the U.S. to press ahead with a new strategic armament program would further weaken the NATO alliance, whose last meeting in Paris stressed the twin themes of *détente* with the Soviet Union and the "diminished threat of military aggression" rather than the need for greater defensive measures. The alliance already under strain because of our allies' concern over the heavy U.S. involvement in the Vietnam war, would suffer another blow if U.S.-U.S.S.R. relations took a turn for the worse.

In approaching its decisions, the Administration will presumably take into account positive as well as negative emanations from the Soviet Union. Among the favorable developments in U.S.-U.S.S.R. relations are the recently announced agreements for commercial air services between the two countries and for banning weapons of mass destruction from outer space.

Apart from their intrinsic significance, these developments indicate that the Soviet Union has not considered itself entirely inhibited from reaching agreements with the U.S. despite its predicament over Vietnam. This condition cannot, however, be expected to last if the Soviets feel themselves put in the position of countenancing U.S. bombing raids in the Hanoi area which produce civilian casualties. Undoubtedly, the present state of U.S.-U.S.S.R. relations would rapidly worsen if a significant intensification occurred in the scale of our air attacks against North Vietnam.

At worst, Soviet intentions regarding a renewed arms race should be treated as ambivalent and unclear rather than entirely negative. Their ABM deployment can be accounted for otherwise than as indicating a desire to alter the strategic power balance. It not only is in keeping with the ultimate in defensive postures but may also have resulted from military pressures within the Soviet regime rather than from a far-reaching decision to abandon the *détente* objective.

The latest increase in the Soviet defense budget is likewise equivocal. The announced rate of increase, 8.2 per cent, is not in itself of menacing proportions, although in announcing the rise in defense spending the Soviet authorities spoke of "recently sharpened international tensions" and the increased "danger of a new world war" because of "aggressive acts" of U.S. "imperialists."

Aside from these vital questions affecting international relations, the effect on our economy of a U.S. decision to proceed with ABM deployment and new strategic weapons would be tremendous. Depending on the timing and extent of these programs, the U.S. defense budget would be inflated by at least $5-billion to $6-billion a year, with the probable result that the present level of military expenditure, which will stay in the $70-billion to $75-billion-a-year range during the period of the Vietnam war, would thereafter remain at that order of magnitude instead of receding to the pre-Vietnam budget level of around $50-billion a year.

The effect of this Federal spending and diversion of national resources might well be to reduce or delay further funding of U.S. space and supersonic transport programs as well as to forestall further financing of the Great Society programs such as antipoverty projects, Federal aid to education, demonstration cities and the like.

It is not, however, the economic cost of a decision to deploy ABM's as well as to all to the level of our bomber and missile forces that is the most disturbing aspect of a renewed arms race. With the U.S. gross national product estimated to rise to $790 billion during 1967 and to grow at 4 per cent a year thereafter, projecting defense expenditure at 9 per cent of G.N.P. (compared to 15 per cent of G.N.P. during the Korean War) would produce a defense budget of over $70-billion a year, which should not prove an intolerable burden on our economy. The price tag of another arms race, while staggering, is not in itself an argument against it.

What the United States faces is a major watershed in national security policy. Should it re-engage in an armament contest with the Soviet Union, or should it strive for more progress toward arms control and the substitution of political, economic and sociological measures for military force as means for insuring world peace?

In these terms, the question comes down to how the United States will exercise its acknowledged strength and world leadership—whether toward heightening the tension that will come from renewed emphasis on armaments and accelerated advances in weapons technology or in the direction of arms limitation and the solution of world problems through peaceful means.

Should the decision be reached during 1967 to proceed with any of the major new weapons systems now being pressed upon the President by some of his advisers, their opposite numbers in the Soviet would obviously be in a stronger position to insist on corresponding increases in Russian weapons projects.

The reaction in political terms would be even more dangerous, jeopardizing not only the *détente* so ardently sought after by our allies but also the fragile gains achieved through Soviet restraint in recent years in such troubled areas of the world as Africa, Latin America and on the India-Pakistan subcontinent.

The decisions which the President now faces are made doubly difficult by the national mood of frustration over the way the war is going in Vietnam. All-to-ready distrust of the Soviets' intentions, coupled with anger at their growing aid to Vietnam, would prompt many of our people to view with suspicion or antagonism a national policy of forbearance in dealing with the Soviet Union. For others, an effort to moderate the competition in arms would be regarded as a sign of weakness and a peril to our national security.

Yet President Johnson has recognized, as did President Kennedy, that if a third world war is to be avoided the United States, as the most advanced of the superpowers, must take the lead in demonstrating a willingness to practice self-discipline both in the use of force and in providing itself with the power to apply force. The present situation puts to a critical test our national determination not to be swerved from the rightness and sanity of that course.

REPORT ON VIETNAM

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

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

There was no objection.

Mr. BINGHAM. Mr. Speaker, early last December my wife and I visited Vietnam for almost a week. I sent back to the weekly newspapers in my district two reports on this visit, as follows:

LETTER FROM SAIGON, DECEMBER 1966

We are leaving Vietnam today, after almost a week here, and, believe it or not, we are sorry to leave. We have met scores, perhaps hundreds, of Vietnamese and Americans that we liked and admired. They are working well together and they believe in what they are doing. To our own surprise, we can well understand what it is that causes many Americans, especially if they are working in civil action programs, to sign up for second and third tours of duty in Vietnam.

During our visit, we saw not only Saigon, but also Danang and Hue in the north. I was able to spend a day in the Mekong delta region southwest of Saigon and a morning at Vungtau, on the coast south of Saigon, where there is a huge training camp for the new Vietnamese "revolutionary development" teams. I met with Ambassador Lodge, General Westmoreland, and many other Americans, as well as with Vietnamese, both military and civilian.

I want to say at the outset that I have not changed my mind about the vital importance of finding a peaceful solution to the conflict or about the impossibility of concluding this war by a military victory in the usual sense. But I did reach some new conclusions about what is going on in South Vietnam itself which I will outline for you in my next letter.

In this letter, I should like to give you a few vignettes which will, I hope give you some idea of what our visit was like.

Saigon's Tansonhut airport, which we saw as we arrived and left, and several times in between, is said to be the busiest in the world. Aircraft of every size and shape—my wife called it "a zoo of airplanes"—are landing and taking off every few seconds, using merging and even crossing runways. The planes often seem to be tail-gating each other, but the accident rate is remarkably low, a tribute to the joint Vietnamese-American control-tower operation and to the skill of the pilots. The main airport building is crowded with GIs, most of them waiting to go on "R & R" (rest and recreation) in Bangkok or Hong Kong. Tansonhut airport was attacked while we were in Vietnam, but little damage was done. Eighteen Vietcong were killed and three captured.

In Saigon itself, the traffic has to be seen to be believed. Thousands of trucks, jeeps, cars, "cycles" (pedal-operated top-less hansom cabs), motor scooters, bicycles, and a few horse-drawn vehicles compete for driving space on the wholly insufficient and very dirty streets. Nobody pays attention to the center-line of a two way street, so that all are playing "chicken" (to see who will give way first) constantly. They do this with no change of expression and without shouting or getting angry. Among the serenely aggressive cyclists are many beautiful girls, gliding along in their lovely, full-length, billowing dress. To be sure, accidents are not infrequent, but most of the time the people get where they want to go. All this is characteristic of the Vietnamese people: they are proud, determined and courageous and, most of the time, effective.

Our American host and hostess in Saigon live in a downtown second-floor apartment in a building which they have owned for years. He is co-owner of an importing business. Their three children are now away at school but have spent long periods in Saigon. This family lives the normal routine of an American family abroad. They admit that their friends and relatives cannot understand why they choose to live in Saigon.

In Danang we stayed in the house of another old friend, a man who is head of our AID program for the region. His wife, under present policy, is not allowed to live there and has to stay in Bangkok where he visits her once a month or so. He thinks Danang is now safe enough for her at least to be allowed to visit. The evening we were there he happened to be giving a farewell party for the Marines' second in command. It was heartwarming to see the close relationship between the military and civilian personnel who have to work together.

That day Lieutenant-General Walt, Commanding Officer of the Marines in Vietnam, had given us an unexpected tour of the Danang area in his "helicopter." He also arranged for us to see a "Combined Action Company" (CAC) outpost where four or five Marine enlisted men and thirty or so Vietnamese militia live together and protect the security of the area together against guerrillas. In a village nearby, we were greeted with dazzling smiles from the school children, and we listened to them sing "Row Row Row Your Boat" led by a young Marine Captain who was in charge of civic action for the area.

We saw many schools built or under construction with materials supplied by USAID and labor donated by the local community. One such school, with 8 or 10 classrooms being built of reinforced concrete, was proudly shown me by a tough-looking Vietnamese major who has been given the job of district chief. (This word "chief," to the extent that it suggests a tribal chief, is wholly misleading; as used in Vietnam, it is based on the French word "chef" and simply means "head" or perhaps "governor".) Laying brick at the school were, working side by side, parents of the children and local militiamen. The U.S. had supplied most of the materials and would supply many of the paper-back textbooks (nine million of these have already been distributed in Vietnam by USAID; they are written by Vietnamese; we help with the layout and pay for the paper and printing). Like virtually every building in the delta countryside at this time of year, the school was surrounded by flooded rice fields and had to be reached from the road by a little causeway.

Not all sights were so pleasant, by any means. For example, a sizeable hospital in Danang was filled to over-flowing with civilian casualties of the fighting. A general practitioner from North Carolina, who volunteered for a year, showed us around. He was full of praise for the job an AMA-recruited team of surgeons was doing. The hospital was pleasantly casual with lots of family members visiting. One little boy of about nine followed us about on crutches, cheerfully practising his few words of English. His right foot was gone.

Much more encouraging was the hour we spent at a receiving station for Vietcongs who come in under the "Chu Hoy" (open arms) program. We talked to a highly sensitive Major from Boston in charge, to his Vietnamese counterpart, and to two of the "returnees," who seemed bright and cheerful in their new status. They said, in response to questions, that they had been conscripted into the Vietcong from their villages. (Often this is the case, but we were aware that they might be saying this just to please us.) In recent months, the flow of "chu hoys" has grown rapidly. By the end of this month, some 16,000 will have come in during 1966. They are retrained and settled in jobs or areas where they will hopefully be safe from Vietcong retaliation.

The U.S. is helping with teacher training in a big way, to staff the thousands of new schools being built. In the delta town of Vinh hong, I watched a young Negro girl from Michigan teaching English to a class of young men and women in a normal school. She is doing a two-year stint with the International Volunteer Service, a kind of smaller, privately run Peace Corps that is doing a fine job in Vietnam and Laos.

The only mishap that occurred on the trip was when one of our pilots (we had to fly by small plane or "chopper" everywhere, because most of the roads are still considered insecure) got his face scalded when he opened a thermos of hot water for coffee at high altitude and the pressure blew the water all over him!

On several occasions, I sought out and met boys from the Bronx. These were all in the Armed Services and seemed to be getting along fine. I said I would be glad to call their parents when I got back and I am looking forward to doing so."

II. FINAL REPORT ON VIETNAM, DECEMBER 1966

Our strongest single feeling about Vietnam was one of admiration and indeed affection for virtually all the Americans and Vietnamese we met there, both military and civilian. They are working together with skill and dedication at a task they believe in, cheerfully accepting the risks involved. That task (for we were looking primarily at the civil rather than the purely military side) is the political, economic and social development of a country in the midst of a war.

(The last time we had had a similar feeling of inspiration from observing a gigantic effort being made under the threat of danger was when we first visited Israel in 1952, when Israel's survival was even more in danger than it is today.)

The size and scope of the USAID program in Vietnam is often not realized in the U.S. We are, for instance, helping with the construction of about 2,000 classrooms this year (mainly by providing the building materials; most of the labor is contributed by the town and village people themselves). We are helping to train the teachers needed (about 3200 in 1966) and to print the paperback textbooks.

Through representatives located in every one of South Vietnam's 44 provinces, and who work with the Vietnamese provincial governors, USAID is providing millions of dollars worth of materials for local self-help projects; depending upon what the village or hamlet councils decide they want most, these can be, in addition to schools, concrete washing platforms at the river's edge, basic housing, wells, market places, simple clinic dispensaries.

Our medical-surgical teams, along with similar teams from a number of European and Asian countries, are caring for civilian patients and upgrading standards of care in most of the province hospitals. Hundreds of American youngsters, who have joined the International Volunteers Service (like the Peace Corps Volunteers in other countries), are living in small towns and villages around the country, teaching, working with farmers, helping with community development.

With advice and logistical and financial support, the U.S. is helping the Vietnamese government with the training of hundreds of 59-man "revolutionary development" teams to work in rural areas at the complex job of defense against terrorism combined with civic progress. The main training camp at Vungtau, south of Saigon, has 5,000 young men, mostly with a fourth or fifth grade education, and several hundred young women, currently engaged in a 14-week course.

When they go to live in the villages to which they will be assigned for 3 to 6 months at a time, their main objective will be to give the villagers a sense of identification with their own government as an entity of which they are a part and which wants to and can help them to achieve their own local goals. (Historically, the Vietnamese villagers have regarded the central government as a foreign

agency that brought only trouble—tax collectors, conscriptors, and badly behaved soldiers.)

The biggest obstacle to success in all of these efforts is lack of security. While in recent months, our forces, with help from the Vietnamese army, have stopped cold any effective action by the Viet Cong "main forces" and North Vietnamese Army units, the problem of continued VC guerrilla activity in the cities, villages and countryside has not been solved; it is in fact not much better than it was a year or 18 months ago when the overall military situation was much worse.

Vietcong guerrillas can and do carry out limited operations in Saigon and other cities; they make most country highways unsafe for unescorted Vietnamese government or American travelers; they effectively control a large percentage of the hamlets and they can and do conduct raids and assassinate local officials in many if not most of the rest.

Local villagers that are determined to prevent this kind of terrorism can do so, because they can always identify VC (better than city people can) and report them to the authorities. Thus the VC can do nothing in the area where the members of the strongly anti-communist Hoa-Hao sect live.

Most villagers are not yet that highly motivated. Hopefully, they will be in time, if the "revolutionary development" program succeeds in giving them a stake in their government, a sense of participation, and also if the VC continues the kind of senseless terrorism that creates antagonism and that is now increasingly common (such as blowing up a local passenger bus jammed with villagers).

Meanwhile, if the "revolutionary development" and other programs are to be able to operate, so as eventually to win the active support of the villagers, they must have better protection than they have now.

Providing this protection is the most urgent need in Vietnam at present, and it is a job that must be done by the Vietnamese army (American forces should usually be reserved for major military operations). For this task, which is irksome as well as dangerous, involving a lot of night duty, the Vietnamese army must be retrained. The Vietnamese troops must, above all, be taught to work with the villagers, and not to molest them. This retraining and re-orientation will take time and a lot of effort, on the part both of the Vietnamese government and the American military. I am afraid that the necessary priority has not yet been assigned to this task by either group.

On the political side much progress is being made. I am satisfied that the Constituent Assembly elections demonstrated wide-spread desire of the people to participate in the political process, in spite of threats by the VC, and in spite, in some cases, of actual VC firing at people waiting in line to vote. The voting did not, on the other hand, mean support for the Ky regime. We talked with some of the leading delegates to the Constituent Assembly, including the President, Than Khac Suu, and the well-known physician-politician, Dr. Phan Quang Dan. They are taking their work very seriously and making good progress. It is of the utmost importance that nothing be allowed to interfere with the further growth of a constitutional and basically democratic government in Vietnam. On the big question of how best to bring the war in Vietnam to an end, I am more convinced than ever that it cannot be done by a military victory in the usual sense. As one of our top generals put it to us, "this war will not be won by bullets."

Since U.S. military operations against major enemy units have been going so well, I see no need for intensification of our purely military efforts, and I would therefore oppose any such expansion or intensification as wasteful of human and economic resources and as risking a wider war. In Vietnam Americans and Vietnamese alike are prepared for a long war. They do not expect Hanoi to show any interest in negotiations, and almost without exception they favor our present policies, including bombing of the north (although some feel the cost of the latter is becoming excessive) they do not believe suspension of bombing or an offer for a mutual cease-fire would change Hanoi's attitude or bring about any lessening of military efforts by Hanoi or the VC.

In any case however, we simply cannot give up on the chance of achieving a cessation of hostilities (including local terrorism). A total cease-fire would be a blessing from a humanitarian point of view. It would also permit the work of political, economic, and social development in South Vietnam, which has now been well started, to go forward much more rapidly.

Accordingly, I feel that every step that might get negotiations started and the shooting stopped should be taken so long as we do nothing to jeopardize the right of the Vietnamese people to control their own destiny. One such step would be a clear statement by the U.S. that the N.L.F. would sit, in their own right, at the negotiating table. Another would be an offer of an indefinite mutual cease-fire, to include, necessarily, terrorist attacks. A third would be for an indefinite suspension of bombing in the north.

While I realize in the short-run such a suspension might mean greater difficulties (and higher casualties) for our forces in south Vietnam, I believe the effort must be made in the hope of saving many more lives, American and Vietnamese, in the long-run. Our newly re-elected Secretary-General of the U.N., U Thant, says our bombing of the north is an absolute block to any negotiations. Many others, including the Soviets, say the same thing. How can we know they are not right?

NATIONAL CONSUMER INFORMATION FOUNDATION

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

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

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, Congress has a special responsibility to seek new ways of enabling the American consumer to make intelligent, well-informed choices in the marketplace. It is the declared policy of Congress, as stated in the Fair Packaging and Labeling Act of 1966, that "informed consumers are essential to the fair and efficient functioning of the free market economy."

To give effect to that policy, I am introducing a bill today to establish a National Consumer Information Foundation. Its mission will be to develop and disseminate unbiased information about the performance, content, safety, and care characteristics of consumer products. In particular, the Foundation will be authorized to develop a system of information labeling which would be open to all manufacturers to join. Participating manufacturers would be authorized to attach a label to each product, the label bearing the seal of the Foundation and whatever information concerning the characteristics of the product was required by the Foundation.

Although initially launched with the Federal funds, the Foundation would be self-supporting—its income generated by the sale to manufacturers of the labeling tags. It would be managed by a Board of Directors appointed by the President with the advice and consent of the Senate.

The system to be known as "Info-Tag," resembling the British "Teltag," literally refers to a tag on the product which provides information about its performance. The voluntary labeling system proposed in the legislation would not grade or otherwise classify products as "best buys." But it would describe the characteristics of interest to the consumer, leaving the final choice or selection up to him. You might be interested in some examples of how it would work:

First. The Foundation, upon deciding that carpets should be more adequately labeled, would proceed to identify that product's most important performance characteristics. A carpet manufacturer interested in using the Foundation label would submit his product for testing. On the basis of its findings, the Foundation would then issue a label on which, for example, it might include information on the following characteristics: the durability of the rug, its color fastness, its resistance to stains, and its washability or cleanability. Depending on where the consumer wants to use the rug, he would determine which particular characteristics are relevant to his needs. For instance, in a rug to be used in a children's playroom he might be more interested in durability and washability than in any other characteristics.

Second. Electric coffee pot manufacturers wishing to use the Foundation label might be required to supply the following information for the label: how many cups of coffee the pot will make, how long it will take to percolate, the length of time the coffee stays warm once it is made, and whether or not the pot is immersible in water for cleaning. Here again, depending on the use intended, one consumer may be more interested in the length of time the coffee can be kept warm; another, with the time the coffee takes to percolate. Thus, the label enables the consumer to make an intelligent, informed choice on the basis of his particular requirements.

An objective and impartial labeling system such as this could be immensely useful to both consumers and manufacturers. For the consumer, it would provide the kind of hard information he rarely gets from advertising. For the manufacturer, the label, though not a mark of quality, would indicate that he has enough confidence in his product to declare its characteristics and is willing to adhere to the standards printed on the label. Such a system of voluntary labeling will facilitate competition among existing producers and foster entrance into the marketplace of small entrepreneurs now excluded because of prohibitive advertising requirement and costs.

I urge that Congress give favorable consideration to my bill during this session. The consumer is daily confronted by a bewildering array of choices between new materials, products, and services.

Given the complex and rapidly changing nature of our economy, his task will become even more difficult in the future. The Info-Tag system proposed here would bring to the consumer the information he needs to make an intelligent choice.

The text of the bill follows:

H.R. 2374

A bill to establish a National Consumer Information Foundation as an independent agency in the executive branch of the Federal Government.

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

SHORT TITLE

SECTION 1. This Act may be cited as the "National Info-Tag Act".

ESTABLISHMENT

SEC. 2. There is established in the executive branch of the Federal Government a foundation which shall be known as the National Consumer Information Foundation (hereafter in this Act referred to as the "Foundation").

BOARD OF DIRECTORS

SEC. 3. (a) The Foundation shall be headed by a Board of Directors composed of five Directors appointed by the President by and with the advice and consent of the Senate. The President shall designate one Director as Chairman of the Board. A vacancy in the Board of Directors shall be filled in the same manner as the original appointment was made.

(b)(1) Except as provided in paragraphs (2) and (3) of this subsection, Directors of the Foundation shall be appointed for terms of three years.

(2) Of the Directors first appointed, two shall be appointed for terms of one year, two shall be appointed for terms of two years, and one shall be appointed for a term of three years, as designated by the President at the time of appointment.

(3) Any Director of the Foundation appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term. A Director may serve after the expiration of his term until his successor has taken office.

(c) Section 5315 of title 5, United States Code, is amended by adding at the end thereof the following:

"(78) Directors, National Consumers Information Foundation."

(d) Three Directors of the Foundation shall constitute a quorum.

ADMINISTRATOR AND STAFF

SEC. 4. (a) The Foundation shall have an Administrator who shall be appointed by the Board of Directors. The Administrator shall administer the Foundation in accordance with directives of the Board of Directors.

(b) The Board of Directors may appoint and fix the compensation of such additional personnel as it deems advisable to carry out the provisions of this Act.

INFO-TAG SYSTEM

SEC. 5. (a) The Foundation shall establish and operate a system under which it may grant authority to a person who manufactures for sale at retail a nonperishable manufactured consumer product to affix to such product a label to be called an info-tag.

(b) The Foundation shall have the authority to develop and approve a standard info-tag which specifies the kind of information to be provided for each type of product for which info-tags are to be made available. A standard info-tag shall bear (1) the name, seal, or other distinctive mark of the Foundation and (2) such information with respect to performance, content, safety, durability, care, and other characteristics as the Foundation determines to be necessary or useful to permit a reasonably prudent consumer to evaluate a particular product for purposes of purchase.

(c) The standard info-tag for any type of product shall be developed by the Foundation after consultation with interested manufacturers, distributors, and users, and shall be prescribed in rules of the Foundation. The Foundation may, if it determines it to be in the public interest, prescribe data formulated by reputable standard-making bodies, including trade associations and similar groups.

(d) At least ninety days before any such rules are prescribed by the Foundation for any product, such rules shall be published in the Federal Register.

(e) Any person may file written objections to the adoption of any such rules until the sixtieth day after the date of publication of such proposed rules in the Federal Register. After reviewing such objections and other pertinent information, the Foundation may, by order, adopt and promulgate such rules, amend such rules, or refuse to adopt such rules. Such an order of the Foundation shall not be subject to review.

(f) The Foundation shall by rule establish schedules of fees and charges which shall be paid by persons participating or seeking participation in the info-tag system. Such fees and charges shall be related to the cost to the Foundation of carrying out the function or providing the materials or services for which they are paid, but shall include such surcharge as the Foundation determines to be equitable but necessary in order to place the Foundation on a self-sustaining financial basis.

(g) Before authority is granted to any applicant to affix info-tags to any product, the Foundation must (1) have on file a report from a laboratory maintained by it or a certified report from an independent testing laboratory determined by it to be reliable setting forth the information which should be on the info-tag to be affixed to such product, and (2) have received payment of all fees and charges fixed by it and due in connection with the granting of such authority.

(h) The Foundation shall not evaluate one product as being superior to or less expensive than another.

(i) The Foundation shall maintain constant surveillance over products to which info-tags are affixed to assure that such products conform to information on the info-tags affixed to them and may require additional testing to assure that specimens of the product to which an info-tag has been affixed conform in every respect with information on such info-tag.

(j) The Foundation may revoke or suspend authority granted under this section for willful or repeated violations of rules issued by the Foundation in connection with the info-tag system under this section.

(k) The Foundation may by rule exclude any nonperishable manufactured consumer product or class of such products from the info-tag system under this section if it determines that inclusion of such product or class of products would not be beneficial to a substantial number of the consumers of such product or class of products, or would not lend itself to such a system.

PENALTIES

SEC. 6. Whoever counterfeits an Info-Tag, or knowingly and willfully affixes an Info-Tag to any product other than a product with respect to which authority granted by the Foundation is in effect therefor, for the purpose of selling such product to another person, shall be fined not more than $5,000.00 or imprisoned not more than one year, or both.

POWERS

SEC. 7. For the purpose of carrying out its functions under section 5, the Foundation may—

(1) Establish and maintain a laboratory, reference library, and related facilities;

(2) Make such investigations as it deems necessary (a) to determine if any person has violated or is about to violate any provision of this Act or any rule or order of the Foundation or (b) to aid in enforcing this Act or in formulating rules or orders;

(3) Use, on a reimbursable basis, the services, equipment, personnel, supplies, and facilities of Federal departments and agencies and, on a reimbursable or other basis, other public or nonprofit persons, institutions, or organizations;

(4) Enter into and perform such contracts, leases, cooperative agreements, or other transactions as it may determine to be necessary on such terms as it may determine to be appropriate;

(5) Appoint such advisory committees and consultants for such periods of time as it determines;

(6) Make, issue, rescind, or amend rules governing the manner of its operation and the exercise of its functions;

(7) Publish and disseminate reports and publications;

(8) Establish an official seal which shall be judicially noticed;

(9) Establish and maintain such field offices in the United States and abroad as it may determine to be necessary; and

(10) Engage in, and support, by grant or contract, research with respect to, and development of, objective or quantitative standards for nonperishable manufactured consumer products.

ANNUAL REPORT

SEC. 8. The Foundation shall transmit to the President and the Congress in January of each year a report which shall include a comprehensive statement of the activities of the Foundation during the preceding calendar year, together with such recommendations for additional legislation as it may deem useful or necessary to carry out any of the provisions of this Act.

APPROPRIATIONS AUTHORIZED

SEC. 9. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act until the Foundation is operating on a financially self-sustaining basis.

THE PROGRESS OF THE MERIT SYSTEM

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

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

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, it was my great privilege to listen to a most comprehensive, yet concise, history of the Civil Service Act of 1883, at the annual dinner of the American Federation of Government Employees, AFL–CIO, last Saturday evening, January 14, 1967, in observance of the 84th anniversary of the passage of the act and the fifth anniversary of the issuance of Executive Order No. 10988. The speaker was none other than our beloved Speaker of the House, the Honorable JOHN W. MCCORMACK. He was introduced by Mr. Ralph

Biser, national vice president of the association and later praised by Mr. John F. Griner, its national president. A crowd of over 1,500 Federal employees and their guests received the Speaker's message with great enthusiasm in a standing applause. It was clearly evident that JOHN W. MCCORMACK was held in the highest esteem and most beloved by those present. The words of Dr. Edward Gardiner Latch, Chaplain of the U.S. House of Representatives, in his invocation perhaps best expressed the prevailing sentiments when he said:

We thank Thee for our Speaker—for his integrity of spirit, for his understanding heart, his sympathetic mind, his willingness to listen and yet to stand firm for what he believes is right. Underneath it all we thank Thee for his untiring and undying devotion to our Country. May his spirit be the spirit of us all.

Knowing that there are many who would want a copy of the Speaker's address, I have asked unanimous consent to insert it into the RECORD at this point. It will, I am sure, serve as a useful reference for all Members of Congress and those interested in the civil service. It follows:

THE CIVIL SERVICE: THE PROGRESS OF THE MERIT SYSTEM

(An address by the Honorable JOHN W. MCCORMACK, Speaker of the U.S. House of Representatives)

I am indeed pleased to be with you this evening. On this occasion, we celebrate the 84th anniversary of the establishment of a sound system of public service—the signing of the Civil Service Act. This one single event in 1883 provided the basis for Government employment policies which has stood the test of time and which remains valid in principle to this day. The act itself—although by no means a panacea for all of the ills which had plagued Government service until that time—was nonetheless a blueprint for the future, and, for the first time in our history, gave statutory recognition to the concept that appointment to government service ought to be based upon merit—rather than upon ability to pay or upon past political activity.

Concurrently, we also celebrate the fifth anniversary of the issuance of Executive Order 10988. This order, issued by President Kennedy in 1962, for the first time gave official recognition to right of Federal employees to be represented by employee organizations and provided for a form of collective bargaining, granting public employees the same protection in employee-management relations enjoyed by workers in private industry. The significant growth in the membership rolls of your own organization attest to the substantial effect that this order has had.

You who are here this evening represent two and a half million government employees who, like yourselves, benefit directly from what the Civil Service Act and Executive Order 10988 have accomplished.

The Nation, in turn, directly benefits, since it is only due to the efforts of dedicated, honest, and intelligent employees that the government is able to provide the multitude of services which its citizens expect—indeed, demand—of it. As the country grows in wealth, in population, and in world responsibility, more and more demands are made upon the government, and upon you as government employees. Yet had it not been for what was accomplished by the signing of the Civil Service Act, the superior talents which the Government so desperately needs might never have been encouraged into its service.

The establishment of a formal civil service system based upon merit did not occur overnight. It was a long and tedious journey—nor did that first act accomplish anywhere near the benefits which are enjoyed today, but it was the start, and as in the case of other great legislative advances held back for years through determined and selfish opposition, it was easier to make advances. The story of civil service reform in the United States is replete with some of the seamiest and most scandalous chapters in our history. Before we saw even the beginnings of a solid reform movement, the Government service had sunk to such an all-time low in prestige that Abraham Lincoln was caused to remark, "I'm afraid this thing is going to ruin republican Government, this incessant human wriggle and struggle for office."

The scandals of the spoils system of government appointments soil the early pages of our history. Even before the American Revolution, it was not uncommon that jobs in the British colonial service were given to political friends, mostly unqualified, or even sold to the highest bidder.

The framers of the Constitution quite specifically provided that certain Government officials—ambassadors, ministers, consuls, and judges of the Supreme Court—were to be appointed by the President with the advice and consent of the Senate. However, they were somewhat less specific about the method of appointing the remainder of the Government work force:

"The Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law or in the heads of departments."

For nearly 80 years thereafter, however, congress made little use of this constitutional grant of power, and the matter of filling governmental positions remained largely at the President's discretion.

In general, our early Presidents followed the precedent set by George Washington in granting appointments to Government service on an unofficial and—if not entirely pure—at least a relatively workable merit system. Washington himself made his appointments on the basis of a "fitness test" which inquired into the applicant's honesty, efficiency, and capability. Preference was given to former officers of the Revolutionary Army, but only if they had first passed the other tests of fitness.

Although following Washington's policy of appointment on the basis of fitness, the emergence of political parties added an additional dimension to certain appointments. On the eve of the Democratic-Republican Jefferson's taking office, in an attempt to retain some measure of Federalist control of the judiciary, a number of Federalists were appointed to circuit-court judgeships and justice of the peace positions. These were the famous "midnight appointments", and one, the appointment of William Marbury as justice of the peace in the District of Columbia, was the basis of a most important Supreme Court decision in the Nation's history.

Throughout the following decades, however, the system worked with a reasonable minimum of abuses, having in mind the conditions that existed at that time. Although appointments were certainly made on the basis of political party affiliation, appointees were generally well-qualified, and incumbents were rarely removed from office arbitrarily without just cause.

We then turn the corner into what is known as the "dark ages of the spoils system." The use of patronage positions which was firmly established in many States and city governments as a weapon of party strength and control crept into the Federal Government and for over fifty years became destructive. Thus began more than sixty years of untrammeled greed and avarice in the securing of appointments to Government service. It was an era when exorbitant sums were paid for positions carrying small annual stipends—in many cases, of course, when the influence gained was well worth the price. It was an era when each change of administration brought about wholesale removal of Federal officials and appointment of party faithfuls to fill the vacancies. It was an era when—as the Nation was growing in population, wealth, and responsibility, and therefore needed the finest talents available—the Federal Government was staffed largely by incompetents who cared only for the personal advantage that could be derived from Government service.

By the time Lincoln took office, the clamour of office-seekers at the White House was so intense that they virtually dogged his every step. Engrossed with the cares of the Civil War on the one hand, and besieged by the hordes pleading for patronage on the other, his patience was sorely tried. While recovering from an attack of small pox, he is said to have remarked to an aide, "tell all the officeseekers to come in at once, for now I have something I can give to all of them."

The scandals caused by the spoils system in the post-Civil War years became so noxious that public opinion began to demand that something be done. President Grant, after several fruitless attempts to obtain a reform bill from Congress, finally succeeded on the closing day of the 1871 session in obtaining a bill which authorized him to "prescribe such regulations for the admission of persons into the civil service of the United States as may best promote the efficiency thereof." Under this power, the President appointed an "advisory board of the civil service," which recommended a merit system based on competitive examinations, classifications of positions for purposes of promotion, and a 6-month probationary period following appointment. The board functioned for two years, until its meager funds were eliminated by a Congress which was coming to appreciate the advantages that the spoils system provided it.

Reform of the civil service was ignored by Congress for the next several years. Although public groups formed to promote reform, and President Hayes did what he was able through Executive orders to establish a merit system of appointment, it took a Presidential assassination fully to awaken the realization that reform of the civil service could be avoided no longer.

Charles Giteau, an eccentric election worker in the 1880 campaign of President James Garfield, had been unsuccessful in his attempts to convince the President that for his efforts he deserved to be appointed to a consulship in Paris. On July 2 of 1881, as Garfield waited for a train in a Washington station, Giteau fired two bullets into the President which took his life in September of that year.

Three months later, Senator George H. Pendleton, of Ohio, introduced a bill drafted by the newly formed Civil Service Reform League. This bill looked likely to languish until organized public indignation forced civil service reform as a campaign issue in the fall elections of 1882. Congress was finally convinced. In December of that year, the Pendleton bill was passed by both Houses, and signed by President Arthur on January 16, 1883.

The new act, although far from perfect, nevertheless was a beginning. It established a Civil Service Commission of three members. It provided that appointments were to be made from those graded highest in merit examinations. It confirmed existing statutory veterans' preference provisions. And it stipulated that the recommendation of an applicant by a Member of Congress could be based only upon character and residence.

At the beginning, however, only 13,900 positions were covered by the new merit system—representing a mere 10.5 percent of the total Government work force. Thus, the new act did not, in a single stroke, abolish the spoils system, but the intervening 84 years have produced, first, a steady increase in the number of Government positions covered by civil service, and, second, a constant improvement of the benefits to those covered by the system.

In 1888, President Cleveland added 5,3000 positions of the railway mail service to coverage by the classified system. In succeeding years, the Indian Service, the Fish Commission, additional post offices, and the Weather Bureau were "blanketed in." President Theodore Roosevelt, himself a Civil Service Commissioner, was a stanch advocate of civil service reform. By the end of his administration as President, the percentage of Federal positions placed on a competitive basis was 63.9 percent—contrasted to the 10.5 percent which were covered by the original act. The trend has continued steadily, spurred on by the demands of the great depression, World War II, governments and the expanded postwar programs in space, the military, and welfare. Today, over two and a half million persons have received and maintained their appointments to Government service under the basic rules formulated by the act of 1883.

Employee benefits, too, have kept pace. In the last decade alone, seven pieces of legislation providing for increased salary scales for Federal employees have been enacted. To encourage and maintain the finest possible talents in Government service, the pay must be at least competitive with that in the private sector of our economy.

Programs of health and life insurance and a retirement system have been added for the protection of Government employees. On-the-job training programs, incentive programs, equal opportunity for all regardless of race, creed, or sex—these are all positive concepts which we take for granted today, but which have taken years of the combined efforts of many people to accomplish.

As Government employees, you here this evening represent a corps of the best trained, best qualified—and, I might add, enjoy more benefits—of any group of people which has ever served the U.S. Government. However, the job is not finished. It will take the continued efforts of all of us to insure that the Government service continues to be the proud profession it is today. The critical and ever-increasing demands made upon the Federal Government in this revolutionary age can be met only if the ablest and most competent and dedicated people can be attracted and retained in the Government service. And that is our charge—to protect and improve the system of merit which has taken so many years to accomplish.

EQUAL EMPLOYMENT OPPORTUNITY AMENDMENTS OF 1967

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

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

There was no objection.

Mr. WHITE. Mr. Speaker, this country was forged by the efforts of many peoples. Our Nation continues to be strengthened today by the amalgamation of peoples of many national origins. Our Constitution and Declaration of Independence recognize the value of all peoples and provide that each individual shall have the same opportunity to pursue the American dream. Crucial among the rights of each American is the equal opportunity to be productive and successful in his labors.

We have become aware that this equal opportunity of employment has not always been afforded to every group of citizens of the United States. The Congress recognizing this national shortcoming and seeking to correct it, created the Equal Employment Opportunity Commission in the Civil Rights Act of 1964. The Commission was designed to study problems of minority groups in securing equal employment opportunity and eliminate all discrimination specified by the act.

However, even in the establishment and operation of this agency of Government, there has been practiced an unconscious discrimination by excluding from the membership of this Commission representation and understanding of one of the principal minority groups of our country—those of our good Americans who are of Mexican descent.

These Americans seek and deserve the opportunity to fully participate in the work and advancement of our Nation. Their dedication to American ideals has been demonstrated again and again. Just one, but a very important example is their dedication to the defense of our country. It is well known that the rolls of honor of those killed in military action and those wounded in service to their country have a high percentage of Americans of Mexican descent. Eleven Congressional Medals of Honor for World War II and six for the Korean conflict were awarded to citizens of Mexican descent. Today in Vietnam members of this group continue to heroically defend our national interests.

These American citizens do not fail to rise to the needs of their country and their country must not fail to understand their needs.

Therefore, I have this day introduced a bill which calls for expansion by two members of the Equal Employment Opportunity Commission. The legislation expressly states that the introduction is to further eliminate discrimination in employment opportunities wherever it exists and to insure a full understanding of the problems of the citizens of the United States of Mexican descent.

The bill states that in making appointments to the Commission the President shall give due consideration, among other reasonable factors, to whether there is maximum feasible representation provided among the membership of the Commission for persons of all the various groups throughout the Nation, including large, identifiable, cohesive groups of national origin who as a minority group possess particular problems pertinent to the purposes of this act.

With the passage of this bill and the inclusion of an American of Mexican descent on the Equal Employment Opportunity Commission I am confident that this group of Americans will be able to add even greater strength to our Nation and more fully share in our successes.

PROPOSAL FOR NEW U.S. MINT IN CHICAGO

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

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

There was no objection.

Mr. ANNUNIZIO. Mr. Speaker, today I introduced a bill to provide for the establishment of a U.S. Mint in Chicago, Ill. I am inserting into the CONGRESSIONAL RECORD a press release which was issued from my office today in order to explain to my colleagues in the House the merits and the need for this legislation.

My press release follows:

CONGRESSMAN ANNUNZIO PROPOSES NEW U.S. MINT IN CHICAGO

Congressman Frank Annunzio, Democrat, of Chicago, a member of the House of Representatives Committee on Banking and Currency, has introduced legislation in the new Congress to construct a United States Mint in Chicago.

The legislation would authorize construction of a Chicago Mint to supplement the ultra-modern $37,000,000 Mint now being built at Philadelphia—the only Mint of its type currently authorized by law.

In addition to the old Philadelphia Mint that is soon to be replaced, other Mint facilities are operated at Denver and San Francisco. The Denver Mint would need extensive remodeling and expansion to meet future Mint requirements, Mr. Annunzio said, while the San Francisco operation—closed down during the Eisenhower Administration but re-opened in 1965 to meet heavy coinage demand—is legally authorized to continue as a temporary facility only until the coin shortage is completely overcome.

"Chicago is the perfect location for the kind of Mint this country will need for the coming decades," Congressman Annunzio declared. "Most of our coinage demand is in the area of the country east of the Mississippi. Thus, a Mint located in Chicago could ship coins into that areas as needed to supplement Philadelphia supplies, and to all parts of the country, from a central and economical location. Transportation costs are a tremendous factor in coin distribution, and Chicago's unequaled transportation facilities, as well as its strategic location, make it the perfect site for a second jet-age Mint."

In introducing his bill, Congressman Annunzio conceded that Western State Members of Congress will undoubtedly fight hard to keep their present Mint facilities in operation indefinitely, and to expand their production capabilities. He said there would probably be good reasons for retaining the older coinage equipment, at least on stand-by, even if a second ultramodern Mint is built at Chicago "because no one knows what future needs of the economy may be for coins in the operation of automatic vending equipment of all kinds."

"The abandonment of the San Francisco Mint was a big mistake a decade ago," he said. "When we needed its production in these last few years, to meet unprecedented coin demands, the equipment just wasn't there, and it took great imagination and enterprise to find usable presses and other machinery."

MORE COINS NEEDED

"I look forward confidently to a steadily expanding American economy, bringing more of the good things of life to more Americans. This will mean ever-greater use of coins to

speed the flow of commerce. Extensively rebuilding the Denver Mint to make it more efficient would undoubtedly not be nearly as economic and practical as building a completely new plant—one which I hope to see come to Chicago."

Representative Annunzio, as a member of the Banking and Currency Committee, helped to shape the final form of the Coinage Act of 1965 which met a crisis in the world-wide silver supply shortage by authorizing new types of dimes, quarters and half-dollars using little or no silver. This law also authorized temporary resumption of coinage operations at the San Francisco Assay Office (the old Mint). The 1965 Act furthermore substantially increased the authorized ceiling on construction costs of the new Philadelphia Mint to permit installation of equipment necessary to handle all phases of the production of the new "clad" coins. At present, the bonded copper-nickel cladding on a copper base, used in the dime and quarter, and the copper-silver alloys used in the "sandwich" half-dollars must be purchased in strip form from private industry.

In the course of the development of the legislation which became the Coinage Act of 1965, Congressman Annunzio made a personal inspection of the old Philadelphia Mint leading to further study of the coinage needs which in turn led to his introduction of the bill to establish the world's most modern Mint in Chicago.

Although Congressman Annunzio's Committee handles all legislation dealing with coinage policy matters, the bill for a new Mint has been assigned under House rules to the Committee on Public Works, which has jurisdiction over all legislative proposals for construction of new public buildings. Mr. Annunzio said he will pursue every avenue for expediting the bill's consideration by the latter Committee, while utilizing his position on the Banking and Currency Committee to develop the facts pointing to the advantages of a Chicago location.

A LETTER TO A BOY IN VIETNAM

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

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

There was no objection.

Mr. PEPPER. Mr. Speaker, in this time of crisis and conflict in Vietnam we seldom read or hear a statement of compassion and understanding for the soldier who is carrying out the policies of this country in defending freedom against communistic aggression. This dirty war in Vietnam is on everyone's mind nowadays but I would like to call to my colleagues attention an editorial broadcast over WTVJ, channel 4, in Miami, by Mr. Ralph Renick.

Mr. Renick is a leading figure in the community in the south Florida area and WTVJ is one of the outstanding TV stations of its kind in the South. Ralph Renick is a past president of Radio TV News Directors Association. His thought-projecting editorial on this past Christmas Eve made many of us stop and think and pay tribute, as well as thanks, to those boys who are risking their lives so that we can enjoy a happy and prosperous Christmas with our loved ones.

Mr. Speaker I include Mr. Renick's editorial "A Letter to a Boy in Vietnam" at this point in the RECORD:

A LETTER TO A BOY IN VIETNAM

We have a letter from Mrs. Amber Mary Scott. She says her grandson James Donaldson is serving in Vietnam with an Air Force group setting up radio and TV stations there.

Mrs. Scott says after hearing and reading reports of our boys in the mud in Viet Nam she wondered what we could do to let them know we appreciate what they are doing for us and our country.

Mrs. Scott asks that I write a few words to Jim that he can read over the air to those lonely men so far from home.

Well Mrs. Scott this is not an easy assignment but I'll do the best I can. Here are a few words which I hope please you and Jim.

"DEAR JIM: Your grandmother has written to me suggesting that perhaps during this season when everybody seems so intent on forgetting their troubles that I write to you in Viet Nam. I'll be honest, it's difficult to write these words from the comfort and safety here at home to someone who's got his life on the line every minute performing the hardest, roughest job in the world.

"I'm sure you know that those closest to you, your parents, grandparents, brothers, sisters, and sweethearts have their hearts with you this Christmas season as they do all the time, but maybe you'd be surprised to know that a lot of other citizens are thinking of you, too. You are not being taken for granted.

"My children are too young to be touched by this unhappy, dirty war in which you and your buddies are risking your lives but like most other parents I can imagine my feelings if my boy was serving in Viet Nam.

"This nation has never been quick to make war. Our citizen soldiers have always longed for home, not the battlefront. But since this country was founded it has been men like you that have preserved our heritage and made possible peace and freedom. Tomorrow it might be my boy doing the fighting.

"Forget what you hear about pickets and protests, the fact remains that all of us are aware of the debt we owe you. A debt we can never repay.

"I just hope that next Christmas we will have an honorable peace in Viet Nam and you'll be back here for the holidays.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. PEPPER (at the request of Mr. ALBERT), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MONAGAN, for 1 hour, on January 17, and to revise and extend his remarks and include extraneous matter.

Mr. HALL, for 40 minutes, on Tuesday, January 17, and to revise and extend his remarks and include extraneous matter.

Mr. GROSS, for 30 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

(The following Members (at the request of Mr. ARENDS) and to include extraneous matter:)

Mr. STEIGER of Wisconsin.

Mr. MAILLIARD.

Mr. LIPSCOMB.

(The following Member (at the request of Mr. STUCKEY) and to include extraneous matter:)

Mr. BINGHAM.

ADJOURNMENT

Mr. STUCKEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 26 minutes p.m.), the House adjourned until tomorrow, Tuesday, January 17, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

199. A letter from the vice president, Chesapeake & Potomac Telephone Co., transmitting the annual report of the Chesapeake & Potomac Telephone Co. for the year 1966; to the Committee on the District of Columbia.

200. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend section 6 of the District of Columbia Traffic Act, 1925, as amended, and to amend section 6 of the act approved July 2, 1940, as amended, to eliminate requirements that applications for motor vehicle title certificates and certain lien information related thereto be submitted under oath; to the Committee on the District of Columbia.

201. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the Healing Arts Practice Act, District of Columbia, 1928, as amended, and the act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto, approved June 6, 1892, as amended, to exempt from licensing thereunder physicians and dentists employed by the District of Columbia; to the Committee on the District of Columbia.

202. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend tne act entitled "An act to regulate the practice of podiatry in the District of Columbia"; to the Committee on the District of Columbia.

203. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Traffic Act, 1925, as amended, and the Motor Vehicle Safety Responsibility Act of the District of Columbia, as amended, so as to bring within the provisions of such acts any person operating a motor vehicle while under the influence of a drug rendering such person incapable of operating the motor vehicle safely; to the Committee on the District of Columbia.

204. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Traffic Act, 1925, as amended; to the Committee on the District of Columbia.

205. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to provide for the registration of names assumed for the purposes of trade or business in the District of Columbia; to the Committee on the District of Columbia.

206. A letter from the President, Board of Commissioners, District of Columbia, trans-

mitting a draft of proposed legislation to amend the act entitled "An act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes," approved February 4, 1915; to the Committee on the District of Columbia.

207. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend an act to provide for the establishment of a public crematorium in the District of Columbia; to the Committee on the District of Columbia.

208. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the act approved August 17, 1937, so as to facilitate the addition to the District of Columbia registration of a motor vehicle or trailer of the name of the spouse of the owner of any such motor vehicle or trailer; to the Committee on the District of Columbia.

209. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the act entitled "An act to provide for the annual inspection of all motor vehicles in the District of Columbia," approved February 18, 1938, as amended; to the Committee on the District of Columbia.

210. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Traffic Act, 1925, as amended; to the Committee on the District of Columbia.

211. A letter from the Comptroller General of the United States, transmitting the annual report on the activities of the U.S. General Accounting Office during the fiscal year ended June 30, 1966, pursuant to the provisions of section 312(a) of the Budget and Accounting Act of 1921; to the Committee on Government Operations.

212. A letter from the Comptroller General of the United States, transmitting a report of need for prompt adjustment in compensation payments to injured Federal employees from total to partial disability rates, Bureau of Employees' Compensation, Department of Labor; to the Committee on Government Operations.

213. A letter from the Secretary of Commerce, transmitting the ninth semiannual report on the activities of the U.S. Travel Service, pursuant to the provisions of section 5 of the International Travel Act of 1961; to the Committee on Interstate and Foreign Commerce.

214. A letter from the Chairman, Federal Maritime Commission, transmitting a draft of proposed legislation to amend section 27 of the Shipping Act, 1916; to the Committee on Merchant Marine and Fisheries.

215. A letter from the Assistant Administrator for Legislative Affairs, National Aeronautics and Space Administration, transmitting a report with respect to certain civilian positions established, pursuant to the provisions of section 1581, title 10, United States Code; to the Committee on Post Office and Civil Service.

216. A letter from the Librarian of Congress, transmitting a report of positions in the Library of Congress in grades GS–16, GS–17, and GS–18, pursuant to the provisions of Public Law 89–632; to the Committee on Post Office and Civil Service.

217. A letter from the Secretary of the Treasury, transmitting a proposal to increase the debt limit; to the Committee on Ways and Means.

218. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to establish a working capital fund for the Department of the Treasury; to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BERRY:

H.R. 2289. A bill to amend title 32, United States Code, to clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

By Mr. BLATNIK:

H.R. 2290. A bill granting the consent of Congress to a Great Lakes Basin compact, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BROWN of California:

H.R. 2291. A bill to provide for the establishment of a national cemetery in Los Angeles County in the State of California; to the Committee on Interior and Insular Affairs.

H.R. 2292. A bill to amend title 38 of the United States Code in order to establish in the Veterans' Administration a national veterans' cemetery system consisting of all cemeteries of the United States in which veterans of any war or conflict are or may be buried; to the Committee on Interior and Insular Affairs.

H.R. 2293. A bill to amend title 38, United States Code, to establish a Court of Veterans' Appeals and to prescribe its jurisdiction and functions; to the Committee on Veterans' Affairs.

H.R. 2294. A bill to amend the veterans' educational assistance program of title 38 of the United States Code so as to increase the amount of educational assistance allowances payable to veterans to include flight training in such program, to provide additional readjustment assistance for veterans of service after January 31, 1955, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BURKE of Massachusetts:

H.R. 2295. A bill to extend to nonprofit retirement organizations certain third-class mailing privileges; to the Committee on Post Office and Civil Service.

H.R. 2296. A bill to modify the decrease in group life insurance at age 65 or after retirement; to the Committee on Post Office and Civil Service.

H.R. 2297. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of business development corporations; to the Committee on Ways and Means.

H.R. 2298. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

H.R. 2299. A bill to amend the tariff schedules of the United States with respect to the rates of duty on certain fabrics containing wool and silk; to the Committee on Ways and Means.

By Mr. CABELL:

H.R. 2300. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. CEDERBERG:

H.R. 2301. A bill to provide for the issuance of a volunteer's medal to each individual who enlists in the Armed Forces of the United States during a period of war or armed conflict involving the United States; to the Committee on Armed Services.

By Mr. CLARK:

H.R. 2302. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. CRAMER:

H.R. 2303. A bill to provide that the highway running from Tampa, Fla., and St. Petersburg, Fla., through Bradenton, Fla., Sarasota, Fla., Venice, Fla., Punta Gorda, Fla., Fort Myers, Fla., Naples, Fla., and Miami, Fla., to Fort Lauderdale, Fla., and Homestead, Fla., shall be a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

H.R. 2304. A bill to amend section 129(b) of title 23, United States Code, relating to toll roads, bridges, and tunnels on the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. EDWARDS of California:

H.R. 2305. A bill to abolish the death penalty under all laws of the United States, and authorize the imposition of life imprisonment in lieu thereof, and for other purposes; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 2306. A bill to provide for Federal lotteries to raise funds to provide for a reduction in the national debt and a reduction in the Federal individual income taxes; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 2307. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2308. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GALLAGHER:

H.R. 2309. A bill to provide that Interstate Route No. 80 shall be known as the 80th Division Memorial Highway; to the Committee on Public Works.

By Mr. HORTON:

H.R. 2310. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. MOSS:

H.R. 2311. A bill to amend the Federal Power Act so as to require Federal Power Commission authority for the construction, extension, or operation of certain facilities for the transmission of electric energy in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. MULTER:

H.R. 2312. A bill to amend the Housing Act of 1949 to provide that the full cost of opening, widening, and improving streets along the boundary of an urban renewal project shall be includible as a part of the local grant-in-aid for such project; to the Committee on Banking and Currency.

H.R. 2313. A bill to amend the National Housing Act to fix the premium for the insurance of cooperative housing mortgages at the minimum permissible level (one-fourth of 1 percent per annum); to the Committee on Banking and Currency.

H.R. 2314. A bill to amend section 608 of the National Housing Act to prevent the charging of excessive rents, resulting from unduly high estimates of costs, in the case of property covered by a mortgage insured under such section; to the Committee on Banking and Currency.

H.R. 2315. A bill to provide all citizens of the District of Columbia, particularly its low- and moderate-income families, equal access to and participation in the arts by establishing neighborhood art centers and supporting neighborhood advisory and working art groups, and by providing greater support for the National Symphony Orchestra, the Corcoran Gallery of Art, the Children's Theater, and other nonprofit art programs of the District of Columbia; to the Committee on the District of Columbia.

H.R. 2316. A bill relating to the establishment of parking facilities in the District of Columbia; to the Committee on the District of Columbia.

H.R. 2317. A bill relating to the practice of

law in the District of Columbia; to the Committee on the District Columbia.

H.R. 2318. A bill to amend the District of Columbia Alcoholic Beverage Control Act to prohibit false advertising in the District of Columbia relating to alcoholic beverages; to the Committee on the District of Columbia.

H.R. 2319. A bill to amend the District of Columbia Income and Franchise Tax Act of 1947 with respect to the deduction of medical expenses; to the Committee on the District of Columbia.

H.R. 2320. A bill to amend the act of October 13, 1964, to regulate the location of chanceries and other business offices of foreign governments in the District of Columbia; to the Committee on the District of Columbia.

H.R. 2321. A bill to provide for the establishment of a municipal arts council representative of local nonprofit organizations and institutions, including educational organizations and institutions, in the District of Columbia with active programs in the arts, to set aside for such local cultural activities 1 mill out of each $1 of tax revenue of the government of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 2322. A bill to authorize the Commissioners of the District of Columbia to acquire, contract, operate, and regulate a public offstreet parking facility; to the Committee on the District of Columbia.

H.R. 2323. A bill to amend the District of Columbia Redevelopment Act of 1945; to the Committee on the District of Columbia.

H.R. 2324. A bill to amend the District of Columbia Alcoholic Beverage Control Act to prohibit the sales of alcoholic beverages to persons under 21 years of age; to the Committee on the District of Columbia.

H.R. 2325. A bill to require the registration of pistols in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 2326. A bill to amend the District of Columbia Alcoholic Beverage Control Act for the purpose of prohibiting certain sales below cost; to the Committee on the District of Columbia.

H.R. 2327. A bill to amend the District of Columbia Alcoholic Beverage Control Act for the purpose of prohibiting certain sales below cost; to the Committee on the District of Columbia.

H.R. 2328. A bill to provide certain incentives for the repair, improvement, renovation, and restoration of residential and commercial property under the tax laws of the District of Columbia, to provide that existing housing in urban renewal areas in the District of Columbia shall be rehabilitated, restored, and preserved in all possible cases, and for other purposes; to the Committee on the District of Columbia.

H.R. 2329. A bill to require proof of financial security with respect to each person who registers a motor vehicle in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 2330. A bill to amend the act of July 8, 1932, relating to the control or possession in the District of Columbia of dangerous weapons, and for other purposes; to the Committee on the District of Columbia.

H.R. 2331. A bill to amend the District of Columbia Redevelopment Act of 1945, and for other purposes; to the Committee on the District of Columbia.

H.R. 2332. A bill to amend the District of Columbia Alcoholic Beverage Control Act; to the Committee on the District of Columbia.

H.R. 2333. A bill to promote safe driving and eliminate the reckless and irresponsible driver from the streets and highways of the District of Columbia by providing that any person operating a motor vehicle within the District while apparently under the influence of intoxicating liquor shall be deemed to have given his consent to a chemical test of certain of his body substances to determine the alcoholic content of his blood, and for other purposes; to the Committee on the District of Columbia.

H.R. 2334. A bill to provide for increased Federal Government participation in meeting the costs of maintaining the Nation's Capital City and to authorize Federal loans to the District of Columbia for capital improvement programs; to the Committee on the District of Columbia.

H.R. 2335. A bill to amend the act of July 8, 1932 (relating to dangerous weapons in the District of Columbia), to create a presumption in connection with the possession of certain dangerous weapons; to the Committee on the District of Columbia.

H.R. 2336. A bill to amend the District of Columbia Income and Franchise Tax Act of 1947 to provide an exemption for students, and for other purposes; to the Committee on the District of Columbia.

H.R. 2337. A bill to license and regulate private employment agencies in the District of Columbia; to the Committee on the District of Columbia.

H.R. 2338. A bill to permit certain proceedings supplementary to judgment in the U.S. District Court for the District of Columbia and in the municipal court for the District of Columbia; to the Committee on the District of Columbia.

H.R. 2339. A bill to amend the District of Columbia Alcoholic Beverage Control Act to prohibit certain advertising with respect to price, and to prohibit false advertising in the District of Columbia relating to alcoholic beverages; to the Committee on the District of Columbia.

H.R. 2340. A bill to amend the Federal Employees' Compensation Act to extend coverage to certain persons engaged in civil defense; to the Committee on Education and Labor.

H.R. 2341. A bill to amend the National Defense Education Act of 1958 to provide for a college scholarship program; to the Committee on Education and Labor.

H.R. 2342. A bill to encourage and promote the establishment of an Inter-American Court of Justice; to the Committee on Foreign Affairs.

H.R. 2343. A bill to amend the International Peace and Security Act of 1961 to provide for the establishment and support of a Western Hemisphere Police Force; to the Committee on Foreign Affairs.

H.R. 2344. A bill to create a National Peace Agency and to prescribe its functions; to the Committee on Foreign Affairs.

H.R. 2345. A bill to establish a Foreign Service Officers' Training Corps; to the Committee on Foreign Affairs.

H.R. 2346. A bill to amend the Hatch Act to permit all officers and employees of the Government to exercise the full responsibility of citizenship and to take an active part in the political life of the United States; to the Committee on House Administration.

H.R. 2347. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

H.R. 2348. A bill to amend the Federal Trade Commission Act to strengthen independent competitive enterprise by providing for fair competitive acts, practices, and methods of competition, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2349. A bill to designate the Tuesday next after the first Monday in November in every even numbered year as election day and to make it a legal public holiday; to the Committee on the Judiciary.

H.R. 2350. A bill to amend the Immigration and Nationality Act to provide that clergymen who are naturalized citizens shall not lose their nationality by residence abroad, even though they are not representatives of American organizations, if they devote full time to their clerical duties, and for other purposes; to the Committee on the Judiciary.

H.R. 2351. A bill to amend the Immigration and Nationality Act to impose a limitation upon the time for the institution of deportation proceedings, and a limitation upon the time for the loss of U.S. nationality; to the Committee on the Judiciary.

H.R. 2352. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 2353. A bill to amend the act of August 11, 1939, relating to domestically produced fishery products to establish a fund for the advancement of commercial fisheries; to the Committee on Merchant Marine and Fisheries.

H.R. 2354. A bill to amend the Civil Service Retirement Act to increase to 2½ percent the multiplication factor for determining annuities for certain Federal employees engaged in hazardous duties; to the Committee on Post Office and Civil Service.

H.R. 2355. A bill to provide that certain Government officers and employees shall be excused from duty for a sufficient period of time to vote in elections; to the Committee on Post Office and Civil Service.

H.R. 2356. A bill to amend the Classification Act of 1949, as amended, so as to authorize longevity step increases for officers and employees in grades above grade 15 of the general schedule; to the Committee on Post Office and Civil Service.

H.R. 2357. A bill to amend the Civil Service Retirement Act to authorize retirement without reduction in annuity of employees with 20 years of service involuntarily separated from the service by reason of the abolition or relocation of their employment; to the Committee on Post Office and Civil Service.

H.R. 2358. A bill to extend the benefits of the Retired Federal Employees Health Benefits Act in certain cases; to the Committee on Post Office and Civil Service.

H.R. 2359. A bill to provide for the separation from the service of certain Government employees who have unpaid judgments against them, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2360. A bill to authorize the retirement under the Civil Service Retirement Act, without reduction in annuity and regardless of age, of employees who have completed 30 years of service; to the Committee on Post Office and Civil Service.

H.R. 2361. A bill to provide a retroactive effective date of July 1, 1965, for the severance pay provisions in section 9 of the Federal Employees Salary Act of 1965 so as to extend the application of such provisions; to the Committee on Post Office and Civil Service.

H.R. 2362. A bill to provide coverage under the old-age, survivors, and disability insurance system (subject to an election in the case of those currently serving) for all officers and employees of the United States and its instrumentalities; to the Committee on Ways and Means.

By Mr. NATCHER:

H.R. 2363. A bill to extend veteran benefits to persons serving in the Armed Forces between November 12, 1918, and July 2, 1921; to the Committee on Veterans' Affairs.

By Mr. O'NEAL of Georgia:

H.R. 2364. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. PERKINS:

H.R. 2365. A bill to increase educational opportunities throughout the Nation by providing grants for the construction of elementary and secondary schools and supplemental educational centers and for other purposes; to the Committee on Education and Labor.

H.R. 2366. A bill to amend the Vocational Education Act of 1963; to the Committee on Education and Labor.

H.R. 2367. A bill to amend title II of the Social Security Act to increase all benefits thereunder by 15 percent and to provide that full benefits (when based on attainment of retirement age) will be payable to both men and women at age 60, and for other purposes; to the Committee on Ways and Means.

H.R. 2368. A bill to provide that individuals entitled to disability insurance benefits (or child's benefits based on disability) under title II of the Social Security Act, and individuals entitled to permanent disability annuities (or child's annuities based on disability) under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act; to the Committee on Ways and Means.

By Mr. RODINO:

H.R. 2369. A bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Education and Labor.

H.R. 2370. A bill to provide for a comprehensive review of national water resource problems and programs, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2371. A bill to strengthen the criminal penalties for the mailing, importing, or transporting of obscene matter, and for other purposes; to the Committee on the Judiciary.

H.R. 2372. A bill declaring October 12 to be a legal holiday; to the Committee on the Judiciary.

H.R. 2373. A bill to require mailing list brokers to register with the Postmaster General, and suppliers and buyers of mailing lists to furnish information to the Postmaster General with respect to their identity and transactions involving the sale or exchange of mailing lists, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROSENTHAL:

H.R. 2374. A bill to establish a National Consumer Information Foundation as an independent agency in the executive branch of the Federal Government; to the Committee on Interstate and Foreign Commerce.

By Mr. STUBBLEFIELD:

H.R. 2375. A bill to amend the Food and Agriculture Act of 1965; to the Committee on Agriculture.

By Mr. TUNNEY:

H.R. 2376. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 2377. A bill designating the fourth Friday in September of each year as National Indian Day; to the Committee on the Judiciary.

H.R. 2378. A bill to extend preferential postage rates to qualifying museums for the mailing of educational materials, loan exhibits, and other materials; to the Committee on Post Office and Civil Service.

H.R. 2379. A bill to provide for the construction of a Veterans' Administration hospital of 1,000 beds in the Riverside-San Bernardino area of the State of California; to the Committee on Veterans' Affairs.

H.R. 2380. A bill to amend section 170(c) of the Internal Revenue Code of 1954 to provide a deduction from gross income for contributions and gifts to or for the use of certain conservation organizations; to the Committee on Ways and Means.

H.R. 2381. A bill to amend the Internal Revenue Code of 1954 to provide that construction workers shall be allowed the deduction for moving expenses without regard to the length of time they are employed at their new location; to the Committee on Ways and Means.

Mr. ZABLOCKI:

H.R. 2382. A bill to require mailing list brokers to register with the Postmaster General, and suppliers and buyers of mailing lists to furnish information to the Postmaster General with respect to their identity and transactions involving the sale or exchange of mailing lists, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 2383. A bill to authorize on-the-job training and apprenticeship programs under the veterans' educational assistance program embodied in title 38 of the United States Code; to the Committee on Veterans' Affairs.

By Mr. ANNUNZIO:

H.R. 2384. A bill to authorize and request the President to award a Presidential Unit Citation to the 761st Tank Battalion; to the Committee on Armed Services.

H.R. 2385. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 2386. A bill to amend the Internal Revenue Code of 1954 to allow a deduction, for income tax purposes, based on expenses incurred by the taxpayer for the higher education of his children; to the Committee on Ways and Means.

By Mr. ASHMORE:

H.R. 2387. A bill to revise the Federal election laws, and for other purposes; to the Committee on House Administration.

By Mr. DENNEY:

H.R. 2388. A bill to provide for an extension of Interstate Highway 29 into Nebraska, including a bridge; to the Committee on Public Works.

By Mr. ESHLEMAN:

H.R. 2389. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. FISHER:

H.R. 2390. A bill to strengthen democratic processes respecting the calling of strikes, to protect employees against unjustifiable pay losses from strikes, to protect employers from needless production interruptions arising out of strikes contrary to the wishes of employees, and to minimize industrial strife interfering with the flow of commerce and the national security by amending the National Labor Relations Act to require economic strikes to be authorized by a secret ballot; to the Committee on Education and Labor.

H.R. 2391. A bill to limit and prevent certain concerted activities by labor organizations which interfere with or obstruct or impede the free production of goods for commerce or the free flow thereof in commerce, and for other purposes; to the Committee on Education and Labor.

H.R. 2392. A bill to create a new division for the western district of Texas, and for other purposes; to the Committee on the Judiciary.

H.R. 2393. A bill to amend the Internal Revenue Code of 1954 to provide that the value of a decedent's real property (or interest in real property) which was used as a ranch or farm or in some other trade or business may at the election of the executor be determined, for estate tax purposes, solely by reference to its value for such use; to the Committee on Ways and Means.

By Mr. GIAIMO:

H.R. 2394. A bill to amend section 501 of title 38, United States Code, to provide that under certain conditions, service on the Mexican border before World War I may be included in determining whether a veteran meets the service requirements applicable to the payment of pension; to the Committee on Veterans' Affairs.

By Mr. GURNEY:

H.R. 2395. A bill to amend title 38 of the United States Code so as to increase by 10 percent the rate of pension payable to certain widows of veterans of World War I, World War II, and the Korean conflict, and to increase the income limitations applicable with respect to the payment of such pensions; to the Committee on Veterans' Affairs.

H.R. 2396. A bill to amend title 38 of the United States Code so as to raise the income limitations applicable with respect to pensions payable under that title; to the Committee on Veterans' Affairs.

By Mr. HICKS:

H.R. 2397. A bill to amend title 10, United States Code, to provide that members of the Armed Forces shall be retired in the highest grade satisfactorily held in any armed force, and for other purposes; to the Committee on Armed Services.

H.R. 2398. A bill to amend the Older Americans Act of 1965 to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

By Mr. HUTCHINSON:

H.R. 2399. A bill to amend the provisions of the Criminal Code relating to kidnaping to relieve juries of the duty of deciding whether the death sentence should be imposed; to the Committee on the Judiciary.

By Mr. KING of New York:

H.R. 2400. A bill to increase the personal income tax exemption of a taxpayer and the additional exemption for his spouse from $600 to $1,000, and to increase the exemption for a dependent from $600 to $1,000; to the Committee on Ways and Means.

By Mr. MACHEN:

H.R. 2401. A bill to amend the Older Americans Act of 1965 to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

H.R. 2402. A bill to require the Secretary of the Army to remove certain abandoned ships from the Potomac River; to the Committee on Public Works.

By Mr. MULTER:

H.R. 2403. A bill to authorize the Board of Commissioners of the District of Columbia to acquire, transfer, convey, and lease certain property in the District of Columbia for use as a headquarters site for the Organization of American States, as sites for other international organizations, and as sites for governments of foreign countries, and for other purposes; to the Committee on the District of Columbia.

By Mr. RHODES of Arizona:

H.R. 2404. A bill to amend the act of May 11, 1954 (ch. 199, sec. 1, 68 Stat. 81, 41 U.S.C. 321), to provide for full adjudication of rights of Government contractors in courts of law; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 2405. A bill to authorize a preliminary hearing and survey to determine the justification for a small boat channel from Santa Rosa Sound to the Gulf of Mexico in the vicinity of Fort Walton Beach, Fla.; to the Committee on Public Works.

By Mr. SMITH of New York:

H.R. 2406. A bill to amend the tariff schedules of the United States to allow containers for certain petroleum products and derivatives to be temporarily imported without payment of duty; to the Committee on Ways and Means.

By Mr. UTT:

H.R. 2407. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of facilities to control water and air pollution by allowing a tax credit for expenditures incurred in constructing such facilities and by permitting the deduction or amortization over a period of 1 to 5 years, of such expenditures; to the Committee on Ways and Means.

By Mr. WALKER:

H.R. 2408. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher

education and including certain travel; to the Committee on Ways and Means.

By Mr. WHITTEN:

H.R. 2409. A bill to permit the disposal of certain Federal real property for use for educational purposes; to the Committee on Banking and Currency.

H.R. 2410. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

H.R. 2411. A bill to provide for determination through judicial proceedings of claims for compensation on account of disability or death resulting from disease or injury incurred or aggravated in line of duty while serving in the active military or naval service, including those who served during peacetime, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2412. A bill to protect funds invested in series E U.S. savings bonds from inflation and to encourage persons to provide for their own security; to the Committee on Ways and Means.

H.R. 2413. A bill to amend title IV of the Social Security Act to permit Federal grants for aid to dependent children to be made thereunder even though the parents or other relatives with whom such children are living are required to perform services in a work relief program as a condition of such aid; to the Committee on Ways and Means.

H.R. 2414. A bill to increase the personal tax exemptions of a single taxpayer or head of household from $600 to $1,200; to the Committee on Ways and Means.

H.R. 2415. A bill to amend the Internal Revenue Code of 1954 to exempt certain farm vehicles from the highway use tax; to the Committee on Ways and Means.

H.R. 2416. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and other educational expenses paid by him, whether for his own education or for the education of his spouse or a dependent or any other individual; to the Committee on Ways and Means.

By Mr. WYATT:

H.R. 2417. A bill to conserve and protect Pacific salmon of North American origin; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 2418. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extension of credit; to the Committee on Banking and Currency.

By Mr. MAILLIARD:

H.R. 2419. A bill to prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. PATMAN:

H.R. 2420. A bill fixing the representation of the majority and minority membership of the Joint Economic Committee; to the Committee on Government Operations.

By Mr. PELLY:

H.R. 2421. A bill to prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. SIKES:

H.R. 2422. A bill to authorize the establishment of the Biscayne National Monument in the State of Florida, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 2423. A bill for the relief of the living descendants of the Creek Nation of 1814; to the Committee on Interior and Insular Affairs.

By Mr. TUCK:

H.R. 2424. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

By Mr. TUNNEY:

H.R. 2425. A bill to grant, subject to certain conditions, a preference right of reentry under the desert land laws to entrymen, their heirs or assigns, with desert land entries within the Imperial Irrigation and Coachella Valley County Water Districts, where such entries have been canceled subsequent to December 1, 1965; to the Committee on Interior and Insular Affairs.

By Mr. WHITE:

H.R. 2426. A bill to amend section 705 of the Civil Rights Act of 1964 in order to increase the membership of the Equal Employment Opportunity Commission from five members to seven members, and for other purposes; to the Committee on Education and Labor.

By Mr. WHITTEN:

H.R. 2427 A bill to authorize an additional 41,000 miles for the National System of Interstate and Defense Highways; to the Committee on Public Works.

H.R. 2428. A bill to amend the Internal Revenue Code to remove the limitations on the amount of medical and dental expenses which may be deducted, to permit taxpayers to deduct such expenses, to arrive at their adjusted gross income, and for other purposes; to the Committee on Ways and Means.

H.R. 2429. A bill to provide aid to States for roads and schools; to the Committee on Ways and Means.

By Mr. WILLIS:

H.R. 2430. A bill to amend section 215 of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. ASHBROOK:

H.R. 2431. A bill to amend section 215 of the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.R. 2432. A bill to provide for the establishment of a mint of the United States at Chicago, Ill.; to the Committee on Public Works.

H.J. Res. 131. Joint resolution to authorize the President to issue annually a proclamation designating the first week in November of each year as American Art Week; to the Committee on the Judiciary.

By Mr. BERRY:

H.J. Res. 132. Joint resolution proposing an amendment to the Constitution of the United States relative to the balancing of the budget; to the Committee on the Judiciary.

By Mr. EDWARDS of California:

H.J. Res. 133. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H.J. Res. 134. Joint resolution proposing an amendment to the Constitution of the United States providing that citizens 18 years old or members of the Armed Forces of the United States shall not be prevented from voting in certain elections on grounds of their age; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.J. Res. 135. Joint resolution to authorize the President to proclaim the 22d of April of each year as Queen Isabella Day; to the Committee on the Judiciary.

By Mr. OLSEN:

H.J. Res. 136. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. ROBERTS:

H.J. Res. 137. Joint resolution proposing an amendment to the Constitution of the United States to permit voluntary participation in prayer in public schools; to the Committee on the Judiciary.

By Mr. RODINO:

H.J. Res. 138. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.J. Res. 139. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.J. Res. 140. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.J. Res. 141. Joint resolution to authorize the President to proclaim the second week of November 1967, as National Date Week; to the Committee on the Judiciary.

By Mr. WHITTEN:

H.J. Res. 142. Joint resolution to establish a commission to investigate the increase in riots and law violations, including loss of life and property, damage to or threat of damage to or destruction of the economy of States, counties, municipalities, or other political subdivisions, the causes thereof, and to recommend legislation that would grant States, counties, municipalities, or other political subdivisions additional rights to obtain injunctive and other relief to the end that the public welfare be protected; to the Committee on the Judiciary.

H.J. Res. 143. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

H.J. Res. 144. Joint resolution to establish the Commission for Reestablishing Constitutional Principles; to the Committee on the Judiciary.

H.J. Res. 145. Joint resolution to establish a commission to investigate the increase in law violation, to determine the causes and fix responsibility for the breakdown in law enforcement, with the resulting destruction of life and property, to recommend corrective legislation, and for other purposes; to the Committee on the Judiciary.

H.J. Res. 146. Joint resolution providing that the United States shall not participate in any civil action except as a party to such civil action; to the Committee on the Judiciary.

H.J. Res. 147. Joint resolution proposing an amendment to the Constitution relating to the terms of office of judges of the Supreme Court of the United States and inferior courts; to the Committee on the Judiciary.

H.J. Res. 148. Joint resolution to restore to the States certain rights affected by recent Supreme Court decisions; to the Committee on the Judiciary.

H.J. Res. 149. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

H.J. Res. 150. Joint resolution to amend the Constitution of the United States to guarantee the right of any State to apportion one house of its legislature on factors other than population; to the Committee on the Judiciary.

By Mr. YOUNGER:

H.J. Res. 151. Joint resolution to provide for the resumption of trade with Rhodesia; to the Committee on Foreign Affairs.

By Mr. YOUNGER (by request):

H.J. Res. 152. Joint resolution designating the Luther Burbank Shasta Daisy as the national flower of the United States; to the Committee on House Administration.

By Mr. FLYNT:

H. Con. Res. 63. Concurrent resolution expressing the sense of Congress that the Fed-

eral-aid highway program should continue without interruption; to the Committee on Ways and Means.

By Mr. HORTON:

H. Con. Res. 64. Concurrent resolution expressing the sense of the Congress with respect to a joint United States-Union of Soviet Socialist Republics guarantee of Middle Eastern frontiers in the interest of world peace; to the Committee on Foreign Affairs.

By Mr. KING of New York:

H. Con. Res. 65. Concurrent resolution expressing the sense of the Congress with respect to the settlement of the indebtedness of the French Republic to the United States made by the World War Foreign Debt Commission and approved by the President; to the Committee on Ways and Means.

By Mr. RODINO:

H. Con. Res. 66. Concurrent resolution to provide for a permanent United Nations Peacekeeping Force; to the Committee on Foreign Affairs.

By Mr. ANNUNZIO:

H. Res. 130. Resolution to include drum and bugle corps under the mutual Educational and Cultural Exchange Act of 1961, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BERRY:

H. Res. 131. Resolution to amend rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. CELLER:

H. Res. 132. Resolution to provide funds for the Committee on the Judiciary; to the Committee on House Administration.

By Mr. QUILLEN:

H. Res. 133. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. WHITTEN:

H. Res. 134. Resolution creating a select committee to conduct an investigation and study of the Commissioner of Education's policies and guidelines on school desegregation, and to stay action until such study is completed; 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. ANNUNZIO:

H.R. 2433. A bill for the relief of Antonino Ciullo; to the Committee on the Judiciary.

By Mr. ASHMORE:

H.R. 2434. A bill for the relief of Nora Austin Hendrickson; to the Committee on the Judiciary.

By Mr. BLATNIK:

H.R. 2435. A bill for the relief of Masayoshi Arashiba; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 2436. A bill to provide for the free entry of certain neckties for the use of the Victorian Club of Boston; to the Committee on Ways and Means.

By Mr. CAHILL:

H.R. 2437. A bill for the relief of Janina Morawska; to the Committee on the Judiciary.

By Mr. CONABLE:

H.R. 2438. A bill for the relief of Mohammad Maqsood Alam; to the Committee on the Judiciary.

By Mr. EDWARDS of California:

H.R. 2439. A bill for the relief of S & S Vending Machine Company; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 2440. A bill for the relief of Benjamin Alexander Shafran; to the Committee on the Judiciary.

H.R. 2441. A bill for the relief of Dr. Hooshang Behroozi; to the Committee on the Judiciary.

H.R. 2442. A bill for the relief of Lucia Cruz Pineda; to the Committee on the Judiciary.

H.R. 2443. A bill for the relief of Semir Herschel Ghamar; to the Committee on the Judiciary.

H.R. 2444. A bill for the relief of Irena Romkowska Pol; to the Committee on the Judiciary.

H.R. 2445. A bill for the relief of Ahouva Rubinstein; to the Committee on the Judiciary.

H.R. 2446. A bill for the relief of Elaine Minerva Hylton; to the Committee on the Judiciary.

H.R. 2447. A bill for the relief of Charles B. Murray and Maisie M. Murray; to the Committee on the Judiciary.

H.R. 2448. A bill for the relief of Ljubica and Zorka Stipcevic; to the Committee on the Judiciary.

H.R. 2449. A bill for the relief of Wong Yue Hong; to the Committee on the Judiciary.

H.R. 2450. A bill for the relief of Chan Che Ming; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 2451. A bill for the relief of Pasqualina Silvaroli (Linda) Fiore; to the Committee on the Judiciary.

By Mr. HICKS:

H.R. 2452. A bill for the relief of Mrs. Mary C. Ryan; to the Committee on the Judiciary.

By Mr. HOSMER:

H.R. 2453. A bill for the relief of Fedor Frank Bacskai and his wife, Susanne Kostyal Bacskai; to the Committee on the Judiciary.

By Mr. KASTENMEIER:

H.R. 2454. A bill for the relief of the children of Mrs. Doris E. Warren; to the Committee on the Judiciary.

H.R. 2455. A bill for the relief of Dean P. Bartelt; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 2456. A bill for the relief of Shaoul Shammah; to the Committee on the Judiciary.

H.R. 2457. A bill for the relief of Serafino Tomassetti and his wife, Luisa Maria Tomassetti; to the Committee on the Judiciary.

H.R. 2458. A bill for the relief of Hazel Ann Smith; to the Committee on the Judiciary.

H.R. 2459. A bill for the relief of Pamalet Maxian Garth; to the Committee on the Judiciary.

H.R. 2460. A bill for the relief of Frida and Jacobo Goldstein; to the Committee on the Judiciary.

H.R. 2461. A bill for the relief of Wan Tao Liu; to the Committee on the Judiciary.

By Mr. KING of California:

H.R. 2462. A bill for the relief of Mrs. Irene Florence Lamey; to the Committee on the Judiciary.

By Mr. KING of New York:

H.R. 2463. A bill for the relief of Itzhaq Feldman; to the Committee on the Judiciary.

H.R. 2464. A bill for the relief of Yoo Young Hui; to the Committee on the Judiciary.

H.R. 2465. A bill for the relief of Dyung-Ki Kim; to the Committee on the Judiciary.

H.R. 2466. A bill for the relief of Gerasimoida Nisidin; to the Committee on the Judiciary.

H.R. 2467. A bill for the relief of Lem Buck You, Lem Soo Ying, and Lem Stanley; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 2468. A bill for the relief of Dr. Morelly Maayan; to the Committee on the Judiciary.

H.R. 2469. A bill for the relief of Mrs. Deborah Gisela Trinezer de Sperber; to the Committee on the Judiciary.

H.R. 2470. A bill to provide for the free entry of one rheogoniometer for the use of Tufts University, Boston, Mass.; to the Committee on Ways and Means.

By Mr. MACHEN:

H.R. 2471. A bill for the relief of Dr. Albert Victor Michael Ferris-Prabhu; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 2472. A bill for the relief of Mrs. Agnes Chin-An Sun and her daughter, Paulina Sun, and her son, John Sun; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 2473. A bill for the relief of Efstathia Marinakos; to the Committee on the Judiciary.

H.R. 2474. A bill for the relief of Ileja Kalember; to the Committee on the Judiciary.

H.R. 2475. A bill for the relief of Harry Chuen Lee and his wife, Corinne Lee; to the Committee on the Judiciary.

H.R. 2476. A bill for the relief of Konstantionos Kasanis; to the Committee on the Judiciary.

By Mr. O'NEAL of Georgia:

H.R. 2477. A bill for the relief of John J. McGrath; to the Committee on the Judiciary.

By Mr. REINECKE:

H.R. 2478. A bill for the relief of Josefina Pilcar Abutani Fuliar; to the Committee on the Judiciary.

H.R. 2479. A bill for the relief of Saydi Issa Ghazal; to the Committee on the Judiciary.

H.R. 2480. A bill for the relief of Mrs. Hechmat Barkohani Nehorayan; to the Committee on the Judiciary.

H.R. 2481. A bill for the relief of Alejandro Ham Chea; to the Committee on the Judiciary.

H.R. 2482. A bill for the relief of Roman Padua; to the Committee on the Judiciary.

By Mr. REUSS:

H.R. 2483. A bill for the relief of Antonio Garcia Sola; to the Committee on the Judiciary.

H.R. 2484. A bill for the relief of Mrs. Katharina Doermer; to the Committee on the Judiciary.

H.R. 2485. A bill for the relief of Elisabeta Horwath; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 2486. A bill for the relief of Seok Yul Han; to the Committee on the Judiciary.

H.R. 2487. A bill for the relief of Hung Shik Park and his wife, Myoung Hee Park; to the Committee on the Judiciary.

By Mr. SIKES:

H.R. 2488. A bill for the relief of Robert Baldwin Lloyd; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 2489. A bill for the relief of Mrs. Laurette Mae Dunn; to the Committee on the Judiciary.

H.R. 2490. A bill for the relief of Adolfo Lopez Mendez, doctor of medicine; to the Committee on the Judiciary.

H.R. 2491. A bill for the relief of Fumihiro Morikawa, Masamitsu Kaneko, and Masakatsu Kawano; to the Committee on the Judiciary.

H.R. 2492. A bill for the relief of Manuel J. Vicent; to the Committee on the Judiciary.

H.R. 2493. A bill for the relief of Reyes Cardona-Banuelos; to the Committee on the Judiciary.

H.R. 2494. A bill for the relief of Hamaka Nakamura; to the Committee on the Judiciary.

H.R. 2495. A bill for the relief of Rene Paulo Rohden-Sobrinho; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.R. 2496. A bill for the relief of Frank Brothers; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 2497. A bill for the relief of Mario Antonio Ramirez; to the Committee on the Judiciary.

H.R. 2498. A bill for the relief of Sophia Panagiotis Iosifidou; to the Committee on the Judiciary.

H.R. 2499. A bill for the relief of Antonio Manuel de Rezende de Sousa Andrade; to the Committee on the Judiciary.

By Mr. WHITTEN:

H.R. 2500. A bill for the relief of Constan-

tine George Xidaris and his wife, Ismini Xidaris; to the Committee on the Judiciary.

By Mr. WINN:

H.R. 2501. A bill for the relief of Dr. Jinks Einstein Walter; to the Committee on the Judiciary.

SENATE

MONDAY, JANUARY 16, 1967

(Legislative day of Thursday, January 12, 1967)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by Hon. WILLIAM B. SPONG, JR., a Senator from the State of Virginia.

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

Eternal God, Father of all men, Thou hast taught us that in quietness and in confidence shall be our strength. In the midst of these feverish days we pray Thou wilt breathe through the heats of our desire Thy coolness and Thy balm.

Take from our souls the strain and stress and let our ordered lives confess the beauty of Thy peace. Send us forth as sons of the morning to bring Thy light to every shadowed life we meet. As every ray of sunshine leads back to the sun, so this hour teach our thoughts to travel up the road of Thy benedictions to Thyself.

"For every virtue we possess
And every victory won,
And every thought of holiness,
Are Thine alone."

For Thine is the kingdom and the power. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., January 16, 1967.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. WILLIAM B. SPONG, JR., a Senator from the State of Virginia, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

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

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Thursday, January 12, 1967, was approved.

ATTENDANCE OF A SENATOR

Hon. WALTER F. MONDALE, a Senator from the State of Minnesota, appeared in his seat today.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

AMENDMENT OF STANDING RULES OF THE SENATE

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from South Dakota [Mr. MCGOVERN] to proceed to the consideration of Senate Resolution 6.

LIMITATION ON STATEMENTS DURING THE 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.

ASSIGNMENT OF MINORITY PARTY'S MEMBERSHIP ON STANDING COMMITTEES

Mr. DIRKSEN. Mr. President, I send to the desk a resolution setting forth the names of Senators who shall constitute the minority party's membership on the standing committees of the Senate for the 90th Congress, and I ask unanimous consent for its immediate consideration.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 18) was read, considered, and agreed to, as follows:

S. RES. 18

Resolved, that the following shall constitute the minority party's membership on the standing committees of the Senate for the Ninetieth Congress:

COMMITTEE ON AERONAUTICAL AND SPACE SCIENCES

Mrs. Smith, Messrs. Hickenlooper, Curtis, Jordan, Brooke, Percy.

COMMITTEE ON AGRICULTURE AND FORESTRY

Messrs. Aiken, Young, Boggs, Miller, Hatfield.

COMMITTEE ON APPROPRIATIONS

Messrs. Young, Mundt, Mrs. Smith, Messers. Kuchel, Hruska, Allott, Cotton, Case, Javits.

COMMITTEE ON ARMED SERVICES

Mrs. Smith, Messrs. Thurmond, Miller, Tower, Pearson, Dominick.

COMMITTEE ON BANKING AND CURRENCY

Messrs. Bennett, Tower, Hickenlooper, Brooke, Percy.

COMMITTEE ON COMMERCE

Messrs. Cotton, Morton, Scott, Prouty, Pearson, Griffin.

COMMITTEE ON THE DISTRICT OF COLUMBIA

Messrs. Prouty, Dominick, Morton.

COMMITTEE ON FINANCE

Messrs. Williams of Delaware, Carlson, Bennett, Curtis, Morton, Dirksen.

COMMITTEE ON FOREIGN RELATIONS

Messrs. Hickenlooper, Aiken, Carlson, Williams of Delaware, Mundt, Case, Cooper.

COMMITTEE ON GOVERNMENT OPERATIONS

Messrs. Mundt, Curtis, Javits, Hansen, Baker.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Messrs. Kuchel, Allott, Jordan of Idaho, Fannin, Hansen, Hatfield.

COMMITTEE ON THE JUDICIARY

Messrs. Dirksen, Hruska, Fong, Scott, Thurmond.

COMMITTEE ON LABOR AND PUBLIC WELFARE

Messrs. Javits, Prouty, Dominick, Murphy, Fannin, Griffin.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

Messrs. Carlson, Fong, Boggs, Fannin.

COMMITTEE ON PUBLIC WORKS

Messrs. Cooper, Fong, Boggs, Murphy, Jordan of Idaho, Baker.

COMMITTEE ON RULES AND ADMINISTRATION

Messrs. Curtis, Cooper, Scott.

SENATOR SMATHERS ELECTED CHAIRMAN OF THE SELECT COMMITTEE ON SMALL BUSINESS

Mr. MANSFIELD. Mr. President, I send to the desk a resolution and ask unanimous consent for its immediate consideration.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Without objection, the resolution (S. Res. 19) was read, considered, and agreed to, as follows:

Resolved, That Mr. Smathers, of Florida be, and he is hereby, elected chairman of the Select Committee on Small Business, in lieu of Mr. Sparkman, of Alabama, resigned.

STATEMENT OF THE MAJORITY LEADER AT THE DEMOCRATIC CONFERENCE

Mr. MANSFIELD. Mr. President, on January 10, just prior to the convening of the new session, the Senate Democratic conference held its first meeting of the year. At that meeting I made some brief remarks on Vietnam and other problems confronting the 90th Congress. I also indicated my thoughts on the course of action the Senate, and, in particular, its Democratic Members, should endeavor to pursue in the new Congress in order to meet the responsibilities which devolve upon us to make a contribution to the leadership of the Nation. I ask unanimous consent, Mr. President, that the text of my statement to the Democratic conference be printed at this point in the RECORD.

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

STATEMENT OF THE MAJORITY LEADER AT THE DEMOCRATIC CONFERENCE, JANUARY 10, 1967

There is no point in blinking at the fact that we enter upon the 1st session of the 90th Congress at a time of deep national concern. It is a concern which traces to Viet Nam, and it will not lighten very soon or very easily. The preoccupation will continue because the

commitment of lives and resources in Viet Nam will continue. That is the case despite the widespread desire to bring the war to a prompt and satisfactory conclusion.

The Conference is aware, I am sure, that there are no panaceas for the situation in Viet Nam. Even if circumstances should permit the opening of negotiations for peace in the near future, a fortuitous outcome is not to be expected, at least not for many, many months. Looking beyond the end of hostilities, moreover, there is the immense task of restoration, after the shattering devastation to which Viet Nam—North and South—has been subjected. The longer the conflict persists, obviously, the greater will be the rubble of human life, hope and achievement and the more prolonged and costly will be the aftermath of rehabilitation and reconstruction.

As the people of the nation are disturbed over Viet Nam, so the Senate in the 90th Congress will be concerned with Viet Nam. That is as inevitable as it is proper. In the coming session, therefore, it is to be anticipated that there will be discussion of the conduct of military and other affairs in Viet Nam, of costs and manpower, of military means and political ends, and of the worldwide and domestic ramifications of this prolonged and brutal struggle. There will be discussion, finally, of negotiations as a way to bring to an end the massive destruction of life and property.

It would be my hope and anticipation that every member of the Conference will bear in mind the weight of responsibility which rests upon the President of United States with respect to Viet Nam. To be sure, in the Senate, we may discuss, we may consider and we may resolve. In the end, however, the decisions of the President are the irrevocable decisions. The decisions of the President are the decisions which involve the lives not only of Americans in Viet Nam but, in the end, the life of every inhabitant of the nation.

Beyond Viet Nam, there are other aspects of the nation's foreign relations which will engage the attention of the Senate. I would note, in particular, the question of U.S. military forces stationed in Europe. On yesterday, there was a meeting of the 13 Senators, members of the Majority Policy Committee, who last year formed the nucleus of the 32-sponsors of a resolution calling for a substantial reduction in these forces. Once again, they agreed unanimously that the resolution should be re-introduced in the near future and that members of both parties should be invited to co-sponsor.

Speaking for myself alone, may I say that I believe we have for too long tolerated an anachronistic and costly inertia with respect to the consignment of U.S. forces to Nato-Europe. I would point out that a Senate resolution in 1951 was a key factor in raising the U.S. force commitment in Europe from two to its present six divisions. It seems to me that the Senate has an equal responsibility at this time to express itself just as unequivocally on the question of whether or not there should now be a substantial reduction in these divisions.

With respect to domestic matters, the Senate will await with attention and interest the message on the State of the Union which will be presented this evening to a joint session by President Johnson. Let it be known now, however, that whatever recommendations the President may make for the stability, well-being and progress of the nation will be most respectfully received by the Senate Majority. His legislative program will have the thoughtful and sympathetic consideration of the Leadership, the Committee Chairmen and every member of the Conference.

We are, as the President would say, Americans before we are Democrats. But we will also say that, along with the President, we are also all Democrats as well as Americans. We will look to the President—to a Democratic President—to supply the leadership which the nation requires if it is to remain abreast of the times and capable of meeting their ever-changing demands.

May I add that the Senate, too, also has its own responsibilities to make a contribution to the leadership of the nation. That is why I asked the Chairmen of the Committees in a recent letter to consider with their colleagues, the Senate's oversight function as it might apply to their committees. It seems to me that an obligation rests upon us to take a careful retrospective look at what has emerged in administrative practice from the new federal programs which have been set in motion during the past three or four years. We have a responsibility to see to it that these programs are off on the right foot and that they are doing what they were designed to do, in an effective and equitable fashion. If there are rough spots, it is incumbent upon us to help to sand them down.

I would hope that in the 90th Congress we would also begin to look at some of the older undertakings of the federal government such as the military draft, Indian affairs, or trade controls which have not had a thorough top-to-bottom study for many years. We have a responsibility to see to it that these older enterprises are functioning in terms of the requirements of 1967, rather than the needs or expectations of 1947 or 1917.

In my judgment a periodic and thorough look backward, such as is suggested, is an essential element in maintaining an appropriate federal initiative—amply but not wastefully financed—in grappling with the ever-changing requirements of the nation.

If they are to be discharged at all, the Senate's responsibilities for oversight must be discharged through the legislative committees. It is an immense load to ask the Chairmen and members of the Committees to assume, but I do not know of any other way that the job can be done in the Senate. I must say that the responses which I have so far received from the Committee Chairmen to my suggestions have been most encouraging. I assure the Chairmen that they will have full cooperation from the Leadership in whatever they may require. But I reiterate, if we are to make an effective contribution, it will be made preponderantly as the result of the hard work, dedication, and the perseverance of Chairmen and members of the Committees. The chief responsibility will rest there.

In closing, let me say that I do not know how others may interpret the results of the last election. I know only how I feel about them. In my judgment, the election of 1966 in no sense calls upon the Democrats in the Senate to sound retreat from the exceptional record of the past two Democratic Congresses. In no sense does it call for the blowing of taps over the immensely constructive legislative programs of the Kennedy-Johnson Administrations. Rather, the election of 1966 tells us—as the responsible federal party—to take soundings. It tells us in the Senate not to ignore the nation's needs but to exercise a soberness of judgment and a thoughtful restraint in weighing those needs. It tells us to work carefully and conscientiously to refine and perfect the federal government's means of responding to those needs. It urges us to cooperate with the President in giving every possible sustenance and support to the men whose lives have been committed in Viet Nam. Finally, it compels us, with the President, to search for the only way in which the safety of those men and the nation's safety and, in the last analysis, the world's safety can really be secured. That is by ending the conflict in Viet Nam at the soonest possible moment in a just and honorable peace.

SENATOR MANSFIELD INTERVIEWED ON "ISSUES AND ANSWERS"

Mr. MANSFIELD. Mr. President, on January 8, it was my privilege to appear on the ABC television and radio program "Issues and Answers." In the hope that the content of the program will be of interest to my colleagues and others, I ask unanimous consent that the transcript of the broadcast be inserted in the RECORD at this point.

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

"ISSUES AND ANSWERS," SUNDAY, JANUARY 8, 1967

Guest: Senator Mike Mansfield (D. Mont.) Senate Majority Leader.

Interviewed by: Bill Lawrence, ABC Political Editor and Bob Clark, ABC Capitol Hill Correspondent.

Mr. LAWRENCE. Senator Mansfield, as Majority Leader, do you foresee any general tax increase this year?

Senator MANSFIELD. It is a possibility. I think the President is trying to decide at the moment just how the income to the government will match with the necessary out-go and upon that basis will make up his mind. I don't think he has made it up as yet.

Mr. LAWRENCE. Do you think if the President wants a tax cut, do you think the Congress will be inclined to go along?

Senator MANSFIELD. Yes, I do.

Mr. CLARK. You proposed an extension of the holiday truce in Vietnam into February, but you didn't get any takers either in the Johnson Administration, or the Viet Cong.

Would you still like to see some sort of suspension of the fighting?

Senator MANSFIELD. Yes, I would if it would lead toward negotiations and I think no one would like to have it more than the President himself because he is exploring every avenue, and he has said if there was any possibility he was prepared to go anywhere any time to discuss it.

Mr. CLARK. Do you see any pointed sign that any suspension of the fighting or suspension of the bombing or any such thing would lead the Communists to the negotiating table?

Senator MANSFIELD. Only on the basis of what they have said indirectly and their friends in Eastern Europe and the Soviet Union and U Thant, the Secretary General, have said directly.

I have been very much encouraged by the—well, I won't say very much encouraged; but encouraged by the interview which Pham Van Dong, the North Vietnamese Foreign Minister, gave to Harrison Salisbury. I think that could well be the sign which the Administration has said from time to time it is seeking from the other side.

Mr. LAWRENCE. Do you really think then that maybe we are moving toward the conference table?

Senator MANSFIELD. I can't say that I really think it. All I can say is, I hope we are moving in that direction. No angle is being left uncovered. Every effort is being made, both publicly and privately, and perhaps Pham Van Dong who, of course, would act with the full recognition of Ho Chi Minh, the Chief of State of North Vietnam, might have done this deliberately. But I think it is indicative, I think it is worth exploring and I am very sure the Administration is looking into it very thoroughly and carefully.

Mr. LAWRENCE. I was about to ask, sir, whether you thought the Administration had given any response that would indicate that it has caught this "hint" from the North Vietnamese and would, therefore, now be

willing to entertain a new round of suggestion?

Senator MANSFIELD. Yes, I think so. I think they are going over Salisbury's articles with a fine tooth comb. They are probably asking for clarification through various indirect sources and in private, and I think they are very interested in this latest proposal, if we can call it that, which indicates that the four points laid down by the North Vietnamese consistently are not necessarily pre-conditions to negotiations, but subjects to be discussed at a negotiating session.

Mr. LAWRENCE. Senator, at several times in recent months and over the past few years you have said things about Vietnam that were at least ahead of, if not in opposition to the thinking of the Administration. Does this cause you any troubles in your day to day dealings as Majority Leader with the White House?

Senator MANSFIELD. No, not at all, nor with the President either, because the President is not averse to constructive criticism or to proposals which may have some merit and I must say that the President has been more than kind in considering all these proposals which I have made because he has understood that I have been trying to be helpful. He knows, of course, that as far as I am concerned, and I am sure as far as he is concerned, that—I can't speak for him—but I would say that our chief worries are Vietnam because it overshadows everything else in our relations with the rest of the world and also with the domestic economy as well.

Mr. CLARK. The Senate Foreign Relations Committee will shortly start a new round of hearings on Vietnam. Even though you are a member of that committee, you did not participate last year in the public hearings, presumably because it might cause some embarrassment to your relations with the President?

Senator MANSFIELD. No, not at all, but because my duties as Majority Leader precluded giving me the opportunity to participate in these hearings which I would have very much liked to.

Mr. CLARK. Do you expect this year to participate in the public hearings?

Senator MANSFIELD. I certainly intend to make every effort, but there again you come into conflict with two jobs.

Mr. LAWRENCE. Senator, what is your assessment of Communist China's current internal problem?

Senator MANSFIELD. I think it is a situation which calls for the most careful consideration. We don't know yet just what is going on inside of Mainland China, but it is a possibility that there is a power struggle between Mao Tse-tung, Lin Piao on the one side, and others. It is also a possibility that this thing could get so much out of control that the answer to it, to bring it under control, might well be a foreign adventure of some sort against somewhere outside of China itself. So I think we had better act carefully, cautiously and with the greatest discretion until we are absolutely sure as to what is happening in Communist China.

Mr. LAWRENCE. What information do you get about the depth of this cleavage?

Senator MANSFIELD. What I read in the newspapers is the only information I get.

Mr. CLARK. You were predicting at this time last year that the Vietnam War might explode into a general war on the Asian Mainland.

Senator MANSFIELD. Yes, indeed.

Mr. CLARK. Do you still entertain such fears?

Senator MANSFIELD. Yes, the possibilities are still there because we have just under 400,000 troops in South Vietnam itself. We have 37,000 in Thailand; we have 50,000 to 60,000 men in the Seventh Fleet in the South China Sea. We have back-up forces in Guam, the Philippines and Okinawa, and the danger is that the more you escalate, the closer you get to China, the possibility of an incident, accidentally or otherwise, arising which might carry this conflict beyond its present confines.

Mr. CLARK. Of course, we have escalated very sharply this last year in a sort of troop commitment.

Senator MANSFIELD. We have, indeed.

Mr. CLARK. Would you say then a war in Asia is greater now than it was a year ago?

Senator MANSFIELD. Just as great.

Mr. LAWRENCE. Senator, is it possible that going into the Southeast Asia might be the foreign adventure that you spoke of——

Senator MANSFIELD. That is a possibility that we should not foreclose and we know of other countries who have used outside adventures to bring peace and harmony at home, at least for the time being.

Mr. CLARK. You have proposed in the past an all-Asia conference on Vietnam and the President was apparently trying to please you to a certain degree when he held his Manila conference——

Senator MANSFIELD. No, not pleasing me, because after all that idea was advanced by President Ferdinand Marcos of the Philippines, it was a Philippine initiative. The President felt that he had to, and I think he did the right thing, to attend the conference and to do what he could. And you may recall that the President stayed pretty much in the background and tried to let the Asians themselves take the lead in the discussions.

Mr. CLARK. Did that conference satisfy you, or would you now like to see a full-blown Asian conference with others participating other than our allies in Veitnam?

Senator MANSFIELD. Oh, yes, I would, but the Manila Conference did satisfy me because I think it was a step forward and I was very pleased with the emphasis on peaceful initiatives rather than escalation. I would hope that the idea, again propounded by President Marcos of the Republic of the Philippines, to expand this conference would take shape, so that an all-Asian conference with the Occident excluded could get underway.

Mr. LAWRENCE. Senator, just how do you think the President can continue to resist all these demands from the Pope, from Secretary General U Thant and from many others that at least we stop the bombing of North Vietnam?

Senator MANSFIELD. Well, I don't think the President is continuing to resist them in the sense that you seem to indicate, Bill. It appears to me that he is willing to go along with U Thant, the Pope and the others if he can get some sign from the other side, or if somebody's antenna catches up some signals and it appears to me that the first sign of any significance, at least in recent years, are the interviews which have been had most recently with Pham Van Dong in Hanoi.

Mr. CLARK. Would you agree with the White House, with the State Department and with Secretary of State Rusk that the next move is still up to the Communists, that they have to demonstrate to us in some way that they are ready to deescalate the war?

Senator MANSFIELD. Not necessarily up to the Communists. I think it is up to both North Vietnam, the NLF and ourselves as well as Saigon, to see if we can't make some move in unison.

Mr. LAWRENCE. Do you yourself feel that it might be useful on a unilateral basis to suspend the bombing?

Senator MANSFIELD. Not at the moment. I would like to see a suspension of the bombing based on the suggestion which I made which would fill in the gaps between the various holidays ending with the Vietnamese Lunar New Year on February 12. So if that could be done then maybe we could enter into a better negotiating stance with the North Vietnamese and the NLF, relative to the suggestions made by Pham Van Dong in his most recent interview.

Mr. CLARK. Senator Mansfield, you are sponsoring a Senate Resolution which would call for reduction of American forces in Europe. Do you see this as a priority item in the new session of Congress?

Senator MANSFIELD. Yes, I do, and I see it as a matter of principle with no connection with Vietnam or the gold outflow, because I think for too many years we have maintained too many troops and their dependents in Europe. The European nations have recovered substantially. They should take over the primary responsibility of their defense, which does not mean we would not honor our commitments to NATO. We would. But I do think it is overdue as far as troop reductions are concerned——

Mr. CLARK. Do you see that as a matter to be hashed out before the Foreign Relations Committee? Senator Fulbright has already said that he will get into NATO, among other foreign policy problems.

Senator MANSFIELD. Well, I would hope that when I introduce the resolution it will be brought up before the Senate as a whole and then the Senate either can dispose of it or refer it to a committee or committees as it desires.

Mr. LAWRENCE. The last I heard the President and the Secretary of State were still opposed to your resolution. Have you heard of any change?

Senator MANSFIELD. No, they are not in favor of it.

Mr. LAWRENCE. Well, would you anticipate that you would have a chance of getting serious action in the Senate then without a nod from the White House and the State Department.

Senator MANSFIELD. Oh, yes, oh, yes, because it was a Senate resolution which increased the troops in Europe from two divisions to six, and I think that we are well within our sphere of responsibility. As a matter of fact, this resolution would strengthen the President's hand, give him greater flexibility in dealing with our allies and allow him to determine what "substantial troop reductions" means.

Mr. LAWRENCE. In other words, he wouldn't have to reduce the troops; it would simply give him this authority. It is not an order to the executive to do anything?

Senator MANSFIELD. It is not an order, but it is a pretty strong request.

Mr. LAWRENCE. What about the suggestion of some of the opponents of this, Senator, that this should be tied—any American troop reduction should be tied to a similar reduction in forces by the Warsaw Pact Nations?

Senator MANSFIELD. I don't see any justification for that. I have an idea that if we were to reduce our forces that the Soviet Union might correspondingly, without publicity, reduce theirs. If we are going to get into negotiations with them about mutual withdrawals, I don't know how you are going to come to the right definitions. Do you mean one American division withdrawal is the equal of five or ten Soviet divisions in East Germany, or what?

You can get into all areas and I think we ought to keep it sharp and clean and settle it on its merits up or down.

Mr. CLARK. How about those Senators who disagree with you on this issue and feel a reduction of American forces at this time, coming on top of the French pull-out from NATO, could be a mortal blow to the whole NATO organization?

Senator MANSFIELD. I don't think so. The only nation which has fulfilled its commitments consistently has been the United States. Every other nation has failed to meet its promises and I think that the time is long overdue for action of this kind.

Mr. LAWRENCE. Senator, the Congress convenes on Tuesday; the President comes before it Tuesday night to deliver the State of the Union Message. How do you see the state of the Union?

Senator MANSFIELD. It is hard to say. I would imagine the President is struggling with this matter of what he is going to say up to the last minute, because he has so many questions and problems on this mind. He is going to make himself as up-to-date as he possibly can, and be prepared on that basis to give a State of the Union Message on Tuesday.

Mr. LAWRENCE. Do you anticipate any surprise legislative proposals?

Senator MANSFIELD. Well, with the President, you never can tell.

Mr. CLARK. You have said that the major business of this Congress should be a reexamination of Great Society Programs passed by the last Congress. Do you think the President agrees with you generally on this?

Senator MANSFIELD. I don't know, but I would imagine that he wants to see programs effectively enforced, money wisely expended, and I want to see the Congress carry out its responsibilities. We authorized the laws; we know their intent. We appropriate the monies and say where they are supposed to go so we ought to take the third step and make certain that the laws are being administered as we said they should, that the money is being spent as we indicated it should, and to to make sure that there is greater efficacy and efficiency in the carrying out of these programs and that assistance when called for goes to the people who had been designated in the first place; not only the Great Society programs, but programs going back beyond the Great Society as well.

Mr. CLARK. You have talked about rough edges and overlapping of some Administration programs, Great Society and otherwise. Can you give us any examples of what you are thinking about?

Senator MANSFIELD. Well, I think in the Poverty Programs, for example, we have had areas where the administrative personnel has been too heavy in carrying out the functions of office. I think now that they have had a year or so to settle down, so to speak, that it is time for us to take a look at the programs to make sure that they are being administered as we would like to see them, and I think this would be helpful to a man like Sargent Shriver and that he would welcome it.

Mr. LAWRENCE. Do you expect any meaningful Civil Rights Bill this session, including another try at open housing?

Senator MANSFIELD. That I think would be up to the Administration, Bill. I have had no word from them but I would not be surprised if another Civil Rights Bill was sent up.

Mr. LAWRENCE. Now, you lost the last one at the end of the last session because you couldn't impose cloture. If you get such a bill, would this be a first order of business that would get up early in the session so that you could wear out a filibuster, or would it——

Senator MANSFIELD. No. You can't wear out a filibuster. If you are referring to the fact that we ought to go around the clock the advantages are always on the side of the antagonists and those who are in favor of such legislation are the ones who will not be there when you need them. When they are called on, they are somewhere else and the difficulty is in maintaining the necessary numbers to pass legislation of that kind. But it would not be called up early because we have the Rule 22 fight first, then we have the Monroney Reorganization Bill second, and then I believe somewhere along the line we will have to consider an increase in Social Security payments.

Mr. LAWRENCE. Why do you say, Senator, that those who want the legislation are always those you can't find when you need them?

Senator MANSFIELD. Because they just aren't there, to be honest with you.

Mr. CLARK. You mentioned, Senator, the Rule 22 fight which will be the first order of business of the Senate, the move by the Liberals to tighten the anti-filibuster rules of the Senate. Is this just the same old story, what has become almost an annual fight in the Senate, or do you think it might be won this year?

Senator MANSFIELD. I don't know what will happen. We will have our debate; we will have some votes. I will let you know when the votes have been cast, how it comes out.

Mr. CLARK. Have you heard of any commitments by Vice President Humphrey who may be the key man in this fight, and that he might have to rule on whether the new Senate has the right to set its own rules by majority vote?

Senator MANSFIELD. No, but I imagine he is giving it an awful lot of thought.

Mr. LAWRENCE. Well, do you think that there could be a successful anti-filibuster rule?

Senator MANSFIELD. Well, I lean toward the three-fifths rule rather than the two-thirds rule. I would never vote for a straight majority rule because there has to be a degree of flexibility and a stop, look and listen attitude on the part of the Senate so that nothing is passed too quickly without proper consideration. And when you get to the great issues, we do need that amount of space to thoroughly debate a subject and to make sure that we know what we are doing. If we were to get down to a bare majority, it would be possible for two or three Senators to shift from one side or the other and that, I think, would be most unsatisfactory on extremely critical issues.

Mr. LAWRENCE. As I understand it, the new Republican crop of Senators reflects an infusion of moderates. Do you think they might be willing now to go along with a stronger anti-filibuster rule in conjunction with these Northern Democrats?

Senator MANSFIELD. That is a question I can't answer, Bill, but all I have heard about Senators Baker, Hatfield, Brooke, Hansen, and Percy is good. They do seem to be moderates in the sense that you have indicated and I think they will furnish a shot in the arm to the Republican Party.

Mr. CLARK. A number of Senators seem to be having second thoughts about the heavy cost of the Space Program. Senator Dirksen for one, Clinton Anderson another, the Chairman of the Space Committee, have talked about the Space Program as a possible area where substantial money could be saved as you move into a critical problem of budget deficits because of the high cost of the Vietnam War. Do you have any feelings along this line?

Senator MANSFIELD. I would be prone to go along with them and I would have great respect for the judgment of Senator Anderson of New Mexico, who is the Chairman of the Space Committee.

Mr. CLARK. Do you think this is a place where you might—Senator Anderson I believe has said the anticipated space budget for the new year is something like $6-½ billion, that he could see this cut as low as $4-½ billion. Do you think that is a possibility?

Senator MANSFIELD. I would agree with him.

Mr. LAWRENCE. Would this reflect a determination to slow down our race to the moon, Senator?

Senator MANSFIELD. Well, I wonder sometimes if we aren't placing too much emphasis on our race to the moon and not enough emphasis on the problems which confront us here on earth.

Mr. LAWRENCE. That was, as I remember it, the commitment to get to the moon in the '60's.

Senator MANSFIELD. Why? What is the reason for it?

Mr. LAWRENCE. Well, Senator, that really wasn't my question. It was not "Why" to me, but "Why" to you. President Kennedy threw this out as a challenge to the Congress and said "If you don't want to do it, say so now."

Senator MANSFIELD. That is true, but other matters have come up since. We have to take cognizance of these new programs. The situation in Vietnam and the difficulties which confront us in various areas.

Mr. CLARK. You would actually abandon the race to get to the moon first, if necessary, for budget reasons?

Senator MANSFIELD. No, I would postpone it, slow it down a little bit.

Mr. CLARK. Couldn't that well mean losing the race to the moon?

Senator MANSFIELD. Well, that remains to be seen, and I am wondering just what would be gained by getting on the moon first. As far as getting on the moon is concerned, I don't think the country which lands there first ipso facto gets to raise its flag and assumes control of it.

Mr. LAWRENCE. I remember though, Senator, and I am sure you do too, the national, well, apprehension I guess is a good word for it, when the first sputnik was fired.

Senator MANSFIELD. Concern, yes.

Mr. LAWRENCE. You don't think there would be a similar national reaction if the Russians——

Senator MANSFIELD. No.

Mr. LAWRENCE. Now beat us to the moon?

Senator MANSFIELD. I do not.

Mr. CLARK. If we don't have a tax increase pretty early in this year there is obviously going to be a pretty big budget deficit in the next fiscal year. Do you have an educated guess of how big that deficit might go?

Senator MANSFIELD. I haven't the slightest idea.

Mr. LAWRENCE. Do you have any feelings about how big it should be? Senator Dirksen has said he could go along with a reasonable budget deficit. Would you like to define "reasonable" for Mr. Dirksen?

Senator MANSFIELD. I would if I could, but I can't.

Mr. LAWRENCE. Senator, in the last elections the Republicans made gains across the country and a few in the Senate, not very many. Do you anticipate more trouble for the President in getting his legislation through this year?

Senator MANSFIELD. No, I wouldn't think so because the President, I believe, has gotten through the greater part of the program which he envisaged and wanted passed and what we will get this year, I think, are those elements which we did not take up over the past three years—at least did not pass—such as an increase in Social Security, crime bills, other measures of that sort; truth in lending, truth in packaging. But I would point out that the President has really made a magnificent record in the Congress, a record which I think will stand up with the record of any other administration in the history of the Republic.

Mr. LAWRENCE. Well, you sound, though, as if you do not expect very much big in the way of new legislation.

Senator MANSFIELD. That is my assumption, yes.

Mr. LAWRENCE. And, as you have suggested before, largely a repair and review and "oversight" as the phrase is in Congress?

Senator MANSFIELD. That is right.

Mr. LAWRENCE. Look at what has been done before.

Senator MANSFIELD. I think it is our responsibility. I think it will make these programs, which we have passed, better, and I think the benefits will be more widespread among the people.

Mr. LAWRENCE. Senator, there seems to be some speculation around the country now, and I wonder if you would join in it? Do

you think President Johnson will run again in '68?

Senator MANSFIELD. Oh, yes, and I hope he does.

Mr. LAWRENCE. Do you foresee any possibility, including health, that might bar him from such——

Senator MANSFIELD. No, I do not. I expect without question that he will be a candidate in 1968, and he should be.

Mr. CLARK. We hear reports coming back from people close to the President, people at the White House and people on the Hill, who have gotten the strong feeling that he might not run. Have you ever discussed this point with the President?

Senator MANSFIELD. Oh, no. No, no.

Mr. CLARK. Never at all?

Senator MANSFIELD. No.

Mr. LAWRENCE. Senator, you have heard, I suppose, from the New York Times reports, for example, the division within the party as to whether or not he should run in view of——

Senator MANSFIELD. Oh, I have read those stories, but I think the press, generally speaking, has taken a most unfair attitude towards the President. It seems to me there is almost a crusade to find fault with him and to pick every little bit they can to try and put him in a lesser light. I think he has acted well. I think he has been honest in what he has told the American people; I place no faith in this credibility gap and while he is not responsible for everything his subordinates say in other departments, he is responsible for what he says and he has been as honest as he could be with the American people in telling them facts as they are, and as he knows them.

Mr. CLARK. Senator Mansfield, it has been a great pleasure having you with us on ISSUES AND ANSWERS. I am sorry our time is up.

Next week: Hon. Everett McKinley Dirksen, (R-Ill.), Senate Minority Leader.

INVITATION FOR A CONGRESSIONAL DELEGATION TO VISIT GREAT BRITAIN

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the Lord Chancellor and Speaker of the House of Commons of Great Britain, expressing cordial greetings to the President of the Senate and the Speaker of the House of Representatives, and inviting them to arrange for a delegation from the U.S. Congress to pay a visit to Great Britain; which was ordered to lie on the table.

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT OF U.S. TRAVEL SERVICE

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report of the U.S. Travel Service, for the calendar year 1965 (with an accompanying report); to the Committee on Commerce.

AMENDMENT OF INTERCOASTAL SHIPPING ACT OF 1933, TO PROVIDE FOR ACCOUNTING AT THE EXPIRATION OF A RATE SUSPENSION

A letter from the Chairman, Federal Maritime Commission, Washington, D.C., transmitting a draft of proposed legislation to amend the Intercoastal Shipping Act of 1933 to provide for accounting at the expiration of a rate suspension (with accompanying papers); to the Committee on Commerce.

AMENDMENT OF SECTION 27 OF SHIPPING ACT, 1916

A letter from the Chairman, Federal Maritime Commission, Washington, D.C., transmitting a draft of proposed legislation to amend section 27 of the Shipping Act, 1916 (with accompanying papers); to the Committee on Commerce.

ESTABLISHMENT OF WORKING CAPITAL FUND FOR DEPARTMENT OF THE TREASURY

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to establish a working capital fund for the Department of the Treasury (with an accompanying paper); to the Committee on Finance.

REPORTS OF COMPTROLLER GENERAL OF THE UNITED STATES

A letter from the Comptroller General of the United States, transmitting, pursuant to law, his report on the activities of the U.S. General Accounting Office, during the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on need for prompt adjustment in compensation payments to injured Federal employees from total to partial disability rates, Bureau of Employees' Compensation, Department of Labor, dated January 1967 (with an accompanying report); to the Committee on Government Operations.

THIRD PREFERENCE AND SIXTH PREFERENCE CLASSIFICATION FOR CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports concerning visa petitions according third preference and sixth preference classification to certain aliens (with accompanying papers); to the Committee on the Judiciary.

REPORT ON SCIENTIFIC AND PROFESSIONAL POSITIONS

A letter from the Assistant Administrator for Legislative Affairs, National Aeronautics and Space Administration, Washington, D.C., transmitting, pursuant to law, a report on scientific and professional positions in that Administration, for the calendar year 1966 (with an accompanying report); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A resolution adopted by the Capitol Hill Southeast Citizens Association, Washington, D.C., regarding crime and new anticrime legislation; to the Committee on the District of Columbia.

A letter in the nature of a petition signed by Edward Russaw, of San Bernardino, Calif., relative to his employment in his community; to the Committee on the Judiciary.

The petition of Richard H. Davis, of New York, N.Y., relating to procedures in certain impeachment cases; to the Committee on the Judiciary.

A resolution adopted by the National Historical Publications Commission, Washington, D.C., expressing regret at the retirement of Senator Leverett Saltonstall; ordered to lie on the table.

LEGISLATIVE REORGANIZATION ACT OF 1967—REPORT OF A COMMITTEE (S. REPT. NO. 1)

Mr. MONRONEY. Mr. President, I am most pleased to report an original bill, the Legislative Reorganization Act of 1967, on behalf of the Special Committee on the Organization of the Congress. I am also filing the Report of the Special Committee recommending favorable Senate action on the bill.

The bill is in substantial conformity with S. 3848, the Legislative Reorganization Act of 1966, which was introduced last session. The legislation implements the recommendations made in the 18-month study of the Joint Committee on the Organization of the Congress. Unfortunately, the pressures of the last months of the session precluded consideration of this important bill before adjournment.

The bill omits two jurisdictional changes which appeared in S. 3848 and which had been recommended by the joint committee. One was the proposal for a new Committee on Education with jurisdiction taken primarily from the Committee on Labor and Public Welfare. The other was the recommendation for the expansion of the jurisdiction of the Aeronautical and Space Sciences Committee. The hearings held by the special committee last fall and discussions with a large number of Senators since that time have indicated wide opposition to these proposals and a view that sufficient consideration had not been given to potentially detrimental effects on existing committee operations. The committee has concluded that the inclusion of these provisions would seriously jeopardize the passage of the bill.

It is imperative that the Senate proceed with consideration of the many important provisions of the bill. This is a particularly appropriate time to do so. The President has emphasized the need for sound organization at all levels of government in his state of the Union message. Our distinguished majority leader has urged the committees of the Senate to intensify their statutory obligation to review existing programs. Indeed, the pundits have suggested that this should be a "stop, look, and listen" Congress.

Passage of this bill would be a major step forward in providing the organizational tools which are necessary to meet our many responsibilities. The bill provides for a legislative assistant to aid each Senator in the analysis of issues in committee and on the floor. It provides a new staff position of review specialist for each standing committee—an individual to be directly charged with the evaluation of existing programs under the committee's jurisdiction. It creates the opportunity for congressional access to a much higher level of budget information—in both quantity and quality—for the analysis of spending measures. It strengthens the informational facilities available through the Legislative Reference Service of the Library of Congress. These, and many other provisions, are designed to make Congress better equipped to meet the challenges of a complex and technical age.

It is not my intention today to detail the many provisions of the Legislative Reorganization Act of 1967. However, my distinguished colleagues on the spe-

cial committee and I look forward to discussing the bill with you after you have reviewed its provisions. Of course, we expect many Senators to have other suggestions—and perhaps differing views—when the bill is considered on the floor. I am confident that the Senate will work its will in such a manner that the bill sent to the House for consideration will ultimately be landmark legislation.

The committee is grateful to the distinguished majority leader for his agreement to make this bill one of the first orders of business when the current discussion of the rules of the Senate has been concluded and that issue decided. In this connection, I ask unanimous consent that an article appearing on December 29, 1966, in the Washington Daily News be included with my remarks, as it expresses the importance of this legislation in implementing some of the major responsibilities of the Congress during this and future sessions.

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

"LEGISLATIVE OVERSIGHT"—GREAT SOCIETY CHECK ASKED

(By Marshall McNeil)

The Senate will have a chance early next year to provide itself with power and personnel for one of its most important, but often neglected jobs.

The job is checking on laws already on the books and ways they are administered to pinpoint changes required to meet present-day needs.

This is called "legislative oversight," a function of the standing committees of the Senate.

Chairmen of these committees were prodded this week by Democratic Leader Mike Mansfield (Mont.) to use authority they already posess to check on Great Society welfare and relief programs, some of which were hastily approved in the last Congress, as well as farm subsidy, tax and draft programs that have been in existence for years.

More specific authority for such review is included in the Congressional reorganization bill drafted last session but shelved by the leadership. However, in shunting the bill aside, Sen. Mansfield promised Sen. Mike Monroney (D., Okla.), its principal sponsor, he would call it up soon after the new congress convenes Jan. 10.

The measure, drafted by a joint committee and covering both Houses, provides for mild revisions in Congressional procedures. But several of these have aroused the jealousies of congresmen anxious to keep all their present prerogatives.

So, while some portions of the bill probably will be killed or amended, its provisions for better "legislative oversight" may be approved.

Existing law providing for such review failed to achieve the desired result, Sen. Monroney told the Senate. Altho some committees have carried out "extensive oversight activities," he added, "most are preoccupied with new legislative programs."

The bill would allow each standing committee to appoint a permanent, non-partisan review specialist. He would help the committee determine what existing programs are being efficiently administered in accordance with Congressional intent. He would be required to keep tabs on hundreds of reports on specific Government programs made by the auditing experts of the General Accounting Office.

RECOMMENDING

Every year, not later than March 31, each committee would report on its review activities, evaluating programs under its jurisdiction, assessing the qaulity of administration, and recommending organizational or program changes, and elimination of unnecessary activities.

The reviews also would check on program spending. Reports would be sent to the President, the Budget Bureau and the Executive agencies involved. In this way, ground work would be laid for any changes Congress might want to make.

The Monroney bill authorizes $924,000 to pay the salaries of review specialists for all House and Senate committees.

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

Mr. MONRONEY. I am happy to yield to the distinguished junior Senator from Delaware [Mr. BOGGS], who has been so helpful in preparing the study and report.

Mr. BOGGS. Mr. President, I thank my distinguished chairman, the Senator from Oklahoma [Mr. MONRONEY].

Mr. President, the intent of the proposed Legislative Reorganization Act of 1967 is clear. Simply stated, it is to help Congress do a better job.

What the Joint Committee on the Organization of the Congress did in its lengthy hearings during the last session was stand back and examine the operations of the legislative branch. It collected the thoughts and advice of experts, including those now serving in Congress. It distilled these many suggestions to produce the bill which has been introduced here today by the distinguished senior Senator from Oklahoma.

Independent and informed judgments by Congress of legislation proposed by the executive branch depend chiefly on the study given that legislation by the committees of Congress. Therefore, the main thrust of the Reorganization Act is to strengthen the committee system.

How the bill proposes this be done will be discussed in detail later when the bill is called up.

Particular attention is focused on the need to examine carefully, and more independently and fully, the budget proposed by the executive.

Since the validity of the individual and committee study depends greatly on the sources of information available to to the Members of Congress, the bill also proposes to strengthen this area.

It should also be mentioned that Congress cannot again afford to let 10 Congresses pass by before taking another critical look at its operations. Therefore, this bill would set up a Joint Committee on Congressional Operations to keep under constant review methods of making Congress more effective.

Mr. President, we all know how quickly events move today. We know that there is increasing emphasis on Federal-State cooperation to tackle domestic problems. We know that business and private organizations are more and more being called to join in a cooperative partnership with government to improve our society and achieve the promise of excellence which lies ahead.

This bill will help Congress perform its function more effectively in this great enterprise which is the responsibility of all levels of government and all sectors of our society.

It is a pleasure to be associated with the distinguished chairman of the Special Committee on the Organization of the Congress and the other members of that committee, and I am hopeful of speedy action by the Senate on this most important bill.

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

Mr. MONRONEY. I yield to the distinguished junior Senator from Alabama [Mr. SPARKMAN].

Mr. SPARKMAN. Mr. President, I wish to join with the Senator from Oklahoma [Mr. MONRONEY] and the Senator from Delaware [Mr. BOGGS] in the good things being said regarding the bill which the chairman of the committee, the Senator from Oklahoma [Mr. MONRONEY], has just reported.

I believe that I have never been associated with a committee that worked harder and more conscientiously in preparing a program that would provide at least some degree in needed overhaul of Congress, and particularly the committee system, as has been mentioned by the Senator from Delaware [Mr. BOGGS].

Mr. President, the bill is not a perfect bill. I do not believe that anyone claims that it is, but I think that it makes progress of the kind we need.

I wish to pay tribute to the able Senator from Oklahoma [Mr. MONRONEY] for the tremendous job which he has done in steering the joint committee of the Senate and the House of Representatives through weeks and months of study and work; to the individual members of the committee from both sides of the Capitol; and to the very able staff that we have. I believe that a good job has been done and I hope that very soon we may be able to take action on the bill.

Mr. MONRONEY. I thank the distinguished Senator from Alabama [Mr. SPARKMAN], who was so faithful and helpful in this effort, and I also wish to thank him for his remarks about the staff.

The entire committee, which was bipartisan in both the Senate and the House of Representatives, attended regularly and worked sincerely in an effort to prepare as good a bill as possible to present to the Senate.

Mr. President, I now yield to the distinguished Senator from Montana [Mr. METCALF], who is a member of the committee, and who worked faithfully in the preparation of this legislation.

The ACTING PRESIDENT pro tempore. The time of the Senator from Oklahoma has expired.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the time of the Senator from Oklahoma [Mr. MONRONEY] be extended for 5 minutes.

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

Mr. METCALF. Mr. President, I thank the Senator from Oklahoma for yielding. I wish to join Senators who are members of the committee, and I concur with them in their praise of the chairman for his wisdom, knowledge of legislative procedures, and, of course, the background he had in connection with the reorganization act that preceded this one.

I believe that we have brought forth legislation which is a notable achievement, with the concurrence, help, and assistance of the Members from the House of Representatives, and the leadership of the cochairman, Representative MADDEN. I believe we have a bill that will answer many of the questions and problems that have been presented as to the future of this legislative body.

Many of our colleagues have written textbooks about the future of Congress, and also its functions. This is a bill which will strengthen committee organization, which will strengthen the role of each individual Member, and will go a long way toward answering many of the objections which have been raised by our colleagues and have been presented to us by students of our form of government.

Especially I want to point out that many of the committees in Congress today—powerful and important committees—were not even in existence or thought of when Congress passed the present Reorganization Act, which bears the name of the Senator from Oklahoma [Mr. MONRONEY]; namely, committees on atomic energy, space, and so forth—all those matters upon which we spend so much money and upon which we take so much time. As I said, they were not even thought of at the time of reorganization.

Thus, I believe that one of the most important things which will come out of this study will be the need for constant attention to changes in jurisdiction of committees, changes in procedures themselves, and changes in the many concepts in this ever-changing world. I believe that the bill will accomplish all this. During the course of debate on the bill, it will be the privilege of all Senators to bring out many other things which have been learned in the course of hearings, in the course of debate, and in the course of the long and considered discussion which we have had on this legislation.

This is landmark legislation, as the chairman has described it. Much of the credit for bringing this important legislation to the floor of the Senate in the form of a bill today belongs to the distinguished Senator from Oklahoma, who has done so much to iron out disputes and to bring about what is virtually a unanimous report after so much consideration.

Mr. MONRONEY. I thank my distinguished colleague for his complimentary remarks. The committee worked on this bill with the greatest of harmony. It worked long hours to try to get an agreement and a consensus as to the best suggestions which would equip Congress to meet its present-day problems.

Mr. HOLLAND. Mr. President, I wish to express my very great appreciation to the distinguished Senator from Oklahoma for his persistence in this second effort to reorganize congressional functioning. I hope that this effort will be successful, as was the former one. I know that the Senator has spent a great deal of time and effort on it.

I join in complimenting and congratulating the Senator from Oklahoma, as well as the Senator from Delaware and other members of this special committee on both sides of the aisle.

I hope that we may come up with an excellent reorganization bill which will accomplish the objectives which the Senator from Oklahoma and his associates have in mind.

The ACTING PRESIDENT pro tempore. The report will be received and printed, and the bill will be placed on the calendar.

The bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes, reported by Mr. MONRONEY, was read twice by its title, and placed on the calendar.

ADDITIONAL FUNDS FOR COMMITTEE ON FINANCE—REPORT OF A COMMITTEE

Mr. LONG of Louisiana, from the Committee on Finance, reported the following original resolution (S. Res. 21), which was referred to the Committee on Rules and Administration:

Resolved, That the Committee on Finance is authorized from February 1, 1967, through January 31, 1968, to employ six additional clerical assistants, to be paid from the contingent fund of the Senate at rates of compensation to be fixed by the chairman in accordance with the provisions of Public Law 4, Eightieth Congress, approved February 19, 1947, as amended.

REPORT ON BATTLE OF NEW ORLEANS SESQUICENTENNIAL CELEBRATION

Pursuant to Public Law 87–759, 87th Congress, Mr. ELLENDER submitted a report on the Battle of New Orleans Sesquicentennial Celebration.

REPORT OF ACTIVITIES OF JOINT COMMITTEE ON DEFENSE PRODUCTION—REPORT OF A JOINT COMMITTEE

Mr. SPARKMAN, from the Joint Committee on Defense Production, Congress of the United States, submitted a report entitled "Sixteenth Annual Report of the Activities of the Joint Committee on Defense Production, Congress of the United States," with material on mobilization from departments and agencies.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. RANDOLPH, from the Committee on Public Works:

John J. Linnehan, of Massachusetts, to be Federal cochairman of the New England Regional Commission.

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. HOLLAND:

S. 319. A bill for the relief of Branko "Bronco" Balic; to the Committee on the Judiciary.

By Mr. ERVIN:

S. 320. A bill to authorize the Secretary of the Army to release certain use restrictions on a tract of land in the State of North Carolina in order that such land may be used in connection with a proposed water supply lake, and for other purposes; to the Committee on Armed Services.

By Mr. HART:

S. 321. A bill for the relief of Charles Bernstein; to the Committee on the Judiciary.

By Mr. METCALF (for himself, Mr. HRUSKA, and Mr. TYDINGS):

S. 322. A bill to amend the Migratory Bird Conservation Act to provide that no land contained in the national wildlife refuge system shall be sold, transferred for any other use, or otherwise disposed of without the approval of the Migratory Bird Commission, and for other purposes; to the Committee on Commerce.

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

By Mr. CURTIS:

S. 323. A bill to provide for the payment of expenses incurred by members of the uniformed services in traveling home under emergency leave or prior to shipment outside the United States; to the Committee on Armed Services.

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

By Mr. TALMADGE:

S. 324. A bill for the relief of Jesse C. Johnson; to the Committee on the Judiciary.

By Mr. HILL (for himself, Mr. ALLOTT, Mr. BARTLETT, Mr. BAYH, Mr. BIBLE, Mr. BREWSTER, Mr. BURDICK, Mr. BYRD of Virginia, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CARLSON, Mr. CLARK, Mr. COOPER, Mr. COTTON, Mr. DIRKSEN, Mr. DOMINICK, Mr. EASTLAND, Mr. ERVIN, Mr. FANNIN, Mr. FONG, Mr. GRUENING, Mr. HART, Mr. HARTKE, Mr. INOUYE, Mr. JACKSON, Mr. JAVITS, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of New York, Mr. KUCHEL, Mr. LONG of Missouri, Mr. MCCARTHY, Mr. MCGEE, Mr. MONDALE, Mr. MONRONEY, Mr. MONTOYA, Mr. MORSE, Mr. MORTON, Mr. MURPHY, Mr. MUSKIE, Mr. NELSON, Mr. PELL, Mr. PROUTY, Mr. RANDOLPH, Mr. RIBICOFF, Mr. SMATHERS, Mrs. SMITH, Mr. TOWER, Mr. TYDINGS, Mr. WILLIAMS of New Jersey, Mr. YARBOROUGH, and Mr. YOUNG of North Dakota):

S. 325. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Labor and Public Welfare.

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

By Mr. HILL (for himself, Mr. COTTON, Mr. JAVITS, Mr. MORSE, Mr. NELSON, Mr. PELL, Mr. PROUTY, Mr. RANDOLPH, and Mr. YARBOROUGH):

S. 326. A bill to offer means for coordinating State health and welfare services at the community level by providing common facilities and encouraging their administration as elements of a comprehensive whole; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. RANDOLPH relating to the above bill, which appear under a separate heading.)

By Mr. CLARK:

S. 327. A bill for the relief of Dr. Carlos Victor de la Concepcion Garcia;

S. 328. A bill for the relief of Dr. Oscar Lopez;

S. 329. A bill for the relief of Dr. Oswaldo F. Lopez;

S. 330. A bill for the relief of Kwok Ching Yee (also known as Ip Kwok Ching);

S. 331. A bill for the relief of Heather Gwendolyn Boyd-Monk; and

S. 332. A bill for the relief of Nariko Susan Duke (Nakano); to the Committee on the Judiciary.

By Mr. YOUNG of North Dakota:

S. 333. A bill to amend the Watershed Protection and Flood Prevention Act, as amended, so as to permit Federal cost sharing for certain uses of water stored in reservoir structures constructed or modified under such act; to the Committee on Agriculture and Forestry.

S. 334. A bill to authorize the payment of pension under section 541 of title 38, United States Code, to the widow of a veteran of World War I, World War II, or the Korean conflict without regard to the period of time such widow was married to the veteran, if the veteran committed suicide; to the Committee on Finance.

S. 335. A bill to amend the Act of July 1, 1948 (62 Stat. 1215), providing for the furnishing of Government headstones and markers; to the Committee on Armed Services.

S. 336. A bill for the relief of Dr. Rammurti S. Mishra;

S. 337. A bill for the relief of Tommie Shou; and

S. 338. A bill for the relief of Mario Inoue; to the Committee on the Judiciary.

S. 339. A bill to provide for retroactive payment of annuities payable under the Civil Service Retirement Act to the survivors of Members of Congress who died between February 29, 1948, and March 5, 1954; to the Committee on Post Office and Civil Service.

By Mr. BREWSTER:

S. 340. A bill to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration; to the Committee on Commerce.

S. 341. A bill to provide for improved employee-management relations in the Federal Service, and for other purposes; to the Committee on Post Office and Civil Service.

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

(NOTE.—The first above-mentioned bill (S. 340) was ordered to be held at the desk until January 26, 1967, for additional cosponsors.)

By Mr. BREWSTER (for himself and Mr. TYDINGS):

S. 342. A bill to amend title 28 of the United States Code to provide that the U.S. District Court for the District of Maryland shall sit at one additional place; to the Committee on the Judiciary.

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

By Mr. HART (for himself and Mr. GRIFFIN):

S. 343. A bill to provide that the Federal office building to be constructed in Detroit, Mich., shall be named the "Patrick V. McNamara Federal Office Building" in memory of the late Patrick V. McNamara, a U.S. Senator from the State of Michigan from 1955 to 1966; to the Committee on Public Works.

By Mr. ELLENDER:

S. 344. A bill for the relief of Louis Beaud (Brother Amable); and

S. 345. A bill for the relief of Dr. Benito V. Odulio and his wife, Dr. Brunhilda G. Odulio; to the Committee on the Judiciary.

By Mr. GRUENING:

S. 346. A bill for the relief of George Orfanoudis;

S. 347. A bill for the relief of Charles R. Hartew;

S. 348. A bill for the relief of Bertha Delia; and

S. 349. A bill for the relief of Daiil Park; to the Committee on the Judiciary.

By Mr. McGEE (for himself and Mr. HANSEN):

S. 350. A bill to provide for the establishment of a national cemetery in the State of Wyoming; and

S. 351. A bill to authorize the establishment of the Fossil Butte National Monument; to the Committee on Interior and Insular Affairs.

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

By Mr. INOUYE:

S. 352. A bill to amend the Tariff Schedules of the United States to accord to the Trust Territory of the Pacific Islands the same tariff treatment as is provided for insular possessions of the United States; to the Committee on Finance

By Mr. DIRKSEN (for himself and Mr. PERCY):

S. 353. A bill to authorize and direct the Secretary of Agriculture to make a preliminary survey of the proposed George Rogers Clark Recreation Way within and adjacent to the Shawnee National Forest in the State of Illinois; to the Committee on Agriculture and Forestry.

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

By Mr. WILLIAMS of Delaware:

S. 354. A bill for the relief of Peter Drossos; to the Committee on the Judiciary.

By Mr. MONRONEY:

S. 355. A bill to improve the operation of the legislative branch of the Federal Government, and for other purposes; placed on the calendar.

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

By Mr. HART:

S. 356. A bill to permit the establishment and operation of certain branch offices by the Michigan National Bank, Lansing, Mich.; to the Committee on Banking and Currency.

By Mr. WILLIAMS of Delaware:

S. 357. A bill to amend section 504(a) of the Labor-Management Reporting and Disclosure Act of 1959 which prohibits the holding of union office by persons convicted of certain offenses, so as to make such section applicable with respect to convictions of certain additional offenses; to the Committee on Labor and Public Welfare.

S. 358. A bill to provide for the appointment by the Postmaster General of postmasters at first-, second-, and third-class post offices; to the Committee on Post Office and Civil Service.

By Mr. MAGNUSON:

S. 359. A bill for the relief of Mrs. Mary C. Ryan; to the Committee on the Judiciary.

By Mr. MANSFIELD:

S. 360. A bill for the relief of Dr. Ashwin Vaiodya; to the Committee on the Judiciary.

By Mr. PROUTY:

S. 361. A bill for the relief of Marija Malnar; to the Committee on the Judiciary.

By Mr. LAUSCHE:

S. 362. A bill for the relief of Sofia Dorr; to the Committee on the Judiciary.

By Mr. HARTKE:

S. 363. A bill for the relief of Milorad Segrt; and

S. 364. A bill for the relief of Julianno Rado; to the Committee on the Judiciary.

By Mr. LAUSCHE:

S. 365. A bill for the relief of Mrs. Mary Geromi; to the Committee on Foreign Relations.

By Mr. PELL:

S. 366. A bill to extend the well-established concept of the free public school system to provide the broadest educational opportunities possible to all students as a matter of right by authorizing the U.S. Commissioner of Education to award scholarships to undergraduate students to enable them to complete two academic years of higher education; to the Committee on Labor and Public Welfare.

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

By Mr. PELL (for himself and Mr. COOPER):

S. 367. A bill to promote excellence in education and for other purposes; to the Committee on Labor and Public Welfare.

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

By Mr. NELSON (for himself and Mr. MONDALE):

S. 368. A bill to provide for the establishment of the St. Croix National Scenic Riverway in the States of Minnesota and Wisconsin, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. BAYH:

S. 369. A bill to amend title XVIII of the Social Security Act so as to eliminate, in certain cases, the requirement that an insured individual have first been admitted to a hospital in order to qualify under such title for the extended care services provided thereunder; to the Committee on Finance.

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

(NOTE.—The above bill was ordered to be held at the desk until January 26, 1967, for additional cosponsors.)

By Mr. JACKSON (for himself and Mr. MAGNUSON):

S. 370. A bill to amend the act of June 12, 1948 (62 Stat. 382), in order to provide for the construction, operation, and maintenance of the Kennewick division extension, Yakima project, Washington, and for other purposes; to the Committee on Interior and Insular Affairs.

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

By Mr. MUNDT (for himself, Mr. THURMOND, Mr. MORTON, Mr. TOWER, Mr. STENNIS, and Mr. DOMINICK):

S.J. Res. 12. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President; to the Committee on the Judiciary.

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

(NOTE.—The above joint resolution was ordered to be held at the desk until January 26, 1967, for additional cosponsors.)

By Mr. HOLLAND (for himself, Mr. ALLOTT, Mr. CURTIS, Mr. DOMINICK, Mr. HRUSKA, Mr. TOWER, and Mr. YOUNG of North Dakota):

S.J. Res. 13. Joint resolution to require the removal of certain agricultural products from negotiation of tariff reductions under the Trade Expansion Act of 1962, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. HOLLAND when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. RANDOLPH:

S.J. Res. 14. Joint resolution proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

(See the remarks of Mr. RANDOLPH when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. BURDICK:

S.J. Res. 15. Joint resolution proposing a

nationwide popular vote for election of the President and Vice President of the United States; to the Committee on the Judiciary.

RESOLUTIONS

MINORITY PARTY'S MEMBERSHIP ON STANDING COMMITTEES

Mr. DIRKSEN submitted a resolution (S. Res. 18) designating the minority party's membership on standing committees, which was considered and agreed to.

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

APPOINTMENT OF CHAIRMAN OF SELECT COMMITTEE ON SMALL BUSINESS

Mr. MANSFIELD submitted a resolution (S. Res. 19) appointing Mr. SMATHERS as chairman of the Select Committee on Small Business, which was considered and agreed to.

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

EXTENSION OF SPECIAL COMMITTEE ON AGING

Mr. MANSFIELD submitted the following resolution (S. Res. 20), which was referred to the Committee on Rules and Administration:

S. RES. 20

Resolved, That the Special Committee on Aging, established by S. Res. 33, Eighty-seventh Congress, agreed to on February 13, 1961, as amended and supplemented, is hereby extended through January 31, 1968, except that thirteen members of such Committee shall be appointed from the majority party and seven members from the minority party.

SEC. 2. It shall be the duty of such committee to make a full and complete study and investigation of any and all matters pertaining to problems and opportunities of older people, including but not limited to, problems and opportunities of maintaining health, of assuring adequate income, of finding employment, of engaging in productive and rewarding activity, of securing proper housing, and, when necessary, of obtaining care or assistance. No proposed legislation shall be referred to such committee, and such committee shall not have power to report by bill or otherwise have legislative jurisdiction.

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

SEC. 4. A majority of the members of the committee or any subcommittee thereof shall constitute a quorum for the transaction of business, except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of taking sworn testimony.

SEC. 5. For purposes of this resolution, the committee is authorized (1) to employ on a temporary basis from February 1, 1967, through January 31, 1968, such technical, clerical, or other assistants, experts, and consultants as it deems advisable: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (2) with the prior consent of the executive department or agency concerned and the Committee on Rules and Administration, to employ on a reimbursable basis such executive branch personnel as it deems advisable.

SEC. 6. The expenses of the committee, which shall not exceed $221,000 from February 1, 1967, through January 31, 1968, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

SEC. 7. The committee shall report the results of its study and investigation, together with such recommendations as it may deem advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968. The committee shall cease to exist at the close of business on January 31, 1968.

ADDITIONAL FUNDS FOR COMMITTEE ON FINANCE

Mr. LONG of Louisiana reported an original resolution (S. Res. 21) to provide additional funds for the Committee on Finance, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. LONG of Louisiana, which appears under the heading "Reports of Committees.")

STUDY OF ENTRY OF NONIMMIGRANT ALIENS INTO THE UNITED STATES TO PERFORM SERVICES OR LABOR

Mr. TOWER submitted a resolution (S. Res. 22) to provide for a study of the entry of nonimmigrant aliens into the United States to perform services or labor, which was referred to the Committee on the Judiciary.

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

(NOTE.—The above resolution was ordered to be held at the desk until January 23, 1967, for additional cosponsors.)

AMENDMENT OF MIGRATORY BIRD CONSERVATION ACT

Mr. METCALF. Mr. President, as I have previously pointed out, the Congress in 1929 created the Migratory Bird Conservation Commission, on which I have the honor to serve.

As you know, the Commission passes on recommendations of its Chairman, the Secretary of the Interior, for additions to the migratory bird refuges within the national wildlife refuge system. Members of the Commission include the Secretary of Agriculture, the Secretary of Commerce, another Member of this body, the senior Senator from Nebraska [Mr. HRUSKA] and two Members of the House [Mr. KARSTEN and Mr. CONTE].

We of the Commission are trustees of the funds of American duck hunters and other contributing conservationists who came to the Congress and asked that we provide for a duck stamp and use the proceeds to acquire the land necessary for migratory bird refuges. In addition, we are trustees of the funds of organizations and private individuals, who have contributed millions of dollars for acquisition, and in some cases, development of these refuges.

While we trustees are consulted on proposed additions to the refuge system, no such approval is required when refuges are eliminated, reduced, or portions are taken for other than wildlife uses, such as highways. It may be that there are units in our wildlife refuge system which on the basis of experience should be reduced or eliminated—despite the fact that the basic statute, the Migratory Bird Conservation Act, provides in its title for the acquisition of these areas of land and water "in perpetuity." But this is a program set up by the Congress and administered only in part by a Commission created by the Congress.

In the 89th Congress, the senior Senator from Nebraska [Mr. HRUSKA] and I introduced S. 2192, to require that land gets out of the refuge system the same way it now gets in—by Commission approval. The measure—H.R. 8807—was introduced in the House by the gentleman from Michigan [Mr. DINGELL].

We also would require that the migratory bird conservation fund be reimbursed in the amount of fair market value of any refuge lands taken for nonwildlife purposes. Conservationists buy duck stamps and make other contributions to expand the national wildlife refuge system. When land passes from that system, the duck stamp fund should be reimbursed for the value of the land taken. Otherwise we are picking the pockets of our duck hunters, investing their money in additions to the national wildlife refuge system while, at the same time, relinquishing land already in this system.

Mr. President, on behalf of the senior Senator from Nebraska [Mr. HRUSKA] and the junior Senator from Maryland [Mr. TYDINGS], I am reintroducing the bill to amend the Migratory Bird Conservation Act. I ask unanimous consent that the bill be printed at this point in the RECORD.

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

The bill (S. 322) to amend the Migratory Bird Conservation Act to provide that no land contained in the national wildlife refuge system shall be sold, transferred for any other use, or otherwise disposed of without the approval of the Migratory Bird Commission, and for other purposes introduced by Mr. METCALF (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Migratory Bird Conservation Act (16 U.S.C. 715a) is amended by inserting "(a)" immediately after "SEC. 2." and by

inserting at the end of such section the following new subsection:

"(b) (1) No land located within any wildlife refuge, wildlife range, game range, wildlife management area, or waterfowl production area, administered by the Secretary of the Interior through the Fish and Wildlife Service, Department of the Interior, shall be sold, transferred for any other use, or otherwise disposed of—

"(A) without the approval of the Commission, and

"(B) without the payment by the Secretary of the Interior to the migratory conservation fund (established under section 4 of the Act of March 16, 1934 (16 U.S.C. 718d)) of the fair market value of such land.

"(2) Except for a road constructed for the sole purpose of maintaining and protecting any such refuge, or area, no road, shall be constructed within any such refuge, range, or area—

"(A) without the approval of the Commission, and

"(B) without the payment by the Secretary of the Interior to such migratory bird conservation fund of the fair market value of the right-of-way.

"(3) Any funds transferred to such migratory bird conservation fund under paragraphs (1) and (2) of this subsection shall be used exclusively for the acquisition of areas for migratory bird refuges."

THE NATIONAL WILDLIFE REFUGE SYSTEM

Mr. METCALF. Mr. President, I wish to bring to the attention of the Senate an editorial in the New York Times of August 4. It supports the Hruska-Metcalf bill (S. 1816) which would forbid removal of land from the national wildlife refuge system except with approval of the Migratory Bird Conservation Commission.

The editorial points out the vital difference between closing a military installation and closing a wildlife refuge. One can be rebuilt or replaced, the other cannot. When the Bureau of the Budget sought economy, by closing 11 refuges in 12 States, it was not only ignoring other values but it was not economizing at all. It did not consider the dollar income from sale of timber and other resources on wildlife refuges.

I wish to commend the Times for its editorial. I ask unanimous consent that it be printed in the RECORD.

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

RETREAT ON WILDLIFE

Although the record of the Johnson Administration on major conservation issues has thus far been excellent, it has introduced an oddly regressive note into its management of the Nation's wildlife refuges.

For the sake of economy, the Bureau of the Budget this year has compelled the Interior Department to get rid of five wildlife refuges, cut back its work on four and turn two others over to the States. The purpose of these closings was to save the sum of $200,000. This squeeze on the refuge system is part of the much-publicized economy drive that has produced some closings of shipyards, army bases and veterans' hospitals. But there are two significant differences between those installations and the refuges.

If a new hospital or military base is needed, it can always be built or the old one reactivated. But once land and water areas reserved for migratory birds and wild animals are gone, they are usually gone forever.

The second difference is that land in refuges has either been given by private individuals and organizations or has been acquired with public funds from the proceeds of the duck stamps that hunters buy. By either financial route, the refuges have the character of a special trust. Indeed, the Migratory Bird Conservation Act provides for the acquisition of these lands and water areas in perpetuity.

Not every wildlife refuge that was closed in this economy drive represented a real loss. Like every large operation, the National Wildlife Refuge System makes changes as conditions change. But some of the refuges were still useful. Moreover, changes should be dictated by the needs of the system and not by the arbitrary pressure of periodic economy drives.

Under these circumstances, we endorse the bill recently introduced by Senators METCALF, of Montana, and HRUSKA, of Nebraska, to forbid removal of land from the system except with approval of the Migratory Bird Conservation Commission. The Commission's approval is needed to add land to the system; its approval should be necessary to take land out of it. This year's squeeze from the Budget Bureau proves that this elementary protection for the wildlife refuges is essential.

TRANSPORTATION PAY FOR MEMBERS OF UNIFORMED SERVICES WHEN ON EMERGENCY LEAVE

Mr. CURTIS. Mr. President, I am today introducing a bill similar to the one I introduced in the last Congress. This proposal, if enacted into law, will provide that the members of our uniformed services shall have their transportation paid when they come home on emergency leave or when they come home just before they go overseas.

At the present time, servicemen on leave from Vietnam or military posts receive no Federal pay for transportation in the United States. They must pay their own way. This is true when they come home because of a death or illness or other emergency. The bill I am introducing would correct this.

Mr. President, I am sure that every Senator has observed our servicemen waiting around in the airports for a chance to buy a ticket at a reduced rate with their own funds on a space-available basis. Other Government personnel are not so treated.

I call attention to the fact that the U.S. Government spent $1,920,910 for sending Job Corps enrollees home for Christmas in December 1965. The amount spent for transportation for Job Corps enrollees for Christmas in 1966 was $1,200,000. We should do no less for our servicemen who are fighting for us or who are prepared to fight for our country.

Mr. President, the January 12, 1967, issue of the Stars and Stripes carries a letter by Commander in Chief Leslie M. Fry of the Veterans of Foreign Wars on this subject of transportation payments for our servicemen. I wish to include in my remarks the pertinent parts of that letter, as follows:

The purpose of this letter is to bring to your attention, and in so doing express the vigorous opposition and resentment of the Veterans of Foreign Wars over a Government policy that discriminates against U.S. servicemen.

I am referring specifically to the procedure, as reported in the press, of the Government paying the transportation for Job Corpsmen to go home on vacation during the Christmas holidays.

The Veterans of Foreign Wars would like to point out that there is something inherently and fundamentally wrong when Job Corpsmen enjoy vacation travel at the taxpayers' expense and, at the same time U.S. fightingmen are denied such privileges as those accorded the Job Corpsmen.

* * * It is the belief of the Veterans of Foreign Wars that there should be prompt corrective action in this matter which discriminates so viciously against our men in uniform.

The Veterans of Foreign Wars has proposed and supports such administrative or legislative action as would provide government payment of transportation to their homes and return to duty for servicemen who are on: (a) emergency leave; (b) convalescent leave from hospitalization resulting from injury in the line of duty; (c) leave immediately prior to departure for overseas; and (d) leave immediately on return from overseas duty.

It is the firm belief of the Veterans of Foreign Wars that such assistance to our servicemen is long overdue; that the cost would be insignificant in terms of the dividends which would be realized in increased morale and higher reenlistment rates; and would be fully justified in view of the fact that Job Corpsmen, whose duties do not involve the obligations and risks of military service, already receive vacation travel at the expense of the U.S. taxpayer.

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

The bill (S. 323) to provide for the payment of expenses incurred by members of the uniformed services in traveling home under emergency leave or prior to shipment outside the United States, introduced by Mr. CURTIS, was received, read twice by its title, and referred to the Committee on Armed Services.

NATIONAL EYE INSTITUTE

Mr. HILL. Mr. President, I am introducing a bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health.

The bill is identical to S. 3514, which I introduced in the 89th Congress in cosponsorship with 52 Members of this Chamber.

Briefly, Mr. President, the bill would authorize the establishment of a National Eye Institute to mobilize an attack on blindness and other visual disorders. Through research and the training of research scientists, the new Institute would develop new treatments and cures for visual disorders, and more important, discover how to prevent blindness and other visual disorders that take such a toll.

The dimensions of the problem of visual disorders in this country demonstrate the need for the new institute:

About 400,000 persons have 10 percent vision or less, including 50,000 persons who are totally blind;

More than one million persons are unable to read regular newspaper print, even with the help of glasses;

Nearly 90 million persons have, to some degree, impaired eyesight;

About 30,000 adults and children become blind each year, and most important of all—

Eighty percent of all blindness is the result of diseases whose causes are not known to science.

In addition, Mr. President, we are all familiar with the economic consequences of blindness:

The cost of providing public assistance to nearly 100,000 needy blind persons;

The cost of special facilities, teachers, books, and materials needed in the education of more than 20,000 elementary and secondary-school-attending blind children.

The cost of centers and facilities providing adjustment to blindness and other services to the newly blind and the long-neglected blind;

The cost of vocational rehabilitation agencies, programs and training facilities to provide occupational retraining and job placement help to the employable blind;

The cost of braille and recorded books for the blind, the buildings to house them, the personnel to distribute them.

The human and economic toll of blindness is a burden that we need not endure if we take advantage of the opportunities offered by medical research. Let me cite an example. In 1953 we made the discovery that too much oxygen administered to premature infants resulted in retrolental fibroplasia, a cause of blindness. As a result of this finding, the incidence of retrolental fibroplasia fell dramatically from 1,900 cases in 1952 to only 28 in 1958. Today, the condition is a rarity.

If this medical advance had been discovered 1 year later, the lifetime cost of care for the additional number of blind persons would have amounted to more than $120 million. If the discovery had come 10 years later the cost would have exceeded $1 billion.

But costs alone are a poor measure of the problem of blindness, for they do not portray the human suffering nor the disadvantages and difficulties of blind people in a sight-oriented world.

Mr. President, our goal must be the eradication of blindness from our society. Even though blindness can be lived with successfully in our society, it is not a condition that should be needlessly continued in America nor in the world. I urge my colleagues to support the bill I am introducing today to establish a National Eye Institute that we may effectively work to prevent blindness and develop new treatments and cures for visual disorders.

I ask unanimous consent that the text of the bill be printed in the RECORD, along with the names of the 50 Senators who are joining with me in sponsoring the legislation.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and the names of Senators will be printed in the RECORD.

The bill (S. 325) to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health, introduced by Mr. HILL (for himself, Mr. ALLOTT, Mr. BARTLETT, Mr. BAYH, Mr. BIBLE, Mr. BREWSTER, Mr. BURDICK, Mr. BYRD of Virginia, Mr. BYRD of West Virginia, Mr. CANNON, Mr. CARLSON, Mr. CLARK, Mr. COOPER, Mr. COTTON, Mr. DIRKSEN, Mr. DOMINICK, Mr. EASTLAND, Mr. ERVIN, Mr. FANNIN, Mr. FONG, Mr. GRUENING, Mr. HART, Mr. HARTKE, Mr. INOUYE, Mr. JACKSON, Mr. JAVITS, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of New York, Mr. KUCHEL, Mr. LONG of Missouri, Mr. MCCARTHY, Mr. MCGEE, Mr. MONDALE, Mr. MONRONEY, Mr. MONTOYA, Mr. MORSE, Mr. MORTON, Mr. MURPHY, Mr. MUSKIE, Mr. NELSON, Mr. PELL, Mr. PROUTY, Mr. RANDOLPH, Mr. RIBICOFF, Mr. SMATHERS, Mrs. SMITH, Mr. TOWER, Mr. TYDINGS, Mr. WILLIAMS of New Jersey, Mr. YARBOROUGH, and Mr. YOUNG of North Dakota), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, together with the names of the cosponsors, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title IV of the Public Health Service Act (42 U.S.C., ch. 6A, subch. III) is amended by adding at the end thereof the following new part:

"PART F—NATIONAL EYE INSTITUTE

"Establishment of National Eye Institute

"SEC. 451. The Surgeon General is authorized, with the approval of the Secretary, to establish in the Public Health Service an institute for the conduct and support of research for new treatment and cures and training relating to blinding eye diseases and visual disorders, including research and training in the special health problems and requirements of the blind and in the basic and clinical sciences relating to the mechanism of the visual function and preservation of sight. The Surgeon General is also authorized to plan for research and training, especially against the main causes of blindness and loss of visual function.

"Establishment of advisory council

"SEC. 452. (a) The Surgeon General is authorized, with the approval of the Secretary, to establish an advisory council to advise, consult with, and make recommendations to the Surgeon General on matters relating to the activities of the National Eye Institute.

"(b) The provisions relating to the composition, terms of office of members, and reappointment of members of advisory councils under section 432(a) shall be applicable to the council established under this section, except that the Surgeon General, with the approval of the Secretary, may include on such council established under this section such additional ex officio members as he deems necessary.

"(c) Upon appointment of such council, it shall assume all or such part as the Surgeon General may, with the approval of the Secretary, specify of the duties, functions, and powers of the National Advisory Health Council relating to the research or training projects with which such council established under this part is concerned and such portion as the Surgeon General may specify (with such approval) of the duties, functions, and powers of any other advisory council established under this Act relating to such projects.

"Functions

"SEC. 453. The Surgeon General shall, through the National Eye Institute established under this part, carry out the purposes of section 301 wtih respect to the conduct and support of research with respect to blinding eye diseases and visual disorders associated with general health and well-being, including the special health problems and requirements of the blind and the mechanism of sight and visual function, except that the Surgeon General shall, with the approval of the Secretary, determine the areas in which and the extent to which he will carry out such purposes of section 301 through such Institute or an institute established by or under other provisions of this Act, or both of them, when both such institutes have functions with respect to the same subject matter. The Surgeon General is also authorized to provide training and instruction and establish and maintain traineeships and fellowships, in the National Eye Institute and elsewhere in matters relating to diagnosis, prevention, and treatment of blinding eye diseases and visual disorders with such stipends and allowances (including travel and subsistence expenses) for trainees and fellows as he deems necessary, and, in addition, provide for such training, instruction, and traineeships and for such fellowships through grants to public or other nonprofit institutions."

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

Mr. HILL. I yield.

Mr. KUCHEL. Mr. President, there is no bill that will be introduced in this Congress, or, for that matter, in any other Congress, which will have a more moving effect on the Senator from California than the bill just introduced by the Senator from Alabama.

I doubt that I should hesitate in simply saying that my own beloved mother is now 96. She was blind for a number of years. By an almost miraculous operation last year, her eyesight was restored.

I think the Senator, in the introduction of his bill, is participating in a field which needs more scientific research than we have had in the past.

I simply rise to pay him once again the just metes of respect by his colleagues for the interest he has taken in all problems of health and welfare of human beings.

Mr. HILL. I thank the distinguished Senator from California for his interesting statement about his mother. I rejoice that her eyesight has been restored to her. The distinguished Senator from California is one of the sponsors of the bill. He and I are marching together in the effort to try to save people from blindness through research and training.

RANDOLPH SUPPORTS ANOTHER MEASURE TO AID THE BLIND AND NEAR-BLIND: JOINS SENATOR HILL IN SPONSORING BILL TO CREATE NATIONAL EYE INSTITUTE

Mr. RANDOLPH. Mr. President, it is a distinct pleasure for me to cosponsor, once again, a bill to creat a National Eye Institute in the National Institutes of Health.

As Senator HILL knows, I have been concerned with aid to the blind and near-blind for many years. Since 1936, when the Randolph-Sheppard Act was passed, I have been working in both public and private life to help ameliorate the conditions under which our blind citizens live and work and to assist them in better performing useful roles in our society.

But I am also cognizant of the fact that many are blind who need not have lost their eyesight. Many eye defects and diseases can be cured, and the eyesight of thousands more could be saved each year with adequate knowledge and treatment. It is my hope that by creating a

separate Institute in our National Institutes of Health for research into eye sicknesses only, we will assist countless thousands of our citizens—many now living, many yet unborn—to enjoy the soft glow of a sunrise, the graceful flight of a swallow, and the breathtaking view of creation best known to a mountaineer.

RANDOLPH PRAISES HILL—DELIGHTED TO COSPONSOR COMMUNITY SERVICES ACT OF 1967—CITIES PROGRESS BROUGHT BY APPALACHIAN REGIONAL DEVELOPMENT ACT (S. 326)

Mr. RANDOLPH. Mr. President, before I comment on the bill which I am privileged to cosponsor with the distinguished Senator from Alabama [Mr. HILL], I would like to express my profound admiration for that gentleman as both a legislator and a friend. There is no other Senator here today whose contributions to the cause of improved health facilities for our citizens are as well known and as far reaching as those of LISTER HILL's. It is a source of delight to me, and a responsibility which I cherish, to be able to sponsor with my dear friend this vital piece of legislation he introduced today.

As the sponsor of the Appalachian Regional Development Act in this body several years ago, I have maintained close contact with the community services being discussed and proposed under that landmark legislation. That these services will be of inestimable value to the citizens of our Appalachian States is certainly beyond doubt. That there is a need for similar services to other States, is also beyond doubt. And the bill just introduced will be responsive, I believe, to this need.

Mr. President, I want the Senator from Alabama [Mr. HILL] to know that I will work with him for the enactment of the community services legislation. It is my hope that we will have the support of our colleagues in bringing to fruition a proposal which offers hope to young and old alike in all geographical areas of this vast land of ours. We must each try, with the help of our Creator, to see the promise of America fulfilled for all.

ON AUTHORIZATION OF MERCHANT MARINE FUNDS

Mr. BREWSTER. Mr. President, I introduce, for appropriate reference, a bill which would require the annual authorization of merchant marine funds by the Commerce Committee, which is charged with general oversight of our merchant marine. This bill is identical to one which I introduced last year.

There are two reasons which I feel that this particular change would be appropriate. First, there is substantial precedent for such a move. Second, the need for such a change is urgent.

Congress has, for a number of years, followed the practice of authorizing annual appropriations for military construction of bases and facilities. In 1959, this procedure was extended to the procurement of aircraft, missiles, and naval vessels.

In 1963, the same procedure was adopted for the Coast Guard, whose annual appropriations are to be authorized by the Commerce Committee. The bill which I am introducing would place the merchant marine—the fourth arm of the Nation's defense—on the same basis as the Coast Guard and the naval vessels.

There is, of course, ample other precedent for this proposal. The Peace Corps, the NASA program, the Atomic Energy Commission, certain housing programs, and a number of other activities are subject to both authorization and appropriation.

Granted that the precedent exists, why should merchant marine funds be authorized by a legislative committee? It seems to me that there are two valid reasons why.

First, it assures effective congressional scrutiny of executive policy decisions. The committee which is charged with legislative oversight of the agency in question can determine whether the policy involved in a particular appropriation is a proper one. It can give the time and the expertise required to scrutinize executive discretion.

Thus, in 1959, the conferees on the military authorization proposal stated:

> An effective method for maintaining proper surveillance over this procurement would be in the manner described above (annual appropriations).

Second, the bill I am proposing would effectively spotlight the need for merchant marine appropriations. As I have often stated to the Senate, our merchant marine is being sunk.

We should have the individuals who really know the maritime picture up to testify each year before a legislative committee on what they feel to be an appropriate level of congressional funds. Needless to say, the Appropriations Committee would retain its power to cut the allotment, in view of overall budgetary considerations.

Mr. President, I do not intend to go through the dreary picture of the merchant marine in depth. It is, I assure the Senators, a very dreary picture.

The United States was once the principal maritime power of the world. We have fallen far in recent years. We now transport only 8 percent of our foreign commerce.

What is worse, we do not seem to be able to learn from history. George Santayana, the noted philosopher, wrote that those who will not learn from history are forever condemned to repeat it.

We allowed our shipping to decline in the early colonial days until we found ourselves with no fleet at the time of the Revolutionary War. We built up a fleet for that conflict, but dismantled it immediately thereafter.

Thus we entered the War of 1812 helpless at sea. Once again, a high-powered shipbuilding effort—ended after the war. In the Civil War, the same story. In World War I, World War II, the Korean war—every battle finds us unprepared to fight it and supply it at sea.

Now we are embroiled in southeast Asia. We send the vast majority of our men by sea. Ninety-eight percent of our cargo goes in ships—most of them non-Government vessels, our private merchant marine. But our fleet, once again, is a disgrace.

I do not know that we are ready to wake up now. I would hope that we are. It is time that we learn from our past mistakes.

One step in this direction would be to require annual hearings and authorizations by the committee which oversees the merchant marine. I urge the Senate to do so.

Mr. President, I ask that the bill lie on the table for 10 days.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Maryland.

The bill (S. 340) to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration, introduced by Mr. BREWSTER, was received, read twice by its title, and referred to the Committee on Commerce.

TO HOLD DISTRICT COURTS IN MARYLAND SUBURBS

Mr. BREWSTER. Mr. President, I introduce, for appropriate reference, a bill which would provide that the U.S. District Court for the District of Maryland shall sit at one additional place. My colleague, Senator TYDINGS, joins me in sponsoring this legislation.

Of the 3.6 million people in the State of Maryland, approximately a third live in the Washington suburbs. Frequently litigation arises which they would like to take to the Federal court.

But for a Maryland citizen living in the Washington suburbs, taking a case to Federal court usually means taking it 60 miles away, to Baltimore.

The United States Code already provides that the judges from the Federal district court in Baltimore can also sit in Cumberland and Denton, Md. The bill which I am introducing would merely provide that the court—if and when it so chooses—would be authorized to sit in nearby Hyattsville, as well.

This bill, which is a companion to one being offered by Congressman HERVEY MACHEN in the House, would not establish a new district, for a new division within a district. It would cost little or nothing, for I am reliably informed that there is an office building in the Hyattsville area with space available for the court to use.

In brief, this bill would merely grant to residents of this area the access to Federal court facilities which other Maryland citizens have already. It would make unnecessary the 60-mile trip to Baltimore to make a 5-minute appearance at a hearing. It would make it possible to obtain expert witnesses willing to go to court nearby, instead of devoting an entire day to an exhausting trip to Baltimore.

What is more, this measure would partially alleviate the crowded courts of both Washington and Baltimore, by al-

lowing suburban cases to be tried here. The District of Columbia District Court is already several years behind in its caseload. Some of these cases could doubtless be handled by a Federal court sitting in Hyattsville.

This proposal has the solid support of the bar associations of the District, Prince Georges, and Montgomery Counties. The need for the bill has been established by studies conducted by Prof. Robert Goostree, of American University Law School.

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

The bill (S. 342) to amend title 28 of the United States Code to provide that the U.S. District Court for the District of Maryland shall sit at one additional place, introduced by Mr. BREWSTER (for himself and Mr. TYDINGS), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. TYDINGS. Mr. President, I join Senator BREWSTER in introducing this to allow the District Court for the District of Maryland to sit in Hyattsville. The bill is identical to one introduced in the last two sessions of Congress by Representative MACHEN. I support this bill because I believe there is a real need for a place of court in Maryand suburbs of Washington, and I hope that adequate quarters can be provided for a court.

It is my understanding that the judges of the Maryland court are quite willing to sit in the District of Columbia suburbs if adequate facilities are made available. I am certain that hearings on this bill will establish whether and where such facilities exist. I also recognize that the Judicial Conference of the United States last September disapproved bills which would have provided for the holding of court in Hyattsville because of the lack of adequate facilities there.

I want to make clear that I support the establishment of a place for sitting of the Maryland District Court in the District of Columbia suburbs. But any such place for holding court must have as an absolute minimum both adequate facilities and equal accessibility to Montgomery and Prince Georges Counties.

ESTABLISHMENT OF A NATIONAL CEMETERY IN THE STATE OF WYOMING

Mr. McGEE. Mr. President, in behalf on myself and my colleague from Wyoming [Mr. HANSEN], I introduce, for appropriate reference, a bill to authorize the Secretary of the Army to establish a national cemetery in the State of Wyoming.

Mr. President, Wyoming is a State which today lacks such a facility though the desirability is apparent, I would say, to everyone familiar with the State. As for siting such a cemetery, there should be no difficulty. As the proposed legislation makes clear, the Secretary would be authorized to use any federally owned lands surplus to the needs of the Government. And there is a plentiful supply of such land in Wyoming, I would observe. Wyoming very much desires, Mr. President, to have on its soil a national cemetery—a place where we can honor our young men who have given the ultimate sacrifice for the people of this State and this Nation. I trust that this measure will gain consideration from this body and be looked upon with favor.

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

The bill (S. 350) to provide for the establishment of a national cemetery in the State of Wyoming, introduced by Mr. McGEE (for himself and Mr. HANSEN), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

ESTABLISHMENT OF THE FOSSIL BUTTE NATIONAL MONUMENT, LINCOLN COUNTY, WYO.

Mr. McGEE. Mr. President, in behalf of myself and Senator HANSEN, I send to the desk, for appropriate reference, a bill to authorize the establishment of the Fossil Butte National Monument in Lincoln County, Wyo.

This bill is identical to S. 83, which I introduced in the 89th Congress. It is intended to preserve for the benefit and enjoyment of the people some outstanding paleontological sites and geological phenomena near Kemmerer, Wyo. Establishment of the monument has been endorsed by the Secretary of the Interior, and local differences chiefly over the size of the monument have been resolved.

Mr. President, it is my hope that this bill will be given early consideration by the Senate and passed this session so that the truly significant fossil remains to be found here will be safeguarded for the future.

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

The bill (S. 351) to authorize the establishment of the Fossil Butte National Monument, introduced by Mr. McGEE (for himself and Mr. HANSEN), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

THE GEORGE ROGERS CLARK RECREATION WAY

Mr. DIRKSEN. Mr. President, I introduce on behalf of myself and the junior Senator from Illinois [Mr. PERCY], for appropriate reference, a bill to authorize and direct the Secretary of Agriculture to make a preliminary survey of the proposed George Rogers Clark Recreation Way within and adjacent to the Shawnee National Forest in the State of Illinois.

One of the necessary prerequisites of a satisfactory recreation way is public control of the right-of-way and adequate lands along it to assure scenic conservation and development of desirable public recreation areas. Last year, the National Forest Reservation Commission extended the Shawnee National Forest Purchase Unit to connect the two segments of the National Forest.

This 100-mile proposed recreation way, sometimes referred to as the River-to-River Road, would extend from Fountain Bluff on the Mississippi River to the general area of Old Shawneetown, Ill., on the Ohio River.

This preliminary survey would be a major step toward accomplishing the desires of the local sponsors of this scenic highway. The study is estimated to cost approximately $40,000. This road and the attractions along the way across lines of seven counties, and Federal and State agencies are involved. It also has an important place in the State's program of development through the board of economic development in Illinois, the department of conservation, and other agencies. George Rogers Clark, a Rev. olutionary War figure, is closely associated with this general area of southern Illinois. Mr. John Allen in his book "The Legends and Lore of Southern Illinois" stated:

> It was through his efforts, more than those of any other, that Illinois along with the remainder of the whole northwestern territory became a part of the United States. Most of the military activities that Clark conducted to accomplish this objective were enacted in Illinois.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

The bill (S. 353) to authorize and direct the Secretary of Agriculture to make a preliminary survey of the proposed George Rogers Clark Recreation Way within and adjacent to the Shawnee National Forest in the State of Illinois, introduced by Mr. DIRKSEN (for himself and Mr. PERCY), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

S. 353

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized and directed to make a preliminary survey of a possible route for a recreation way to be known as the George Rogers Clark Recreation Way, extending from the vicinity of Fountain Bluff on the Mississippi River to the general area of Old Shawneetown on the Ohio River, in the State of Illinois, and traversing a scenic route along the Shawnee Hills through the Shawnee National Forest, the recently approved additional national forest purchase unit of the Shawnee National Forest, and adjacent areas. An estimate of the cost of construction of an appropriate recreation way over the indicated route, together with all other pertinent data, shall be obtained through such preliminary survey for the purpose of determining the feasibility and desirability of constructing the proposed recreation way. A final report of such survey, accompanied by full information and data, with recommendations, shall at the earliest possible date he made and submitted to Congress for its consideration.

SEC. 2. There is authorized to be appropriated such amount as is necessary to carry out the provisions of this Act.

THE HIGHER EDUCATION SCHOLARSHIP ACT OF 1967

Mr. PELL. Mr. President, legislation to aid education at all levels, both public and private, has been a major congressional consideration almost from the founding of the Republic. From the Morrill Land Grant Act to the latest amendments to the Elementary and Secondary Education Act, the Senate has shown its deep concern about the quality and status of those institutions charged with the responsibility of educating our youth.

While it is true that congressional concern has brought about the enactment of various programs, it is also a fact that the concept of the free public school is one of local origin and administration. Each city, town, and county operates its school system which is generally of 12-year duration.

It has always puzzled me as to just why free public education must cease after 12 school years, or around a youth's 17th or 18th birthday. In any event, however, this is the system as it now operates and here is an area in which I believe the Federal Government can step into the breech, so to speak.

I refer to the concept that free public education should not cease at the 12-year, secondary education level, but should be extended to 14 years. And this would be accomplished through the adoption of the Higher Education Scholarship Act of 1967, which I now offer for introduction.

Basically, this bill is an across-the-board act to give scholarship assistance for 2 years to every student who has, or will be, accepted by an institution of higher education. It would provide up to $1,000 for each of the 2 years to be applied toward tuition, fees, and books. The definition of institution is broadened to include accredited private business, trade, technical, or vocational schools, much as did the GI bills.

Today's complex world calls for skills which are not to be learned in a 12-year school system. All too often we are told that a high school diploma simply is not enough. And on the other hand, we are informed that in a recent study called Project Talent, 80,000 high school graduates who ranked in the upper 20 percent of their class did not go on to higher education. True, some may not have been motivated to do so, but I am concerned that many missed the opportunity to further their education due to a lack of funds.

The Higher Education Scholarship Act of 1967 would give each and every student the absolute right to an extra 2 years of education. And, indeed, this is the very heart of the matter. Those youths whose parents can afford the prevailing expensive tuitions go on to college. The brilliant student is the recipient of scholarship aid, NDEA funds are available to others. However, Mr. President, I plead for the average student with moderate means. His grades do not quality him for scholarship aid. And yet this is the person who, if given the proper stimulus could and probably would do a creditable job in an institution of higher education.

I believe that our Nation should not let the talent of our youth go to waste. Let us give all an equal opportunity to reach those peaks which would otherwise be denied to them due to the lack of higher education—education which should be his as a matter of right and not privilege.

I ask, Mr. President, that this bill be appropriately referred, and that its text be printed in full in the RECORD at the conclusion of these remarks.

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

The bill (S. 366) to extend the well-established concept of the free public school system to provide the broadest educational opportunities possible to all students as a matter of right by authorizing the U.S. Commissioner of Education to award scholarships to undergraduate students to enable them to complete 2 academic years of higher education, introduced by Mr. PELL, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 366

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The Higher Education Scholarship Act of 1967".

SEC. 2. The United States Commissioner of Education (hereinafter referred to as the "Commissioner") is hereby authorized, in the manner hereinafter in this Act provided, to award scholarships to undergraduate students to enable them to pursue their courses of study for not more than two academic years or its equivalent at institutions of higher education.

SEC. 3. The total amount paid to any student awarded a scholarship under this Act shall be based upon the aggregate amount of his costs for tuition, course fees, and books during any academic year or its equivalent, as defined in the regulations of the Commissioner, but in no event shall the amount paid to such student exceed $1,000 for such academic year or its equivalent.

SEC. 4. A student awarded a scholarship under this Act shall continue to be entitled to payments only if the Commissioner finds that such student (1) is maintaining good standing in the course of study which he is pursuing, according to the regularly prescribed standards and practices of the institution which he is attending, (2) devotes essentially full time to such course of study, during the academic year or its equivalent, in attendance at an institution of higher education, except that failure to be in attendance at an institution during vacation periods or periods of military service, or during other periods during which the Commissioner determines, in accordance with regulations, that there is good cause for his nonattendance (during which periods such student shall receive no payments), shall not be deemed contrary to this clause, and (3) is using payments under such scholarship only for costs of tuition, course fees, and books necessary to pursue his course of study. In no event shall any student receive payments for in excess of two complete academic years or its equivalent.

SEC. 5. In order to carry out the policy of sections 3 and 4, the Commissioner may (1) award a scholarship during any academic year or its equivalent in such installments as he may deem appropriate and (2) provide for such adjustment of scholarship payments under this Act as may be necessary, including, where appropriate, total withholding of payments.

SEC. 6. (a) An individual shall be eligible to compete in any State for a scholarship under this Act if he (1) is living in the State or, if not living in any State, is domiciled in such State; (2) make application at the time and in the manner prescribed by the State commission; and (3)(A) is enrolled full time in any course of undergraduate study at an institution of higher education or (B) is attending a public secondary school in, or a private secondary school accredited by, any State. The State commission established under, or designated pursuant to, section 7(a) may, in accordance with regulations of the Commissioner, for good cause waive or modify the requirements of clause (3)(B).

(b) From among those competing in any State for scholarships for any academic year or its equivalent, the State commission shall, in accordance with the provisions of the State plan approved under section 7, select persons who are to be awarded such scholarships and determine the amounts to be paid to them. Within the amounts appropriated for scholarships under this Act, the Commissioner shall award a scholarship to a person so selected, and in the amount so determined, if—

(1) the State commission certifies that such person (A) has received a certificate of graduation, based on completion of the twelfth grade, from any public secondary school in, or any private secondary school accredited by, a State, or (B) in the case of an individual who has not received such a certificate, is determined by such State commission to have attained a level of advancement generally accepted as constituting the equivalent of that required for graduation from secondary schools accredited by such State; and

(2) such person has become enrolled for a course of undergraduate study in an institution of higher education or, in the case of a student already attending such an institution, is in good standing and in full-time attendance there as an undergraduate student.

In the event the total amount of all such scholarships to be awarded pursuant to this subsection for any fiscal year exceeds the amounts appropriated for such scholarships for such fiscal year, the Commissioner shall proportionately reduce the amount of each such scholarship to the extent necessary so that the amounts so appropriated are sufficient to contribute toward all such scholarships.

(c) In awarding scholarships under this Act, the Commissioner shall endeavor, by advice and consultation with State commissions and institutions of higher education, to promote an equitable distribution of scholarships among the States.

SEC. 7. (a) Any State desiring to participate in the scholarship program under this Act may do so by establishing a State commission on scholarships broadly representative of secondary schools and institutions of higher education, and of the public, in the State, or designating an existing State agency with equivalent representation to serve as the State commission on scholarships, and by submitting, through such commission, a State plan for carrying out the purposes of this Act which is approved by the Commissioner under this section. The Commission shall approve any such plan which—

(1) is designed to carry out the intent of this Act;

(2) provides for certification to the Commissioner of—

(A) individuals selected pursuant to the State plan for scholarships and the amounts thereof, and

(B) the amounts of payments under their scholarships to individuals previously awarded such scholarships;

(3) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under subsection (b); and

(4) provides for the making of such reports, in such form and containing such information, as may be reasonably necessary to enable the Commissioner to perform his functions under this Act.

(b) The Commissioner shall pay to each State such amounts as the Commissioner determines to be necessary for the proper and efficient administration of the State plan (including reimbursement to the State for expenses which the Commissioner determines were necessary for the preparation of the State plan) approved under this Act. There are hereby authorized to be appropriated such sums as may be necessary to make such payments.

(c) No school or institution of any agency of the United States shall be eligible to receive any payment under this Act.

SEC. 8. An individual awarded a scholarship under this Act may attend any institution of higher education which admits him.

SEC. 9. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

SEC. 10. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution.

SEC. 11. In administering this Act, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution, in accordance with agreements between the Secretary or the head thereof, and to pay therefor, in advance or by way of reimbursement as may be provided in the agreement.

SEC. 12. Payments under this Act to any institution of higher education, State commission, or Federal agency may be made in installments and in advance or by way of reimbursement.

SEC. 13. As used in this Act—

(a)(1) The term "institution of higher education" means an educational institution, whether or not such institution is a nonprofit institution, which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (2) is legally authorized to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a bachelor's degree or provides not less than a two-year program which is acceptable for full credit toward such a degree, and (4) is accredited by a nationally recognized accrediting agency or association or, if not so accredited, is an institution whose credits are accepted, on transfer, by not less than three institutions which are so accredited, for credit on the same basis as if transferred from an institution so accredited. For purposes of this subsection such term includes any private business or trade school or technical or vocational institution which meets the provisions of clauses (1), (2), and (4), except that if the Commissioner determines there is no nationally recognized accrediting agency or association qualified to accredit any category of such institutions, he shall appoint an advisory committee, composed of persons specially qualified to evaluate training provided by such institutions, which shall prescribe the standards of content, scope, and quality which must be met in order to qualify such institutions as meeting this definition and shall also determine whether particular institutions meet such standards.

(2) For purposes of this subsection, the Commissioner shall publish a list of nationally recognized accrediting agencies or associations which he determines to be reliable authority as to the quality of training offered.

(b) The term "secondary school" means a school which provides secondary education, as determined under State law or, if such school is not in any State, as determined by the Commissioners except that it does not include any education provided beyond grade 12.

(c) The term "State" includes, in addition to the several States, the District of Columbia, the Canal Zone, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

QUALITY IN EDUCATION ACT OF 1967

Mr. PELL. Mr. President, we, in the Congress, have long recognized that legislation affecting the education of our youth is perhaps one of the most important responsibilities with which we are charged. A brief perusal of the actions of the last three Congresses will demonstrate that elementary and secondary education has been of major congressional concern.

The ultimate aim of this legislative activity has been to improve the quality of the basic education available to the youth of our Nation. However, at the present time, there is, in effect, no national, uniform method of determining how successful these legislative efforts have been. However, reports from many sources indicate that the quality of education in different sections of the country is not at a uniform level; the selective service rejection rates are one indication of this variance.

I believe that it is incumbent upon the Congress to provide a voluntary method whereby the school systems throughout the Nation have a gage with which to make an attainment comparison. It is with this in mind that I introduce on behalf of Senator COOPER and myself, the Quality in Education Act of 1967. It attacks the problem through two avenues of approach.

Provision is made for the establishment of a President's Advisory Council on Education, composed of eight members and the Commissioner of Education, to advise the Chief Executive on the means needed to improve the quality of education in this country. This Council of distinguished educators would be available for consultation with Governors, State, and local officials, and other interested organizations on the means of improving curriculums; raising standards of scholarship, quality and effectiveness of teaching; raising the levels of educational achievement, and determining areas of priority.

A body of highly qualified, distinguished educators can be invaluable to both the Federal Government and the States. There are ways, invariably, by which we can improve our education system, and it apparently needs improving, when we consider the fact that as recently as 1961, 42 percent of our high schools did not teach trigonometry; 21 percent did not teach physics; and 13 percent did not even teach world history.

The bill also provides for the establishment of a national secondary education examination. To be devised by the Department of Health, Education, and Welfare, this exam would be administered, on a voluntary basis, by the local school systems throughout the country. Such an examination would give the school system an indication of how its students compare with those in other areas; that is, pointing out weaknesses or strengths in the program. The Secretary of Health, Education, and Welfare would have the authority to issue a certificate to those students who passed the examination; this could serve to identify talent which would otherwise not be recognized.

Our willingness to enact legislation of this type may eventually result in an improved educational system that can accommodate a fast-moving, space age society. Our unwillingness can result only in greater problems of uneducation and undereducation, the loss of opportunities for many of our young citizens.

I request that the text of the bill be printed in full in the RECORD at this point.

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

The bill (S. 367) to promote excellence in education, and for other purposes, introduced by Mr. PELL (for himself and Mr. COOPER), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Quality in Education Act of 1967".

SEC. 2. The Congress declares that education of the highest quality is essential to the security and economic strength of the Nation, as well as to the full realization of the individual capacities of its citizens.

The Congress recognizes that the quality and extent of education must keep pace with the needs of the future.

The Congress finds that public and private studies since World War II have established the need for improving the quality of education in the United States. These studies have shown that greater emphasis should be placed on the quality and content of curriculums, on higher standards of scholarship, and on the effectiveness of teaching.

The Congress reaffirms the principle that the States and local communities have the primary responsibility for public education. It is consistent with this principle to provide means for the States to draw upon the experience and abilities of a distinguished body of educators, and to authorize a nationally recognized certificate for academic excellence.

Therefore, it is the purpose of this Act to promote excellence in education by establishing the President's Advisory Council on Education and by authorizing the award of a national certificate for passing a test of academic excellence.

SEC. 3. (a) The United States Commissioner of Education (hereinafter referred to as the "Commissioner") is authorized and directed, after consultation with the President's Advisory Council on Education, to prepare or approve a comprehensive test of academic excellence designed to identify students with outstanding aptitude and ability who are in the twelfth grade of secondary schools. The Commissioner shall prescribe a passing grade for such test.

(b) The Commissioner shall establish a program, through arrangements with appro-

priate State educational agencies, local educational agencies, or secondary schools throughout the Nation, whereby the test of academic excellence prepared or approved by him may be given by such agencies or schools, on a voluntary basis, to students described in section 3 of this Act who have filed applications therefor by such time and in such manner as the Commissioner may prescribe. Upon application by any appropriate agency or school by such time and in such manner as the Commissioner may determine, the Commissioner shall pay to such agency or school the cost of the administrative expenses it has incurred pursuant to an arrangement made under this section.

(c) The Commissioner is authorized and directed to prepare a certificate, of such appropriate design as he shall prescribe, and in such numbers as are necessary, for issuance to students who have successfully passed the test of academic excellence prepared or approved by him and given in accordance with arrangements made under this Act. Each student who has so passed such test shall be awarded such a certificate within sixty days following the date on which he was given the test. Each certificate awarded pursuant to this Act shall be signed by the Commissioner.

SEC. 4. (a) In order to provide a permanent advisory body of distinguished educators which will be regularly available for consultation with the President of the United States and with State and local educational agencies on means of improving the quality of education in the United States, and in order to bring continuing public attention to the importance of academic excellence and higher standards of education, there is hereby established the President's Advisory Council on Education (hereinafter referred to as the "Council").

(b) The Council shall be composed of eight members appointed by the President, by and with the advice and consent of the Senate, who are leaders in the field of education. The President shall designate the Chairman from among such members. The Commissioner shall be an ex officio member of the Council.

(c) Each member shall hold office for a term of four years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of members first taking office after the date of the enactment of the Quality in Education Act of 1967 shall expire as follows: Two shall expire with the close of the first calendar year which begins after such date of enactment, two shall expire with the close of the second such calendar year, two shall expire with the close of the third such calendar year, and two shall expire with the close of the fourth such calendar year, as designated by the President at the time of appointment.

(d) Members of the Council shall receive no compensation for their services, but while away from their homes or regular places of business while attending conferences or meetings of the Council, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

(e) The Council may appoint, without regard to the civil service laws, consultants and such other personnel as may be necessary to carry out its duties under the provisions of this Act.

(f) The Council shall meet at the call of the President or the chairman, but not less often than three times each calendar year.

(g) The Council shall transmit to the President and the Congress annually a report of its activities under the provisions of this Act.

SEC. 5. For the purpose of assisting State and local efforts to improve the quality of education in the United States, the Council shall—

(1) be available for consultation with Governors, the chief officials of State or local educational agencies or institutions, and appropriate groups of other interested citizens, on—

(A) means of improving the quality and content of curriculums,

(B) means of raising the standards of scholarship expected of and attained by students,

(C) means of improving the quality and effectiveness of teaching,

(D) determination of areas of priority in education, and

(E) other means of raising levels and increasing the extent of educational achievement;

(2) encourage meetings of, and upon request consult with, regional educational associations and organizations of State education officials held to exchange and disseminate information on means of improving the quality of education;

(3) advise and consult with the Commissioner on the initial preparation or approval and subsequent revision of the comprehensive test of academic excellence authorized in this Act;

(4) examine the results of the comprehensive test of academic excellence in order to identify areas of national concern in the field of education.

SEC. 6. There are authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act.

SEC. 7. The Act entitled "An Act to establish a National Advisory Committee on Education", approved July 26, 1954 (68 Stat. 533), is hereby repealed.

ST. CROIX NATIONAL SCENIC RIVERWAY

Mr. NELSON. Mr. President, for myself and the Senator from Minnesota [Mr. MONDALE], I introduce, for appropriate reference, a bill to establish the St. Croix National Scenic Riverway in the States of Wisconsin and Minnesota. With the exception of a few technical changes, this is the same bill which passed the Senate in its last session. Unfortunately, the bill was not acted upon in the House.

There is no need to repeat all the reports, facts, and statistics which have been presented recently that point up the great need for and the interest in recreational land. The St. Croix River represents in the Midwest a truly unique resource—it is the only large, unpolluted river near a major metropolitan area.

It is inevitable that unless something is done quickly, the beauty that is the St. Croix will be swallowed up in the urban and industrial growth of the Twin Cities of Minneapolis and St. Paul.

There was a time not long ago when the cries of the conservationists fell on deaf ears. That is no longer the case. When this legislation was originally proposed, there was a groundswell of popular support not only in Wisconsin and Minnesota but also across the Nation. The public has become aware of the need for conserving those few precious natural resources that remain.

In recent years the Federal Government has taken major strides in the field of conservation. There is still much to be done. We must not stop now.

North from its confluence with the Mississippi for some 100 miles, the St. Croix River marks the boundary between Wisconsin and Minnesota. Nature has divided the St. Croix into two distinctive physiographic provinces, a factor which this legislation recognizes.

The upper St. Croix north of Taylors Falls, Minn., as well as its main tributary—the Namekagon—is an outdoorsman's paradise. There are many miles of riverbank covered with a mixed hardwood and conifer forest; along these stretches is some of the finest white water for canoeing in the entire United States. Smallmouthed bass and walleyed pike abound in these waters. Wildlife is abundant along the banks and adds an exciting dimension to a canoe trip down the river.

One purpose of this legislation is to preserve the upper St. Croix and its tributary, the Namekagon, as a wild river in a primitive condition.

The wild river portions extend 102 miles along the St. Croix north from Taylors Falls, Minn., to Gordon, Wis., and along the Namekagon from its meeting with the St. Croix north 87 miles to Lake Namekagon.

I point out that the Northern States Power Co. has owned and preserved in a primitive condition land on both banks of the St. Croix for some 70 miles north of Taylors Falls.

The bill is designed to provide a Federal umbrella under which State, county, and municipal, as well as Federal development of the scenic and recreational potential of this unique river valley can go forward in an orderly and cooperative manner.

Interstate Park, south of Taylors Falls, is an example of a small part of the river that has been preserved.

About this park, Howard Mead, in the spring 1965 issue of Wisconsin Tales and Trails, said the following:

> A geologist's paradise, a camper's haven, and a sightseer's playground, this gift of nature, molded by the forces of time and weather and preserved by the thoughtfulness of responsible men offers to each of its visitors the chance to pursue his own personal outdoor pleasure in one of the most magnificent settings in all Wisconsin.

It is my fervent hope that some day soon this statement can be applied to the entire St. Croix River. This would be a fitting heritage for our grandchildren.

The lower St. Croix south of Taylors Falls is a quiet, slow-moving river. Timbered, gently sloping banks surround the river and its many narrow, winding sloughs. This area has been developed to some extent and the purpose of the bill is to allow broad recreational use of the lower river.

Zoning rather than land acquisition and easements would be used to protect the intensive outdoor recreation portion of the St. Croix south of Taylors Falls. This portion of the St. Croix has several communities along its banks including Hudson and Osceola in Wisconsin, and Stillwater, Marine, and Oak Park Heights in Minnesota.

Acquisition in the recreation area would be limited to small, key parcels needed for public access to the water and for adequate parking facilities.

Zoning to protect the recreation area would require approval of the Secretary of the Interior.

The bill includes these provisions designed to facilitate cooperation of Federal, State, county, and local authorities.

State land within the waterway will not be acquired by the Secretary of the Interior without consent of the State involved, and the Secretary may agree not to acquire any land which either State plans to acquire and develop.

City, town, and village land within the waterway would not be acquired as long as accepted zoning ordinances for the protection of the river and its environment remain in force.

The St. Croix River is an outstanding example of the kind of land use crisis we face coast to coast as pressure for both recreational land and industrial sites grows with increasing wealth and population.

It is our hope that this bill, with its concept of Federal, State, and local cooperation, will prove a good example of what reasonable people can do to solve this kind of problem.

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

The bill (S. 368) to provide for the establishment of the Saint Croix National Scenic Riverway in the States of Minnesota and Wisconsin, and for other purposes, introduced by Mr. NELSON (for himself and Mr. MONDALE), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

EXTENDED MEDICAL CARE

Mr. BAYH. Mr. President, I introduce for appropriate reference a bill which would eliminate in certain cases the requirement that an insured individual must first have been admitted to a hospital in order to qualify for extended care services. This bill is nearly identical to S. 2926 which I submitted on February 16, 1966, some 11 months ago. However, in line with a separate measure which it is my intention to introduce in the near future, the new version of the bill contains language which would contemplate expanding posthospital extended care services to include therapeutic as well as nursing care services under certain circumstances.

It is well known that Public Law 88–97 now provides that in order to qualify for extended care service a person must first have been a patient in a hospital for not less than 3 consecutive days. No doubt in the majority of cases elderly persons who become seriously ill may require hospitalization, but there are many other instances in which the nature of the specific illness may not be of sufficient severity to justify the specialized treatment provided by a medical hospital.

Under these circumstances it does not make sense to me to require a prior 3-day stay in a hospital for all older patients who are in need of extended care. I fully realize that medicare is not intended to provide mere custodial care for persons confined to convalescent homes, but in the case of those elderly who are sick enough to require medical attention but do not require specialized hospital treatment, I see little reason to insist in all cases that at least 3 days must first be spent in the hospital.

It is entirely proper, of course, that procedures be established to certify that a patient's physical condition is such that he would need and could benefit from extended care. However, this objective can be achieved without requiring, as the law now does, that persons must first be admitted to a hospital and stay a minimum of 3 days in such an institution. My bill proposes that extended care would be made available to an eligible person who has received outpatient hospital diagnostic services, who has been certified within 7 days that he is in need of extended care, and who has been admitted to an extended care facility within 14 days after that need was certified. In my opinion this would provide adequate safeguard against any possible lessening of standards, because each patient would have to be certified that he was in need of extended care services by both the hospital and the patient's physician.

Mr. President, this relatively minor change in the law ought to help relieve some of the pressures for space in our hospitals, but at the same time it would not reduce the standards for eligibility for care nor would it complicate administration of the act. There is no reason why hospital beds, which are both scarce and very costly, should be occupied by elderly persons even for 3 days, if they can receive adequate care and treatment in extended care facilities. I urge that this proposal be given prompt and serious consideration, along with other changes which have been suggested in this important act.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

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

The bill (S. 369) to amend title XVIII of the Social Security Act so as to eliminate, in certain cases, the requirement that an insured individual have first been admitted to a hospital in order to qualify under such title for the extended-care services provided thereunder, introduced by Mr. BAYH, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 369

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1814(a)(2)(D) of the Social Security Act is amended to read as follows:

"(D) in the case of post-hospital extended care services, such services are or were required to be given on an inpatient basis because the individual needs or needed skilled nursing care on a continuing basis for—

"(i) any of the conditions with respect to which he was receiving inpatient hospital services (or services which would constitute inpatient hospital services if the institution met the requirements of paragraphs (6) and (8) of section 1861(e)) prior to transfer to the extended care facility or for a condition requiring such extended care services which arose after such transfer and while he was still in the facility for treatment of the condition or conditions for which he was receiving such inpatient hospital services, or

"(ii) any condition requiring such extended care services and the existence of which was discovered or confirmed as a result of findings made while the individual was receiving outpatient diagnostic services, or, in the case of an individual who has been admitted to an extended care facility for such a condition, any other condition arising while he is in such facility;".

(b) The first sentence of section 1861(i) of such Act is amended to read as follows: "The term 'post-hospital extended care services' means extended therapeutic and/or nursing care services furnished an individual (A) after transfer from a hospital in which he was an inpatient for not less than three consecutive days before his discharge from the hospital in connection with such transfer, or (B) after he has received outpatient hospital diagnostic services, if, after reviewing the findings revealed by such services, his physician and the hospital from which he received such services certify (not later than 7 days after the termination of such services) that he is in immediate need of extended care services, and if he is admitted to an extended care facility within 14 days after the date on which his need for extended care services was so certified."

Mr. BYRD of West Virginia subsequently said: Mr. President, I ask unanimous consent that the bill introduced by the Senator from Indiana [Mr. BAYH] relative to medicare remain at the desk for 10 days for additional cosponsors.

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

KENNEWICK DIVISION EXTENSION, YAKIMA PROJECT, WASHINGTON

Mr. JACKSON. Mr. President, I introduce for appropriate reference on behalf of myself and my colleague, Senator MAGNUSON, a bill to authorize the Secretary of the Interior to construct, maintain, and operate the Kennewick division extension, a 6,300-acre irrigation development of the Yakima project, in the State of Washington.

This project has an extremely high benefit-cost ratio. It is in excess of 4 to 1. When authorized, it will bring an additional 6,300 acres of land under irrigation in the southern part of the State. This land is especially suited to the cultivation of fruit, specialty crops, and row crops. When completed, the project will make a valuable contribution to the economy of my State.

Water for the Kennewick division is available from extra capacity built into the division's main canal, the construction of which was recognized as a deferred cost in the original authorizing legislation.

The Senate considered and passed this bill during the 89th Congress on February 10, 1965, but final action was not taken in the House prior to adjournment.

This measure is consistent with our national objectives of a strengthened economy, of encouraging development and growth in rural areas, and of assuring a stable supply of national and international food supplies.

I believe it merits authorization by the 90th Congress.

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

The bill (S. 370) to amend the act of June 12, 1948 (62 Stat. 382), in order to provide for the construction, operation, and maintenance of the Kennewick division extension, Yakima project, Washington, and for other purposes, introduced by Mr. JACKSON (for himself and Mr. MAGNUSON), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

ELECTORAL COLLEGE REFORM

Mr. MUNDT. Mr. President, I introduce for appropriate reference a joint resolution (S.J. Res. 12) which has borne that name in the last several Congresses—I hope it may bear the same label in this Congress—the so-called district plan for the electoral college reform so basically needed in this country.

Considerable additional support has developed for electoral college reform as a result of the attempt of the distinguished attorney general of the State of Delaware to bring this matter before the Supreme Court, and also by a recent report of the American Bar Association.

The district plan, it seems to me, has the virtue and the value of meeting the problem with a minimum of constitutional changes.

On behalf of myself and cosponsors, I send this joint resolution to the desk, and ask that it be printed at this point in the RECORD, and that it lay on the table for 10 days for additional cosponsors.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD, and held at the desk for additional cosponsors, as requested by the Senator from South Dakota.

The joint resolution (S.J. Res. 12) proposing an amendment to the Constitution of the United States providing for the election of the President and Vice President, introduced by Mr. MUNDT (for himself, Mr. THURMOND, Mr. MORTON, Mr. TOWER, Mr. STENNIS, and Mr. DOMINICK), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S.J. RES. 12

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States which shall be valid to all intents and purposes as part of the Constitution if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"SECTION 1. Each State shall choose a number of electors of President and Vice President equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be chosen an elector.

"The electors to which a State is entitled by virtue of its Senators shall be elected by the people thereof, and the electors to which it is entitled by virtue of its Representatives shall be elected by the people within single-elector districts established by the legislature thereof; such districts to be composed of compact and contiguous territory, containing as nearly as practicable the number of persons which entitled the State to one Representative in the Congress; and such districts when formed shall not be altered until another census has been taken. Before being chosen elector, each candidate for the office shall officially declare the persons for whom he will vote for President and Vice President, which declaration shall be binding on any successor. In choosing electors of President and Vice President the voters in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature, except that the legislature of any State may prescribe lesser qualifications with respect to residence therein.

"The electors shall meet in their respective States, fill any vacancies in their number as directed by the State legislature, and vote by signed ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice President, and of the number of votes for each, excluding therefrom any votes for persons other than those named by an elector before he was chosen, unless one or both of the persons so named be deceased, which lists they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and the House of Representatives, open all the certificates and the votes shall then be counted; the person having th greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors chosen; and the person having the greatest number of votes for Vice President shall be the Vice President, if such a number be a majority of the whole number of electors chosen.

"If no person voted for as President has a majority of the whole number of electors, then from the persons having the three highest numbers on the lists of persons voted for as President, the Senate and the House of Representatives, assembled and voting as individual Members of one body, shall choose immediately, by ballot, the President; a quorum for such purpose shall be three-fourths of the whole number of the Senators and Representatives, and a majority of the whole number shall be necessary to a choice; if additional ballots be necessary, the choice on the fifth ballot shall be between the two persons having the highest number of votes on the fourth ballot.

"If no person voted for as Vice President has a majority of the whole number of electors, then the Vice President shall be chosen from the persons having the three highest numbers on the lists of persons voted for as Vice President in the same manner as herein provided for choosing the President. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the United States.

"SEC. 2. The Congress may by law provide for the case of the death of any of the persons from whom the Senate and the House of Representatives may choose a President or a Vice President whenever the right of choice shall have devolved upon them.

"SEC. 3. This article supersedes the second and fourth paragraphs of section 1, article II, of the Constitution, the twelfth article of amendment to the Constitution and section 4 of the twentieth article of amendment to the Constitution. Except as herein expressly provided, this article does not supersede the twenty-third article of amendment.

"SEC. 4. Electors appointed pursuant to the twenty-third article of amendment to this Constitution shall be elected by the people of such district in such manner as the Congress may direct. Before being chosen as such elector, each candidate shall officially declare the persons for whom he will vote for President and Vice President, which declaration shall be binding on any successor. Such electors shall meet in the district and perform the duties provided in section 1 of this article.

"SEC. 5. This article shall take effect on the 1st day of July following its ratification."

REMOVAL OF CERTAIN AGRICULTURAL PRODUCTS FROM NEGOTIATION OF TARIFF REDUCTIONS

Mr. HOLLAND. Mr. President, on behalf of myself and Senators ALLOTT, CURTIS, DOMINICK, HRUSKA, TOWER, and YOUNG of North Dakota, I send to the desk, for introduction and appropriate reference, a joint resolution identical to Senate Joint Resolution 171 of the 89th Congress and ask that it lie on the table for 1 week for additional cosponsors.

This joint resolution provides for the removal of certain agricultural products from the Presidential list of items to be considered for tariff reduction under the Trade Expansion Act of 1962.

Florida is one of the leading producers of fruits and vegetables in this country. It is primarily an agricultural State and its economic well-being and prosperity are overwhelmingly linked to products of the soil.

The immediate, as well as the long-range effect of certain national policies are of deep concern to all agricultural interests.

The first of the adverse actions that affected the fruit and vegetable growing in my State, was the virtual elimination of imported workers who prior to 1965 had been brought into the State under appropriate regulations to help in the growing and harvesting of various crops. Severe hardship was caused by the precipitate manner of the cutoff and the inflexibility of the Department of Labor in acceding to emergency needs.

The second is the Fair Labor Standards Act Amendments of 1966—Public Law 89–601—with its provisions for extended coverage of farmworkers.

Already there have been outcries from the public against the rise in food prices in this country since a year ago. I have reliable reports to the effect that farm wages in Florida have risen greatly since 1965 in efforts to attract additional domestic labor. At the same time the growers have been plagued with a higher labor turnover and lower productivity per man-day or man-week.

The overall net effect has been to increase the cost of production and to stimulate imports. Not only have imports increased but acreage devoted to fruit and vegetable crops in Mexico and the Caribbean islands and Central America has been rising sharply.

As if this were not enough to bring discouragement to Florida growers or to lure them to offshore plantings of their own, the tariff on fruits and vegetables under the so-called Kennedy round, which is under negotiation in Geneva, might be reduced a full 50 percent across

the board with a bare minimum of exceptions.

Mr. President, I confess to an inability to understand the reason for this triple assault on the fruit and vegetable industry. What has this industry done to incur so high a degree of hostility from our Government and administrative officials? I believe that it is imperative if our fruit and vegetable industry is to survive that these policies be reviewed in the light of their effects on this branch of agriculture that is so important to the consumer health of this country.

Florida is the source of a high proportion of our citrus products, in the form of oranges, grapefruit, limes, and tangerines. It also contributes heavily to the supply of tomatoes and a large variety of other vegetables such as green beans, cabbage, celery, cucumbers, strawberries, sweet corn, green peppers, and so forth. These items are all recognizable as elements of the national diet of which they are a vital constituent.

The question is threefold:

First. Are we in the United States to continue using our land resources to their best advantage in growing such crops or is an increasing part of the supply to be shifted to low-wage areas that lie close at hand across our national boundaries or offshore at no great distance? Second, is the American housewife to be saddled with the higher costs forced by the cutoff of imported workers and the extension of minimum wages to farm labor, thus again increasing costs? Third, are we to hasten the mechanization of growing and harvesting of our crops to the point of displacing farmworkers more rapidly than production expands, in feverish efforts to meet import competition?

Let me say a word about each of these three questions. As for the utilization of our land resources to their best advantage in producing fruits and vegetables, this will be greatly discouraged by the strong impetus, already felt, that will send more and more dollars into farm purchase and operation in Mexico and the islands and lands in or adjacent to the Caribbean and the gulf.

In a recent report of the Foreign Agricultural Service of the U.S. Department of Agriculture—May 1966—it is estimated that planting of orange trees in Mexico has doubled in the past 5 years. Several reasons are given for this expansion, one being the "many press articles on the problems in harvesting U.S. citrus following the end of the bracero program." Another reason is given as "the need in Mexico for crops that require more hand labor than the basic field crops."

The attraction to American capital is obvious. The same report gives the minimum wages paid in various parts of Mexico per 8-hour day. For 1965–66 these are reported as $1.72 per day on the west coast of Mexico, $1.48 in Veracruz, and $1.42 in Montemorelos. Social security adds about 10 percent to these rates, the report says. Skilled wages are higher, it adds, but few are paid over $3 per day.

Compare this pay with the domestic wages and we find that hourly wages on the farms in Florida are nearly as high as the daily wages in Mexico.

The upsurge in citrus production—oranges and tangerines—in Mexico is illustrated by the jump of the number of trees from 14,500,000 trees in 1961 to 34,900,000 in 1966. Over half of these are concentrated in the state of Veracruz and close to water transportation to this country.

The expansion aimed at the American market is, however, not confined to citrus crops. Fresh tomato production has also climbed sharply and other vegetable products are on the upgrade. Fresh tomato exports from Mexico have risen to a record high.

The trend in strawberry production in Mexico is also alarming for our growers. Mexican production has more than doubled in the last 4 years. U.S. imports of frozen strawberries have risen from 23 million pounds in the 1959–61 period to 51.8 million pounds in 1965. In 1966 they ran ahead of 1965. Meantime Mexico is pushing us out of the Canadian market.

Mr. President, what more do we need to point up the trend which I believe to be a direct result of the policies adopted by our Government toward our growers? The outlook for greater expansion in nearby countries and islands is very bright. The outlook for the American grower is proportionately bad.

The answer to my first question then is that a growing share of the American consumption of fruits and vegetables of the kind grown in Florida, with the intensive utilization of the State's land resources, will in the future shift beyond our boundaries if present policies are allowed to continue.

The second question has to do with higher costs. Unquestionably increased costs in the past year have been sufficient to denote a trend. This will be aggravated as a result of Public Law 89–601. Costs will rise, and this will produce two effects that will be injurious to our farm labor. One of these is feverish exertion to achieve greater mechanization of both growing and harvest operations, thus leading to massive displacement of workers. The other will be acceleration of investment of American capital in farming operations in Mexico and the islands and other areas already mentioned. This is already well underway. It means essentially that while we have virtually cut off the access of foreign workers to our farms, we are taking our work to them on their home grounds.

This course of investment effectively circumvents the higher costs incurred in this country by the policies designed in theory to help American farm labor. Thus we produce some bizarre effects through legislative and administrative action that refuses to be guided by the facts in the premises.

Mr. President, it seems unthinkable that on top of this evidence of rising imports and increasing farm costs in this country, it would be proposed to cut our tariffs on fruits and vegetables. Yet, under the Kennedy round, and under the ground rules agreed to in Geneva, we are committed to a 50-percent tariff cut "across the board with a bare minimum of exceptions."

I must repeat that I find it difficult to believe that we should knowingly commit ourselves to such a course as I have described. Therefore, I have introduced the joint resolution, cosponsored by some of my colleagues, that would remove all agricultural products that prior to 1965 were grown or harvested with the substantial help of foreign workers admitted lawfully into this country for the purpose, from the possibility of further tariff reduction.

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

The joint resolution (S.J. Res. 13) to require the removal of certain agricultural products from negotiation of tariff reductions under the Trade Expansion Act of 1962, and for other purposes, introduced by Mr. HOLLAND (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

RANDOLPH INTRODUCES HIS EIGHTH JOINT RESOLUTION FOR CONSTITUTIONAL AMENDMENT TO EXTEND FRANCHISE TO 18-YEAR-OLD CITIZENS IN FEDERAL ELECTIONS

Mr. RANDOLPH. Mr. President, I regret that I was not present on the floor of the Senate on Thursday to express my delight that our majority leader, the distinguished Senator from Montana [Mr. MANSFIELD] introduced Senate Joint Resolution 8, to lower the voting age to 18. I am, of course, also delighted to note that his resolution has so many splendid Senators as cosponsors—including my beloved friend, Senator DIRKSEN. Since 1942, when I introduced my first resolution on this subject, Mr. President, the extension of the franchise to our citizens of 18 years and older has been a cause quite dear to my heart.

I am introducing today my eighth joint resolution proposing such an extension through the process of amending the Constitution of the United States. My thinking on this subject has not changed since, as a Member of the House of Representatives in 1942, I introduced House Joint Resolution 354. I had then, as I have now, the utmost confidence in our young citizens' ability to think, to weigh issues, and to make judicial decisions on matters closely affecting their futures. That this opinion is shared by many official and quasi-official groups—within the Government as well as in the private sector of our Nation—is made abundantly clear by the following partial list of those responsibilities which our 18-year-old citizens now share with the rest of society:

They share the burden of fighting our wars;

They share the burden of paying our taxes;

They stand responsible in adult, not juvenile, courts of law;

They stand responsible for the welfare and the lives of their own wives and children;

They stand responsible for the lives of their fellow citizens traveling on our streets and highways, for we allow them to operate motor vehicles;

They bear the burden of the future of their families, for we allow them to make wills and to purchase insurance;

They bear the burden of the financial consequences of their own actions, for we allow them to be sued;

And they are, finally, responsible for their own ultimate social future, for we allow them to choose their own professions.

Mr. President, I shall not speak at length in support of this measure. The arguments for this extension of the franchise are well known and numerous. The arguments raised by opponents of this proposal are equally well known and, I believe, unconvincing in view of the foregoing statements relating to the responsibilities we already extend to our youthful citizens.

I ask, however, that I may have unanimous consent to include in the RECORD at this point the following items:

The White House press release of December 20, 1963, on the report of the Commission on Registration and Voting Participation, with appendix 1.

A list of proposals lowering the age limit for voting—69th to 88th Congresses.

Article from the Christian Science Monitor, "Is an 18-Year-Old Ready To Vote?" July 23, 1965.

Remarks by the Senator from West Virginia [Mr. RANDOLPH] on April 3, 1961, upon introduction of Senate Joint Resolution 71.

Article from the Christian Science Monitor, Friday, January 13, 1967, "Responsible Students at Berkeley."

I would like to add one brief comment with reference to the last article mentioned, Mr. President. For many, many years I have been involved with students on the campuses of this great Nation. I have met with them, spoken with them, and listened to them. And I want to state unequivocally that the vast majority of our college students today are serious-minded, hard-working, idealistic young men and women—for whom I cannot help but have the very highest regard.

Mr. President, although Senate Joint Resolution 8 has been referred, already, to the Committee on the Judiciary, the joint resolution I now introduce will soon follow it.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and without objection, the items referred to by the Senator from West Virginia will be printed in the RECORD.

The joint resolution (S.J. Res. 14) proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older, introduced by Mr. RANDOLPH, was received, read twice by its title, and referred to the Committee on the Judiciary.

The articles presented by Mr. RANDOLPH are as follows:

[A White House press release, Dec. 20, 1963]

REMARKS OF THE PRESIDENT UPON ACCEPTANCE OF THE REPORT OF THE COMMISSION ON REGISTRATION AND VOTING PARTICIPATION

I am pleased to receive today the Report of the Commission on Registration and voting Participation. The Commission is here with me this morning to witness the signing of the extension of the President's Commission on Registration and Voting Participation. Very shortly I will sign that Executive Order.

President Kennedy's action in appointing this Commission was motivated by his deep commitment to the principles of democracy. This Report is the result of a very long and very serious study. I want to express my gratitude to this bipartisan Commission for the excellent job they have done and for the results of their efforts.

We should be deeply concerned that less than two-thirds of the Americans of voting age cast ballots in Presidential elections. In other words, one out of every three qualified Americans do not vote in a Presidential election, and less than half do so in elections for Members of Congress. So it is disturbing that our National record of voter participation compares so unfavorably with other democratic countries. This Report identifies many of the causes for this. It calls attention to the little recognized fact that restrictive statutes and procedures deny many of our citizens the right to register and vote, or at least make it difficult or virtually impossible for them to do so. Such denials contradict one of the basic principles upon which this Nation was founded, the principle of government by the consent of the governed.

The Commission has made an important contribution to improving our democratic system by offering specific recommendations to meet the problem. These recommendations are directed to the States. Great disparity exists among the States in their election laws and practices, but even the most advanced State can profit by measuring its own electoral machinery against these recommended standards that we have put in the Report. In that regard, the Commission's proposal that each State establish a State body to review its election laws in the light of this Report is both constructive and desirable. I am hopeful that in each State where such a review is not already underway the Governor and legislative leaders will give serious consideration to this suggestion. I shall send a copy of the Report to each governor with that request.

The Report is useful in that it points out the problem and suggests remedies, but the solution depends upon further action. In order to provide impetus for consideration of the Commission's proposals by the individual States and to provide further information and services for those States desiring assistance, I am today issuing an Executive Order extending the life of the Commission on Registration and Voter Participation until March 30, 1964. The members of the Commission have graciously consented to continue serving. I am also very hopeful after a conversation with Senator Holland, who is author of the repeal of the poll tax amendment, that by that time we can have action taken by other States that will assure that the poll tax will be repealed. I call upon both political parties, Republicans and Democrats, the governors and officials of each State in the Union, and all citizens, to join this effort. Only through concerted action can we secure for all the right to vote without unnecessary or unreasonable restrictions.

For instance, I am told that it is easier today to buy a destructive weapon, a gun, in a hardware store, than it is to vote. The whole problem that we have in each State in this Union, in each precinct in each State, is to make it easier for people to vote instead of harder. Why should we make it difficult for people to vote? It is easier now to register and enlist in the Service in many cases than it is to vote. Why should a man have an easy path provided for him to go and fight, but a difficult path for him to go and vote?

I would say that we should make it as easy for a man to vote as for a man to serve in the Armed Services. I am hopeful that in the next Presidential election three out of every three eligible voters will vote for their President instead of only two out of every three.

APPENDIX 1

Members of the Commission: Richard M. Scammon, Chairman; Bert L. Bennett, Brendan Byrne, Robert A. Forsythe, Evron M. Kirkpatrick, Bradshaw Mintener, John A. Perkins, Ruth Schertz Phillips, Roy L. Reuther, Victoria Schuck, Leon H. Washington, Jr.

Recommendations:

I. Each State Should Create a Commission on Registration and Voting Participation, or Utilize Some Other Existing State Machinery To Survey in Detail Its Election Law and Practices.

II. Voter Registration Should Be Easily Accessible to All Citizens.

III. State Residence Requirements Should Not Exceed Six Months.

IV. Local Residence Requirements Should Not Exceed 30 Days.

V. New State Residents Should Be Allowed To Vote for President.

VI. Voter Registration Should Extend as Close to Election Day as Possible, and Should Not End More Than Three or Four Weeks Before Election Day.

VII. Voter Lists Should Be Kept Current.

VIII. No Citizen's Registration Should Be Cancelled for Failure to Vote in Any Period Less Than Four Years.

IX. Voter Registration Lists Should Be Used Only for Electoral Purposes.

X. States Should Provide Absentee Registration for Voters Who Cannot Register in Person.

XI. Literacy Tests Should Not Be a Requisite for Voting.

XII. Election Day Should Be Proclaimed a National Day of Dedication to Our American Democracy.

XIII. Polling Places Should Be So Equipped as To Eliminate Long Waiting Periods.

XIV. Polling Places Should Be Open Throughout the Day and Remain Open Until at Least 9 p.m.

XV. The State Should Provide Every Possible Protection Against Election Fraud.

XVI. Voting by Persons 18 Years of Age Should Be Considered by the States (full text given here).

The Commission is concerned over the low-voter participation of the age group from 21 to 30. We believe a major reason for this low turnout is that, by the time they have turned 21 (the minimum voting age in 46 of the 50 States) many young people are so far removed from the stimulation of the educational process that their interest in public affairs has waned. Some may be lost as voters for the rest of their lives.

Despite the growing enrollment in institutions of higher education, it is a fact that only a minority of Americans are still in school when they near or reach their 21st birthdays. We believe that each State should carefully consider reducing the minimum voting age to 18.

If 18 is adopted as a minimum age, we also recommend programs under which registration of students could be facilitated, perhaps through voter registration days at high schools themselves.

States might also incorporate in the curriculum of high school senior classes a three-point plan of action to inspire good citizenship:

(1) Explanation of the importance of a single vote to the American way of life.

(2) Information on the requirements and mechanics of registration.

(3) Demonstration of the actual process of voting in the local community.

If such citizenship programs are to be developed, it is clear that teacher training

must be improved also to insure that teachers have a firm grasp of the principles upon which good citizenship rests.

XVII. Candidacy Should Be Open to All.

XVIII. The Right to Vote Should Be Extended to Those Living on Federal Reservations.

XIX. Absentee Voting by Mail Should Be Allowed for All Who Are Absent From Home on Primary or General Election Day.

XX. The Poll Tax as a Qualification for Voting Should Be Eliminated.

XXI. Each State Should Keep Informed on Other States, Practices and Innovations in Election Administration.

[From the Library of Congress]

LIST OF PROPOSALS LOWERING THE AGE LIMIT FOR VOTING (69TH–88TH CONGRESSES)

THE 77TH CONGRESS

S.J. Res. 166. Suffrage for citizens 18 years of age or older. October 19, 1942. Introduced by Mr. Vandenberg. Referred to the Committee on the Judiciary.

H.J. Res. 352. Suffrage for citizens 18 years of age in all elections for Federal Officers. October 19, 1942. Introduced by Mr. Wickersham. Referred to the Committee on the Judiciary.

H.J. Res. 354. Suffrage for citizens 18 years of age or older. October 21, 1942. Introduced by Mr. Randolph. Referred to the Committee on the Judiciary.

H.J. Res. 356. Suffrage for citizens 18 years of age or older. October 27, 1942. Introduced by Mr. Johnson. Referred to the Committee on the Judiciary.

THE 78TH CONGRESS

S.J. Res. 7. Suffrage for citizens 18 years of age or older. January 7, 1943. Introduced by Mr. Vandenberg. Referred to the Committee on the Judiciary.

S.J. Res. 89. Suffrage for citizens 18 years of age or older, October 25, 1943. Introduced by Mr. Kilgore. Referred to the Committee on the Judiciary.

H.J. Res. 8. Suffrage for citizens 18 years of age or older. January 6, 1943. Introduced by Mr. Fish. Referred to the Committee on the Judiciary.

H.J. Res. 33. Suffrage for citizens 19 years of age or older. January 6, 1943. Introduced by Mr. Snyder. Referred to the Committee on the Judiciary.

H.J. Res. 34. Suffrage for persons 18 years of age in all elections for Federal Officers. January 6, 1943. Introduced by Mr. Wickersham. Referred to the Committee on the Judiciary.

H.J. Res. 39. Suffrage for citizens 18 years of age or older. January 7, 1943. Introduced by Mr. Randolph. Referred to the Committee on the Judiciary. (*Hearings held on Oct. 20, 1943*)

H.J. Res. 71. Suffrage for citizens 18 years of age or older. January 26, 1943. Introduced by Mr. Lane. Referred to the Committee on the Judiciary.

H.J. Res. 167. Suffrage for citizens 18 years of age or older. September 28, 1943. Introduced by Mr. Furlong. Referred to the Committee on the Judiciary.

THE 79TH CONGRESS

S.J. Res. 17. Suffrage for citizens 18 years of age or older. January 18, 1945. Introduced by Mr. Kilgore. Referred to the Committee on the Judiciary.

H.J. Res. 40. Suffrage for citizens 18 years and older. January 3, 1945. Introduced by Mr. Randolph. Referred to the Committee on the Judiciary.

H.J. Res. 45. Suffrage for citizens 18 years of age and older to vote for all Federal Offices. January 3, 1945. Introduced by Mr. Wickersham. Referred to the Committee on the Judiciary.

H.J. Res. 357. Suffrage for all citizens of age 18 or older. May 23, 1946. Introduced by Mr. Johnson. Referred to the Committee on the Judiciary.

THE 80TH CONGRESS

S.J. Res. 71. Extending the right to vote to citizens 18 years of age or older. February 19, 1947. Introduced by Mr. Vandenberg. Referred to the Committee on the Judiciary.

S.J. Res. 73. Extending the right to vote to citizens 18 years of age or older. February 19, 1947. Introduced by Mr. Kilgore. Referred to the Committee on the Judiciary.

H.R. 2120. Extending the right to vote to citizens 18 years of age or older. February 20, 1947. Introduced by Mr. Klein. Referred to the Committee on the Judiciary.

H.J. Res. 148. Extending the right to vote to citizens 18 years of age or older. March 10, 1947. Introduced by Mr. Klein. Referred to the Committee on the Judiciary.

THE 81ST CONGRESS

H.J. Res. 122. Extending the right to vote to citizens 18 years of age or older. January 31, 1949. Introduced by Mr. Klein. Referred to the Committee on the Judiciary.

THE 82D CONGRESS

S.J. Res. 127. Suffrage for citizens who are 18 years of age or older. February 4, 1952. Introduced by Mr. Moody. Referred to the Committee on the Judiciary.

(Reported in the Senate on July 1, 1952, accompanied by S. Rept. 2036.)

H.J. Res. 103. Suffrage for citizens 18 years of age or older. Introduced by Mr. Klein, Referred to the Committee on the Judiciary.

H.J. Res. 497. Suffrage for citizens who are 18 years or older. July 5, 1952. Introduced by Mr. Doyle. Referred to the Committee on the Judiciary.

THE 83D CONGRESS

S.J. Res. 53. To grant to citizens of the United States who have attained the age of 18 the right to vote. March 2, 1953. Introduced by Mr. Langer. Referred to the Committee on the Judiciary.

(Reported in the Senate on March 15, 1954 accompanied by S. Rept. 1075.)

S.J. Res. 64. To grant to citizens of the United States who have attained the age of 18 the right to vote. April 1, 1953. Introduced by Mr. Humphrey. Referred to the Committee on the Judiciary.

S.J. Res. 103. To grant to citizens of the United States who have attained the age of 18 the right to vote. July 18, 1953. Introduced by Mr. Morse. Referred to the Committee on the Judiciary.

S.J. Res. 112. To grant to citizens of the United States who have attained the age of 18 the right to vote. January 7, 1954. Introduced by Mr. Knowland. Referred to the Committee on the Judiciary.

H.J. Res. 30. To grant to citizens of the United States who have attained the age of 18 the right to vote. January 3, 1953. Introduced by Mr. Doyle. Referred to the Committee on the Judiciary.

H.J. Res. 265. Granting to citizens of the United States who have attained the age of 18 the right to vote. Introduced by Mr. Keating. Referred to the Committee on the Judiciary.

H.J. Res. 274. To grant to citizens of the United States who have attained the age of 18 the right to vote. June 10, 1953. Introduced by Mr. Wickersham. Referred to the Committee on the Judiciary.

H.J. Res. 288. Granting to citizens of the United States who have attained the age of 19 the right to vote. June 30, 1953. Introduced by Mr. Wainwright. Referred to the Committee on the Judiciary.

H.J. Res. 311. To grant to citizens of the United States who have attained the age of 18 the right to vote. July 27, 1953. Introduced by Mr. Rabaut. Referred to the Committee on the Judiciary.

H.J. Res. 341. Relating to the right of citizens of the United States, 18 years of age or older, to vote. January 7, 1954. Introduced by Mr. Rogers. Referred to the Committee on the Judiciary.

H.J. Res. 342. Relating to the right of citizens of the United States, 18 years of age or older, to vote. January 7, 1954. Introduced by Mr. Widnall. Referred to the Committee on the Judiciary.

THE 84TH CONGRESS

S.J. Res. 40. To grant to citizens of the United States who have attained the age of 18 the right to vote. February 8, 1955. Introduced by Mr. Langer. Referred to the Committee on the Judiciary.

H.J. Res. 12. Relating to the right of citizens of the United States, 18 years of age or older, to vote. January 5, 1955. Introduced by Mr. Diggs. Referred to the Committee on the Judiciary.

H.J. Res. 37. To grant to citizens of the United States who have attained the age of 18 the right to vote. January 5, 1955. Introduced by Mr. Grant. Referred to the Committee on the Judiciary.

H.J. Res. 51. Granting to citizens of the United States who have attained the age of 18 the right to vote. January 5, 1955. Introduced by Mr. Keating. Referred to the Committee on the Judiciary.

H.J. Res. 89. To grant to citizens of the United States who have attained the age of 18 the right to vote. January 5, 1955. Introduced by Mr. Wickersham. Referred to the Committee on the Judiciary.

H.J. Res. 93. Relating to the right of citizens of the United States 18 years of age or older to vote. January 5, 1955. Introduced by Mr. Widnall. Referred to the Committee on the Judiciary.

THE 85TH CONGRESS

S.J. Res. 11. Extends the right to vote to citizens 18 years of age or older. January 7, 1957. Introduced by Mr. Dirksen. Referred to the Committee on the Judiciary.

H.J. Res. 34. Extends the right to vote to citizens 18 years of age or older. January 3, 1957. Introduced by Mr. Doyle. Referred to the Committee on the Judiciary.

H.J. Res. 51. Extends the right to vote to citizens 18 years of age or older. January 3, 1957. Introduced by Mr. Keating. Referred to the Committee on the Judiciary.

H.J. Res. 109. Extends the right to vote to citizens 18 years of age or older. January 3, 1957. Introduced by Mr. Widnall. Referred to the Committee on the Judiciary.

THE 86TH CONGRESS

S.J. Res. 81. Extends the right to vote to citizens 18 years of age or older. March 24, 1959. Introduced by Mr. Keating. Referred to the Committee on the Judiciary.

S.J. Res. 179. Extends the right to vote to citizens 18 years of age or older. March 29, 1960. Introduced by Messrs. Randolph and Byrd. Referred to the Committee on the Judiciary.

H.J. Res. 193. Extends the right to vote to citizens 18 years of age or older. January 26, 1959. Introducted by Mr. Widnall. Referred to the Committee on the Judiciary.

H.J. Res. 515. Extends the right to vote to all citizens 18 years of age or older. September 1, 1959. Introduced by Mr. Hechler. Referred to the Committee on the Judiciary.

THE 87TH CONGRESS

S.J. Res. 20. Granting to citizens of the United States who have attained the age of 18 the right to vote. January 5, 1961. Introduced by Mr. Kefauver. Referred to the Committee on the Judiciary.

S.J. Res. 54. Granting citizens of the United States who have attained the age of 18 the right to vote. February 24, 1961. Introduced by Mr. Dirksen. Referred to the Committee on the Judiciary.

S.J. Res. 67. Granting to citizens of the United States who have attained age of 18 the right to vote. Introduced by Mr. Keating. March 22, 1961. Referred to the Committee on the Judiciary.

S.J. Res. 71. Granting the right to vote to citizens 18 years of age or older. April 3, 1961. Introduced by Messrs. Randolph and Byrd. Referred to the Committee on the Judiciary.

H.J. Res. 81. Relating to the right of citizens of the United States 18 years of age or older to vote. January 3, 1961. Introduced by Mr. Widnall. Referred to the Committee on the Judiciary.

H.J. Res. 350. Relating to the right of citizens of the United States 18 years of age or older to vote. March 29, 1961. Introduced by Mr. Diggs. Referred to the Committee on the Judiciary.

H.J. Res. 368. Relating to the right of citizens of the United States 18 years of age or older to vote. April 13, 1961. Introduced by Mr. Ellsworth. Referred to the Committee on the Judiciary.

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S.J. Res. 2. Extending the right to vote to citizens 18 years of age or older. January 14, 1963. Introduced by Mr. Randolph. Referred to the Committee on the Judiciary.

S.J. Res. 38. Extends the right to vote to citizens 18 years of age or older. February 5, 1963. Introduced by Messrs. Keating and Kefauver. Referred to the Committee on the Judiciary.

H.J. Res. 941. Granting the right to vote to citizens of the United States 18 years or older. March 4, 1964. Introduced by Mr. Gallagher. Referred to the Committee on the Judiciary.

GROVER S. WILLIAMS,
Legislative Attorney, American Law Division, January 4, 1965.

[From the Christian Science Monitor, July 23, 1965]

IS AN 18-YEAR-OLD READY TO VOTE?

(By Gail Matthews)

Instead of sitting back and wishing 18-year-olds could vote, a group of young adults is doing something about it. The newly founded Connecticut Organization for 18-Year-Old Voting hopes more young people will join the cause. Shortly after the Connecticut organization started rolling, a group of Massachusetts teens started a similar program in the sister state. (A bill has been filed on the issue and is before the Bay State Legislature now.) However, in fighting to lower the voting age from 21 to 18, their role as reformers won't be an easy one. For they are trying to upset a centuries-old tradition.

The law setting the voting age minimum at 21—drafted by pioneer English settlers of the United States—seems downright medieval in the space era. No wonder. It is actually based on statutes dating back to the Middle Ages.

Ancient English Common Law, from which many United States laws were derived, states that there were several ages at which men of different classes of medieval English society reached the legal status of adulthood.

"The young burgess is of full age when he can count money and measure cloth; the young spokesman when he is 15; the tenant by knight's service when he is 21," it explains in the "History of English Law" by Pollock and Maitland.

In those times, a serf could till his own land at 21, and a soldier who had some relationship to the Crown could become a knight at 21.

This, then, is the archaic concept the young members of the Bay State and Connecticut VOTES (Vindication of Twenty-Eighteen Suffrage) organizations are striving to condemn to the scrap heap.

The idea for such an organization began when Joe Dolan of Wethersfield, Conn., was cochairman of his high-school political-affairs association. The history teacher presented the question on 18-year-olds voting and Joe thought the issue was absurd! He reviewed the whole issue as it would affect the 18-to-20-year-olds (some 85,000) in Connecticut.

The Connecticut organization feels that most young people have sufficient and substantial maturity to allow them to vote. It cites several instances where 18 is the age to assume responsibility.

Insurance companies state an adult is 18 years and older. Penal codes affect the 18-year-old just as the 21-year-old. Pension and welfare cases are treated equally regardless of whether the person is 18 or 21. Eighteen is also the age when a young man can be drafted to fight for his country. One can enter the Civil Service at 18, one is taxed at 18 without representation, and one can marry at 18.

In the time span between 18, when a person is just out of high school, to 21, when eligible to vote, is when apathy and indifference set in.

The habit of voting should be formed at the ripest time. Those for 18-year-old voting point out that we need proper balance. "Older folks vote who cling to the past and old ideas and ways. We need the young, honest approach without political strings," claims a supporter.

Recorded as favoring 18-year-old suffrage are: President Kennedy, former President Eisenhower, former Vice President Nixon, Ambassador Stevenson, Governor Rockefeller, Senators Kefauver, Margaret Chase Smith, and Dirksen, along with United States Supreme Court Justice Douglas.

European historian and outstanding scholar, H. Stuart Hughes, a Havard professor, feels: "Physically, socially, and intellectually, youths are maturing faster and earlier than a generation ago. In our society, the standard of what constitutes 'coming-of-age' should be lowered to 18. Eighteen-year-olds read more and know more than many adults. In many instances, a person of 18, graduated from high school, is better informed on vital world and national problems than older people. Adults are frequently too occupied with private lives and problems of family and finances to worry about matters seemingly far removed from them."

Why do 18-year-olds think they have substantial maturity and sufficient experience to vote? "Experience is a continual process in life," VOTES replies. "Real experience does not come from observation, but from participation. An 18-year-old today is much more mature than his parents were when they were 18." A much higher percentage of 18-year-olds have a better education than their parents, let alone their forebears.

The history of the 18-year-old suffrage dates back to 1770 when there were attempts to draft a lower voting age in state constitutions. In 1954, President Eisenhower advocated the 18-year-old suffrage and in the same year a constitutional amendment bill failed to get two-thirds passage by the United States Senate with five votes. It failed only because the Senate felt it involved states rights. In 1961, the Justice Department advocated a constitutional amendment to give 18-year-olds the ballot.

Votes supporters feel that a nation distrustful of its youth, "is a nation that does not have the vision to endure." They point to Kentucky, a state that gave their 18-year-olds that ballot in 1956 and 80 percent of almost 200,000 between 18–20 went to the polls. Georgia juniors made up 20 percent of the electorate after being given the right to vote. Gallup Polls in 1954 showed that 77 percent would go to the polls if given the chance.

Votes backers have got a hard struggle ahead to fight the old clichés—cynicism, and Congress. Lowering the voting age has been a high-school debating issue for many years. Some adults are ignoring the group, feel their cause will never be legislated, or are laughing at it. But, the issue shouldn't be quickly shoved aside. The groups advocating the 18-year-old voter are alive and spouting with intelligent, alert, go-getting youth. Some laughed, too, at the Woman's Suffrage Movement which ended with the 19th Amendment, and until 1870 the Negro's right to vote was thwarted. Eighteen other countries, including the Soviet Union, Israel, Turkey, and Brazil allow their 18-year-olds to vote.

It's really interesting to talk to someone who is vehemently against the 18-year-old voter. His reason? Generally that "the 18-year-old lacks maturity and judgment to cast a vote . . . what will the country come to?" Then ask that same person why he wants a certain candidate to win an election. Sometimes he makes a lightweight attempt to point out the candidate's experience, and then often includes a personality judgment rather than a judgment based on facts. "Oh, he's so good looking"; "He's a family man"; "His family's store sells such good eggs and butter," etc., etc. Some voters today base their decisions on what kind of a television actor the candidate is. Does this make an intelligent electorate?

Clinton Rossiter in "Goals for Americans" writes:

"The American future rests rather on the quality of our votes . . . and of our participation of every kind . . . than it does on the quantity. What America needs is not more voters, but more good voters, men and women who are informed, understanding and reasonable. To produce such men and women in ever larger numbers should be a major goal of all labors to preserve American democracy."

VOTING RESPONSIBILITY SHOULD BE EXTENDED TO 18-YEAR-OLD CITIZENS; CONSTITUTION SHOULD BE AMENDED

(Remarks of Senator RANDOLPH, Apr. 3, 1961)

Mr. RANDOLPH. Mr. President, when a Member of the House of Representatives I introduced a resolution more than 18 years ago to amend the Constitution and extend voting rights to 18-year-olds. My interest in this matter has not abated during the almost two decades which have intervened. On March 29, 1960, I presented Senate Joint Resolution 179 for this purpose. Senator BYRD, of West Virginia, joined me in introduction of the measure to amend the Constitution to provide for such voting.

It is gratifying, therefore, to observe that this concern is shared by other members of this body, and particularly by our able colleagues, the senior Senator from Tennessee [Mr. KEFAUVER], the junior Senator from New York [Mr. KEATING] and the leader of the minority, the eloquent junior Senator from Illinois [Mr. DIRKSEN]—each of whom has independently submitted such a resolution during this session of Congress.

I shall not presume upon the time of the Senate in order to relate the arguments which are well known to all of us. However, I believe it would be of more than passing interest and value to summarize the actions of the individual States in this field, and to note the present status of age requirements that prevail in the various States.

ALASKA AND HAWAII ACT

It is, perhaps, not mere coincidence or an accident of history that the two States most recently admitted to the Union, and hence the two which have achieved statehood under distinctively modern conditions of education and communication, are among the few with voting limitations of less than 21 years. The State of Alaska entered the Union under a constitution approved by a 2-to-1 majority which established the voting age at 19 years or above. During the same year our friends in Hawaii were admitted to the Union under a constitution which provided for voting at the age of 20 or above.

However, the first State to take positive action in this field was the State of Georgia, which lowered the voting age to 18 by referendum in 1943. The State of Kentucky, after several inconclusive efforts in the legislature during the forties and early fifties, finally succeeded in having the issue put to a referendum test, and in 1955 the citizens of Kentucky voted to lower the voting age to 18.

This is the roster of the States, Mr. President, where a voting age of less than 21 prevails. But it is not an accurate index of the actions taken by the other individual States, nor is it an adequate gage of the interest and sentiment among the American people in favor of lowering the voting age.

Since October 21, 1942, when I first submitted my resolution (H.J. Res. 354) in the other body—a time which I use as a benchmark simply because it relates to my own actions in this field—all but three of the States have taken some legislative action to lower the voting age, many of them having made repeated efforts. And in no less than 14 States—according to a study performed by the Library of Congress—measures to lower the voting age to 18 have passed in at least one house of the legislature. In three States—Indiana, Pennsylvania, and Tennessee—such measures have passed both houses, but have failed for lack of meeting other requirements of the amendment procedure.

The PRESIDING OFFICER (Mr. HUMPHREY in the chair). The time of the Senator has expired.

Mr. RANDOLPH. Mr. President, may I ask unanimous consent to have 1 additional minute, since there are few Senators who wish to make speeches?

The PRESIDING OFFICER. Without objection, the Senator is granted 2 additional minutes.

TWENTY-THIRD AMENDMENT IS RATIFIED

Mr. RANDOLPH. These actions have been taken, Mr. President, without benefit of the added momentum which would accrue if there were a national movement to amend the Federal Constitution. We have recently seen how effective such an effort can be in the record time in which the 23d amendment was ratified by the States.

Gratifying though it is to see the enfranchisement of the citizens of the District of Columbia, their plight was no less real or urgent than that of the millions of 18 to 21 year olds who bear so many of the responsibilities of citizenship without this most essential prerogative. It is, therefore, in the hope of correcting this inequity that I submit this resolution to amend the Constitution and extend the right to vote to citizens 18 years of age or older.

I ask that the joint resolution be appropriately referred and printed in the RECORD at the conclusion of these remarks.

The PRESIDING OFFICER. The joint resolution will be received, appropriately referred, and, without objection, printed in the RECORD.

The joint resolution (S.J. Res. 71) proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older, introduced by Mr. RANDOLPH (for himself, and Mr. BYRD of West Virginia), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"'ARTICLE —

"'SECTION 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age. The Congress shall have power to enforce this article by appropriate legislation.

"'SEC. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.'"

[From the Christian Science Monitor, Jan. 13, 1967]

MIRROR OF OPINION: RESPONSIBLE STUDENTS AT BERKELEY

(From a talk by Prof. Garff B. Wilson, University of California, Berkeley)

The student on the Berkeley campus has been defamed and caricatured. The representative student is not a beatnik or a weirdie or a rebel. He is a clean-cut, serious, intelligent, idealistic student deeply involved in his studies, proud of his university, and keenly aware of his responsibilities as a citizen. News media seldom give the representative student any notice. Newspapers, TV, and radio record what is bizarre and sensational. For example:

You are aware that in December, 1964, 773 people were arrested in Sproul Hall sit-in. Do you know that in that same semester 3,540 undergrads made the honor roll with B average or better? A year later the percentage was raised one point—to 22 percent.

You read that hundreds of dollars were raised in December, 1964, to bail out sit-in students. Do you know that in the same semester $9,062 were raised by students for Cal Camp for underprivileged children, staffed by 50 volunteer students?

You read that last year four students were suspended for participation in so-called "dirty word" demonstration. Do you know that in the same year, 262 students spent 20,000 hours in Resource Volunteer Program tutoring students in Berkeley public schools?

You read that this year three or four students were disciplined for defying campus rules. Do you know that 10 times that number cleaned off 200 cubic feet of refuse from a Berkeley hillside, removed 200 old tires from Albany mud flat, and cleaned up the east side of Aquatic Park? This was volunteer work.

You read that this year mobs, including some students, have marched in parades protesting Vietnam war. Did you know that there are now serving (or have recently served) overseas in Peace Corps 560 Cal students, far more than from any other campus in the nation—and do you know that this spring more than 1,000 additional Cal students applied to serve?

You read that Vietnam Day Committee held a "rowdy" dance in the campus gym. Do you know that last year 205 students joined VISTA (Volunteers in Service to America), and many more are in process of joining?

You read that last March about 800 students walked out of the Greek Theater to protest appearance of Ambassador Arthur Goldberg, but are you aware that 12,000 remained to give him more standing ovations than any Charter Day speaker has had.

You have read that frats hold beer busts, break windows, and swipe street signs. Do you know that for more than 30 years the frats at Cal have financed a Big Brother Program in Berkeley to help rehabilitate delinquent boys? Do you know that last term, all-frat scholastic average was 2.61 compared to an all-living group average of 2.55?

Mr. BYRD of West Virginia subsequently said: Mr. President, I ask unanimous consent that the joint resolution introduced earlier today by my distinguished colleague, the senior Senator from West Virginia [Mr. RANDOLPH], concerning the Federal voting age of 18 years remain at the desk for 2 weeks for additional cosponsors.

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

STUDY OF ENTRY OF NONIMMIGRANT ALIENS INTO THE UNITED STATES TO PERFORM SERVICES OR LABOR

Mr. TOWER. Mr. President, I send to the desk a resolution providing for a study of the provisions and administration of several sections in the Immigration and Nationality Act.

This legislation directs the Judiciary Committee, or appropriate subcommittees, to review the interpretation being given to certain specific sections of the act affecting so-called "green-card holders."

The term "green-card holders" refers to citizens resident of countries along our borders who have obtained permission from the Attorney General of the United States to cross into the United States on a daily or other periodic basis to perform labor or services in the United States.

As presently written, the law allows such travel to the United States by nonimmigrant aliens for employment purposes if their employment does not adversely affect other American wage earners. The determination as to what constitutes an adverse effect is left up to the Attorney General.

As a result of leaving this determination to the discretion of the Attorney General, a history of conflict and disagreement has developed. My bill would merely provide at this time for a study by the appropriate Senate committee or subcommittee, but does not embody any legislation or suggestions.

Mr. President, I have received a number of complaints from many good friends of Mexican origin who live along the Texas border and who are citizens of the United States, that their jobs are being preempted by people who are citizens and residents of Mexico and who come across the border and take jobs away from them.

It is likely that at a later date I may offer some remedial legislation. For the time being, I should like the Judiciary Committee to look into this matter.

I ask unanimous consent that the resolution lie on the table for 1 week so that other Senators may cosponsor it as they see fit.

The ACTING PRESIDENT pro tempore. The resolution will be received and appropriately referred; and, without objection, will be held at the desk, as requested by the Senator from Texas, and, under the rule, will be printed in the RECORD.

The resolution (S. Res. 22) was referred to the Committee on the Judiciary, as follows:

S. RES. 22

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study and review of those provisions of the Immigration and Nationality Act which authorize entry into the United States of nonimmigrant aliens for the purpose of performing services or

labor, as well as the administration of such provisions, with a view to recommending such legislative or administrative modifications with respect to such provisions or their administration as it deems necessary or desirable in the public interest.

SEC. 2. The Committee shall report its findings upon the study and investigation authorized by this resolution, together with such recommendations as it deems advisable, to the Senate at the earliest practicable date, but not later than July 31, 1967.

SEC. 3. For the purposes of this resolution the Committee, through July 31, 1967, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 4. Expenses of the Committee, under this resolution, which shall not exceed $50,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Committee.

EXTENSION OF TIME FOR COSPONSORS—TAX-SHARING BILL

Mr. NELSON. Mr. President, there is a bill (S. 92) on the desk which I introduced last week on tax sharing. I ask unanimous consent that that bill remain at the desk until Wednesday of next week. I previously requested it be held there until the end of this week; but I now ask unanimous consent that that time be extended until Wednesday of next week, for the purpose of permitting additional cosponsors.

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

ADDITIONAL COSPONSOR OF BILL

Mr. KUCHEL. Mr. President, last week I introduced, along with a number of my colleagues, S. 270, which provides for Federal participation in the construction of a 42-acre manmade island off the coast of California, actually off the coast of my home county of Orange, in which nuclear energy will be used to create electric power and also to transform salt water of the sea into potable water to the extent of 150 million gallons a day.

I ask unanimous consent that the name of our esteemed colleague, the junior Senator from Wyoming [Mr. HANSEN], be added as coauthor of the bill at the next printing.

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

RECEIPT OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the following nomination:

Richard F. Pedersen, of California, to be Deputy Representative of the United States of America in the Security Council of the United Nations.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

SPAIN, SOUTH AFRICA, UNITED STATES ALONE FAIL TO RATIFY ANY HUMAN RIGHTS TREATY

Mr. PROXMIRE. Mr. President, today I continue my daily effort to rivet attention upon the failure of the United States to ratify a single one of the Human Rights Conventions on Slavery, Forced Labor, Political Rights of Women, or Genocide.

It may be both interesting and revealing to my colleagues that of the charter members of the United Nations, the United States—which hosted the founding conference in San Francisco and has provided a home for the United Nations—is one of only three nations which has failed to ratify a single one of these human rights conventions.

Who have been our companions in apathy and indifference toward the cause of human dignity? The Union of South Africa and Spain. The former nation's record in the area of human rights requires no lengthy statement here. It must be said of Spain, in that nation's defense, that until the recent national referendum enabling the creation of a legislature, Spain lacked the ratifying machinery.

But the United States has neither the tragic history of South Africa nor the constitutional impotence of Spain. Our Ambassador to the United Nations signed these treaties and our President submitted them to the Senate.

But what has happened? Is the United States truly indifferent to the cause of human rights?

I have perceived a most disconcerting phenomenon—"a certain circle of nonresponsibility."

The Foreign Relations Committee will not report the treaties until there is assurance of a two-thirds majority in the Senate. The White House "believes" this is a Senate matter. The State Department "supports" U.S. ratification.

We have a Tinker-to-Evers-to-Chance juggling act. In short, nobody is doing anything. This might be amusing if it were not so tragic.

These treaties are not concerned with academic or esoteric subjects. They deal with matters vital to our own national history and tradition. Surely, of all the members of the family of nations, the United States should assume our rightful position in the front rank—fighting for the basic human rights of political equality for women, the elimination of slavery and forced labor, and the international drive to assure that never again on our earth will there be the horrible nightmare of genocide.

The ultimate responsibility for Senate ratification resides in the Senate. I shall continue to speak until the Senate meets that responsibility and puts the United States squarely on record in support of these vital human rights.

KUCHEL-CLARK RULE XXII RESOLUTION NO GAG RULE

Mr. PROXMIRE. Mr. President, on Friday the Washington Post published an editorial that in the mind of any thoughtful reader should end the notion that the Kuchel resolution will impose gag rule on this body.

As the Post editorial states:

The most striking aspect of the antifilibuster fight is the extreme conservatism of the reforms offered.

Mr. President, the most striking aspect of the editorial is that it then proceeds to understate the conservatism by 100 percent.

The editorial states that the Kuchel resolution would permit 20 days of debate. The fact is that on any significant issue, the opposition can and will debate the motion to "take up" for 20 days under the pending resolution. If cloture is invoked, they would have another 20 days for a second marathon debate.

Anyone who calls this gag rule is being funny. They certainly are not being accurate in any sense.

I ask unanimous consent that the editorial entitled "Fighting the Filibuster" be printed at this point in the RECORD.

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

FIGHTING THE FILIBUSTER

The most striking aspect of the antifilibuster fight in the Senate is the extreme conservatism of the reforms offered. Senators McGovern and Morton are asking only that the number of Senators required to end debate be reduced from two-thirds to three-fifths, or, if all were present, from 67 to 60. Senators Kuchel and Clark would permit debate to be ended by a constitutional majority (51) regardless of how many members might be present and voting. And this cut-off could be invoked only after discussion of the issue had been in progress for 20 days or more.

The more liberal of these measures stops somewhat short of meeting the argument that any systematic frustration of majority action is unconstitutional. A rule that would permit the Senate to chew over every highly controversial issue for 20 days or more without restraint could be a potent source of obstruction. No doubt Senators Kuchel and Clark have made their resolution extremely lenient in the hope of establishing the principle of majority cloture. But in practice it would require substantial refinement before the Senate could be regarded as a modern legislative body.

We agree, however, with the view that the most important thing is to establish the principle of majority cloture. With that once recognized, the Senate would be free to bring about further changes by majority action wherever the need for it might arise.

The right of the majority to work its will in the Senate has become the foremost issue before that body. We think it ought to be decided this time before the Senate turns to other business. There is a strong hope that Vice President Humphrey will rule, when the right moment comes, that the Senate has a constitutional right to modify its rules by majority action in disregard of the odious Rule 22. The whole country has an interest in demanding that Mr. Humphrey stand by his convictions of the past on this issue and that the Senate sustain him.

Nothing is to be gained by further procrastination. The question is one of preparing the Senate to meet its broadened responsibilities in addition to reinstating the

constitutional principle of majority rule. It is a principle worth fighting for, and those who are carrying the burden of the battle ought to have unflagging support until their objective has been won.

WHY THE WASHINGTON POST OPPOSES THE TAX HIKE

Mr. PROXMIRE. Mr. President, the Washington Post has published a series of some of the finest and most thoughtful editorials in the Nation in opposition to the proposed tax increases.

The Washington Post has been thoughtfully sympathetic to the President and to the so-called new economics. It enthusiastically favors the use of fiscal policy—taxing and spending—to influence economic growth and retard inflation. Its voice on the tax increase deserves thoughtful attention.

Recently the Post published an editorial entitled "The Wrong Fiscal Path." This editorial makes the vital point that the tax increase will not achieve the end its proponents fervently want. They want lower interest rates. But interest rates are already beginning to move down and they can and will continue to move down if the Federal Reserve Board simply increases the money supply. Whether taxes are raised or lowered will have little effect.

What the Federal Reserve Board does will have the only significant effect on interest rates.

Proponents want a tax increase to save Great Society programs. The tax increase, as a matter of cruel political fact, is far more likely to kill such programs, as Members of Congress and the public recognize the price.

Finally, the tax increase could lead us to a recession, unemployment, an end to this long, happy period of economic growth.

I ask unanimous consent that the Post editorial, entitled "The Wrong Fiscal Path," be printed in the RECORD at this point.

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

THE WRONG FISCAL PATH

Some observers believe that President Johnson proposed the 6 per cent surcharge on income taxes in an effort to buy more monetary ease. Others lean toward the view that he wished to keep the administrative budget deficit below $12.4 billion, the record established by the Eisenhower Administration in the fiscal year 1959. But whatever the motives, it is difficult to defend the Administration's proposal on either economic or political grounds. If the proposal has any virtue, it is the July 1 effective date which gives the Congress ample time to debate the issue in the light of economic developments that unfold during the course of this year.

The economic objection to the higher taxes is that the economy is exhibiting unmistakable signs of sluggishness and is more likely to require a fiscal stimulant than a sedative in the months ahead. On the day that the President delivered his message, it was announced that retail sales declined in December. There is a slump in the construction industry. Capital expenditures will not rise significantly in the first half of this year and are likely to decline in the second.

In view of these trends, the tightening of fiscal policy, by diminishing the stream of consumer expenditures and dampening business expectations, involves the very real risk of precipitating a deep recession. There is a widespread—and erroneous—belief that such a recession could not occur in the face of high defense expenditures. But defense expenditures—and more importantly, defense production—are leveling off.

There are those of the President's advisers who cling to the view that a tighter fiscal policy, however inappropriate, is the price that must be paid for a reversal of the Federal Reserve Board's monetary policy. In addition to viewing the Board as if it were somehow a sovereign power instead of a creature of the Congress, this view overlooks the fact that interest rates have already fallen as a consequence of the softening of the demand for credit. And with the decision of the German Bundesbank to lower its discount rates and the prospect that other European central banks will follow there is no balance-of-payments reason why market force should not be permitted to lower rates on this country.

Professor J. Kenneth Galbraith and others who believe that the attainment of the highest good is predicated on shifts of resources from the private to the public sector of the economy, are supporting the surcharge. But they are blind to the dangers of tying specific programs to tax increases. Raising taxes to continue Great Society programs is a move hardly calculated to increase their popularity, and the difficulties will be compounded if the economy is also depressed in the process.

President Johnson said that he would soon send his specific proposals to the Congress and added that: "Yours is the responsibility to discuss and debate them—to approve or modify or reject them." Congress made a mistake by rushing through the suspension of the investment tax credit. There is no reason at all for haste on the income tax surcharge.

JOINT ECONOMIC COMMITTEE HEARINGS ON THE CHINESE ECONOMY

Mr. PROXMIRE. Mr. President, dramatic and momentous events are occurring in China today, events that may not only shape history for many years in the Far East, but could have a most serious effect on our own military and foreign policy.

The Milwaukee Journal spelled out in an editorial yesterday how serious is the gap in our knowledge about developments in this immense Communist dictatorship.

This Government has a responsibility to the security of our country to find out all we can about China, not only about its attitudes and the tendencies of its political developments, but the more basic facts about its economy—what kind of potential threat or promise China really represents.

What limits does the Chinese economy really place on its military capacity, on its ability to help or hurt other nations in Asia and throughout the world?

Senator JAVITS suggested to the Joint Economic Committee last year that the committee should study and hold hearings on the Chinese economy.

The Javits suggestion made excellent sense. The Joint Economic Committee has made some of the very best and most authoritative studies of the Russian economy. They are highly prized among university experts as well as in Government.

Since Senator JAVITS made his suggestion last summer, the committee has been busily following up with a series of studies of the Chinese economy by the Nation's top experts. Those studies are now being printed. And hearings will begin before the Joint Economic Committee on the Chinese economy after hearings are held on the President's Economic Report.

What we learn about the Chinese economy should contribute greatly to our evaluation of our military and foreign policies throughout Asia, and, indeed, the world.

I ask unanimous consent that the editorial from the Sunday Milwaukee Journal be printed at this point in the RECORD.

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

NEWS COVERAGE OF CHINA

The news stories out of Communist China reported mostly from Hong Kong or Tokyo are blood chilling. The nation is apparently in a power struggle and in great turmoil. What is really happening? We don't accurately know. The sources of news are so limited and restricted that coverage is all but impossible.

Much of the news now comes from Red Guard posters displayed in the cities. These are political documents meant to serve political ends and cannot be accepted as factual. Many may not even be posted by the Red Guard but by their opponents.

At a recent meeting of the International Press Institute in India, news coverage of China was discussed in depth.

There are only 30 foreign correspondents in Peking and nearly half are from Communist countries. Nine represent Japan, four the west. None is from the United States. All are restricted to within 25 miles of the center of Peking. Their sources are confined to Peking newspapers, New China News reports and official publications. They may not buy any provincial publications not sold in Peking. They may not talk with Chinese on the streets. Their interpreters are supplied by the diplomatic service bureau, a government agency. There are almost no press briefings. When there are, the Chinese officials talk in a mixed jargon of Chinese obscurities and their brand of Marxism. Radio Peking broadcasts drab, unnewsworthy programs that tell little or nothing.

The basic fact is that, as an Israeli editor said, one does not cover China, one seeks to uncover it and with little success because the Chinese don't want outsiders peering around. The Chinese trust no one. The Chinese people get so little outside news that they know nothing of the world. What news there is has to be read between the lines for the most part. When the Communist coup in Indonesia was crushed there was no mention of it for almost two weeks in Chinese papers. Then the only indication that something had happened came in a letter reprinted in the press in which President Liu Shao-chi congratulated President Sukarno on his being in good health in spite of what has happened. Only later was the coup discussed.

The United States has almost no contact at all with China. Our nationals don't travel there, nor theirs here. We have no diplomatic contact save occasional meetings in Warsaw. It is indeed the "mysterious east." And the problem is all the more aggravating now when momentous things may be happening but no one knows for sure what they are or what they mean.

DICKEY CHAPELLE MEMORIAL DISPENSARY

Mr. PROXMIRE. Mr. President, on November 4 the Dickey Chapelle Memorial Dispensary was dedicated in Vietnam. This dispensary is a most appropriate memorial to a native of Milwaukee who was a great war correspondent. She died as she lived, in a war zone on patrol with a group of marines.

General Walt made an excellent speech at the dispensary dedication ceremonies highlighting the ingredients that made Dickey Chapelle a unique human being, who brought great pride to my State of Wisconsin. Her uncompromising honesty as well as her great courage should be an inspiration to all who follow in her footsteps.

I ask unanimous consent that the speech be printed at this point in the RECORD so that Senators can better understand the sorrow Wisconsinites felt at the death of this unique woman.

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

REMARKS BY LT. GEN. LEWIS W. WALT, USMC, CG, III MAF, DELIVERED AT DEDICATION OF DICKEY CHAPELLE MEMORIAL DISPENSARY, NOVEMBER 4, 1966

A year ago today, not far from here, the world lost a dedicated and professional combat correspondent—and American fighting men lost a true friend.

For more than twenty years, Dickey Chapelle could be found where the action was; Iwo Jima, Okinawa, Lebanon, Hungary, Cuba, Quemoy, India, Laos, the Dominican Republic, and finally South Viet Nam.

Mr. Jim Lucas has spoken this morning about Dickey Chapelle from his correspondent's point of view. She was a professional from any point of view—highly respected by her contemporaries, her readers, and by the men whom she accompanied into battle. The front lines was her beat.

It is difficult to say just when the mutual romance and respect between this reporter from Milwaukee and the American fighting man began. Perhaps it was aboard a hospital ship off Okinawa or on the black beaches of Iwo Jima. But wherever it had its start, it compelled her to travel the world over to be with our fighting men and to tell the story of what they were doing.

She wore baggy utilities—a jauntily set jungle hat—and a perpetual smile. She was half the size of the Marines she followed into combat, until she spoke; then suddenly she grew in stature, speaking with the authority of a combat veteran—which, of course, she was.

When this frail looking woman showed up on the front lines, tough veterans would shudder. Who was going to take care of her, they wondered.

"Forget that I'm a woman," she would say. "I'll lug my own stuff and ask no favors." And she was true to her word. She asked no quarters, and would have been offended had it been offered.

As General Krulak noted shortly after her death, "The Marines are a fraternity, and if a woman can belong to a fraternity, Dickey Chapelle managed to do it."

Never complaining, determined always to carry her share of the load, ever enthusiastic, she had the ability to convey the reality of war to film and paper in a degree seldom matched. She had a deep-seated feeling for people and events. She showed no fear and had a total disregard for her personal safety.

For twenty years her life was one of being with the fighting men and telling their story to the world.

It is most fitting that we here today dedicate this dispensary to her memory—the memory of a woman who loved people and hated the violence which causes hurt and pain and misery.

For this facility is, by its very nature, dedicated to overcoming the physical ravages of war and disease and pestilence.

Today marks a beginning—for this building is only the central portion of a dispensary that will eventually grow to encompass a 44-bed facility.

Built by the 9th Engineer Battalion, the dispensary will serve our Vietnamese friends, staffed by both Vietnamese and American medical personnel. It has been made possible by funds which have been provided through CARE and donated by friends of Dickey Chapelle.

Anyone who met Dickey Chapelle could not forget her. Her willingness to involve herself with the crises of our time showed a rare spirit. As a result, thousands of Americans at home lived closer to our men in Viet Nam and came to know the struggle for dignity and freedom of the Vietnamese people.

She had dinner at my quarters the day before she was killed. Several of my officers and myself had a wonderful evening listening to her tell of her many experiences with our Marines. As she left my quarters that evening, she mentioned she was going out on patrol the next day. I told her to keep her head down and not to take chances. She said, "When the time comes for me to go, I want it to be on a patrol with Marines." And that's the way it was.

And so we dedicate this building to the memory of Dickey Chapelle—combat correspondent, patriot, and humanitarian.

DEATH OF MRS. BESSIE STALEY CHEATHAM

Mrs. SMITH. Mr. President, Saturday, one of the outstanding women of our times passed away—Mrs. Bessie Staley Cheatham. She died at the age of 86, as she was born on April 11, 1880.

It was almost 7 years ago, on April 11, 1960, when I made a statement on this floor calling the attention of the Senate to her 80th birthday that day. In observing that she was a grand lady well known and beloved to the Members of the U.S. Senate, I said that the shortest and best description that we could give her was the unofficial title of "the 101st Senator" for she had truly become one of the fixtures of the Senate.

For decades, Bessie Staley Cheatham was as constant in her attendance of the sessions of the U.S. Senate as was any of the Senators. She faithfully took her place in the Senate Gallery near the clock. She followed the debate ever so closely with her ever keenly analytical mind.

She was probably a better parliamentarian than most Members of the Senate. In fact, at times, fellow galleryites overheard her "quarterback" remarks intended for her favorite choice for President, and then Senate majority leader, Lyndon Johnson.

The Senate will not seem the same without the glowing presence of Bessie Staley Cheatham in the Senate Gallery. It has lost one of its most beloved fixtures with her passing. We have lost a good counselor and a loyal friend who constantly gave inspiration to us.

The church services in Washington will be held tomorrow morning at 11 at the All Souls Memorial Episcopal Church. The next day, the afternoon of Wednesday, January 18 at 2 o'clock, final rites will be conducted at the Suffolk Christian Church in Suffolk, Va., where her father was pastor for nearly 50 years. The service will be conducted by a minister, who assisted her father and was later pastor at that church.

Among her survivors is her son, William S. Cheatham, former administrative assistant to the Sergeant at Arms of the Senate. Eight Senate doorkeepers will serve as honorary pallbearers.

I ask unanimous consent to have printed in the RECORD at this point an article about Bessie Staley Cheatham published in the May 31, 1958, issue of the Burlington, N.C., daily Times-News.

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

MRS. BESSIE CHEATHAM COMES BACK TO AREA FOR VISIT AND GRADUATION

(By Ruth Rush)

Not every college can boast of an alumnae of the class of 1898 who attends reunions regularly.

But Elon College has that distinction because of Mrs. Bessie Staley Cheatham of Washington, D.C. She attended the Elon commencement this week after a trip from Raleigh where she visited Peace College, her school from 1888 through 1890.

Today she is on her way to Chapel Hill to renew friendships with fellow graduates from the class of 1900 at the University of North Carolina where she was the school's second coed to register.

Mrs. Cheatham, a native of Graham, also is doing quite a bit of visiting in this area where she has numerous friends and relatives. Her father, Dr. W. W. Staley, was the second president of Elon College.

At present, the 78-year-old lady resides in Washington, D.C., and leads an active life working for civic groups, visiting hospitals and taking part in church work.

Friends say she also can act as an excellent guide any place in the city. Her son, William Staley Cheatham, is assistant to the Sergeant at Arms of the U.S. Senate, and her daughter-in-law is secretary to Justice Harold Hitz Burton of the U.S. Supreme Court.

The active little lady who follows a rigorous schedule all year long, hasn't missed a University of North Carolina reunion in 10 years.

Commenting on a reception this week at Elon College, Mrs. Cheatham told of a companion who suggested they "pull up a chair and rest a bit" during the long periods while waiting in the receiving line.

"I had no idea of doing that," she exclaimed. "Couldn't let people think I'm getting old. I may call myself old, but I'm not ready to act that way yet."

And proof of that statement comes to light when Mrs. Cheatham tells a little of her background.

She went to Washington after the death of her husband and when her son "was just a youngster in rompers." She continued working there until her son was educated.

"They finally retired me from my Government job. But then I went right to work in a printshop, doing proofreading from midnight until 8 a.m. And the graveyard shift didn't bother me a bit—not even when we had dinner at 4 o'clock in the morning," she asserted.

Describing her life in Washington, Mrs. Cheatham says she has seen all the presidents since Theodore Roosevelt. She speaks of meeting Wilson, Taft, Harding, Hoover, and Coolidge at open houses held at the President's home every New Year's.

Going a little further back, Mrs. Cheatham's first job after graduating from college, was teaching school, and she held positions

in Raleigh, Suffolk, Va., and Greenville, N.C. And all through her life, she notes that there has been a great deal of traveling.

"My father used to say that travel was the best way to educate—next to studying books. First, you have to learn what's in the books, and then you can appreciate what you see while traveling," she stated.

Mrs. Cheatham's first big trip was a tour of Europe—her father's present to her after she graduated from the university.

And she's kept up with her traveling through the years with excursions to South America, Canada, Cuba, Jamaica, Mexico, and 40 States in the United States.

Mrs. Cheatham pointed out that her son took numerous trips with her that all began when he first saved enough money to buy a model T coupe.

"It was quite a surprise when he told me he had bought a car," she said. "But, of course, I was proud of him."

She explained that he began working as a Senate page when he was 12 years old. And Mrs. Cheatham remarked that she still remembered the valedictory address he gave when he graduated from night grammar school.

Her son was one of the first Washington officials to arrive here for the funeral of the late Kerr Scott.

Commenting on friends and family ties in this area, Mrs. Cheatham expressed her pleasure returning for visits each year.

"It's something I always look forward to—I have a special interest in the people here and, of course, in Elon College," she said.

Mrs. Cheatham showed a ring she was wearing—a miniature pansy enameled in royal purple and lavender with a tiny chip diamond in the center, set on a thin gold band.

She explained that it was the ring she designed for her graduating class at Elon College. Underneath the tiny flower, petals bear her initials, and the initials for Elon College, and the year, 1898.

"A good year," remarked Mrs. Cheatham.

And her friends will agree: a good year for Elon when a cum laude graduate became one of the most loyal alumnae.

Mr. ERVIN. Mr. President, I wish to join my distinguished colleague, the Senator from Maine, in the very beautiful tribute which she has just paid to Mrs. Bessie Staley Cheatham.

Mrs. Cheatham was a remarkable person. It can be said of her that she was more constant in attendance upon meetings of the Senate than any other person except those who are members of the staff of the Senate.

For years, she sat in the gallery just behind the clock and gave complete attention to the proceedings of the Senate.

Mrs. Cheatham was a native of my State of North Carolina. She came of a family which made rich contributions to culture, education, and religious life in my State. She was, in many respects, one of the most remarkable persons I have ever been privileged to know.

Notwithstanding the fact that she had passed the age of four score years, she maintained a youthful interest in everything which was going on in the world around her, particularly in respect to the affairs of our National Government in Washington and also in respect to the personal lives of her many friends. No person was more devoted to those who were privileged to know and to love her than she was.

On special occasions, such as birthdays, wedding anniversaries, and the like, she always remembered her friends with notes or with greetings. It is rather remarkable that at the time she was stricken by the illness which culminated in her death, she was attempting to return to her apartment after having mailed a greeting to a friend.

She lived life to the fullest. Those of us who were privileged to call her friend will miss her very much and recognize that her passing will leave in our lives a great void which cannot be filled.

On behalf of my wife and myself, I wish to extend to her son, Bill Cheatham, who was for a long time a member of the staff of the Senate, our deepest sympathy in the irreparable loss which the members of her family and her friends have sustained.

Mr. JORDAN of North Carolina. Mr. President, all of us lost a dear friend with the passing of Mrs. Bessie Staley Cheatham on Saturday.

"Miss Bessie" was a beloved friend of a great many Members of the Congress and others who knew her for the many years she lived in Washington.

She was also the mother of William S. Cheatham, who for many years served with distinction as an officer of the Senate. All of us have long had deep respect and admiration for Bill Cheatham for the outstanding service he gave for so many years as administrative assistant to the Sergeant at Arms of the Senate, and our thoughts and our prayers are with him in this hour of such great loss.

I am proud of the fact that Miss Bessie's roots were deep in North Carolina. We in North Carolina took pride in the fact that she was the second woman to graduate from the University of North Carolina, and she always dearly loved our State as she dearly loved her Nation.

Her father, the Reverend William Wesley Staley, served as the second president of Elon College in North Carolina, and he provided the leadership which makes that college today one of the fastest growing and most highly respected church-related institutions in the Nation. While he served as pastor of the Christian Church in Suffolk, Va., he also served as president of Elon College, and he made weekly trips back and forth between Elon and Suffolk.

Miss Bessie carried on in the same vigorous manner of her father. She was a schoolteacher, and among other places taught at Peace Institute at Raleigh, another of our fine church-related institutions in North Carolina.

After she moved to Washington, Miss Bessie became an employee with the Department of Agriculture where she worked for 27 years until her retirement in 1945.

During all these years Miss Bessie went through life with great spirit and great enthusiasm. For many years she was a Sunday school teacher at the All Souls Episcopal Church here in Washington. On one occasion when she won a contest by naming the winner in the Kentucky Derby, she took the cash prize and bought new Bibles for all of her Sunday school pupils.

Until her death, Miss Bessie was a familiar figure around the Capitol. She took tremendous interest in the activities of Congress, and she spent many, many hours in the galleries of the Senate listening to debate.

All of us will miss Miss Bessie a great deal, but we will never forget her quick smile and the active interest she took in the world around her.

SENSIBLE APPROACH TO AUDIENCE SUITABILITY RATINGS FOR MOTION PICTURES

Mr. KUCHEL. Mr. President, last year, the Motion Picture Association took a forward step toward solving the aged conundrum of how to protect our children from unsuitable influences and yet maintain our cherished freedom of expression. The MPA's new production code is based essentially on a system of public classification which leaves the ultimate decisions regarding a child's motion picture diet to his parents. President Jack Valenti of the MPA has stated:

> The final responsibility in the control of film attendance rests with the parents.

I would add that the alternative of censorship is repugnant to our society. Such rigidity could mark a disastrous decline in public confidence in our democracy.

The MPA's innovation has met a warm response across the Nation. I am delighted to state that one of the leading newspapers of California, the Los Angeles Times, which has long been deeply interested in the motion picture industry, has just announced the publication of a weekly feature listing current films according to audience suitability. The Times grading system establishes three categories of suitability according to the emotional maturity of the audiences. These categories are to be carefully checked by the newspaper's own expert staff, which has been studying for decades the problems of the film industry at first hand.

The Times merits congratulations for this constructive step. Mr. President, I ask unanimous consent that a column appearing in the Times of January 8, 1967, by the distinguished Times newspaperman, Mr. Charles Champlin, explaining the new grading system, be printed at this point in the RECORD.

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

GRADING FILMS: A NEW GUIDE FOR READERS

(By Charles Champlin)

This week's Calendar (Page 4) carries a new feature: a list of current films graded according to their audience suitability and appeal.

The list will appear in Calendar every Sunday and in the daily entertainment pages of The Times on Wednesday and Friday as a guide to mid-week and weekend moviegoing.

We have established three categories: Family, Mature Audiences and Adults Only. They are for the most part self-explanatory. Family films are those which in our best judgment contain no material unsuitable for viewing by young children (although some of the pictures in this category may be less interesting than others to young children).

Adults Only films are just that films so unsparing in candor and content as to be unsuitable only for adult audiences.

The Mature Audiences category reflects, essentially, an awareness that not all teenagers come of age at the same rate intel-

lectually and emotionally. The films in this category contain material which certainly rules them out for the very young, but which does not rule them out for today's mature young people—those who are in, let's say, their middle teens.

PARENTS RESPONSIBLE

But, as the Motion Picture Assn. recognized in formulating its new Production Code last year and as we recognize in offering this classification, the ultimate responsibility in the control of film-going resides with the parent.

Under the new code, certain films must carry the identification "Suggested for Mature Audiences" in all their advertising, as a guideline for parents. This system is a considerable improvement on the old code's inflexible Yes/No workings, which in effect forced all films to seek to be acceptable to all audiences and which placed sharp limitations on American filmmakers. But by no means all current films come under Production Code review, and a more inclusive listing has been needed.

Indeed, to judge by the volume of inquiries we receive, a good many parents are aware of their responsibilitity in the control of film-going and are eager to exercise it. While a frequent complaint is that there aren't enough films for the whole family these days, there are quite a number, as the listings indicate.

The difficulty lies in the middle ground area, north of Disney and south of "Night Games." "Alfie," for instance, is a portrait of a charmingly promiscuous cad, yet the film on balance hardly makes the case for promiscuity, quite the reverse. "The Blue Max," on the other hand, carries some matchless aviation footage calculated to delight a young audience, but also has some steamy and explicit love scenes which distinctly aren't for the immature. "Virginia Woolf" is a relentless portrayal of a warring yet oddly dependent couple, but at that some parents might well and rightly find it preferable for their teen-agers to this larger-than-life fun and games of "Thunderball."

On one recent day, The Times carried ads for nearly 230 different films in its pages. To list them all would consume enormous space. In Calendar and in our daily pages we will carry the new films in their first runs and the films which are appearing in multiple locations around Southern California.

The actual classifications reflect the opinions about the films expressed by various national organizations, double-checked by The Times' own staff of film reviewers. The responsibility for the classifications is finally our own.

Underlying this new service is our conviction that the film audience is not a monolithic body with a mentality of 12—or 36 or 6. Films do not exist in that kind of intellectual or emotional straight-jacket, nor should they. There is a wide and admiring audience for "Born Free" or "Follow Me Boys." There is an audience, not so wide but presumably as admiring, for "Loves of a Blonde" and "Dutchman." In a free society which increasingly recognizes the film as an art form, all four films have a right to be shown and be seen.

But in a responsible free society which would rather police itself than be policed, the alternative to an imposed censorship is a voluntary control on who sees what. In particular, there is a voluntary parental control on what their children can usefully see or should in their own best interests avoid. The motion picture remains a potent shaper of attitudes and understanding.

This truth is universally recognized. Other nations, indeed, feel as strongly about the adverse influence of excessive violence on the screen as we have traditionally felt about sexual candor or nudity. (Both areas of concern will be reflected in our listings.)

What is universally acknowledged is that the films have the power to move us and change us.

It is quickly possible for reasonable men to argue about specific decisions in the Calendar listings, for they occur at a time when manners and mores are shifting in society at large. But they are a guide and the parents, to whom they are primarily addressed, should regard them as such.

DEPARTMENT OF STATE SHOULD NOT WAIVE POLAND'S OBLIGATION TO PAY UNITED STATES IN DOLLARS FOR PUBLIC LAW 480 SALES

Mr. GRUENING. Mr. President, recent newspaper articles have reported that the Department of State is considering a proposal to waive the dollar payments which Poland is obligated to make to the United States for agricultural commodities delivered in past years to that country under Public Law 480. The Department of State had previously deferred about $32 million due the United States through October 1966. According to newspaper accounts, the Department of State is now considering a plan whereby the $26 million due the United States in 1967 would not be collected. Instead, the United States would give this amount to Poland, in Polish zlotys, for what was described as "mutually advantageous projects."

Since 1957, the United States has "sold" to Poland agricultural commodities amounting to $538.2 million. In payment for the commodities, the United States has collected Polish zlotys, which have been held in Polish banks. Poland had agreed to convert these zlotys to dollars over a 40-year period. The agreement required Poland to convert over $66 million in zlotys in the next 5 years. Because this represented a sizable drain on Poland's balance of payments, the Department of State has been considering ways to alleviate their problem.

My concern that the Department of State might agree to turn back a substantial amount of the $66 million in zlotys to Poland, as a form of economic assistance to that country, led me to undertake a careful analysis of this matter, which resulted in my forwarding a lengthy letter to the Secretary of State on December 6, 1966.

I pointed out in this letter that:

The substantial economic assistance provided Poland in the form of over half a billion dollars in commodity deliveries has not moved that country away from communism;

Poland is a major supplier of assistance to North Vietnam;

Poland has taken unconscionable advantage of the United States in other financial dealings;

Public Law 480 sales to Poland have been represented to the Congress as dollar sales;

To permit Poland to avoid its obligation to repay the United States in dollars might well have the effect of setting a precedent which other countries would want to follow;

That a grant of U.S.-owned zlotys to Poland for mutually advantageous projects would be giving that country economic assistance which would be specifically prohibited if the Department of State attempted to provide it under existing foreign aid legislation.

It is my understanding that the Department of State has entered into further discussions with the Government of Poland, and has proposed terms for meeting the dollar payments due the United States in 1967 which are substantially different from those first reported to me. Nonetheless, I believe it important that the Senate be apprised of this matter and that the Department of State be put on notice that any agreement worked out with Poland which does not protect U.S. interests fully will be subject to strenuous objection on my part.

I ask unanimous consent that Mr. Henry Kamm's article in the New York Times of December 30, 1966, and my letter to Secretary of State Rusk dated December 6, 1966, be printed in the RECORD at the conclusion of my remarks.

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

[From the New York Times, Dec. 30, 1966]

UNITED STATES WOULD EASE WARSAW'S DEBTS—OFFERS TO ACCEPT ZLOTYS FOR MOST OF 1967 PAYMENTS AND SPEND FUNDS IN POLAND

(By Henry Kamm)

WARSAW, December 29.—The United States offered Poland an unrequested helping hand today and thus posed a delicate diplomatic problem.

Ambassador John A. Gronouski submitted to senior officials a proposal to free Poland from a substantial part of her dollar debt repayment to the United States during the coming year by accepting payment in zlotys and to use this Polish currency, called counterpart funds, for "mutually advantageous projects."

Although the nature of the projects was not disclosed, it is understood that the advantage to Poland would be direct and concrete and the hoped-for advantage to the United States would consist largely of goodwill.

TWENTY-SIX MILLION DOLLARS DUE THE UNITED STATES

The problem for the Polish Government is how to accept an act of generosity from a nation that it vilifies daily for its acts in Vietnam and elsewhere.

No immediate reply was given, and hours after Mr. Gronouski had called on Deputy Foreign Minister Jozef Winiewicz and Foreign Trade Minister Witold Trampczynski a Foreign Ministry press spokesman said he had no knowledge of a United States offer.

American sources said the officer covered "a substantial part, but not all" of $26-million due to the United States between Jan. 2, 1967, and Jan. 2, 1968, for purchases of surplus agricultural commodities, mainly grain and cotton, under a 1964 agreement. The accord provided for a three-year interest-free loan under Public law 480.

Any possible savings of her scarce hard-currency holdings tempting to Poland, which badly needs dollars or other convertible funds, for purchases outside the Communist bloc. But, United States sources emphasized, Poland has always met her dollar obligations on her debt to the United States—now a little short of half a billion dollars—on time.

The Polish Government has not asked the United States to help it ease the debt burden. Total payments due in 1967 amount

to $31.2 million, a post-war "hump," as United States officials call it. In 1968, the obligation will go down to $24-million.

However, Polish officials are reported to have reacted with keen interest to the debt-relief idea, which Mr. Gronouski espoused vigorously even before he assumed his post here in November, 1965.

CONGRESS STILL A HANDLE

The plan has been one of the main supports of the "bridge" between Poland and the United States that Mr. Gronouski has assiduously tried to build. President Johnson called for such a "bridge of understanding" when he named Mr. Gronouski, a former Postmaster General, to be ambassador here.

Mr. Gronouski staked much of his credit as an envoy on the proposal. He is known to have discussed the idea widely with Polish officials since his arrival, but he had to make a 24-hour trip to Washington a week ago to get the approval of Secretary of State Dean Rusk and other officials involved.

Final White House approval did not come until yesterday, five days before Jan. 2, when an initial payment of $9-million is due to the United States.

Having won over the Administration in Washington, Mr. Gronouski still faces the hesitations of the Polish Government and the eventual hurdle of Congress, which has to approve spending for any project that United States and Poland agree on.

The contents of the offer to the Poles today were not made known. Possible components are projects similar to the American-Polish Children's Hospital opened in Cracow last year, public works, subsidizing of English-language studies and other educational and cultural programs.

Mr. Trampczynski has promised an initial reply next week. Even if it is positive, a delicate negotiating process is believed to be the best the United States can hope for before its largesse is accepted.

Based on the experience of the Cracow Hospital, which cost the United States Government more than $12-million, informed American sources do not look forward to much public acknowledgement of American generosity by the Polish Government or its press.

DECEMBER 6, 1966.

Hon. DEAN RUSK,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: As part of its continuing study of the Food for Peace program, the Subcommittee on Foreign Aid Expenditures staff has reviewed certain aspects of the agricultural sales agreements with Poland under Public Law 480. This review has disclosed that the United States has received payment in dollars for only a very small part of the dollar obligation assumed by Poland at the time the initial sales agreements were negotiated.

Of some $35 million due the United States through October 1966, only about $3 million has actually been collected, payment on the remaining $32 million having been deferred until 1967 and thereafter. Further, I understand that the Department of State is now giving consideration to additional waivers of the requirement for dollar payments in calendar year 1967 and thereafter.

Eight agreements have been entered into with Poland since 1957 for the sale of agricultural commodities totaling $538.2 million. The agreements provided that Poland would pay the United States in Polish currency for the value of the commodities and that the local currency could be converted to dollars over a 30 to 40 year period. The following table lists the sales agreements and shows the dates on which dollar payments were scheduled to start in accordance with the terms of the original agreements.

Public Law 480 sales agreements with Poland requiring payment in U.S. dollars

Date of agreement	Amount (millions)	Dollar payment due starting—
June 7, 1957	$18.9	June 1, 1962
Aug. 14, 1957 (amendment)	46.1	Do.
Feb. 15, 1958	73.0	Mar. 1, 1963
June 10, 1959	44.0	June 1, 1964
Nov. 10, 1959 (amendment)	11.8	Do.
Feb. 11, 1960 (amendment)	41.5	Do.
June 21, 1960	130.0	July 1, 1970
Dec. 15, 1961	44.6	Jan. 1, 1972
Apr. 19, 1962 (amendment)	15.8	Do.
Feb. 1, 1963	51.6	Jan. 2, 1973
Feb. 3, 1964	30.7	Jan. 2, 1974
Feb. 3, 1964	30.2	Jan. 2, 1965
Total	538.2	

Dollar payments on the first three agreements and on the last agreement were to be made at various times beginning on June 1, 1962. Had these payment schedules been adhered to the United States would have received $35,080,000 through October 1966. However on July 1, 1960, agreements were negotiated with Poland which deferred the start of dollar payments on the first three sales agreements for five years. The dollar payment on the first agreement was scheduled for June 1967 and payments on the second and third agreements were deferred until 1968 and 1969. A payment of $3 million on the last agreement due on January 2, 1965, was the only one not deferred and I understand that the Treasury has received this amount from Poland.

As matters now stand, Poland is required to make payments in dollars in the next five years totalling $66,150,000 and it is these amounts which I understand the Department of State is considering deferring for an additional five years or longer.

The adverse effects on the United States balance-of-payments of the Department's decision in 1960 to grant Poland a five year moratorium is so obvious that there is no need for me to discuss it at any great length.

The $538 million in agricultural sales is payable in dollars over a 30 to 40 year period with no interest. This represents a loss of $27 million each year in interest which would otherwise have been available to alleviate our balance-of-payment difficulties. The 1960 decision of the Department of State to defer dollar payments due from Poland in 1962 through 1966 has resulted in a loss of dollar interest earnings of about $5,000,000.

Nor do I believe it would serve any useful purpose at this time to discuss the rationale of the policy to provide over half a billion dollars in commodity assistance to a member of the Warsaw Pact countries, an alliance which we have considered a sufficient threat to the security of the United States and its allies to justify fully the expenditure of billions of dollars for the buildup and the maintenance of NATO forces to counter such threat. Suffice it to say that the expectations that our Public Law 480 assistance would make a significant contribution to the development of free institutions in Poland have not been realized. As our former Ambassador to Poland, John M. Cabot has said: "We must recognize that since the heady days of 1956, the general trend has been for the Polish authorities to tighten the screw over Polish nationals rather than loosen it further." The material aid in military supplies which Poland has been sending to North Vietnam and the considerable number of ships which Poland has assigned to carrying supplies from other communist countries to Haiphong are further indications, subsequent to Ambassador Cabot's observations, that our Public Law 480 assistance has not moved Poland out of the communist camp by one iota.

However, even apart from these questions of broad policy, if one examines significant aspects of United States-Polish financial relations it becomes apparent that this has been a one-sided affair with all the benefits flowing to Poland and very little in the way of tangible benefits accruing to the United States. A few examples may serve to illustrate my point.

Data obtained from the Department of the Treasury show that there is a total of $337 million in pre-World War II debts still unpaid and outstanding. Poland has made no payment on either the principal or the accrued interest in more than thirty years and it is not likely that the United States will ever receive any payment on these obligations of the Polish Government.

The United States Government has obtained an eighty year lease on land for its Embassy at a price fixed by the City of Warsaw which Ambassador Cabot has described as "preposterously expensive" and a "hold-up." It is estimated that equivalent land in Washington could be obtained at one-tenth the cost. Similarly, Ambassador Cabot has protested the extremely high cost of rental housing for the Embassy staff under rates set by the City of Warsaw, which, according to the Ambassador, must be paid for in dollars.

The terms of the Public Law 480 agreements have been extremely favorable to Poland, to put the matter mildly. Terms of payment have been set generally over a thirty-year period and for one agreement the terms are over forty years. In most cases no payment is required until the tenth year after delivery of the commodities. Further, none of the agreements provide that any interest will accrue on unpaid balances, nor will the Polish Government pay any interest on the zlotys which have been paid to the U.S. and which are being held in Polish banks.

Finally, the Public Law 480 agreements provide for payment in Polish zlotys, later convertible to dollars, at a rate of 24 zlotys to one U.S. dollar. This vastly overvalues the zloty since the realistic rate, as evidenced by other transactions approved by the Polish Government in converting dollars to zlotys, places the exchange rate at closer to 80 to one. Ambassador Cabot has summed up this situation correctly in my opinion when he stated that "Whether prices expressed in present zlotys or in dollars payable without interest in 10 to 40 years, we are getting only a fraction of commercial value of our products."

My own view is that many of the foregoing matters are not of major consequence *provided* that there is assurance that the Polish currency which the United States now holds as payment for sale of agricultural commodities will be converted to dollars in accordance with the terms of the sales agreements. The fact that the Department of State has waived dollar repayments in the past in the amount of $35 million and is currently considering additional waivers, provides no such assurance and is deeply disturbing in its portent for the future.

The dollar payment provisions of the Public Law 480 sales agreements with Poland have been presented repeatedly to the Congress as firm and fixed, and it comes as a shock to learn that the U.S. Embassy and the Department of State are now considering further deferral of dollar payments and large scale use of U.S.-owned zlotys for various projects in Poland which would be of benefit to that country. It seems clear to me that when the United States gives Poland convertible zlotys for the construction by the Polish Government of hospitals, schools, and cultural centers which that Government will own and control, it is giving Poland economic assistance in every sense of that term. I question whether the Congress would approve of such economic assistance if it were part of the administration's annual request for authorization and appropriations for foreign aid.

I believe it worthwhile to bring to your attention the numerous representations

which have been made by the Executive Branch to the Congress and its committees to the effect that the Public Law 480 sales to Poland will be paid for in dollars. For example, on October 11, 1963, the Secretary of the Treasury wrote to Senator John L. McClellan, Chairman of the Senate Government Operations Committee in reply to a letter from Senator McClellan in which the Chairman expressed his concern about the unfavorable exchange rate specified by the Public Law 480 sales agreements. After describing the unsuccessful efforts of the U.S. negotiators to secure a more favorable rate, Secretary Dillon assured Senator McClellan that since the zloty sales proceeds would be converted to dollars, no loss would occur as far as the U.S. Government is concerned. Secretary Dillon stated:

"Since 1957, the Public Law 480 agreements with Poland provide that, to the extent that the zlotys are not used by the United States, they will be repurchased by Poland with dollars at this same rate over a specified period of years in the future. Since relatively few of the zlotys are being used, the bulk of them will be subject to this provision and, to the extent that the zlotys are repurchased, no loss to the U.S. Government will result."

Mr. Raymond Ioues, Director, Foreign Agricultural Service, Department of Agriculture, testified before the Senate Appropriations Committee in 1962 as follows:

"Senator Russell. How long do we hold this soft currency, like in Poland, before we turn it back to the country for public works projects, or is it a continuous problem?

"Mr. Iones. In Poland there is no legal authority to turn the currency back to the Polish Government. . . . In Poland it is illegal under present law for the U.S. Government to make grants of Public Law 480 local currency for loans of Public Law 480 currency to the Polish Government. So that all the currency acquired under that program will either be used to meet U.S. expenses or at some future date will be repurchased for dollars by the Polish Government."

Mr. David Bell, AID Administrator testified before the House Appropriations Committee in 1964 as follows:

"Mr. Conte. This may be a little out of your jurisdiction but let's start out this way: What can we use these local currencies for?

"Mr. Bell. It varies by country. . . . In the Polish case the arrangement with the Government of Poland is such that gradually they will become convertible in future years. They gradually will be turned into dollars so that in effect they represent a deferred dollar payment.

"Mr. Conte. Does that mean we will be able to use those dollars outside of Poland?

"Mr. Bell. Yes."

It is clear from the foregoing that the Congress and its committees were led to believe that the United States would receive dollars in payment for the agricultural commodities sold to Poland. I have been unable to find any statement by a responsible administration official which even hinted at the possibility that a significant part of the $66 million due the United States in the next five years will be given back to the Government in Poland in order to assist that country in its balance of payments difficulty.

I am aware of the arguments being made in justification of the proposed give-away of convertible zlotys owned by the United States. It has been said that the large amount of dollars coming due in the next few years will pose great difficulties for Poland in light of its limited foreign exchange holdings. This was foreseen by Ambassador Cabot in 1963 when he cautioned against additional large Public Law 480 sales. Yet some $60 million in additional sales were negotiated in 1964. It has been said that to press Poland for dollar payments will impair that country's ability to expand trade with the United States. But data which I have obtained from official sources show that Poland's commercial purchases of agricultural commodities from the United States has not increased appreciably since 1957, although such increase is a basic objective of the Public Law 480 legislation. It is contended that by alleviating Poland's foreign exchange difficulties by further deferral of dollar payments or by waiving such payments entirely, the United States may be able to acquire some influence over Polish policy. Ambassador Cabot summed up the great difficulties in doing so when he stated:

"The benefit of all of this on the $477,000,000 of agricultural commodities we have sold to Poland under PL 480 accrues to the Polish communist regime. It is no trifling benefit, but just so much help to the regime to achieve its economic objectives. In other words, if we are to extend material help which importantly strengthens the communist bloc we should be very certain that what we are receiving in return is worth as much to us as what Poland is getting.

"We must not fool ourselves as to what we can accomplish. We are not going to change the essential character of orientation of the regime. It is going to remain communist and it is going to maintain its adherence to the Warsaw Pact. If it differs from other communist regimes in its agricultural policy, its treatment of the church and the relatively greater freedom it gives its citizens, this is not primarily because of United States policy—it is due to domestic considerations. Important as it is for us to take Poland's special position and interest into account, it is unlikely that we can induce Poland to adopt markedly more favorable policies from our viewpoint no matter what we do. In short the communist regime in Poland is going its own way in accordance with its own concepts of its interests. If from time to time it adjusts its course somewhat to take our views and interests into account this is primarily to get what it can out of us."

I have not seen anything since Ambassador Cabot wrote these words which require a modification of his evaluation.

On the other hand, waiving the rights which the United States has to dollar payments for past Public Law 480 sales may well establish an unfortunate precedent in other dealings with Poland and with other countries. Poland has obtained large Export-Import Bank loans, repayments on which are scheduled to run through 1976. If Poland's foreign exchange shortages are an acceptable reason for waiving Public Law 480 dollar payments, the United States leaves itself open for Poland to advance the same reason for not repaying its Export-Import loans.

The new Public Law 480 legislation enacted during this past session of the Congress proposes to shift from local currency sales to sales for dollars on credit terms. Waiver of Poland's dollar obligations on past Public Law 480 sales may well be taken by other countries as an indication that dollar obligations assumed as a result of sales under the new legislation are subject to waiver whenever foreign exchange difficulties are experienced. This can easily turn the "sales" program into a grant program—a situation clearly not contemplated by the Congress when it enacted the new legislation.

At a time when the United States is involved in a costly war and when severe cuts are being made in expenditures for our domestic programs, it is astonishing to find the Department of State even contemplating forgiving a half billion dollars of Poland's indebtedness to the United States—an indebtedness incurred by Poland to buy food to feed its own people because the communist agricultural system has failed, as it has in other communist countries.

Your careful consideration of the foregoing points is suggested before you arrive at a decision on waiving Poland's obligations. I would appreciate any comments you may wish to make on this matter.

With best wishes, I remain

Cordially yours,

ERNEST GRUENING,
U.S. Senator.

AWARDS OF HONORARY LIFE MEMBERSHIP TO PRESIDENT JOHNSON AND GOV. JOHN CONNALLY IN ORGANIZATION OF RETIRED MILITARY, OF KILLEEN, TEX.

Mr. TOWER. Mr. President, last October, as the 89th Congress was ending, the Organization of Retired Military, of Killeen, Tex., awarded honorary life membership in the organization to President Johnson and Gov. John Connally.

I ask unanimous consent to have printed at this point in the RECORD an article published in the Killeen Daily Herald which reports this event as well as other important news of the activities of this growing organization.

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

[From the Killeen (Tex.) Daily Herald, Oct. 21, 1966]

ORM CHAPTERS GIVEN CHARTERS

Charters were presented to three chapters of the Organization of Retired Military, and the organization's colors were received in the first state level meeting of the ORM Thursday night during a dinner at the officers' club at Ft. Hood.

The ORM, which came to life in Killeen in July of 1965, has since organized chapters in Temple and Copperas Cove, but charters had not been officially presented.

Herman H. Morrison, state chairman, told the directors and their wives that ORM now has a membership of more than 500 and a potential of 700,000.

Members can be found as far away as California in one direction and Maryland in the other, he said.

"We should have organizations wherever there is a concentration of retired military," he added.

Morrison announced that chapters are planned in El Paso, San Antonio, Waco and Dallas in the near future and said that everyone must push the newly adopted motto of "Strive For One Another" by seeking new members.

William G. Hoffman, ORM state secretary, made a report on his recent visit to Washington, D.C., where the ORM program was discussed with congressional leaders, he said.

It was agreed there that the retired military have no direct leadership or voice and that the ORM "could take the lead" in this area.

Resolutions adopted by the state board conferring life memberships in the ORM to President Lyndon B. Johnson and Governor John Connally were read by Hoffman.

Morrison presented the Killeen charter to W. J. Richard; Harry F. Lane, vice chairman, presented the Temple charter to Mike Muirhead, and W. J. O'Brien made the presentation of the Cove charter to James T. Adams. Receiving the awards were the chapter chairmen.

The Temple chapter was organized in December, 1965, and the Cove Chapter was activated in June of this year.

The Killeen and Temple chapters now have ladies auxiliaries and the Cove is taking steps to organize such a unit.

Other state officers present included Norman York, Temple, and George LaFountain, Copperas Cove.

Ladies Auxiliary presidents, Mrs. L. G. Meridith, Temple, and Mrs. Charles Denny, Killeen, were introduced.

HON. RICHARD B. RUSSELL: "THE GREAT AMERICAN FOR 1966"

Mr. TALMADGE. Mr. President, it was my privilege and pleasure on December 28 to attend a banquet in Atlanta, Ga., honoring the senior Senator from Georgia as "The Great American for 1966." This well-deserved salute to our beloved colleague was sponsored by the Atlanta Federal Savings & Loan Association and WSB radio.

For more than three decades, Senator RUSSELL has tirelessly devoted all his being to service to his State and Nation. In the preservation of our republican form of government and the strengthening of the Senate as a great deliberative institution, no other Member in modern history has had a more significant role or exerted a greater influence. He has been at the vanguard as a stalwart supporter and leader in the enactment of legislation which has advanced the security and well-being of this Nation and the American people. In the area of national security, Senator RUSSELL has especially served with great distinction. Thanks in large part to his efforts, this Nation has remained the mightiest in the world, with a strong and alert Defense Establishment second to none.

All Georgia looked on with a great deal of pride on Tuesday of this week when DICK RUSSELL took the oath of office in the Senate for the seventh consecutive time, becoming one of only three Senators in the entire history of the Senate ever to take the oath that many times.

On January 9, the Dublin, Ga., Courier-Herald published an excellent editorial commending Senator RUSSELL for the Great American Award and praising him for his work in the Senate. I proudly bring it to the attention of the Senate and ask unanimous consent that it be printed in the RECORD.

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

SENATOR RUSSELL AND ANOTHER AWARD

To present Senator Richard B. Russell with another award for praising him editorially are like carrying coals to Newcastle. But when one views the great stature of the Senior Senator from Georgia and realizes that the entire nation looks upon him as one of the country's greatest statesman, it is never superfluous to add another word.

The recent Great American Award made in Atlanta could not have gone to a more worthy recipient than Senator Russell.

Georgians have long realized that his abilities were such that the state and the nation, even the world, needed him in the Senate. So this week Senator Russell will be sworn in for the seventh time, a record that has been equaled by few and excelled by fewer. Georgians have done themselves proud by their continued returning of the gentleman from Winder to the Senate of the United States.

Though he has served long over the span of many years, Senator Russell still looks to the future. In his award acceptance speech, he stated again this ever forward looking philosophy he has. Said he:

"In the past 35 years, the South, with Georgia in the forefront, has undergone an economic miracle that has transformed our section from a region of economic problems to a region of economic opportunity . . .

"We have diversified our agriculture and discovered new uses for the products of the farm and forest.

"We have learned how to make wiser and more productive use of our human and natural resources.

"We have worked to achieve an harmonious relationship between the races based on the worth and the dignity of the individual.

"And we have at great sacrifice, built an educational system to open doors of opportunity for our young people.

". . . The beckoning promise of the future is written in the face of the land and the rising skyline of our cities. The South today is indeed the land of the future."

Georgia and the South owe a great debt to Senator Russell and men like him, men who have realized the leadership qualities of the Georgia Senator and followed his guidance.

We are convinced that in the 90th Congress and in the Congresses that will follow with Senator Russell in his accustomed place, there will be men who will seek his counsel and be ready to follow his leadership.

This is the man that Georgians have named again as their Senator in the U.S. Congress.

No other state has done so well so long.

THE CIVIL DELINQUENT

Mr. DODD. Mr. President, today's complex world is alive with men and issues; it is alive with protests and demonstrations, and involved philosophies which often amount to nothing more than that if what is demanded is not given, violence will ensue.

If students are not permitted to control the universities, certain members of the new left tell us, then the universities will not be permitted to function. If certain laws meet with our disapproval, other protestors have said, then such laws need not be obeyed. Each of us is obligated not to obey the laws duly passed by Congress or the State legislatures, according to this view, but simply to obey the so-called higher moral law. Those who advocate this view, of course, hold themselves out as the sole determinant of what that higher moral law is to be.

Morris Liebman, chairman of the American Bar Association's Standing Committee on Education about Communism, has given an address which highlights this phenomenon. He has called individuals who embrace such philosophies "civil delinquents" and notes that—

Once upon a time freedoms and rights, debate and discussion, meant stability, reason, and responsibility. Somehow, today, these basic concepts have been debased to include coercion, provocation, incitement, violence, and destruction.

Mr. Liebman notes that today we no longer concern ourselves with a serious analysis of complex problems. We have reverted to labels and rather than reply to critics, we often call them names. This can be done in many ways:

The civil delinquent can do it by pigment of skin—the other fellow is anti-Negro or anti-White; an integrationist or a segregationist. And, of course, the other fellow is always a liberal or a conservative, or a leftist or rightist. The civil delinquent doesn't want to stop to analyze the issues. He just invents new labels. In order to classify the complexities of foreign policy, our label makers have turned to ornithology. You're either a "hawk" or a "dove", with subclassifications of "owls", "chickens", or "pigeons"—and don't forget we also have a few "parrots."

Mr. Liebman's plea is that we consider issues on their own merits and not resort to name calling and generalization. He urges that those who disagree with particular laws use the democratic process to change such laws. To obey laws which have been duly passed is to challenge not those laws individually, but the very system of rule by law itself. Mr. Liebman stated:

Civilization is the victory of reason over force and law is the only possible instrument in the search for justice. We are alive now because of civilization. It is a unique and delicate process. Our civil rights were created by a very few civilized men and, once gone, would be as thoroughly lost as if they were blasted to bits by a nuclear bomb. The issue is clear. Aristotle says that only two kinds of beings can live outside of civil society—gods and beasts. Let us never dare to pretend that we are gods, let us ever remember our heritage so that we never become beasts.

Mr. Liebman's speech was made before the Chicago Crime Commission, and I wish to share it with my colleagues.

Mr. President, I ask unanimous consent to enter into the RECORD at this point the entire text of Mr. Liebman's remarks.

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

INTRODUCTION OF SPEAKER AT ANNUAL PUBLIC MEETING OF THE CHICAGO CRIME COMMISSION, OCTOBER 10, 1966

(By William B. Browder, president, Chicago Crime Commission)

It is most appropriate that our speaker today at the start of Chicago Law Enforcement Week should be Morris I. Leibman. He believes that an understanding and respect for the rule of law by every citizen is a basic requirement for successfully waging war against crime and preserving the free society.

As senior partner in the law firm of Leibman, Williams, Bennett, Baird and Minow, he is one of Chicago's most distinguished lawyers. At the same time he is serving the larger community as a Civilian Aide at Large to the Secretary of the Army, as a member of President Johnson's Panel of Consultants on International Affairs and National Security, as Chairman of the American Bar Association's Standing Committee on Education about Communism and its Contrast with Liberty under Law, just to name a few of his many consulting activities.

Whether the problems are international or local in scope, Mr. Leibman's incisive and penetrating mind gets to the heart of the problem. As you will now see.

THE YEAR OF THE CIVIL DELINQUENT

(Address by Morris I. Leibman, at annual public meeting of the Chicago Crime Commission, October 10, 1966)

Many of our citizens seem to be suffering from a new malady—civil delinquency. This ailment—civil delinquency—seems to strike all ages.

Some of the kids are involved in political questions in a new way—a kind of panty raid approach to policy. The first stage of this disorder is called "wayout." The more "wayout" it gets, the more "in" it is. This is a new kind of logic that seems to mean that the sillier it is the better it is. Some of the common symptoms of civil delinquency are tantrums and exhibitionism. Other symptoms include violent pacifism and dirty

tricks. Also, one of the aspects is worship of fire—burning crosses or burning draft cards, burning stores or burning cars.

Among the middle-aged, one of the most widespread symptoms appears in the form of the self-appointed expert with all the instant solutions. These people conduct a kind of off-Broadway political voodoo show that represents a modern Don Quixote riding in a souped-up sports car. We need these self-appointed experts as much as we need "do it yourself" brain surgeons. At least such a "do it yourself" surgeon risks only one person at a time.

Mind you, I am delighted that our free society permits this childish nonsense, but we have the right—probably the duty—to challenge this foolish behavior.

Once upon a time freedoms and rights, debate and discussion, meant stability, reason and responsibility. Somehow, today, these basic concepts have been debased to include coercion, provocation, incitement, violence and destruction.

Once upon a time if a dog bit a man that wasn't news—but if a man bit a dog that would make headlines! Today you probably couldn't get that kind of headline because we seem to be in an era when all the news is about man biting man. We seem to be involved in a national bad dream—an LSD orgy—a kind of escape from reality into the world of mirage—the world of UFO's and IFO's.

You know about UFO's—Unidentified Flying Objects? I cannot get very excited about UFO's because I am much more troubled about IFO's—Identified Flying Objects—mischievous immaturity, infectious ignorance, "chip on the shoulder" protest, and arrogant irresponsibility. These IFO's are manned by pilots. These IFO pilots can be properly described as the civil delinquents.

THE LABEL MAKERS

Let's look at some of these civil delinquents. What about the label makers? You know them. The label makers suffer from a tyranny of categories. This civil delinquent doesn't want to think about issues. He just wants to make categories. He can do it by color—the other fellow is red, pink, or pinkish. The civil delinquent can do it by pigment of skin—the other fellow is anti-Negro or anti-White; an integrationist or a segregationist. And, of course, the other fellow is always a liberal or a conservative, or a leftist or rightist. The civil delinquent doesn't want to stop to analyze the issues. He just invents new labels. In order to classify the complexities of foreign policy, our label makers have turned to ornithology. You're either a "hawk" or a "dove," with subclassifications of "owls," "chickens," or "pigeons"—and don't forget we also have a few "parrots."

The civil delinquent is not only a label maker but he talks in cliches.

1. "He" is law abiding; "they" are the criminals. "He" never violates the spirit or letter of the law. "He" obeys traffic rules. "He" doesn't fudge on his income tax; "he" never shuns jury duty; "he" always cooperates with the police; "he" is very willing to testify in any case; "he" doesn't mind getting involved; and "he" never avoids controversy.

The civil delinquent has a preconceived notion of what hate is. Of course, "he" has no hate or prejudice. It is the other fellow. But just imagine what the civil delinquents would have said if the accused killer of eight nurses had not been white; or the mad killer as Houston or the assassin at Dallas had not been white men. Remember the morning after the shock of Watts? As the civil delinquent walked down the street and saw non-whites going to work, can you imagine what he was thinking?

THE HOOTERS AND THE SHOOTERS

Another type of civil delinquent is the hooter. I have never understood that free speech involved the right to disrupt public hearings of any kind. I don't think the spectators at the UN, or at a House Committee hearing, or a Senate Committee hearing, or a City Council, have a right to shout, interrupt or interfere with the procedures as conducted by the authorities. If the civil delinquents have any objections of substance or form this should be handled through legislation and legal process.

THE SHOOTERS

We've mentioned the "hooters," now what about the "shooters"?—I mean the "weapon-happy" men in your own community. Among all forms of civil delinquency, this is the worst. Whether he's a Minute Man, a Ku Kluxer, or a RAM, the civil delinquent who relies on weapons to affect social justice really merits only one epithet—criminal. Let's start a sensible disarmament program at home.

POLICE BRUTALITY

Among the civil delinquents it is the fad to claim "police brutality" on every occasion. You notice they always use the same two words "police brutality"—never manhandling by police, assault by police, beating by police. This concept of police brutality stems from a special freedom granted in America and a few other societies in the history of the world. Simply stated it is that even if you are a criminal, the law officer, who is the only one who has a right to use force, may not use excessive force. This special freedom has now been perverted by the civil disobedient into a notion that the policeman cannot use any force.

Let's get this straight. The creator of brutality is the man who fails to obey a police command, whether it is "come with me" or "move on." The moment that person, of any color or race, refuses to comply peacefully and promptly, he is the man who compels force to be brought into play.

One of the basic theories of the Judeo-Christian Code and Western civilization is reason—not force—and the citizen who fails to obey a police command is violating a basic fundamental of civilized society. The minute that he forces the officer to touch him, the civil delinquent has transformed a conflict of opinion into a conflict of physical violence.

Thus, the refusal to move, the lying down, the sitting down—though passive actions in themselves—are actually active criminal brutality for they demand the use of physical force. We have performed many miracles in this society, but until now we have not found a nonviolent way to pull a living deadweight body from under a car or out of a doorway.

Let us be clear, once and for all, that the culprit is not the officer; it is the civil delinquent. If the arrest or command is improper, the resort must be to legal remedies.

THE SITDOWN STUDENT

What about the striking student? Where does he fit into this picture of civil delinquency? Hasn't one of the really shocking spectacles of recent times been the students sitting-in at academic institutions?

The history of civilization is the struggle of reason over force, and the right of an individual to attain his highest potential as a human being by the development of his mind. One of the majestic symbols of this historic struggle is the idea of a free university where men can study and search for the truth. It is the sanctuary of the human mind. The academic struggle is with the forces who believe in the physical and the muscular—not in the moral or the intellectual.

The student civil delinquent violates the whole concept of reason by using physical obstruction. Any student guilty of such physical activity fails to understand the nature and importance of the university to a free society. He ought to be treated accordingly.

Let's get straight on the youth issue.

I know it is going to be their world. It has to be their world; and I want them to have every opportunity to learn and prepare.

What I resent is the refusal of the minority to use their great opportunities for equipping themselves for tomorrow.

I don't object to having them now and then stuff themselves into Volkswagens, but let's not make the mistake of letting anyone think that this is how you solve serious problems.

THE CIVIL DELINQUENT

Now—for the last and most common of the civil delinquents—the civil disobedient.

It is claimed by some that civil disobedience is one of man's highest moral acts; that a truly moral man is one who, encountering a law he deems unjust, will disobey that law. The moral man, they argue, is the man who transcends the law for the higher moral justness beyond. We would then be faced with each man making his moral decision outside of our system.

I believe that the democracy we have created in this country is the most ideal system and environment a moral man could hope to find. For his concern with the natural law, the higher law, he is not banished—frustrated—from society. Rather, he is given maximum avenues of protest. He is given the remarkable opporutnity to present his moral opposition to the law of the land through machinery provided by the democratic framework. He is allowed—even encouraged—to improve man-made laws and bring them closer to a higher moral law. The voice in the courts, not on the streets, will strike the "immoral" laws.

Some supporters of civil disobedience ask, "Isn't disobedience to a law one of the most accepted legal procedures for the testing of our substantive rights?" "Isn't it true," they ask "that disobedience fits well into this theory of democracy?"

Certainly democracy allows us to challenge laws in order to test them in the courts through our unique machinery of justice. Remember that only one court decision is needed to change a law. The test case has never been considered civil delinquency. Civil delinquency is the counterfeit of orderly challenge!

Should the entranceways of this room be blocked by pickets or demonstrators using the excuse of free speech, they would not—in my eyes—be civil demonstrators, but rather, criminal demonstrators.

In effect they would be committing assault and battery on our right to assemble here peacefully because such mob action destroys the dialogue. Can you seriously accept that it is necessary to bring out the latent hostility in the streets to advance the public interest? Do those who practice and promulgate disobedience to the law offer us a new system, a new society—a meaningful choice?

Civil disobedience is impractical because it makes an enemy of the law and offers no valid substitute. When used as a mass tactic it verges on anarchy. Anarchy is the antithesis of freedom and justice. To continue to practice it in the face of this reality and where social reform is operative, is fanaticism.

And a fanatic has been well defined as one who redoubles his effort while forgetting his aim.

Civil disobedience is not a civil right. Civil disobedience is an implicit denial of the very political process that insures most of the rights that those who disobey enjoy. Law protects the minority. That process deserves and requires something better from both the minority and majority. Demagoguery is not democracy. Provocation is not dissent.

Unfortunately, however, it is much easier and far more exciting to cause social disturbances than to undertake the painfully hard work for social progress. Any idiot can cause a riot and riots can become fads. And since when are riots not an abomination?

Since when are Molotov cocktails ever justified? Since when, in a free society, with all of its imperfections, is it a badge of honor to go to jail? Marching on jails? The first step in lynching. Is this the kind of society we want? It is the kind of society we are going to get if we continue to be satisfied with street politics, with the substitution of drama for dialogue. Make no mistake about it. What is happening is aimed directly at the structure of our society. And it cannot end soon enough.

I think it is most appropriate that the Chicago Crime Commission has this year taken a firm stand against the lawlessness called "civil disobedience." We in Chicago are proud of our Citizens Crime Commission and most grateful for its strong, unswerving leadership in the battle against all forms of crime.

WHAT IS TO BE DONE?

Now what can we do about all of this? What is the cure for the civil delinquency malady and for the civil delinquent? First, we will have to adjust our perspective.

Thomas H. Huxley, the eminent English biologist and political philosopher, in a speech at Johns Hopkins University some 90 years ago—get that date—said: "You Americans and your descendants, who reasonably can be expected to number 200 millions at your second centenary, have to ascertain whether this great mass will hold together under the forms of a republic. . . . Your one condition of success, your whole safeguard, is the moral worth and intellectual clearness of the individual citizen."

Our priority allegiance must be to our system of law, which is not only the best, but the only system ever invented to reconcile the continuing struggle for justice and the individual's privilege to follow his moral conscience. It is the greatest multi-remedy government ever created. Therefore, you must play it by its rules. The more individualistic you are, the more you must subscribe to lawful methods.

Ours is a society that accommodates change peacefully because it knows that the law of life is change. It makes provision for change through system—not leaving it to whims.

History teaches us that there are only two ways of effecting deliberate social change: evolution and revolution. Again and again we have chosen to accommodate change through political evolution rather than through violence and the secret of our success has been our devotion to law as the only meaningful instrument by which to seek justice.

The only purpose of revolution is to create this system which the true revolutionaries dreamed of. If we revolt against this, we have no place to go.

Not only are we required and duty-bound to obey the technical law of the system, but we owe even a higher duty—we must elevate the spiritual and moral requirements of the unwritten law of manners and civility.

Civility is required and it is more than mere obedience to the law. The tradition of civility in our society is bound up with respect for law. Respect not only precludes civil disobedience, but goes beyond mere technical obedience to the law. Respect means, at least, that the law is not looked upon as an enemy or a necessary evil. Respect means that the law is regarded as the primary medium of change in a free society. Respect means realizing that the alternatives to law are coercion, intimidation and, eventually, violence.

Respect means, above all, that one is concerned with the spirit as well as the letter of the law.

Civility also requires a personal plus factor. By personal plus I mean:

1. Let's not be trapped by labels.

2. The complex problems must be handled issue by issue.

3. Avoid superficiality; instant solutions; pseudo and anti-intellectualism; nihilism; insist on standards of excellence.

4. Organized crime is your enemy because it is against our system. We must avoid its support or even a suspicion of support.

5. Stay away from group defamation—Maddox is not the South—and Carmichael is not the Negro.

6. Don't apologize for, or excuse stupidity, violence or criminality.

7. Look out for the wrecker in any movement who attacks his own moderates. Don't compromise any movement by permitting the wreckers to join it. It's your duty to keep the Nazis and the Reds, the hooters and the shooters and the kooks out of your movement. The justness of the cause does not justify joining forces with the enemies of society.

If we don't have self-discipline plus, then we agree with those who assert that men need masters.

Our individual responsibility at all levels also will require higher standards. My emphasis today is that the times require even more care; that our conduct must be even more meaningful than it has been, particularly in a dangerous world of instant communication and instant transportation. Our law enforcement will only be as strong as the courage and commitment of our citizens. The citizens are "us" not the mythical "they."

With respect to the whole series of problems involving use of the streets and hounding public officials in their homes, the time has come to distinguish between freedom of speech and provocation; between petition and lawful assembly; as opposed to physical pressure and coercion. The right of free speech is not a club to deny others their rights. Our rights to use the streets and the rights of public officials to enjoy the privacy of their homes need not be counter to the First Amendment—when all these rights can co-exist without conflict.

Civil delinquency offers no solutions; it merely interferes with them. We have to spell out a newly marked and complex path with civility and decency. The remedies are here in the courts—many courts with many views—we can begin to chart out the balance of rights where millions of people are clustered in closely packed cities. Let's have a whole series of law suits on a whole series of specific situations. Our legislative bodies of all kinds and the courts are the proper civil forums to test out the new issues and the new problems.

Civilization is the victory of reason over force and law is the only possible instrument in the search for justice. We are alive now because of civilization. It is a unique and delicate process. Our civil rights were created, by a very few civilized men and once gone, would be as thoroughly lost as if they were blasted to bits by a nuclear bomb.

The issue is clear.

Aristotle says that only two kinds of beings can live outside of civil society—gods and beasts. Let us never dare to pretend we are gods; let us ever remember our heritage so that we never become beasts.

RECENT SPEAKERS AT CHICAGO CRIME COMMISSION ANNUAL PUBLIC MEETINGS

Right Honorable Lord Shawcross, former Attorney General of England, 1965.

Honorable J. Edward Lumbard, Chief Judge, U.S. Court of Appeals, Second Circuit—New York, 1964.

Honorable John L. McClellan, Member United States Senate, 1963.

ADDRESS BY SECRETARY OF AGRICULTURE FREEMAN BEFORE HAWAIIAN SUGAR PLANTERS ASSOCIATION

Mr. INOUYE. Mr. President, early last month, the Hawaiian Sugar Planters Association was honored by the presence of Secretary of Agriculture Orville L. Freeman, who addressed association members in Honolulu.

In his address, Secretary Freeman clearly delineated world food needs in the next three decades and outlined what we can do as a nation to help to alleviate the growing problem of hunger in underdeveloped nations.

I commend Secretary Freeman's remarks to the Senate and ask unanimous consent that they be printed in the RECORD.

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

ADDRESS BY SECRETARY OF AGRICULTURE ORVILLE L. FREEMAN AT 86TH ANNUAL MEETING OF HAWAIIAN SUGAR PLANTERS ASSOCIATION, AGEE HALL, HSPA EXPERIMENT STATION, HONOLULU, HAWAII, DECEMBER 6, 1966

Walt Mason once wrote that "Little grains of sugar mingled with the sand, make the grocer's assets swell to beat the band."

Let's substitute the word "Hawaii" for "the grocer" in Mr. Mason's satire, and see what we have. Now it reads, "Little grains of sugar mingled with the sand, make Hawaii's assets swell to beat the band."

That's exactly what has happened in Hawaii. Your assets have been swollen for a hundred years by the "grains of sugar" which, added together, make up your most important trade commodity. "Sand," as exemplified by Waikiki and other famous beaches on these lovely islands, has become another of your principal income producers—tourism.

I need not remind you people meeting here today of the overriding importance of sugar in the Hawaiian economy and society. Your industry is a marvel of efficiency and organization; your mechanized operations are without a peer in the sugar world; your sugar workers are the highest paid anywhere, at home or abroad, and on top of that you furnish fringe benefits that are virtually unknown in most agricultural operations. Still you are highly competitive with other sugar-growing regions and nations.

How were you able to achieve this remarkable record? We both know—both you people responsible for it, and I—that it didn't just *happen*. A century ago you began to recruit a working force from all over the world, and this ethnic fusion, or blending, produced a healthy, tolerant, and efficient society that long has been a model for all the world to see and admire. I'd like to insert here a personal note of regret that not all the world has yet seen fit to emulate it.

Almost from the beginning, research has bulked large in your progress—and promises to continue to do so, in the future, in advancing sugar and other products. Your Association established this grower-financed Experiment Station where we meet today, more than 70 years ago. In it, your scientists have developed new plant varieties and weed and insect controls. Your insistence upon efficient organization has opened the door to better work methods and to improved technological skills in your mills.

Research supported by your Association is presently being conducted on the physiology and biochemistry of sugarcane. You are investigating chemicals to control plant ripening. You are exploring the mysteries of photosynthesis, including the influence of nitrogen and sunlight on the process and the role of water on the conversion of nutrients into plant growth and sugar yield.

I'm glad to learn also that you are doing research in mechanical harvesting equipment. When you are able to minimize the expensive cleaning operations presently required to remove trash brought to the mills

with the cane, you will have improved immeasurably the efficiency and economics of sugarcane production.

Your own wide-ranging chemical and technical curiosity, combined with research of the Hawaiian Agricultural Experiment Station and studies being made by the Agricultural Research Service of the U.S. Department of Agriculture, holds great promise of future gains for the industry.

Finally, not the least of the factors contributing to your success has been the dauntless determination of your people to *be* successful.

I relate these factors not because I am a guest who wishes to flatter you—although certainly you are entitled to flattery on many scores—but to cite your historical experience as an example of what can be done with the aid of determination and enterprise.

American agriculture—perhaps the greatest production marvel in the history of mankind—is another such example. I think you will agree that it is little short of miraculous that fewer than 8 percent of our people are able to produce food that: (1) Feeds the residents of 50 States at the lowest real cost and highest quality level in the world; (2) furnishes quality food, at welfare rates or free, to about 5 million needy people at home; (3) provides commercial exports of food and fiber worth $5.1 billion a year; and (4) contributes to the diets of many millions of people in more than 100 less-developed nations around the globe.

Since 1960, the per capita rate of increase of farm productivity in the U.S. has been almost double the rate of increase in the nonagricultural economy.

While this miracle of agricultural production has contributed hugely to the American image of world leadership, it has not been without its problems, to be sure. You have only to think back to the burdensome surpluses and low farm prices of the 1950's—only half a dozen years ago—to recall a widespread belief that the so-called "farm problem" was all but insoluble.

We learned to live with those problems—by abolishing them. Today we have no food surpluses. Gross farm income is the highest in history, and net income in 1966 will have been exceeded, by a small amount, in only one other year: 1947.

One of our early remedies for the "farm problem" was establishment of a goal—a National Food Budget—that still guides our agricultural policies. The Food Budget concept is a key in determining the best "mix" of food products needed for commercial markets at home and abroad and for domestic and foreign aid as well. Last year, the Congress gave us a four-year agricultural program—the best in history—that enables us to adjust acreage so we can produce what we need for *use* at home and overseas rather than to under-produce or to over-produce for *storage*, as too often was the case in the past.

The "do-much" 89th Congress also gave us a Food for Freedom program that provides both continuity and new direction to U.S. food aid efforts.

With these tools in our agricultural kit, we are confident that the gains racked up for American farmers in the past six years were only a beginning.

Now we are mightily challenged by a threat of worldwide famine in the dangerously-near future—unless we can produce more food to nourish the million-plus persons added every week of the year to the billions of people in the world.

This food crisis lacks the high visibility of the confrontation in Vietnam. Incipient hunger on a world scale is harder to visualize than in a single individual—in a starving child, say, who is too weak to cry for food.

This imminent food crisis compels us to ask these questions:

What is the greatest challenge of our age? Is it the conquest of space? Final victory over disease? Permanent peace?

These are all great goals, to be sure, and all to be sought. But unquestionably the greatest challenge of our age is to banish hunger from the earth in our time. If we fail . . . and widespread famine erupts . . . global catastrophe and another Dark Age lie ahead.

If we win, this age, our age, could well be immortalized as the Age of the End of Hunger, and all succeeding ages of man will call it blessed.

In this strange new war, the strategists are more concerned with demographers' charts than with topographical maps. Last year these charts showed a gain of 65 million persons in the world population. Unfortunately, most of those millions were born in the underdeveloped nations least able to feed them.

President Johnson expressed it this way when he signed the Food for Freedom bill into law last month: "Most of the developing world is now in crisis—one that is more serious than any ideological disagreement. Rapid population growth is putting relentless pressure on food supplies.

"For six consecutive years, world food consumption has exceeded production.

"A precarious balance has been maintained through our surplus stocks. Seventy million tons of surplus grain have been used since 1961. But today the surpluses are gone."

It is estimated that in 3 to 4 years 2½ billion people will be living in the food-short developing countries of Asia, Africa, and Latin America. Nearly one-third—or about 800 million—will be in Communist Asia. Nearly one-fourth—some 600 million—will be in India.

This hunger war is global, striking hardest at the South American barrios, African villages, and embattled Asia. Eventually it will affect all of us.

While population growth of 3 percent a year doesn't sound like much, it means that a population growing at this rate doubles within a generation and multiplies *18 times* within a century. Each new female has a potential of producing six children. Often this potential is realized in the less-developed Nations.

Much has been said and written about the population explosion. But there is a second explosive force that is generating additional demand for food production—production which last year was static as the world's population grew by 65 million.

The second explosive force is a rapid rise in per capita income. It is occurring in many countries, and particularly in the more advanced ones. Rising incomes exert pressure on the world's food-producing resources largely because they generate an additional demand for meat and other animal products.

The use of grain for direct consumption—that is, for human food—rarely exceeds 400 pounds per person per year, regardless of income. Once annual incomes reach several hundred dollars a year, the consumption of grain as food begins to decline, dropping to the 150–200 pound level where it seems to level off.

But a higher-quality diet requires greater quantities of grain.

That is true because it takes only about 400 pounds of grain a year to sustain a diet of some 2,000 calories a day in countries where most of the grain is consumed *directly* as food. It takes about 1,600 pounds a year to support the U.S. diet of 3,000 calories daily, since most of our grain is eaten *indirectly* as meat, milk, and eggs. That amounts to four times more grain for one-half more calories.

So, in this decade of the '60s, two factors are at work: Sharp population gains in the less developed nations are causing rising demand for *food* grains; rising income is pushing up demand for the *feed* grains. Taken together, these forces are causing an explosion in demand that the world's farmers are not equipped to meet at this time.

In the past, the excess of consumption over production was satisfied in food-deficit countries by using surplus stocks held by the major exporting nations, particularly the United States. Today, however, our stocks are down to the level of prudent reserve, and next year we are bringing back into production more than half of the acreage we have been holding in ready reserve.

This situation has led to a basic re-thinking of our food aid policies.

A half-dozen rules of conduct have been adopted as guidelines in American food aid policy. Not all of them are in full operation, but soon they will be.

We must, first and most importantly, help developing nations to stimulate their own agricultural production. This, in the end, is the only way in which to win a lasting victory in the silent war against hunger, malnutrition, and famine.

The ability of the United States and other so-called developed countries to feed the world is strictly limited. In the long run, the two billion-plus people in the less-developed world must learn to feed themselves.

President Johnson proposed this principle of "self-help," in his Food for Freedom approach to food aid, as a major long-term factor in averting a global food crisis.

We must continue our food aid temporarily to ward off famine and to buy time during which the developing world may upgrade its own agriculture.

We must bring new lands into cultivation in whichever of the less developed nations it is feasible in terms of economics and conservation.

We must do more to make available birth control information to those nations that request it. The new Food for Freedom program authorizes the use of foreign currencies from export sales in support of family planning program.

We must expand our efforts to develop new sources of protein foods. Under Food for Freedom, we have placed additional emphasis, especially in donation programs, on foods for children that meet their requirements of proteins, minerals, and vitamins.

As a corollary to this final point, *we must* recognize that a first cousin of hunger—malnutrition—is an insidious foe of normal physical and mental growth in children. Hunger is related to the *quantity* or calories of food, malnutrition to the *quality* of it. We don't know how many millions of children suffer permanent mental and physical impairment because of malnourishment before the age of 5 years.

Now we have stated the problem. What can we do about it?

Most of the food increase to meet projected increases in demand during the next three decades must come from increased crop yields—principally in the underdeveloped nations.

How can this be achieved?

The vast potential for increased productivity is illustrated—to cite one example—by the fact that in India there are some 90 million acres sown to rice. Average yield is 1,300 pounds per acre. If only 5 percent of this acreage were made to produce at the U.S. rate of yield and if that land were double-cropped (one of the advantages of agriculture in the tropics), 16 million additional tons of rice could be grown each year.

The fertilizer industry says such an increase could be accomplished within two years with varieties of rice and other agricultural practices already existing in India. If so, it could eliminate the Indian grain deficit which has been such a burden on the U.S. foreign aid program.

You in Hawaii have pointed out the right direction . . . with your application of research and advanced agricultural technology in the production of sugarcane. You have proved that tremendous increases in pro-

ductivity can be found in greater capital investments and wider use of adaptive research and advanced technology.

Three basic efforts, then, are required in food-deficit regions seeking to become more nearly self-sufficient in agriculture:

1. Adaptive research, followed by education of producers at the farmstead and rice paddy level to accept and employ advanced agricultural technology developed by research centers.

2. Action by their own governments to improve farm prices, and thus to give local farmers an incentive to use the products of research and technology.

3. A sharp change of policy and attitude in many developing nations. Agriculture must be assigned greater priority—and prestige. To do this may well mean postponing spectacular industrial projects that heretofore have received a lion's share of the national investment and interest.

The leadership in food-deficit nations will have to make some hard and unpopular political choices in order to achieve these ends. Food price policies must be changed so that farmers will find it profitable to use fertilizer and other essential production investments. And, if farmers in developing lands are to receive massive help in the form of technical and capital aid, their governments must create a far more favorable climate for foreign investment than exists in most of them today.

Winning the war against hunger will require the compressing of a hundred years of agricultural progress into 10 or 15 years. It means, in some nations, a leap from primitive to modern—from the stick-plow to the tractor and combine—in a single generation.

Recent rapid progress of Israel, Mexico, Taiwan, and a number of other developing nations has shown it can be done.

Between 1942 and 1964, Mexico changed from a wheat-importing nation to a wheat exporter. Average wheat yields rose from 11 bushels per acre to 39 bushels, and total wheat output went up 6½ times.

Mexico's program was balanced to increase soil fertility, to suppress pests and diseases, and to use irrigation and improved wheat varieties. Equally important: The government gave farmers an incentive by supporting farm prices.

Other nations in the developing world can do as well. We are prepared to help them . . . with technical assistance and food aid to those countries that seek to improve their own production . . . thereby meeting reasonable standards of self-help.

I shall conclude my remarks with several examples of what is taking place in the effort to meet the serious protein deficiency in the world.

Since less developed nations cannot afford to obtain their protein from animal sources, our scientists are seeking to convert vegetable proteins—such as soybean flour or cottonseed—into tasty food mixtures that will provide nutritionally adequate diets at low cost. At the same time, we are trying genetically to breed more protein into grains and seeds.

Perhaps you have heard of Incaparina. USDA scientists in the Agricultural Research Service (ARS) helped to develop this protein food product which has produced remarkable results in curing protein deficiency diseases in children of Latin America. Incaparina is used to make a thin gruel drink, to make non-bread foods, to enrich soups, puddings, and other foods.

The U.S. Department of Agriculture laboratory at Peoria, Ill., recently achieved a breakthrough in developing a simple hand process that can be used in the remotest villages to make high-protein soybean flour. Also at Peoria, ARS scientists learned to ferment cereals and soybeans to make a food that resembles tempeh. This is of great value in food-short Indonesia, where tempeh is a dietary staple heretofore made entirely from soybeans.

A simple, practical process for making peanut flour is being developed at our Southern Laboratory in New Orleans. Our Western Utilization Research Laboratory (WURL) in Albany, Calif., has developed a high-protein food known as WURLD wheat. A soy coating is steamed onto the whole or cracked wheat kernel from which the bran has been removed by lye-peeling.

Many more such products have been developed by USDA scientists working with the Agency for International Development (AID), the United Nations Children's Fund (UNICEF), and the food industry.

My personal staff adviser in this nutrition field—so vital to the undernourished populations of the developing world—is a distinguished scientist from our Southern Laboratory, Dr. Aaron M. Altschul. He is working with scientists in India and other developing countries. He is also seeking to enlist private industry to produce protein-enriched foods tailored to the traditional eating habits of the less-developed countries and then actively to promote a market for them where needed. This dual approach is necessary because eating habits are deep-rooted and hard to change.

Research has shown the value of fertilizer in stimulating grain production. Under proper conditions, one pound of fertilizer yields on the average 10 pounds of additional food grains. The Indian government has recognized this in setting a production goal of 2.4 million tons of nitrogenous fertilizer by 1970–71. Equally important, it has taken steps to insure fair prices to the Indian cultivator so he will find it worth his while to use fertilizer.

You, in Hawaii, know that enough water used at the right time is often the answer to greater production. You have set an example here with your well-planned systems of irrigation. With adaptation, what you have learned about sugarcane irrigation can be exported to other regions where water is the vital ingredient for production gains.

Here in Hawaii you have an ideal instrument not only for carrying on research, but for the exchange of scientific findings and ideas as well. Your East-West Center, with its magnificent concept, offers facilities for interchange of technical skills, of experimentation with the new, and probing of the unknown. Dedicated as it is to helping to satisfy fundamental human needs, it provides a training ground to bring into active service people from many Asian and Pacific nations and our 50 States.

The subject of adaptive research and technology in tropical agricultural production is one of interest to the Federal Government. In recent legislation containing the President's Food for Freedom proposals, it was stated that laboratories should be established in the United States and abroad.

This authorization has been discussed in the USDA and other agencies and with members of Hawaii's Congressional delegation. The Administrator of the Agricultural Research Service has visited these Islands and discussed the matter here. There is little immediate prospect of financing such developments in the United States or abroad, but I have directed Dr. George Mehren, Assistant Secretary of Agriculture and Director of Science and Education, to work with appropriate officials in the Agency for International Development (AID) to launch a location study, including the merits of Hawaii. When this has been completed and the Congress has appropriated construction funds, we shall be ready to proceed without delay.

Meantime, I am gratified at the strong emphasis that agriculture continues to have in the economy of Hawaii. You have performed a miracle of development that should stand as inspiration and guidance to tropical agriculture everywhere. If the less-developed countries could do with their farming resources what you have done here in Hawaii, the world would not be faced with a shortage of food.

You have given agriculture the emphasis it needs . . . and the stature it deserves.

You have carried out that adaptive research so fundamental to advancing agricultural proficiency.

You have provided inspiration for greater capital investment . . . and at the farm level you have given the right incentives for greater use of the products of research and technology.

The next step is to adapt what you, and others, have done in research and production and make it usable in less fortunate lands. This is one reason we shall give constructive and sympathetic consideration to your proposal for a research center that will help to serve the world . . . as your earlier work has so well served your State and Nation.

The world must take heed of the lesson you and the others can teach if it is to survive as the domain of civilized man.

If that lesson is not learned in time . . . ahead lies terror and despair. For there is neither security nor serenity in a world gone mad with hunger.

Let me close now by quoting two lines I came across just the other day. In their simplicity lies eloquence . . . for they sum it all up in just 15 little words:

"When my stomach was full
They called me Man
When empty,
They called me Beast."

ADMINISTRATION OF PUBLIC LANDS UNDER DIRECTION OF BUREAU OF LAND MANAGEMENT — ADDRESS BY PHIL HARVEY

Mr. TOWER. Mr. President, late last year, a prominent El Paso businessman and constituent of mine, Mr. Phil Harvey, addressed the Public Land Law Review Commission in Albuquerque, as a representative of the New Mexico Cattle Growers' Association.

I secured a copy of Mr. Harvey's address, and after reviewing his comments I came to the conclusion that the address is of sufficient import to share with my colleagues in the Senate and in the House.

The subject of Mr. Harvey's remarks is the administration of public lands under the direction of the Bureau of Land Management, especially grazing lands. I urge Senators to read and consider his valuable comments.

Accordingly, I ask unanimous consent that the address be printed in the RECORD.

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

STATEMENT OF THE NEW MEXICO CATTLE GROWERS' ASSOCIATION

I am Phil Harvey, Secretary Treasurer of the New Mexico Cattle Growers' Association, an organization of 3500 ranchers in the State of New Mexico. The statement I am presenting is the feeling of the Association regarding public lands and their future operations.

The Public Lands of the United States with which we are concerned are largely made up of National Forests, Military Reservations, and those lands administered by the Bureau of Land Management. The perennial question is the dilemma of what, if anything, to do with or about the lands administered by the Bureau of Land Management, commonly referred to as the Public Domain. An excellent series of articles ap-

peared in AMERICAN FORESTS in the January, February, March, and April 1966 issues titled "The Public Domain—Heart of the Republic" by William W. Porter II. It is our understanding that this material has been made available to you. We most urgently request that you read and study it. We will refer to portions of it as we proceed.

We will generally confine our remarks to the grazing lands administered by the Bureau of Land Management. The first question is what is the nature of these lands. They are best described as residue, or better yet, they are what is left after all of the original lands have been picked through by government and individuals. Those lands having greater economic value, most esthetic value, etc. have been pulled out. The Forest and Parks were reserved, and Homesteaders, holders of scrip, and others entitled to select land chose nearly all the rest which would support a family. Mining claims have been patented where there was sufficient mineral value and the States have made their selections. As stated, this land *is the residue*. The average acre or section is virtually worthless when taken alone. This is due to any number of natural factors such as lack of sufficient moisture at the right time or at all, lack of water—either in quantity or quality, geographical location remote from those factors which lead to concentrations of people, poor soil, rough terrain, etc. About the only exception to this is in the proximity of certain growing communities. In these areas, land values are very inflated due to a simple economic fact; supply and demand. It has been most difficult to acquire Federal land for private development, thus driving up the value of what little private or State land happened to be in the area. As a matter of fact, these vast Federal landholdings are a significant factor in the inflated value of all lands in the United States.

This history of the administration of these lands is of none in the beginning and has developed into the present pattern of too little and too much. At the outset, the prospective homesteader was assured that he could own his homestead and at the same time have the free use of the land around him upon which to graze his livestock. He proceeded to do just this. In addition, the inhabitants of the Spanish Land Grants grazed much of this land. In the Southwest, huge migratory bands of sheep were grazed, according to the season, from the central Arizona area to near El Paso in the winter and up to the high country to the North as far as Colorado in the summer. They used up the available forage as they moved. There was no incentive for conservation in that if the first band did not eat it up, the next one would. The settlers who had a home base were greatly damaged by this. They were unable to keep a grass reserve for winter nor storage water. Any attempt to segregate an area and develop it was contrary to law, and some ranchers who tried to fence in an area and protect it were tried in Federal Court. This intolerable situation led to the passage of the Taylor Grazing Act. This Act is first and foremost a conservation measure to prevent the abuse of the land and to improve it. It recognizes that what is everyone's business is no one's business—that if land is operated in common, it will be abused, but that if areas of responsibility are laid out and the responsible one may reap the benefit of his labor, the land will also benefit. The lands were used and abused, until the advent of the Taylor Grazing Act. This was then the turning point. There has been a steady, but slow, reclamation. In New Mexico, the records will show that individual allotments have been better cared for and are in much better condition than community allotments.

The Taylor Grazing Act provides for the allotment of the grazing privileges in much the same manner as the old water laws—on the basis of the first in time is the first in right. The permittee has a privilege to graze a given area—and the grave responsibility to conserve the area. If he does not conserve it, he will lose his privilege, fail financially, or both. His tenure is uncertain. There is no certain time. His own acts may cause the loss of his privilege, but he has control of these. Grazing is mistakenly considered by Government to be the lowest use of the renewable resource. He may lose his privilege at any time, based upon the character of the land, there is considered to be any higher use for the land. The permittee has done virtually all conservation and improvement work on the land until, very recently, the Federal Government has started spending some money. In the past, most Federal money has been used in administrative overhead rather than on the land itself. As a matter of fact, it is doubtful that there is need for the Federal Government to spend money on these lands if there were sufficient encouragement for the permittees to do so. This encouragement might well take the form of security of expectation that they would be able to enjoy the fruits of their labor and investment.

The idea of "security of expectation" is nothing new. It is the basic theory upon which this Nation has been built. Because of this, the American People have been willing and eager to work and build. One of the greatest examples as it applies to land use and development is the growth of the States which were originally carved out of the Public Domain and put into private ownership. The Public Domain residue remains today for the previously discussed reasons—economic mostly—but for an additional very strong reason. The laws allowing transfer to private ownership do not fit the character of the land nor the economics of the time. It appears that the development process of the Federal Land has reached a point of stagnation and is effectively blocking the growth and development of the Public land States and Communities. "The Public Domain" in Part III goes into the question of disposal, methods, prices, and various effects very well. This lesson applies now and to the future just as well as it did to the past. Federal ownership under our form of government is a very disruptive influence to good government. Public interest generated in the Federal Lands, while well intentioned, was and is generally uninformed and misinformed as to the true character, location, and situation of the lands. This leads to problems in government such as the perennial changes in personnel in the Bureau of Land Management and Interior Department and the Teapot Dome Affair. The result is no consistent management of the land or minerals. The very existence of the Public Land Law Review Commission can be partly attributed to this. Generally Nations have never successfully managed, and worked their resources as nations. Only has this been done by individuals within the nation. Private ownership or security of expectation in the form of certain tenure is the incentive and spur for development.

Federal ownership cannot be compared with private ownership. Government owns land absolutely to the extent that it can physically defend it against an aggressor. This applies to all aspects of title. An individual holds land only to the extent permitted by the sovereign. It may be taken away under certain circumstances, it is taxed, it may be physically violated in various ways, and certain aspects of title may never have passed from the sovereign. The right to tax the land and its products is many times more valuable than the land itself. The point is that the sovereign never completely gives up the land—it merely permits certain use and manipulation under prescribed rules. Taxes on land and its produce are in essence a form of rent. The prescribed rules under which private ownership operates in this country are what has made this nation great and productive. We repeat—federal ownership and management is so inflexible that it stifles development and the area involved stagnates. This is especially true where the permit system in indefinite in time and there is no certainty as to continued use or of reasonable compensation for investment made. The land and the community suffer.

Disposal of land has many aspects. It can be for a short time as under a lease or for an indefinite period as under a patent. The extent of disposal is a huge question. By extent is meant what parts of title would be relinquished. Title has been compared to a bundle of sticks—each stick being one part of the title such as the surface, minerals, oil and gas, fissionable materials, water (surface or sub-surface), timber, grazing, ability to limit access onto or across, hunting and fishing rights, grazing rights for wildlife, control of air space, sand and gravel, rights of way control, etc. In Eastern States, title is assumed to be whole title, but even there it is much less than this due to rights of eminent domain, right to tax, usurpation of air space, and other rights of sovereignty. In the West, title is now much less than in the East with few exceptions. Most titles reserve some or all of the minerals to the government, as well as certain rights of way, etc. The precedent has long been set for the granting of only limited title. This might be carried somewhat further in disposing of the federal land or rights to it.

We have, here in New Mexico, an interesting example of this in the Northern extension of the White Sands Missile Range. The military has leased the right to impact missiles and do certain other things in this area. All inhabitants move out on firing days and the military has exclusive possession. They pay for any damage to possessions, livestock, and do what is necessary to preclude erosion caused by their activities. The system has worked well. The area remains in full economic production, the land remains on the tax rolls, and the military conducts its mission. This method of handling land needs of the military and others is highly recommended for use wherever possible.

Disposal should take the form of what the individual wants, needs, and is willing to pay for in one form or another; whether as a lease or a patent. The grazing permittee generally needs the surface or grazing rights, certain water, a small percentage of the minerals, and a limited ability to control public use. Each individual case is different and should be variable accordingly. Some would want only a lease of these things while others would want a patent. The form of payment could well be in a number of ways. There is adequate precedent in the Homestead Laws for a form which could consist of an agreement to do range improvement work and conservation work on a set area within a set time. This method would be of great benefit to the community. Upon completion, title would issue. Another form could be an exchange of parts of title. The permittee holds certain "base" lands to which he has title. In some cases, these lands have values of interest to the public. The values may be scenic, access onto or across, hunting or fishing, unique features such as petrified wood, pictographs, cliff dwellings, ancient burials, timber or vegetation species, and many other things. In exchange for these things, the government would grant title to the things needed by the permittee on federal lands. Another form of payment could be cash. The cash sale method has problems which need attention.

The Federal Government has long had the policy, in land sales, of using "fair market value" as the standard for minimum prices. It seems that the usual method of determining this is by appraisal. "Representative current" private sales are located and used as a standard. This is fine in an area where most property is privately owned, and similar

land does sell regularly and freely. In this case, the values set are more nearly economic values. In the case where a substantial part of the land is publicly owned, the values of all land are affected due to scarcity of private land in relation to demand. Public land does not sell as freely, nor in the same channels as private land. This creates scarcity, which drives up the prices of any land which can be traded freely. Private sales of range land in this type of area are generally "based land", carrying grazing privileges. It is practically impossible to fairly separate the various values and arrive at pure land prices. The "based lands" have a unique value when compared to surrounding lands. They are base lands for very good reasons. If the land was acquired from Federal ownership, this particular land was selected. It would qualify as a homestead due to terrain, irrigability, potable water, fertility, unique features (existence of a site for a water storage facility), or was acquired from the State, or was purchased for the same reasons. These features are well known to the purchaser and are key tracts. If the land adjoining were of equal value, it would have been acquired in the same manner, but generally it is not economically useful alone and is totally dependent, for use, upon the land having the needed features. The key features makes the grazing operation possible on the whole area. The present method of appraisal does not take these things into consideration and one acre is assumed to be generally the same as another. We feel that there is an immediate need to correct this appraisal method in that many exchanges and other transactions are taking place currently. We would suggest that values be based upon the productive value of the land in question.

To protect the local and State economy, some preference to purchase must be given the permittee. Such preference is also a matter of pure justice. The permittee has spent all he can on the "base lands" to make the whole a working operation. He has spent all that he is able on conservation measures and range improvements on the Federal lands. This has been done based upon the original proposition and continuing policy that if he worked his original holdings and settled, he could graze his livestock on the surrounding lands. He is now in a trap. If he should lose his outside grazing, his "base" is virtually worthless except for salvage value of the improvements and the value of a small tract of land which alone will not support economic activity. This proposition was the basic for most of the communities and led to the formation of the Western States. Today, it is still the tax base and basic economic support of a substantial part of the West. Private improvements on federal land as well as private land and water are taxed. This problem of loss of grazing on Federal lands has been recognized by Congress in many instances on a case by case basis. Where grazing privileges have been cancelled due to certain Federal activity, the permittees have been compensated fairly. This is specifically set out in the case of military acquisition in Sec. 315q of the Taylor Grazing Act, and compensation was made in the takings for Dinosaur National Monument, Glen Canyon Dam, and others. There has been no compensation in many other cases. The result is serious insecurity.

A preference for the permittee is needed for another substantial reason. A large proportion of permittees owe money and have mortgages. The lenders look to a going operation for payment. The security is the "base" which carries the grazing privileges. Loss of or the threat of loss on this grazing would create financial havoc in the communities, and in the general financial world. Many lenders are our larger insurance companies and other institutions far from the range country.

In any sales of these lands in sufficient volume to significantly involve the permittee, proper credit is essential. The credit resources of this country are at near capacity. Any further demand from private sources could not be met in volume. It should be possible for the permittee to buy on a down payment with twenty or thirty years to pay. The interest should be set at not less than the Federal Government pays on its borrowing but not more. Many States sell their land in a manner similar to this.

This discussion of "base" property values has an interesting sidelight. The development of water in the Southwestern areas and of winter feed in the North have made it possible for wildlife to greatly increase in numbers, and to, in fact, live in quantity where there was little or none before the settlers came in. Numerous writings by the early explorers and members of military expeditions bear this out. Reference is suggested to the report of Lt. Emery of the "Mormon Battalion" in 1846 and to reports of the Spanish explorers and of Coronado to King Philip V of Spain in 1565. In essence this shows that wildlife is quite dependent upon what the permittees furnish, and that wildlife would not do very well in the absence of the range livestock operator unless someone else furnished the same feed and water and predator control. It is a matter of fact that the increase in numbers of wildlife has become a problem in many areas and it is becoming necessary to control the numbers. For this reason, there is growing interest in opening to hunting lands previously closed. This brings up the question of public access to lands.

Lands are posed for a number of reasons—natural desire for privacy, to protect against damage, pure "cussedness", etc. Actually exclusion of the public is not generally the aim at all. The aim is really regulation of public activities. This is quite difficult, so exclusion is resorted to. Most Federal Land Managers agree that a degree of posting, or regulation of public activity is very necessary for sound management and conservation. Great amounts of damage is done through ignorance, a small amount is vandalism. Indiscriminate travel by Jeep and motorcycle causes erosion, shooting at improvements causing loss of water can be catastrophic to game and livestock, killing of livestock, leaving gates open or closed improperly, camping too near water, setting grass fires, "chousing" livestock, etc. are all damaging. In areas where theft is a problem, travel over a ranch without a notice to the rancher causes him to spend much time "trailing" to find out where the people went and what they did. There is a great need for some means of regulation of public activities on the land. At present even the Federal managers can do little to prevent damage. The only ones who can do much about it, if given some authority are the livestock operators. This is what is meant previously by the reference to "limited posting". It is necessary even if the present system should be continued on all Federal Lands.

The situation of the permittees and wildlife has a parallel in many of the other potential and actual uses of the land. The country has been opened up by the settlers, and they have made it accessible and useful. The livestock people have built roads and developed water. This has made it possible for others to reach the land for their own purposes. These others that come expect certain services and facilities. To use the land, they need water. The areas are quite remote, as a rule, and strangers very frequently get lost. The permittee, being the only person around, is expected to act as the rescue service, retrieve and repair broken down vehicles, supply gasoline, deliver emergency messages, furnish directions, be an expert on flora, fauna, and geology, collect the garbage, and put out the fires. Until recently, he has done most of the conservation and range improvement work, and is the usual recipient of most of the criticism and abuse from those who feel that the situation is not just as they think it should be—valid or not. He uses what time is left to try to conduct a livestock operation—hopefully at a profit. What makes the whole affair most frustrating is that neither he nor the Federal Range Manager (if he were on the spot) have virtually no authority to influence the activities of these visitors other than to try to prevent damage to private property or government improvements. Even this frequently brings a flood of abuse.

There are several areas in dealing with the lands which need attention. In the matter of mineral rights, and by this is meant oil and gas, minerals below and at the surface, rock, sand gravel, and anything that might be removed from the land, there should be modification in the laws. Many patents have reserved certain parts of the minerals to the Government. This has created a serious checkerboard pattern and great inequity. The owner of the surface is damaged in tangible ways and must be compensated in most forms of mineral development. The most serious damage is intangible and most difficult to assess. If the surface owner holds some interest in the minerals, he is willing to accept this damage, but if he does not, he is in a poor position. Any development brings people, surface damage, traffic, etc. All of these things create day to day problems and are costly to the surface owner. As a matter of equity, it is recommended that some small overriding royalty interest be granted the present owners where interests have been retained by the Government, in the case of suspected mineral. The full estate should be granted where no mineral is anticipated. The type of work to be done in the case of mining claims in order to hold them should be regulated by the Advisory Boards and Range Managers.

We feel that the Commission should look into the field of "payments in lieu of taxes". This is a large field and should not be confined to Public Lands only. It should cover Federal ownership of real property of all kinds, wherever located. It appears to us that payment in kind is not generally germane to the issue. There is no real difference to the community whether the property is owned by the Government or a large corporation. This applies to a Post Office, Park, or range land. The City, County, and State are entitled to exactly the same revenue from the property, regardless of ownership. The same benefits and liabilities accrue to a community whether land or buildings are owned by Government, an Insurance Company, or ranchers. The same is true whether range land is owned privately in fee simple or by the Government in New Mexico. Both conduct activities within and without their boundaries which are "services in kind". The Government conducts myriad activities everywhere ranging from Federal aid for highways to the Poverty Program. What it chooses to do in relation to its property holdings or because of them should have no bearing on the revenue to support the community. Private improvements on Federal Land are taxed and the States and communities are entitled to fair revenue from the land themselves just as if they were privately owned.

There is a related problem to the "in lieu of taxes" question. Recently, some States have instituted the practice of taxing "possessory interests." This means that permittees and lessees of Federal lands are being taxed on their lease or permit. This would indicate that the community is not receiving revenue in lieu of taxes in an equal amount to that from private lands. This creates a very undesirable situation—permittees are put in very unequal positions and some are at a great disadvantage. It is generally accepted that real estate is taxed to the land lord or owner, and in any event, only once. This is a matter that should be investigated and steps taken to require uni-

formity of action. Regardless of the method, the result should be uniform and equitable.

State-Federal land exchanges are becoming a problem in some areas. The State proposes these exchanges for various reasons—to get better land, better mineral opportunity, to "block up" their holdings, or in order to sell land. This can be undesirable in that it disrupts the land pattern, changes theory of administration, reduces the chance of the State to participate in new discoveries of valuable features (reduced "spread"). It is recommended that such exchanges be allowed only with the concurrence of the users, and then only after full examination of the circumstances.

We in the Southwest are very preoccupied with water. The States have developed a body of water right laws to suit their needs, and it has been accepted that the States have the right to control the water within their boundaries except for interstate streams. The entire economy and society of the West is dependent upon the security of the orderly use, control, and allotment of water. The rights to water have been considered to be property rights. This entire concept was shattered a few years ago by a Federal Court decision in the "Camp Pendleton" case. The courts held that water rising on Federal Land is owned by the Government, and can be appropriated without compensation to the users of long standing. This is a serious matter in that most water in the West rises in the high country, which happens to be National Forest Land in most cases. In areas of high percentage Federal landholdings, this means that nearly all the water may be declared Federal and taken for Federal purposes. This is a Sword of Damocles hanging over the head of practically every community. Under this doctrine, the greater part of the flow of the Colorado or Rio Grande could be diverted to some Federal activity leaving Los Angeles, Albuquerque, El Paso, and many other communities literally high and dry. We doubt that this country intended this doctrine to result from its landholdings. Congressional action is the only cure.

In summary, we feel that, in essence, the Federal Government should, as rapidly as possible and to the greatest reasonable extent, withdraw from the ownership of land and its management. It should hold no full title nor part of title that does not have a very strong overriding reason for retention. There should be devised a means to put as much of this land into private ownership or under regular leases as can be taken up by individuals as soon as possible. For the protection of the community, state and nation, there must be some form of preference to protect the present land users. The economy of the Public Land States is so heavily and vitally involved with present uses that its protection is essential. It is not suggested that all of this land go into private ownership. This question will best be settled by economics and the character of the land on an area basis. The main point is that it is essential that the lands be used and developed and that this can best be done under private control and management. If public needs for the land to develop, the Government certainly has the means to reacquire them or the needed rights. In the mean time, they will be contributing immeasurably more to the general good of the nation.

The retained title and parts of title should be administered, if possible under long term lease under the direction of advisory boards elected by the local user groups much in the manner of the boards that exist under the Taylor Grazing Act. There should be a basic law setting out the uses and conditions of use, and the elected boards should administer the law. The boards should have full administrative authority within the guidelines of the law. The law should set out the guidelines for all types of uses as the Taylor Act now does for grazing. A frame-work for fees should be set out in the law so that economic uses of the resources would pay in relation to the economic facts. Fees for public uses, if any, would be set in the law or at a national level. Economic uses would be charged with the responsibility of conversation applicable to the use, and if operating without title, would operate under leases of suitable duration. In the case of grazing, leases should be from thirty to fifty years duration. They should be transferrable, heritable, and suitable as pledges as security. The best features of the mining laws should be preserved to encourage discovery, but the method of doing assessment work on claims should be subject to approval by the boards. Recreation and wildlife development should be the responsibility of the State and community. Federal payments in lieu of taxes would be at a level corresponding to the taxes on similar values in the area.

Exchanges should be facilitated with private interests and consideration given to granting of title to the surface in return for improvement and conservation work. Sales to any interest should be limited to economic areas such as a ranch unit to avoid speculation. Sales in the immediate area or rapidly expanding communities should be in any size area up to a limit of forty or so acres, with one unit to the customer unless he has developed and sold his previous purchase. There should be no strings attached to the patent in this case, and title should be full. Sales should not have to wait on community planning or zoning. When land is sold away from a lessee or permittee, he should be paid the economic value of his loss out of the proceeds of the sale. The minimum price for urban or suburban sales should be the productive value of the land, with public auction setting the final price. Local governments should have a preference at the productive value, on credit, only for land needed for public purposes with a reverter in the patent should the land be put to any economic use.

EXTENDING THE RIGHT OF SUFFRAGE TO THE 18- TO 20-YEAR-OLD GROUP

Mr. BAYH. Mr. President, I am pleased to add my name as one of the cosponsors of Senate Joint Resolution 8, Senator MANSFIELD'S proposed constitutional amendment which would lower the voting age to 18. As a member of the Indiana General Assembly, I twice introduced resolutions which would have extended the franchise to young men and women 19 years of age or more, and I expressed my support this year for a similar proposal which has been made in my home State.

It has been my privilege for many years to work closely with young people throughout Indiana. I have made hundreds of speeches at high schools and colleges, have employed dozens of young college students in my office as interns, and have observed the increasing amount of responsibility which has been placed upon young people in political campaigns by both major political parties.

My associations with these young leaders of tomorrow has always been invigorating and informative. Their discussion of current issues demonstrates knowledge as well as interest; their questions are intelligent and incisive; they do not hesitate to challenge the views of others; and they demand rational and explicit arguments in support of controversial viewpoints. Persons over 18 today are being called upon to make decisions as students, members of the Armed Forces, wives, and employees which require the same capacity and judgment as those who are over 21. Those who argue that these people are not yet ready, whether physically, emotionally, or mentally, to participate in popular elections ignore the tremendous changes in education, communication, travel, and culture which have occurred in the last half century.

It is a well-known fact that the voting participation record of those who are in the 21 to 30 age bracket is the lowest for all groups. Although many factors no doubt contribute to this, it seems to me that a very important element is the present 3- or 4-year gap between the conclusion of secondary school and the attainment of voting age. At the very time when a young man or woman graduates from high school, eager and willing to participate fully in the prerogatives of citizenship, he is denied the right of expressing his will and convictions at the ballot box. His study of history, government, and other subjects has impressed upon him the importance of taking an active role in his Nation, his State, and his community, yet he must wait several years before he can vote.

By the time they have achieved the age of 21, many young people have become deeply involved in military, educational, family, or vocational activities. Consequently, their previous interest in public affairs has diminished or has been overshadowed. Absentee voting laws of some States also impose obstacles which discourage or prevent exercise of the franchise. Lowering the qualifying age to 18 could help to establish a pattern of voting behavior which would improve the record of participation at the polls in later years.

Mr. President, a series of three articles on the 18-year-old vote was recently published in the Bloomington-Bedford, Ind., Sunday Herald-Times. These articles, which were written by Philip Werdell, of the Moderator, examine some of the questions involved in this issue and call attention to the opinions of a number of student groups and public officials. I ask unanimous consent that the articles be printed at this point in the RECORD.

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

[From the Bloomington-Bedford Herald-Times, Jan. 8, 1967]

YOUTH EYES BALLOT—"OLD ENOUGH TO FIGHT, OLD ENOUGH TO VOTE"

EAST LANSING, MICH.—(NEA)—It did not make the newspapers nationally because it was only a minor issue to the Michigan voters last November.

But Michigan students were extremely disappointed when a proposal to grant suffrage to 18-, 19- and 20-year-old Michigan citizens was voted down 2 to 1 in a statewide referendum last November.

"The major reason we lost is because not one politician campaigned actively for us," said Ed Robinson, student body president at the University of Michigan.

"The issue of the 18-year-old vote could easily pick up again by election time in 1968."

Student interest in the issue already is picking up around the country.

At the University of Colorado, the Young Democrats have taken up the task of organizing support among the student body for the 18-year-old vote. Club Vice President Terry Jones said, "I think that if the 18-year-olds were given the vote, placing more responsibility on them, high schools would have to become more responsible in making students aware of politics."

At the University of California at Los Angeles a student referendum was held on the 18-year-old vote. Students voted 2 to 1 in favor, just the opposite of the returns from the Michigan referendum. "It showed that it is not a dead issue," said Ron Javor, who originated the UCLA referendum.

Rallies have begun by students at Adelphi College in New York to develop student support for the votes.

Ken Davis of Drake University has been elected by a group of student governments in Iowa and Nebraska colleges to lobby for the vote with the Young Democrats in that region.

At the University of Mississippi, the student newspaper has begun an editorial campaign for it.

The Redlands University Bulldog editorialized recently in favor of the vote. Student editor Hal Hedrick wrote, "The 18-year-old who is deemed mature enough to accept the rigors of war is said to be too young to defend and lead his country in more peaceful times."

Everybody, just about, thinks 18-year-olds should be allowed to vote. President Johnson thinks so and the late President Kennedy thought so. In fact, no one running for national office since World War II has not endorsed lowering the voting age.

Most of the House of Representatives and most of the Senate now favor the 18-year-old vote, and so do most of our governors, according to a poll taken in September by Moderator magazine. More than 55 per cent of America's adults favor lowering the voting age. And so do most 18-to-20-year-olds.

So why aren't 18-year-olds voting?

Former President Eisenhower proposed that 18-, 19- and 20-year-olds be given the right to vote. A constitutional amendment to that effect was passed by the House in 1954.

But in the U.S. Senate, the amendment failed by five votes. Five of the senators who voted against the amendment favored extending the suffrage, but they favored "states' rights" more. Senators John F. Kennedy, Lyndon B. Johnson, Russell Long, Price Daniel and Richard B. Russell thought that the decision about voting age should be left up to the individual states. And the issue was dropped.

Gov. George Romney proposed the 18-year-old vote for Michigan. The Michigan House and Senate followed by putting the issue up for referendum on the Nov. 8 ballot.

With war comes the slogan, "Old enough to fight, old enough to vote." The war in Vietnam has made many people question whether the youngsters fighting for Uncle Sam shouldn't have the right to vote.

Many agree with that sentiment. "It is my judgment that the high schools and colleges are doing a better job of teaching the sciences than in previous decades. I think this generation of young people is better informed about government problems and more actively concerned about national and international issues than my generation was at that age," says Congresswoman Edith Green of the House Committee on Education and Labor.

"Our expanded communications systems has made today's young person much more aware of what is happening in the United States and throughout the world than was his grandfather, even at age 25," Rep. J. Arthur Younger (R-Calif.) adds. There are facts supporting the vote:

Experienced educators observe that students are taking their education more and more seriously.

Increasing specialization of employment today places heavier demands on the fresh-out-of-high-school students who enter the labor market, and they have responded well to these demands.

Young people have become increasingly active in local and national political campaigns of both parties since the presidential candidacies of John F. Kennedy and Barry Goldwater.

Most members of the Peace Corps and Vista come from the under-21 age group. Over 200,000 American students are tutoring culturally deprived children in America's slums and ghettos.

"America is young and getting younger," says Rep. Donald Rumsfeld (R-Ill.). "Half of the population increase in the last five years has been in the 14–24 age group. Thirty-four million Americans are between 14 and 24, many of them serving their country in the military services. There is a growing awareness on the part of young America of the importance of the democratic way of life, and that this interest may be nurtured and encouraged through access to the ballot box."

Dick Gasperini, president of the Student Council at Michigan Technological University, put it this way: "Today's youth are the real leaders of this country. People no longer strive to keep up with the Joneses but with youth."

YOUNG "VOTERS" WOULD CAMPAIGN FOR RIGHT

NEW YORK—(NEA)—To be a knight in King Arthur's court, a man was required to be 21. The English tradition of common law, established in the United States more than 150 years ago, says that the minimum age for voting is 21.

At 21, we say, youngsters become adults. But then, youngsters between the ages of 18 and 21 assume a wide range of adult responsibilities:

All can sign job contracts and all are required to pay property and income taxes. Over half do.

All are tried in adult courts and, if found guilty, committed to state or federal prisons.

All are excluded from most of the aid to dependent children. However, they are considered adults by insurance companies and can sign contracts for coverage which are legal and binding.

Almost all are considered by their society to be mature enough to marry without their parent's consent.

All males can be drafted into the Army, and both males and females can independently contract for numerous branches of the military.

Between the ages of 18 and 21, youngsters begin to raise questions about America's political system.

They wonder about the fact that the nation's citiznery is growing younger while the average age of the electorate is rising.

Many learn that public officials in Georgia and Kentucky, after more than 10 years experience with 18 as a minimum voting age, universally praise their state's action to let its younger citizens vote.

All hear about the theory of democracy by consensus. They read national opinion polls which since 1954 have found more than 55 per cent of America's voting citizens in favor of suffrage for 18–20-year-olds. They wonder why they aren't voting.

Young men and women 18, 19 and 20 years of age aren't children and aren't adults. What are they, then?

Students are especially perplexed. In our technological society, they must commit more time to an education which that society demands. Yet, while making that commitment, they have no opportunity of tasting the rewards and responsibilities of being full-fledged citizens in that society.

Their responses are understandable, though paradoxical. Some have taken their commitment to society seriously, even though they have no official responsibility. America heralds their praises with special scholarships, trips to the Olympics, headlines about voter registration, Voice of America stories on the Peace Corps, citizenship awards and the occasional acknowledgement that youthful idealism carried a particular social movement beyond what anyone saw as possible in the near future.

Others have taken their lack of social responsibility seriously. Adults observe with frustration their glimpses of defiance and delinquency—the use of psychedelic drugs, joy riding, stealing unrelated to need and having "too much" fun.

Both of these groups talk of alienation from a society that refuses to include them formally in its decisions. Some students belong to both groups, who represent perhaps 20 per cent of the young people in America. Many of the remaining bear their alienation more quietly, being neither delinquents nor idealists.

How do they all feel about lowering the voting age? Last summer, soon after a two-thirds vote in both the Michigan state houses placed the 18-year-old vote issue up for referendum. Moderator magazine polled students across the nation.

Only 37 of 415 student government officers who replied were not in favor of suffrage for 18–20-year-olds. The 18-year-old vote got near unanimous support from over 1,000 student leaders of over 250 schools at the National Student Congress in August.

Moderator asked a second question: "Do you expect that students on your campus would take an active part in a campaign for the 18-year-old vote?"

The answers were many and varied, but they generally presented two opinions. First, they indicated that a very large majority of students are in favor of the vote. Second, and especially on larger, more well-known, urban campuses, there is a significant minority of students who would work actively in a campaign for the vote.

The students who would work to get the vote are mainly those already politically involved. "At almost every political gathering on campus, I hear at least one student remark, 'If I only had the vote . . .' Many of these students would and will work for a constitutional amendment giving the 18–20-year-old the vote," wrote Steve Finestein, treasurer of the Student Council at Temple University.

Even among those students who won't or can't campaign for the issue, most support it.

POLITICIANS DON'T OPPOSE THE IDEA

NEW YORK—(NEA)—Politicians don't oppose the 18-year-old vote. Neither do they actively work for it, mainly because they have difficulty in finding practical reasons to do so.

Young people, it is reasoned, pack little political power. There are few practical political gains in youthful enthusiasm and honesty. Since both parties would support 18-year-old voting in an election, the issue is not a vote-getter for one candidate as opposed to the other.

A politician has plenty to lose by opposing the 18-year-old vote, because if it passes he has offended the new members of his constituency, but he has little to gain from vigorous support.

The majority in support of the issue is unorganized. But the minority opposed to it is organized, in a sense. Until the Supreme Court decision on reapportionment,

senators from rural areas controlled state Senates. While state houses favored the 18-year-old vote, the issue failed to pass the state Senates because of rural senators' opposition.

Why? Most of the new voters live in the cities. With reapportionment, the situation has changed.

A very powerful minority of one opposing the issue is Rep. Emanuel Celler, D-N.Y., chairman of the House Judiciary Committee. Bills supporting the 18-year-old vote must pass through his committee. Celler has consistently opposed any move to call for public hearings of the issues and has not allowed any resolutions to be reported by the Judiciary Committee.

The "States Rights" senators are the third minority. Robert Kennedy stands among them, saying, "I personally favor lowering the voting age to 18 . . . But, I do not think we should amend the Constitution of the United States to require an 18-year-old voting age generally.

"This is a matter which each state should be free to decide for itself. It is in accordance with that principle that I would support a decision by New York to lower the voting age."

Kennedy's fellow senator from New York, Republican Jacob Javits, speaks for most Americans: "I believe that the minimum voting age should be 18 rather than 21 . . . In order to change the minimum voting age, I believe that a constitutional amendment granting suffrage to those who reach the age of 18 would be far more equitable than state action.

"I do not believe that the citizens of some states should have the right to vote at 18 while persons in other states do not vote until they are 21."

Why aren't the large minority of 12 million Americans between 18 and 21 working for the 18-year-old vote? There never has been a successful suffrage movement in the United States without strong initiative and organization from those who want the vote. But it looks as if students are beginning to take that initiative.

Student organizations are forming around the 18-year-old vote. More than one intercollegiate attempt has been made in California, though none have been particularly successful as yet.

The New Jersey Student Committee for Undergraduate Education (CUE), which pushed through New Jersey's tuition-free college plan, shifted its focus to the 18-year-old vote last year at a state constitutional convention.

The University of Minnesota's student government has taken a strong stand on the vote and is organizing on other campuses in the state.

The students in Michigan have been most active, however, indicating that students will respond to the issue of the young vote when it is a realistic possibility.

At a statewide conference about the issue, held before classes to inform and organize student leaders about 18-year-old vote, a record 45 student leaders from 13 colleges appeared. Twelve other student governments indicated strong interest but were not able to attend the short-notice call.

State officers of the Young Democrats and Young Republicans pledged their support. Civic leaders were led to donate over $10,000 to the ad hoc student organization. The University of Michigan student government contributed $1,000 and similar contributions were pledged from a number of other student governments. In two short months, students were more organized and the organization was better financed than any comparable student issue in Michigan's history.

But the Michigan referendum was beaten. Its passage doubtless would have spurred the 18–20 age group in other states. But then, its defeat isn't exactly hurting the issue.

A GUIDE FOR THE HANDICAPPED TO THE NATIONAL PARKS

Mr. BARTLETT. Mr. President, I am delighted that the "Guide to the National Parks and Monuments for Handicapped Tourist" has at last been printed. It is now available through the President's Committee on the Employment of the Handicapped, the Veterans Employment Service and the National Crippled Children's Association.

Many thousands of copies have been printed. Should more be needed I have been assured that they will be printed so that those who may have a use for the guide will always find them available.

It was over 2 years ago that I first proposed the gathering of the information on which this publication is based. The National Parks Service has cooperated to the fullest extent in gathering the material. The Veterans' Employment Service is performing a great service; it has published the guide and is handling its distribution. The staff of the President's Committee and the Multiple Sclerosis Association of Greater Washington, D.C., performed the almost herculean task of editing and organizing the information which flooded in from parks and monuments across the country. Thanks should go to all of these organizations. Particular thanks should go to Mr. Edmond Leonard, of the President's Committee, without whose determination and leadership this guide would not have been possible.

The guide is not perfect. Not every park or monument is reported nor are the existing reports as detailed or useful as we might wish. This guide, however, is the first; it is not the last. There will be new editions of the guide in years ahead as more information is obtained and as more facilities for the handicapped are provided.

At the present time in far too many parks there is for all effects and purposes a sign at the gate which reads "Closed to the handicapped."

We are taking this sign down.

As new facilities are constructed and old ones remodeled thought is being given to the needs of the handicapped. This is a good thing. It has my full support. Perhaps—who knows?—in the years ahead it will be possible to restore the ramps at President Franklin D. Roosevelt's house at Hyde Park. These ramps were, of course, in place when the President was alive. He was restricted most of the time to living in a wheelchair, and without these ramps he would not have been able to live at Hyde Park. It is ironic to find that when Hyde Park became a national park the President's ramps were removed.

Mr. President, I ask unanimous consent that the preface to this guide, written by President Lyndon Johnson; the foreword, written by Harold Russell, chairman of the President's Committee; and the introduction, written by myself, may be made a part of the RECORD at the conclusion of my remarks.

Mr. President, I urge all Senators and Representatives to assist in seeing to it that this guide receives as wide a distribution as possible.

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

THE WHITE HOUSE,
Washington.

The grandeur and heritage of this proud land belong to all its people. The only limitation to the enjoyment of our scenic beauty is that dictated by the capacity of our spirit.

Persons with physical handicaps have demonstrated the almost limitless capacity of their spirit.

I urge them, as I do all of our citizens, to discover the inspiring saga of our historic past as preserved in our national monuments. I urge them to experience the remarkable beauty of our national parks.

I am hopeful that this Guide will offer a convenient means for tourists with physical limitations to plan their trips and visits. And I hope that their visits will be rewarding and refreshing.

LYNDON B. JOHNSON.

FOREWORD

Recent years have brought the public to the realization that a startling revolution is taking place among severely handicapped persons. No longer are paraplegics in wheelchairs or persons with ambulatory impairments content to stay at home and remain out of sight. They are going places and doing things. And they are living independently and unassisted . . . or, at least, they prefer to, as much as possible.

One of the biggest obstacles in their path to independence is the problem of architectural barriers—thoughtless design features which are taken for granted by the average able-bodied person, but which shut out thousands of disabled people from the mainstream of public life. These barriers might be an imposing flight of steps which a visitor in a wheelchair, or who uses crutches or braces, cannot negotiate. Or, the barriers might be narrow doors at an entrance to a building or at a restroom which cannot admit someone who uses a wheelchair.

Anyone with a little imagination, by putting himself mentally in a wheelchair for a day, can encounter many more barriers which the handicapped must surmount in their ordinary, day-by-day living . . . water fountains out of reach, telephone booths designed like accordions, elevators shaped liked closets . . . just to mention a few.

The number of people caught in this problem involve more than the 250,000 in wheelchairs, 200,000 with heavy leg braces, or the 140,000 with artificial limbs. Over 5 million persons with heart conditions and 17 million persons over 65 would also benefit by easier access to buildings.

After watching a growing army of disabled persons take their rightful place in the world of work during the past two decades, the President's Committee on Employment of the Handicapped saw the need for organized action to try to eliminate or reduce the problem of architectural barriers. The *severely* handicapped were still being excluded from places of work and from places intended for public use where they had a legitimate right to enter.

The President's Committee in 1959 teamed up with the National Society for Crippled Children and Adults, and with the assistance of about 60 interested organizations, developed a set of specifications which were approved in 1961 by the American Standards Association. These specifications, entitled "Making Buildings and Facilities Accessible To, and Usable By, the Physically Handicapped," have been well received and widely adopted in the ensuing years by government agencies and by private builders, contractors, and architects.

Although employment opportunities for the handicapped is the primary mission of the President's Committee, its concern for

their acceptance in all facets of daily living brings the Committee to this present project of compiling a directory for the handicapped to our national parks and monuments. Leisure time activities are a natural adjunct to the working day, and the Committee through firm conviction wishes to cooperate with the President's advice to "Discover America."

The magnificent resources of our National Park Service should be available to all American citizens. It would seem most useful for our handicapped citizens to have some information on the accessibility of the park facilities. Forewarned with such information, the handicapped traveler would be able to plan his travels with confidence and assurance. He would also be entitled to enjoy the grandeur of our natural resources without facing the embarrassment of being rejected at the end of his journey.

The information contained in this directory was taken from questionnaires sent to over 200 units of the National Park Service at the request of Senator E. L. (Bob) Bartlett of Alaska, who for many years has championed the cause of the handicapped by promoting their acceptance into public life. Assistance to the staff of the President's Committee in compiling and editing the directory is acknowledged and gratefully credited to the Multiple Sclerosis Association of Greater Washington, D.C.

The President's Committee is deeply appreciative of the cooperation of the Veterans Employment Service, Bureau of Employment Security, Manpower Administration, U.S. Department of Labor, for making possible the publication of this guidebook.

HAROLD RUSSELL,
Chairman, the President's Committee on Employment of the Handicapped.

INTRODUCTION

A Senator from Alaska knows well what beauty and pleasures exist in our national parks and monuments. The stark, awesome heights of Mount McKinley National Park, the eerie moonlike landscape of Katmai National Monument, the shimmering, changing blues of Glacier Bay National Monument: Alaska offers the visitor everything to intrigue the eye and rest the spirit.

No less is true of the other 229 national parks and monuments located across the country, in every State, not far from every city. As a nation, one of our greatest treasures is our park system. Last year alone, 121 million people visited one or more parks or monuments. These people know how valuable, how restful, how pleasant is such a visit.

They are lucky.

The handicapped are not so lucky.

Unfortunately, most of our parks are built for the physically fit. The young and the strong may ride the trails, climb the hills, camp out under the stars. It, of course, would be inappropriate to ask that the trails climbs, and remote camping grounds be made accessible to those who can no longer carry a pack or hike a trail.

In too many of our parks, however, it is only the young and the strong who can make use of the museums, the exhibits, the restaurants, the hotels, the cabins, and the restrooms. The handicapped are unnecessarily barred from these facilities because of simple, thoughtless, and stupid architectural barriers.

Too often there are steps leading up to the entrance.

Too often the doorway into the bathroom is too narrow for a wheelchair.

Too often there is no readily available parking place close to the building.

Too often there are no guardrails, staircases are too steep, or facilities are inaccessible.

Too often, in fact, there might as well be a great big sign at the park entrance saying, "Closed to the Handicapped."

This is a sad but not permanent state of things. In a memorandum sent to all regional directors and field design offices of the National Park Service from its Washington headquarters, these encouraging words were included:

The Director has instructed that the Service adopt at once an architectural code that will, in the future, make all public use type buildings erected in the parks usable by the handicapped. In those instances where it is feasible to make modifications or additions to present visitor centers and other public use buildings that will render them usable to the handicapped, it should be considered and programed.

Accessible facilities for the handicapped are not enough. The handicapped must know where they are and how to make use of them. It is for this reason that I suggested that such information be gathered and put in booklet form. The preparation of this booklet has taken much time, effort, and cooperation. The National Park Service, the President's Committee on Employment of the Handicapped, and the Multiple Sclerosis Association of Greater Washington, D.C., deserve our grateful thanks.

Not all of our parks are yet accessible to the handicapped but some of them are. This booklet tells which, where, and how.

I hope it has the largest possible circulation.

E. L. (BOB) BARTLETT,
U.S. Senator.

WATER QUALITY STANDARDS

Mr. BAYH. Mr. President, with the country growing more and more conscious of the desperate need to take remedial action to control water pollution, it is appropriate to invite the attention of Senators to a speech on this vital subject by the distinguished Representative from Indiana [Mr. ROUSH]. The address was delivered before the annual meeting of the Great Lakes Commission, December 15, 1966—a meeting which I also was privileged to address.

It was particularly fitting that the commission chose to hold this year's meeting in Indiana. Until recently, Indiana was the only State bordering the Great Lakes which did not have a deep-water public harbor. In the closing days of the 89th Congress, however, we were fortunate in passing a bill authorizing the construction of the Burns Waterway Harbor. As a result, Indiana has become a full-fledged partner in the development of the Great Lakes region.

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

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

RESPONSIBILITIES FOR WATER QUALITY STANDARDS

(Address by Hon. J. Edward Roush, Representative from Indiana, at the annual meeting of the Great Lakes Commission, Indianapolis, Ind., December 15, 1966)

As attention has focused more intensely on the state of man's environment of late there have been highlighted a number of obstacles to optimum progress toward its improvement through the abatement and control of water pollution. There can be no question as to the importance of the quality of nation's water supply for it is of vital concern to each and every one of us.

Obstacles in the way of attaining and maintaining quality of water to desirable standards include incomplete basic data, unclear lines of demarcation of responsibility, shortage of trained technical personnel, and that bug-a-boo of all creative endeavor, lack of sufficient money.

The amendments to the Federal Water Pollution Control Act which the Congress approved in 1965 and 1966 will I firmly believe go far toward ameliorating some of these problems, but not all by any means. I shall continue as I have in the past, to work toward the eventual conquest, so far as possible, of the multi-faceted problems affecting our water resources, especially the abatement and control of pollution.

The 1965 amendments increased funds available for all phases of Federal activities concerned with pollution control but the 1966 Act provides an even more powerful weapon of attack on the problem of finance. The 1966 Act authorized a total of $3.4 billion to be appropriated for use as Federal construction grants to municipalities through fiscal year 1971. At the same time it removed the ceiling on individual grants. This should prove to be a valuable incentive for larger cities to get busy on construction of waste treatment facilities which were heretofore not eligible for Federal assistance and were being held in abeyance because of financial difficulties. Under varying circumstances the Federal grants may be increased to as much as 55 percent of construction cost, provided the States also extend financial assistance.

Funds were also increased for the training of technical personnel of public agencies. For the first time Federal funds are to be made available to States and local agencies for up to 50 percent of administrative costs for planning for a period of three years, if it is believed that the agency is capable of developing an effective, comprehensive water quality control and pollution abatement program for a drainage basin.

Another first is the authorization for grants to industry for research and demonstration projects for the prevention of pollution of water by industry. A study is called for of possible methods of furnishing incentives to industry to construct treatment works, by tax preference or by other means.

A previously neglected area—estuaries and the estuarine waters—is to be studied and recommendations are to be made concerning the effects of pollution on all beneficial uses of those waters. The study, limited to three years, is to be conducted by the Federal Water Pollution Control Administration with the cooperation of all interested parties, Federal, State and local governments, and private interests.

The report to Congress following completion of this study is to make recommendations for a comprehensive national program for the preservation, study, use and development of the estuaries of the Nation and the respective responsibilities which should be assumed by Federal, State and local governments and by all public and private interests.

The Oil Pollution Act was extended to apply to all navigable waters of the United States and its enforcement transferred to the Secretary of the Interior.

A matter of particular interest to the Great Lakes region is the provision contained in Section 17 of the 1966 Clean Rivers Act which directs the Secretaries of the Interior, Health, Education, and Welfare, and the Army and the Coast Guard to conduct a full and complete study and investigation of the extent of pollution of all navigable waters from litter and sewage deposited by watercraft, and of methods for combatting it. A report, together with recommendations for action is called for by July 1, 1967.

The gaps in basic data will require time and sustained effort to close. The 1966 Act provides for increased funds for research. The Federal regional research laboratories, of which there are now four; one being constructed in Duluth, which is expected to be completed in May 1967; and possibly as many as seven others, to be constructed, will

broaden and extend Federal activities in this field.

It should be the responsibility of State water pollution control, what resources, and public health agencies to be extremely active in this area. The local agencies will contribute substantially to the total knowledge by providing local data to be correlated and coordinated on a basin wide basis, later to be utilized and coordinated by the Federal Government in consideration of interstate pollution problems.

Stated in as brief terms as possible the responsibility for the establishment of water quality standards lies in the States. This has long been the viewpoint of Congress and that body has stated in successive legislative acts that water pollution control is the primary responsibility of the States.

In the Water Quality Act of 1965 authority was given to the Secretary of the Interior to establish standards of water quality to be applicable to interstate waters or portions thereof only in the absence of effective State action. The standards were to be formulated in accordance with accepted administrative procedures calling for public notice, public hearings, and consultation with affected public and private interests. The standards would then be subject to revision either by the Secretary on his own or when petitioned to do so by the Governor of any affected State.

Once the standards have been established, by June 30, 1967, as specified in the Act, any discharge of matter which reduces the quality of the waters below the established standards is subject to existing provisions of law which authorize the Attorney General, at the request of the Secretary of the Interior, to bring suit on behalf of the United States to obtain abatement of interstate pollution, and with the written consent of the Governor, to bring suit to abate intrastate pollution.

The Secretary's authority is not arbitrary. The States have ample authority to act, and there must be a conference of affected interests before Federal standards may be set.

It is the responsibility of municipalities and other local agencies to make their wishes known as to the type of water quality they desire that will meet their requirements for all legitimate uses. This is done through the medium of appearances or presentation of statements at public hearings held by the State agency responsible under State law for establishing quality standards. These presumably and customarily are held at various times and places within the affected State so that all who desire may be heard.

The keystone to this process is that the local interests, private as well as public, must make their wishes known and the State must recognize and consider all legitimate beneficial uses of water in establishing state-wide water quality standards.

Where Congress has established multistate compacts, such as the Delaware River Basin Compact, with authority to establish water quality standards, the Secretary's authority does not supplant that of the commission. Rather his authority is held in reserve, for use only if the commission fails to meet its responsibilities. This no doubt will be equally true of the River Basin Commissions to be established under the Water Resources Planning Act. The Northeast River Basin Commission is the only one fully established at this time but there are several others that have been approved in principal and will be established in fact in the near future.

However, the fact remains, as it always has, that primary responsibility resides in the States.

The Secretary of the Interior on the occasion of assuming jurisdiction over the Federal Water Pollution Control Administration as accomplished by Executive Order effective May 10, 1966, addressed identical letters to the Governors of the 50 States.

This letter called the Governors' attention to the provision of the 1965 Act which called upon the States to signify their intention by October 2, 1966 to establish State-wide water quality standards by June 30, 1967.

Accompanying the letters were Guidelines for establishing water quality standards for interstate water.

The Secretary indicated that it was the position and purpose of the Federal Water Pollution Control Administration to encourage and support the States in establishing their own standards and that the guidelines were to assist the States in that formulation and outline the factors which the Secretary would consider in his determination of whether the criteria, their subsequent adoption, and plans for implementation and enforcement are consistent with the purposes of the Act.

On October 7, 1966, the Secretary announced that all 50 States had signified their intention to establish the required criteria by the June 30, 1967 deadline.

It was my very great privilege to serve as a member of the Subcommittee on Science, Research, and Development of the Committee on Science and Astronautics this past summer which held a series of hearings on the Adequacy of Technology for Pollution Abatement.

During the course of these hearings the viewpoints and knowledge of those active in the field were presented and discussed. Representatives of the Federal Government, of State water pollution control and public health agencies, of private industry, and of research organizations and some individuals testified or submitted statements.

Following this, and after considering answers to questions put to various groups and individuals a report was made to the Committee.

The hearings indicated that environmental quality has not yet attracted sufficient attention from the scientific and engineering community. The technology available today is capable of meeting any technical goal for purifying water. What it cannot do is to simultaneously provide extreme purities at a cost that fits the value judgments of the society to be served.

It pointed out the need for standards that would set goals towards which municipalities and industry might work and it was recommended that the present level for research, development and demonstration funding, or $30 million per year, be expanded about ten times in the next five years to bring waste management properly under control.

Among the conclusions reached were:

(1) Present inadequacies of knowledge about the kind of natural surroundings we want and need and the cost and means of obtaining these qualities are frustrating the further definition of the problem and are a barrier to abatement progress.

(2) An "early warning system" for unwanted consequences of ecological changes is extremely important. We do not now have such a system.

(3) There is insufficient information available to set ultimate objectives, criteria and standards except in the case of gross and obvious pollution.

(4) Firmly established criteria and standards are necessary to intelligent planning and action.

(5) Immediate research needs are for improved abatement methods for gross and obvious pollution, an ecological and human health data for criteria and standards setting.

(6) Federal Government scientific activities are not yet channeled to support announced goals in pollution abatement.

(7) Technical manpower will be a limiting factor in abatement progress unless added effort is expended for retraining graduate education and transfer of skills from other technology programs.

(8) Ecology, as an organized profession, is not in good condition to become an umbrella for increased research.

(9) Complete solution of pollution problems may not be possible, but two trends are discernible; more receiving of materials, and the controlled transport of unusable wastes to some type of perpetual safe storage.

(10) Large scale demonstration of new and improved abatement methods will be necessary to establish efficiency and costs.

(11) Industry may be alert to its responsibilities in research, but Federal support will be needed to stimulate development of abatement methods to show when standards can be met and to bring about improvements in a timely manner. Beyond these points, abatement technology should be in the control of normal commercial enterprise.

In full contemplation of these findings the Committee recommended:

(1) Scientific activity in ecology and related fields should be immediately expanded.

(2) Ecological surveys and research should be centralized as to management in some one science-based Federal agency.

(3) Systems analysis and management capability should be established within the Federal Government.

(4) To improve and enhance waste treatment practice, an abatement extension service should be established with Federal funds to provide information and technical advice to local governments, regional compacts, and industry.

(5) To stimulate the acquisition and deployment of new technology, Federal contracts for research, development and demonstration should employ a cost recovery principal where commercial success occurs.

(6) The Federal Government should undertake an analysis to identify and separate those abatement action programs which are well supported by facts and for which practical answers are available from those problem areas where more research and development are needed.

(7) The Congress should endeavor to review its broad authorizations and appropriations for water, reclamation, transportation and conservation in the context of environmental quality goals.

(8) The scientific and engineering community should respond to the challenge of the pollution problem as a major opportunity to serve a public need.

In the light of these findings it appears that the current situation with all of the States establishing state-wide water quality criteria will constitute a foundation upon which to build a program of activities aimed at eventually cleaning up the nation's vital water resources. It can hardly be expected that they will ever attain the pristine, sparkling purity which was the particular joy of the early explorers of this continent. However, with the sustained vigorous effort of all levels of government, of industry, and of individuals, the day may not be too far off when the quality of water will be sufficiently high as to meet all of the needs for all legitimate beneficial uses of water whether it be for drinking, swimming, boating, irrigation, industry, navigation or disposal of waste, for the latter is still a necessary function.

MAJOR FAILURES OF NATION IN PAST DECADE—ADDRESS BY E. M. STEVENS

Mr. TOWER. Mr. President, I ask unanimous consent to have printed in the RECORD a speech made by the distinguished president of the Great Western Loan & Trust Co. of San Antonio, Mr. E. M. Stevens.

Mr. Stevens' remarks, made in a speech to the Space Center Rotary Club, cover a broad range of national and world problems. I think he has summed

up, in a most coherent, logical, and constructive fashion, several of our major failures as a Nation, over the past decade.

In our fiscal affairs and in our international relations, we have suffered, and we continue to suffer, a leadership gap.

I commend Mr. Stevens' exposition of these problems to the attention of Senators.

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

MR. STEVENS SPEECH TO SPACE CENTER ROTARY CLUB, AUGUST 8, 1966

I am glad Harry invited me to speak here today and I chose a subject "Management by Responsibility", which we term "Bottoms Up Management". I chose that subject because I have spoken so many times on it to my own organization and to other organizations, and have always ended it with a few comments with some academic profound platitudes. I threw a few barbs at our favorite political whipping boys of the times—made some optimistic forecasts, and I suppose it was pretty good "listening". When I started taking an objectional look at our country now, I was first—confused—then amazed—and then Frightened!

Getting back to "Bottoms Up Management", as it is a part of life as much as our government, it is "Management by Responsibility". Management from the bottoms-up, putting the responsibility and decision making as near the bottom as possible—where we have found that men develop better and faster and soon give the uncommon performance that I feel has been more responsible than any other one thing for the accomplishments that have been made by our company.

Let's see how these things fit into the government—how responsibility from the ground up may be the key to the confusion in which we now find ourselves. I am going to visit with you today by asking questions, of which, unfortunately, I have been unable to fathom the answer. They are not in order of importance, because they are all definitely correlated, and the solution of one only creates another.

We in America are prone to look on the result or the effect rather than the cause. My first inclination in this review was to blame our politicians and our government. The state follows the society rather than causes the society—our laws are but memorandum of the era, and our government—its image . . . so, if there be something wrong with our government, fundamentally then, the fault is with the system that created it.

Have we outlived it? Are we no longer responsible enough for self-government? The politician is in the image of the thinking and moral fibre of his constituents—or the lack of them. First, to predict our future, let's examine the past: Unfortunately, nothing in a society ever happens dramatically, but follows a trend. What is the trend of our Nation? We emerged from World War II almost unscathed. We had the only army, the only accepted currency, a great productive society, with no one even in second place. What is our position today? We are still the greatest power, but we are challenged all over the world—not only militarily, but economically, and our dollar is weakened to the critical point. Our gold reserve has dropped from 20.8 billion, with only 6.9 billion claim against it, to 13 billion, which is the lowest point since 1938—while Europe has accumulated 19 billion and the world has now a 29.3 billion claim on our dwindled gold supply reserves—a deficit of almost 16 billion. If things be strong or good by comparison, our trend is definitely in the wrong direction and we are becoming weaker by the hour.

Let's begin by looking first at the Executive Department. Have the demands of that office exceeded one man's capacity? Is it too dangerous to trust to luck to find a man with the capacity to fill it? In other words, is our system of election correct? Is it right that one man should have at his fingertips the power of our atomic stockpile? Only last week in Austin, a man's mind slipped, and you all know the human carnage that was the result. We can thank our God that man was not the head of state . . . think of that! You will hear our leaders trying to correct by blaming the gun—again, we are looking on the effect rather than the cause. A similar instance with the student nurses was with a knife. It was neither the fault of the gun or the knife! If our Executive Department is for criticism—should we blame the executive or the system that put him there? What is the answer? Is it our two-party system that is a suspect—should there be five men in the Executive Department from different areas, with staggered elections, so that there is an orderliness in our society, that we in America could better understand and the world could fathom?

What about the halls of Congress and its motivations? Is all of our legislation now passed on fear and tribute? No one wants to take the responsibility for the strike legislation or for laws that would cure our racial strife. Payments for appeasement are never on the principal—but on interest that accelerates with each tribute, and there will never be a receipt "paid in full". Our courts seem no longer to be the Umpire, but have been becoming legislative by their decisions to the point where that the American people never know exactly what the law is or will be tomorrow. If the supreme law of the land with their decisions on a five to four basis, can they read the English language or can Congress write it? We cannot legislate society—each generation forms its own laws and laws written otherwise are on tablets of sand. Rights and privileges given the anti-social—the criminal—is subtracted from the orderly social by Harper High School arithmetic.

If our government is a product of our society, let's think of our social gains over the past few years. Let's keep in mind—first—our currency, which is what the world guages us by mostly. Currency is a nebulous thing and can never be stronger than the moral fibre of the society it represents. What would that society do to defend its value? It is a medium of exchange—it is a "promise to pay". It is by that token itself property and inflation is the most vicious erosion. Planned inflation is dishonest on its face. A society should defend its currency and at all times be willing to pay in kind. It should be repurchased with the same moral and physical energies of which it represented when it was issued. If that be true, we have terribly shirked our responsibility since World War II. Purchasing power has dropped since 1945 on consumer prices from 170 to slightly over 90 and in construction cost, a house cost slightly over $2,500 would now cost over $11,000. Gentlemen, where are we headed? Will it be as it was in Germany when the worker received his salary twice a day so that he could have enough substance in his currency to buy the food for the evening? What has happened to the insurance policy you bought in 1945? Let's talk about the Great Society . . . What is its objective? Is it to be the Confucius . . . the Greek or the Roman under Caesar, or the feast and circus before the fall of the Roman Empire? A society is known by its progeny, and cruel history is the appraiser. Any society that is built on anything but purpose and challenge will not succeed. Character, as muscle, is strengthened only by exercise. What could create the Great Society? Could it be a privilege to be born poor?

Our President should have examined his and the adjoining counties of his generation, he would have found over a half dozen entrepreneurs above the million dollar class without the benefit of Texas oil, and the President of the United States, produced from what would now be considered poor families. It is the challenges of youth that prepares us for the vicissitudes of life.

Let's take a look at our war on poverty and unemployment. Again, we are looking at the effect and not the cause. There is no unemployment in the United States today—only unemployables. There is no poverty—only maladjusted people, and it is that maladjustment that causes the Ghetto, and the Ghetto not the poverty. Today it is rights by might, rather than responsibility. A thing is not right because it is strong—it is strong because it is right.

Let's have a look at our military. We cry—and I think sincerely—for peace; yet, we have catapulted into a position of policemen of the world and nobody loves a policeman. We cannot attempt to give the Christ-like image with the peace dove, with the necessary "45" on our hip. We have been involved in more wars during our short life than any other nation during that time—so, let's face it—we must make defense a part of the education of our youth—through Universal Military Training. Let's equip him for national self-protection, because we have created all over the world these small Dictatorships before they were ready for self-government. In our anti-colonialism successes, we have created a void instead of giving them a stable government. We have created a defenseless society in a world that reckons only with power—ready to be captured by the first world Dictator—who will capture them by notification without a shot being fired. Castro is now entrenched in Nigeria. Could he become Alexander the Great, or Genghis Khan of Africa? What defense do they have? I could go on and on, and you can see why the superficial study that I made excited me.

What should we look for in our future? As society ebbs and flows each score of years, it will turn back to responsibility—but only when it has run its course. The loose morals of today will be replaced, maybe, by the morals of the Victorian era. It is then time for us to be up and doing and take our full share. It is time for good men to do something! It is time that we met force with reason, or force with force until we arrive at reason.

I would suggest American Federation of Management, so that we give our legislative moulders a choice that in society action will be met by a reaction and sometimes more violent, and we shall continue our role of the leaders of men—not with words, but with deeds—not with tributes, but with example—and we can do it.

When I hear the American people question whether or not we can have guns and butter, whether we can win and survive our war in Viet Nam—I am disgusted! A people aroused belie the statistics. We have examples in modern history—a Germany without money—a decayed country in '33, rallied to the symbol of Hitler and created an economy that challenged the world and at the same time built a military force that almost conquered it. Japan joined Germany after the war in survival and each challenges us economically, and set an example of a productive people with a purpose, and you do not hear anyone question their currency. England, the victor, at the same time, is ripping at the seams.

It is now that we advent into another unknown era. The children born after World War II are becoming of age. We are going to become a young virile nation. By 1970, one-half of our population will be 27 years old or younger. Probably by 1975 half the voters will be 35 years old or younger. What kind of a nation will they give us? What are we doing to help them? Are we leading, or letting them drift into unknown fathoms of the deep of a chaotic world we have created? Could it be that we are com-

ing to the time that was predicted by the great Alfred Tennyson before anyone had thought of the airplane?

"For I dipped into the future, far as human eye could see
Saw the Vision of the world, and all the wonder that would be
Saw the heavens fill with commerce, argosies of magic sails,
Pilots of the purple twilight, dropping down with costly bales;
Heard the heavens fill with shouting, and there rain'd a ghastly dew
From the nations' airy navies grappling in the central blue.
Far along the world-wide whisper of the southwind rushing warm,
With the standards of the peoples plunging through the thunderstorm;
Till the war drum throbbed no longer and the battle flag was furled
In the Parliament of man, the Federation of the world."

It seems that he had extrasensory perception when he spoke of a ghastly dew—could that be the atomic bomb?

We have a purpose—we have a challenge, and we will meet that challenge! We will take freedom—not as a legacy, but as an obligation handed by our forefathers.

To be born a free man is an accident.
To live one—a responsibility.
To die one—an obligation!

THE UNDECLARED WAR IN VIETNAM: EFFECTS ABROAD—EFFECTS AT HOME

Mr. GRUENING. Mr. President, the mounting objections being heard throughout the country against U.S. intervention in an illegal, immoral, and undeclared war in Vietnam were evidenced in the last few days by the protests printed in the papers.

There was the protest by the Ad Hoc Faculty Committee on Vietnam, listing more than 2,900 faculty members, whose plea was simple and direct, "Mr. President: Stop the Bombing." The chairman of this ad hoc committee is Prof. Hilary Putnam, of Harvard, and its secretary-treasurer is Prof. S. E. Luria of the Massachusetts Institute of Technology.

The second protest, over the past weekend, was by the Lawyers Committee on American Policy Toward Vietnam, which analyzed the legal bases for our involvement in the undeclared war in Vietnam and came to the conclusion that such involvement is illegal. The legal analysis of the U.S. position was prepared by the consultative council of the committee, composed of the following eminent lawyers: Richard A. Falk, chairman, Milbank professor of international law, Princeton University; John H. E. Fried, rapporteur, professor of political science, City University of New York; Richard J. Barnet, codirector, Institute for Policy Studies, Washington, D.C.; John H. Herz, professor of international relations, City University of New York; Stanley Hoffmann, professor of international law, Harvard University; Saul H. Mendlovitz, professor of international law, Rutgers University School of Law; Wallace McClure, professor of international law, World Rule of Law Center, Duke University; Richard S. Miller, professor of international law, Ohio State University College of Law; Hans J. Morgenthau, Michelson distinguished service professor of political science and modern history, University of Chicago; William G. Rice, professor of international law, University of Wisconsin Law School and Quincy Wright, professor of international law, University of Chicago; Rice University.

The third protest was reported in the New York Times this morning, and indicated that 462 members of the faculty of Yale University had signed a letter to the President of the United States calling for a halt in the bombings of North Vietnam and urging the President "to consider that now the potential benefits—of a cessation of bombing—far outweigh the risks, and that the gamble is a necessary one."

There is more to the steady escalation of the war in Vietnam than its destructiveness, its illegality, and its immorality.

It is necessary to consider, in purely practical terms, what such escalation is doing here at home.

On the domestic front, President Johnson in the early days of his Presidency wove for himself on the domestic front a record of accomplishments that far outshone that of any President in the history of the United States. That was the time when the blueprint for the Great Society was enacted into legislation and the country started to move forward in the war against poverty. That legislation and its early administration were part of President Johnson's "total commitment to pursue victory over the most ancient of mankind's enemies"—poverty.

All that is now being steadily eroded. It is, as Progressive magazine called it in an editorial in its January 1967, issue, a "Retreat at Home." That total commitment, the editorial states, "has become a tragic retreat."

I ask unanimous consent to have inserted in the CONGRESSIONAL RECORD at the conclusion of my remarks the advertisements from the New York Times of January 15, 1967, by the Ad Hoc Faculty Committee on Vietnam and the Lawyers Committee on American Policy Toward Vietnam; the report appearing in the New York Times for January 16, 1967, concerning the letter sent to the President by some of the faculty members of Yale University, and the editorial entitled "Retreat at Home," which appeared in Progressive magazine for January 1967.

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

[From the New York Times, Jan. 15, 1967]

MR. PRESIDENT: STOP THE BOMBING

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Secretary-Treasurer.
BELMONT, MASS.

[From the New York Times, Jan. 15, 1967]

LEADING AMERICAN AUTHORITIES ON INTERNATIONAL LAW REPLY TO THE PRESIDENT.—U.S. INTERVENTION IN VIETNAM IS ILLEGAL

The President, in his State of the Union Message, advanced as basic grounds for our involvement in Vietnam, our "commitment" under the SEATO Treaty, "aggression" by North Vietnam, and the Korean "precedent". These same grounds have been advanced by the Legal Adviser of the State Department in a detailed Memorandum, "The Legality of the U.S. Participation in the Defense of Vietnam", issued in March 1966—and more recently in an address to the University of Pittsburgh Law School on December 13. Ten days ago our Committee submitted to the Secretary of State a comprehensive 45,000-word Analysis prepared by its Consultative Council* demonstrating that the Administration's legal justification of U.S. involvement in Vietnam is based on misleading presentations of fact and unwarranted interpretations of law. Observance of the law would have spared the American people as well as the Vietnamese a cruel war. So that the American people may gauge the legality or illegality of our involvement in Vietnam, our Council's Analysis is summarized on this page in Points I to V—as briefly as is possible for a responsible understanding of the issues. Point III deals with the SEATO "commitment." Point I (1) deals with "aggression" by North Vietnam. Point I (5) deals with the Korean precedent. Other points deal with our commitments under the United Nations Charter, the 1954 Geneva

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Accords, and our own Constitution. At stake are not "legalisms".

At stake are the norms of behavior essential for world order. Therefore our government must, we plead, conduct its foreign relations in conformity with international law. We have requested the Senate Foreign Relations Committee to hold hearings on the legality of U.S. involvement in Vietnam. We urge your support.

Consonant with international law, and in support of Secretary General U Thant's peace plan, we urge the United States Government to take immediately the following specific steps:

1. *Unconditional* termination of bombings in North Vietnam.

2. Cooperate in replacing U.S. military forces with personnel of the International Control Commission which is legally responsible for supervising the execution of the 1954 Geneva Accords.

3. De-escalation of military operations in South Vietnam starting with the cessation of offensive operations.

4. Recognition of the National Liberation Front as possessing belligerent status, and hence negotiating status, equal to that of the Saigon regime.

5. Commitment to negotiate on the basis of the 1954 Geneva accords, including the withdrawal of all foreign military forces and the elimination of all foreign bases in South and North Vietnam within a specified period of time.

United States intervention in Vietnam constitutes a series of violations of the United Nations Charter and of other fundamental rules of international law governing the use of force in international relations.

The United States has a duty—embodied in our Constitution—to abide by general international law and by the treaty obligations it has freely and sovereignly accepted.

In the nuclear age, the survival of the United States and the world requires that we become again a nation "of laws and not of men," as truly in international affairs as in domestic life.

Therefore, we, the undersigned, call upon the United States Government to cease its present conduct and to heed the counsels of restraint prudently built into international law as protection against the ever-worsening scourge of war; we call upon the United States Congress without delay to exercise its prerogatives toward these ends; and we call upon fellow Americans and men and women everywhere to support this effort to promote the cause of peace.

POINT I—THE UNILATERAL MILITARY INTERVENTION OF THE UNITED STATES IN VIETNAM VIOLATES THE CHARTER OF THE UNITED NATIONS. THE CHARTER'S EXCEPTIONAL AUTHORIZATION OF INDIVIDUAL AND COLLECTIVE SELF-DEFENSE "IF AN ARMED ATTACK OCCURS AGAINST A MEMBER OF THE UNITED NATIONS" DOES NOT APPLY IN THE CASE OF VIETNAM

The Charter of the United Nations is a treaty that specifically obligates the United States (1) to refrain from the unilateral use or threat of force in international relations (Article 2(4)) and (2) to settle international disputes by peaceful means.

The Charter creates a very narrow exception to the broad prohibition of unilateral force. This exception (Article 51) affirms the "inherent right of individual or collective self-defense if an *armed attack* occurs against *a Member of the United Nations*. . . ."

The Department Brief seizes upon the word "inherent" to argue that prior to the adoption of the United Nations Charter, states possessed a broad right of self-defense; that this right is not diminished by Article 51. Hence, it argues, the exercise of this right of "collective self-defense" by the United States on behalf of South Vietnam is not inconsistent with the Charter.

This contention is fallacious for several reasons:

1. There has been no "armed attack" upon South Vietnam within the meaning of Article 51 of the Charter

The question crucial for world order is—What kind of grievance permits a state to act in "self-defense"?

The right of self-defense under the Charter exists only if an "armed attack" has occurred. The language of Article 51 is unequivocal. The concrete term "armed attack" was deliberately introduced into the Charter to eliminate the discretion of states to determine for themselves the scope of permissible self-defense—that is, to wage war without *prior* U.N. authorization. A claim for self-defense is permissible only "when the necessity for action is instant, overwhelming, and leaving no choice of means, and no moment for deliberation." This definition of self-defense was stated in classic form by Secretary of State Daniel Webster in the *Caroline Case*, (VII Moore's Digest of International Law, 919) and was affirmed in the Nuremberg judgment and by unanimous vote of the U.N. General Assembly at its First Session. Res. 95(1).

The State Department Memorandum acknowledges that a *specific* form of aggression, namely, an *"armed attack"* is an essential condition precedent to the use of force in self-defense, and that a mere allegation of indirect aggression does not entitle a state to wage war by unilateral discretion. However, the Memorandum blurs the essential distinction between the broad and vague *general* concept of aggression and the narrow one of armed attack. Evidently endeavoring to justify the U.S.'s open combat actions against North Vietnam and in South Vietnam which started on February 7, 1965, the State Department merely alleges the occurrence of an armed attack by North Vietnam "before February 1965," without providing a convincing demonstration of why its allegations about the gradual infiltration of North Vietnamese guerrillas over a period of ten years in support of the Vietcong insurgency should be regarded as an armed attack.

The Department Brief quotes selectively from the reports of the International Control Commission to support its claims of subversion and infiltration over the "years." It fails, however, to acknowledge passages in the reports of the ICC that criticize the forbidden, and progressively increasing, military build-up of South Vietnam by the United States that commenced almost immediately after the Geneva Accords of 1954. It is in the context of this gradually increasing American military build-up of South Vietnam and American military presence in South Vietnam that one must assess the contention that the infiltration of 40,000 North Vietnamese between 1954 and 1965 should be viewed as an armed attack.

The Department Brief itself provides the reasoning with which to reject its charge of "armed attack" by North Vietnam. The long-smoldering conditions of unrest, subversion and infiltration in South Vietnam that it describes is an example of the very opposite of an emergency demanding immediate response "leaving no choice of means, and no moment for deliberation" and justifying a claim of self-defense. The State Department's argument, if accepted, would broaden Article 51 far beyond either its intended or desirable meaning. Whereas the Charter limits the use of force, by unilateral decision to specific emergencies where there is no time to seek authorization from the Security Council, the State Department's doctrine would grant all states—and even "entities" which are not sovereign states—a dangerous and virtually unlimited discretion to decide when force shall be used. This is in clear contrast to the letter and spirit of the Charter.

The Department Brief does not even sustain its charge of indirect aggression, it indicates that prior to 1964 the "infiltrators" were South Vietnamese that had previously moved North after July 1954. Moreover, the lumping together of "40,000 armed and unarmed guerrillas" is not meaningful. How can an unarmed Vietnamese who moves from one zone of his country to another be classified as a "guerrilla" and "infiltrator", contributing to "armed attack"? Above all, the implication that by 1964 the Southern insurgents had been reinforced by 40,000 guerrillas from the North is altogether misleading; for this figure, even if correct, fails to deduct all those who during a whole decade died, became incapacitated, were taken prisoners, deserted, or simply withdrew from or never participated in the insurgency.

The Mansfield Report shows that before 1965 infiltration from the North, "was confined primarily to political cadres and military leadership." On the other hand it notes that by 1962, "United States military advisers and service forces in South Vietnam totaled approximately 10,000 men. The Report makes plain that significant armed personnel were introduced from the North only *after* the United States had intervened when "total collapse of the Saigon government's authority appeared imminent in the early months of 1965." It states (at p. 1):

"United States combat troops in strength arrived at that point in response to the appeal of the Saigon authorities. The Vietcong *counter-response* was to increase their military activity with forces strengthened by intensified local recruitment and infiltration of regular North Vietnamese troops. With the change in the composition of the opposing forces the character of the war also changed sharply." The Report (p. 3) underscores that significant forces from the North followed and did not precede the direct involvement of the United States.

To summarize this crucial point—self-defense is legally permissible only in response to a particularly grave, immediate emergency—described in international law and the Charter as "armed attack." The kind of force allegedly employed by North Vietnam in South Vietnam cannot appropriately be regarded as an "armed attack" within the meaning of Article 51. Therefore a claim to act in self-defense is unavailable to South Vietnam; and, *a fortiori*, unavailable to the United States as an ally acting in collective self-defense.

2. The United States failed to fulfill its charter obligation to seek a peaceful solution in Vietnam

The State Department also ignores the obligation under the Charter to seek *first of all* a peaceful solution by any method of the disputant's own choice, within or outside the machinery of the United Nations. This legal requirement is elaborated in Article 33(1): "The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall *first of all*, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice."

The United States has had many years within which to seek a peaceful solution of the Vietnam situation. Indeed, a report prepared for the American Friends Service Committee—"Peace in Vietnam"—discussing "The Negotiation Puzzle", points out that "a careful reading of the *New York Times* shows that the United States has rejected no fewer than seven efforts to negotiate an end to the war" (p. 51), citing efforts by U Thant, President de Gaulle, Hanoi and others, made long before the United States embarked upon an active combat role in February, 1965.

Ever since the mid-1950's the reports of the International Control Commission contain many complaints about South Vietnam's deliberate and systematic sabotage of the ma-

chinery created by the Geneva Accords to prevent dangerous developments. The United States has done little to dispel the belief that it has favored a "military solution" to the conflict in Vietnam.

3. The doctrine of "collective self-defense" cannot justify the United States military intervention in the civil war in South Vietnam

If the conflict in South Vietnam is a civil war the intervention of the United States is a violation of the undertaking, fundamental in international law, that one state has no right to intervene in the internal affairs of other countries.

It seems most correct to regard the present conflict in South Vietnam as essentially a civil war among, what James Reston has described a "tangle of competing individuals, regions, religions and sects . . . [among] a people who have been torn apart by war and dominated and exploited by Saigon for generations." (*New York Times*, April 3, 1966.)

The Charter of the United Nations is silent or the subject of civil war. It has been generally assumed, however, that a civil war is a matter essentially within the domestic jurisdiction of a state (Article 2(7)), and that therefore even the United Nations is obliged to refrain from intervening unless the civil war is identified by a competent organ of the U.N. as a threat to international peace. Certainly if the United Nations must stay aloof from civil wars, then it is even clearer that individual states are likewise obliged to refrain from interfering in civil wars. The weight of opinion among international lawyers lays stress upon a duty of non-intervention in ongoing civil wars.

Even if North Vietnam and South Vietnam are accorded the status of separate entities in international law, approximating the status of independent countries, rather than being "temporary zones" of a single country as decreed by the Geneva Accords, the United States may not respond to the intervention of North Vietnam in the civil war in the South by bombing the North. There is no legal basis for an outside state to respond to an intervention by another state in a civil war with a military attack on the territory of the intervening state. Neither Germany under Hitler nor Italy under Mussolini claimed that their intervention in behalf of Franco during the Spanish Civil War would have vindicated their use of military force upon the territory of the Soviet Union, a state intervening in behalf of the Loyalists. Correspondingly, the Soviet Union, intervening in behalf of Spain's legitimate government, did not claim any right to use military force against Germany or Italy. It is sobering to realize that if the United States was lawfully entitled to bomb North Vietnam in response to North Vietnam's intervention in the Southern civil war, then North Vietnam or any of its allies would have been lawfully entitled to bomb the United States in response to the United States' much more massive intervention in that civil war.

4. The "request" of the "Government" of South Vietnam does not provide a legal basis for "collective self-defense."

The evidence shows that in many respects the present Saigon regime, just as its predecessors since 1954, is a client government of the United States. These governments seem to have been incapable of independent action, as regards either inviting American assistance or requesting modification or termination of American assistance. Furthermore, these regimes have been unable to act on behalf of their people or even to rule effectively the territory under their control.

The present government has no constitutional basis, and is incapable even of achieving stability on its own side in the face of the emergency represented by the ongoing civil war, a factor that normally postpones protest movement until the civil war is settled. The recurring protests of Buddhists, Catholics, business leaders, students, intellectuals, and other civilian groups in South Vietnam are dramatic evidence of the tenuous existence and the repressive quality of Premier Ky's regime.

If the United States were to withdraw from South Vietnam the Ky government would collapse. In what sense, then, is such a regime sufficiently constituted as a government to authorize military intervention of the United States on its own behalf? It is hardly comforting to rely upon the Soviet suppression of the Nagy uprising of 1956 in Hungary as a useful precedent to support what the United States is doing in Vietnam on a far larger and sustained scale.

5. The Korean precedent does not justify the unilateral intervention of the United States in Vietnam

The State Department's reliance upon the Korean precedent to sustain "the right to organize collective defense" is inadequate to establish a legal basis for the unilateral U.S. military intervention in Vietnam. General Ridgway, among others, has pointed to some of the important differences between Korea and Vietnam (Look Magazine, April 5, 1966, p. 82):

"In South Korea, we had a workable government . . . We acted in concert with many nations and had been deputized by the United Nations to repel the aggressor in its name."

In Korea, a massive invasion (armed attack) from the North had occurred, as attested to by United Nations observers; nevertheless, the United States did not claim a right of "collective self-defense" on behalf of the South but brought the case before the United Nations Security Council, and thereafter acted in the name of the United Nations.

POINT II—THE MILITARY PRESENCE OF THE UNITED STATES IN VIETNAM VIOLATES THE GENEVA ACCORDS OF 1954

The State Department claims that the U.S. military intervention in Vietnam is compatible with the Geneva Accords of 1954 and, in fact, is based on U.S. assurances made at the time of their signing.

The Geneva Conference dealt with the situation created by the defeat of the French in their 8-year war against the Viet Minh for control over the whole of Vietnam. After the battle at Dien Bien Phu in June 1954, the Viet Minh occupied the major part of the country north of the thirteenth parallel. However, Ho Chi Minh agreed to withdraw his forces to the north of the seventeenth parallel in exchange for two central commitments: (1) the unconditional promise that all foreign military forces in Vietnam would be removed, and (2) that within two years elections would be held under international supervision to unify the country, so that the temporary division of Vietnam into a northern and southern zone would end by July 1956.

The United States pledged on July 21, 1954 not "to disturb" the Geneva Accords. Article 6 of the Final Declaration of the Geneva Conference explicitly stated that the military demarcation line is provisional and shall not in any way be interpreted as constituting a political or territorial boundary.

It is generally acknowledged that Hanoi initially carried out the central provisions of the Accords and eschewed violence south of the seventeenth parallel because it expected to win the elections and did not wish to alienate those whose electoral support it sought. (See, e.g., Fourth Interim Report of the International Control Commission, Vietnam No. 3, Command Paper 9654 [1954]). Nevertheless, on July 16, 1955, the Diem regime, with United States backing, announced that it would not participate in the prescribed nation-wide elections and would not even negotiate with Hanoi, as also prescribed in the Accords, about their modalities. The fact that the Accords granted Diem a full year (July 1955–July 1956) to demand any safeguards for fair elections refutes the State Department's assertion that Diem's obstruction of the central provision of the Geneva Settlement—reunification—was justified because the elections would not have been fair in the North.

As late as September 18, 1961, the International Control Commission (ICC) insisted upon compliance with the obligation to hold elections for reunification. In a Special Report of June 2, 1962, the ICC declared that the United States "increased military aid" to South Vietnam and that the United States' "factual military alliance" with South Vietnam violated the Geneva Agreement.

POINT III—THE UNITED STATES IS NOT COMMITTED BY THE SEATO TREATY OR OTHERWISE TO INTERVENE IN VIETNAM

The State Department's claim that the United States military involvement in Vietnam is in fulfillment of its obligation under the Southeast Asia Collective Defense Treaty is untenable. The argument is a late discovery. SEATO was not mentioned in the official U.S. announcements in February 1965, when the bombing of North Vietnam commenced. In March 1965, the State Department, in a Memorandum entitled "Legal Basis for the United States Actions Against North Vietnam," did not refer to SEATO. Neither Secretary of State Rusk, in an address on Vietnam before the American Society of International Law in April 1965, nor President Johnson, in a statement on July 28, 1965 explaining "Why We Are in Vietnam," made any reference to SEATO.

In fact, the SEATO Treaty does not enlarge the legal basis for the use of force contained in the U.N. Charter. The State Department misleadingly asserts that the Treaty's Article 4(1) creates an *"obligation* . . . to meet the common danger in the event of *armed aggression"*. The term *"armed aggression"* is not contained in the Treaty. Repeating the language of the U.N. Charter, Article 4(1), speaks of "aggression by means of *armed attack*." Since an armed attack has not occurred, SEATO does not authorize defensive action; if an armed attack *had* occurred, SEATO would be redundant, as the use of force would be permissible under Article 51 of the Charter.

In the event of an "armed attack" the United States would have had, at most, the legal *right*, but certainly not an *obligation*, to assist South Vietnam. None of the other SEATO parties regard military intervention in Vietnam as legally required by SEATO. On the contrary, two leading members of SEATO—Pakistan and France—have publicly denounced the United States' role in the Vietnam war.

Article 4 (2) of the SEATO Treaty makes clear that if South Vietnam were threatened "in any way *other* than by armed attack," the (SEATO) parties "shall consult immediately in order to agree on the measures which should be taken for the common defense." And Article 2 of the Treaty makes clear that "subversive activities directed from without" does *not* constitute "an armed attack," but call for consultation by the treaty members. *Consultation* is not unilateral military assistance. Indeed, the Treaty presupposes unanimous *agreement* among the other seven partners before any SEATO power would be authorized to offer military support. In 1964, the unanimity requirement was reinterpreted by the United States to mean that "measures" could be taken in the absence of a dissenting vote among the SEATO partners.

As regards "commitments" of former Presidents, the Department Brief fails to point out that President Eisenhower initially offered limited *economic* aid to the Diem regime if it would be "prepared to give assurances as to the standards of performance it would be able to maintain in the event such aid were supplied," and only on condition that the American "aid will be met by performance on the part of the Government of

Vietnam in undertaking needed reforms." (Department of State Bulletin XXXI, November 15, 1954, pp. 735–736). President Eisenhower has stated categorically that his Administration had made no commitment to South Vietnam "in terms of military support or programs whatsoever."

President Kennedy insisted that the war in Vietnam was "their war" and promised only equipment and military advisers. His view of the United States involvement in Vietnam was summed up in the statement he made in September 1963:

"In the final analyses, it's their war. They're the ones who have to win or lose it. We can help them, we can give them equipment, we can send our men out there as advisers, but they have to win it, the people of Vietnam."

It is strange legal logic retrospectively to construe these carefully guarded offers of limited assistance as commitments for military intervention.

POINT IV—THE INTENSITY AND DESTRUCTIVENESS OF UNITED STATES WARFARE IN VIETNAM IS CONTRARY TO INTERNATIONAL LAW

The intensity, indiscriminateness, and destructiveness of United States war actions in Vietnam violate basic rules of warfare that have been part of international law at least since the formulation of the Hague Conventions in 1907.

These actions are particularly reprehensible so far as North Vietnam is concerned. It has never been denied that the United States military presence vastly exceeds that of the North in South Vietnam. Under the Geneva Accords, the United States is not entitled to introduce military personnel and equipment anywhere in Vietnam (except man-for-man and piece-for-piece replacements as of the status of July 1954) and much less to participate in active fighting in that country. Even if, as the Department Brief contends, reprisal or response to violations of the Geneva Accords by North Vietnam were justified, the United States would be entitled to disregard these Accords only in proportion to their disregard by North Vietnam.

Long before the advent of the United Nations, it was a basic rule of international law that force used in reprisal must be proportional to the illegal provocation. In the leading case of the pre-United Nations era on the subject (the *Naulilaa Incident*, involving the shelling of Portuguese forts by Germany in 1914), a German-Portuguese Mixed Tribunal emphasized that reprisals "are limited by considerations of humanity and good faith"; and more generally, that, "One should certainly consider as excessive, and therefore illegal, reprisals out of all proportion with the act which motivated them." Bombing North Vietnam, as of February, 1965, in alleged reprisal for Vietcong attacks on two American airbases in South Vietnam, certainly seems to flaunt this rule of proportionality.

POINT V—UNITED STATES ACTIONS IN VIETNAM VIOLATE TREATIES WHICH ARE PART OF THE SUPREME LAW OF THE LAND, AND HENCE VIOLATE THE UNITED STATES CONSTITUTION

Since United States actions in South Vietnam and North Vietnam violate treaties to which the United States has become a party by ratification pursuant to the Constitution, they violate the Supreme Law of the Land. No branch of the Government, alone or together, may, under the Constitution, authorize actions in violation of treaties or delegate power to do so. There is no Constitutional authority to violate the Charter of the United Nations, a treaty of which the United States was a principal architect, which embodies the conscience of mankind, and which is legally binding on all its members.

The reliance of the Department Brief upon alleged past precedents as applicable to the Vietnam situation is wholly unfounded, and the assertion that, since 1789, Presidents have at least 125 times ordered "armed forces to take action or maintain positions without prior Congressional authorization" is misleading. None of these incidents, except possibly the Korean conflict, involved U.S. war actions comparable in magnitude to those in Vietnam. None involved the dispatch of military forces for combat to a territory from which, by solemn international compact, foreign military personnel, foreign equipment, and foreign bases were to be excluded. Moreover, most of these instances were the product of "gunboat diplomacy" undertaken before the United Nations Charter limited the permissible use of force under international law to self-defense against an armed attack.

The Korean precedent is especially inapposite, as President Truman's actions were authorized by a Security Council Resolution, and were not unilaterally undertaken as are the actions in Vietnam.

We petition the Congress to adopt the council's 5 point program and thus, by adhering to the precepts of international law, help to bring peace to our country and to Vietnam.

The signers of this statement agree with its general tenor and conclusions, although not necessarily with every formulation that it contains. Names of institutions are listed for identification only.

LAWYERS COMMITTEE ON AMERICAN POLICY TOWARDS VIETNAM,
WILLIAM L. STANDARD, *Chairman*,
CAREY MCWILLIAMS, *Vice Chairman*.
JOSEPH H. CROWN, *Secretary-Treasurer*.

[From the New York Times, Jan. 16, 1967]

BOMBING HALT URGED BY 462 ON YALE FACULTY

NEW HAVEN, January 15.—A letter signed by 462 members of the Yale University faculty was mailed last night to President Johnson urging "most respectfully" that the United States "declare an unconditional halt to the bombing of North Vietnam."

The letter, which circulated among Yale faculty members during the week, included signatures by 15 department chairmen, the university chaplain, the university librarian and the deans of the Schools of Medicine, Law, Divinity, Nursing and Drama.

Typed in four paragraphs, the letter identified the signers as "members of the Yale faculty," but a spokesman for the signers said they "by no means purport to represent the position of the university." The signers were listed in alphabetical order, without rank or department.

TEXT OF LETTER

The text of the letter follows:

"The signers of this letter, members of the Yale faculty, write to urge most respectfully that you declare an unconditional halt to the bombing of North Vietnam.

"We are aware of the difficulties this decision entails for you. We recognize that you must assess important military and political risks before you can make such a move.

"But we believe we speak for men of goodwill everywhere in the world when we urge you to consider that now the potential benefits outweigh the risks, and that the gamble is a necessary one.

"We are very much strengthened in this view by the events of the last few days, particularly U Thant's growing conviction that the cessation of bombing is the necessary key to the opening of peace talks, and Pham Van Dong's interview with Harrison Salisbury in which a new flexibility seems to have been indicated.

"We know that you are as anxious for peace as the rest of us and we fervently hope you'll agree that the cessation of bombing is now essential for the achievement of that peace."

Mr. Thant, Secretary General of the United Nations, was reported on Jan. 4 to have completed two weeks of intensive secret diplomacy. He was reported as having hopes, based on what were described as hard fact, of a positive response from North Vietnam to negotiations if the United States unconditionally ended the bombing.

QUOTE BY DONG

In that same day's editions of The New York Times, Harrison Salisbury, an assistant managing editor of The Times, quoted Premier Dong as having said in an interview in Hanoi.

"The moment the United States puts an end to the war, we will respect each other and settle every question."

The signers of the letter included the following:

Prof. Paul Weiss of the philosophy department and copresident of the American Philosophical Association.

Prof. Robert A. Dahl of the political science department and president of the American Political Science Association.

Prof. Samuel Ritvo of the psychiatry department and president of the American Psychoanalytic Association.

William S. Coffin Jr., university chaplain.

Dr. Vernon W. Lippard, dean of the Yale Medical School.

Louis H. Pollak, dean of the Yale Law School.

Robert C. Johnson, dean of the Yale Divinity School.

Mrs. Florence S. Wald, dean of the Yale School of Nursing.

Robert S. Brunstein, dean of the Yale School of Drama.

Prof. John Morton Blum, history department chairman.

Prof. George A. Schrader Jr., philosophy department chairman.

Roy A. Miller, chairman of the department of East and South Asian languages.

Dr. Frederick C. Redlich, psychiatry department chairman.

Dr. Philip K. Bondy, chairman of the internal medicine department.

Dr. Charles D. Cook, pediatrics department chairman.

Dr. Carlton C. Hunt, physiology department chairman.

Prof. Nathan Jacobson, mathematics department chairman.

Prof. Maynard Mack, English department chairman.

Prof. Victor Erlich, chairman of the department of Slavic languages and literature.

Associate Prof. Robert L. Herbert, chairman of the art history department.

Prof. Jack Tworkov, art department chairman.

Prof. John Rodgers, geology department chairman and editor of the American Journal of Science.

Prof. Christopher Tunnard, acting chairman of the city planning department.

Prof. Eric A. Havelock, classics department chairman.

[From Progressive, January 1967]

RETREAT AT HOME

Two news reports in the last weeks of 1966 illuminated the road the United States can be expected to travel in 1967. The first was the announcement by President Johnson that he was canceling or deferring $5.3 billion worth of domestic programs in the current fiscal year. The second was the disclosure by the Chief Executive that the war in Vietnam will require—and get—in the current fiscal year $9 to $10 billion more than was estimated last January.

Even before it was known precisely where the axe would fall on needed programs at home, it had become clear that the first casualty of the distorted emphasis on the war in Vietnam would be "the other war"—the war on poverty here in the United States.

On March 16, 1964, President Johnson sent a memorable message to Congress summoning it to join him in declaring war on poverty. This challenge, he declared, is the "great unfinished work" of "the richest and most fortunate nation in the history of the world." Between thirty and forty million Americans—one fifth of the nation—he told Congress and the country, still live on the ragged edge of subsistence with little or no opportunity to break out of their hopeless plight.

"This program," the President emphasized, "is much more than a beginning. Rather it is a commitment. *It is a total commitment* by this President and this Congress, and this nation, to pursue victory over the most ancient of mankind's enemies." (Emphasis added.)

Now, less than three years later, the "total commitment" has become a tragic retreat. It started early in 1966 when President Johnson proposed to appropriate little more than half the amount that the Office of Economic Opportunity, which administers the war on poverty, had hoped to get. "Because of Vietnam, we cannot do all that we should or all that we would like to," said Sargent Shriver, director of the OEO, in the philosophical language of a loyal member of the Administration team.

The next backward step came in the closing weeks of the Eighty-ninth Congress last fall when that body cut the President's modest request and seriously diluted the community action program, which is the heart of the anti-poverty program. During the struggle on Capitol Hill, President Johnson seemed indifferent to the fate of the vital appropriation and made no effort to come to the rescue of the embattle OEO.

The results of Congressional action and White House neglect were recently revealed to the nation by Shriver, whose team spirit wilted understandably under the impact of the blow from some members of the team.

"Congressional action has curtailed the war on poverty in 1,000 communities . . . for fiscal 1967," he said. "And hundreds of additional communities, especially in rural America, will be unable to join the battle.

"The poor will feel they have been shortchanged. They will feel they have been double-crossed. The poor will feel that democracy is only for the rich. The impact will be especially harsh on those cities which were able to organize themselves early and which now have successful, ongoing programs."

Shriver had hardly finished his unprecedented expression of dismay over the crippling blows struck by Congress when the axe fell again. This time it was wielded in person by the architect of the "total commitment" to wage war on poverty. President Johnson announced that the twice reduced budget of OEO would be further reduced for this fiscal year. He ordered a $32 million program reduction and "deferment" of an additional $100 million.

This hacking away at the only-too-modest appropriation for the war on poverty is all the more tragic because it comes even before new, and presumably more conservative, Congress convenes. Certainly if the Administration itself reneges on its commitments to OEO, it can hardly hope for enlightened funding of the program from the coalition of conservative Republicans and Dixie Democrats that hopes to rule the House of Representatives during the next two years.

Nobody contends, as far as we know, that the war on poverty is a perfect operation. The original legislation was faulty in some respects. Its administrators have made mistakes, some serious. But the program deserves a far better fate than starvation by degrees. It deserves a chance to prove itself, and this it has not had. Considering its brief existence and pitifully inadequate funds, it must be reckoned a significantly hopeful beginning—if for no other reason than the fact that it is the first serious attempt by our government to make available to the poor something more hopeful and meaningful than a permanent welfare check.

The cut in funds for the war on poverty at the very moment that the Administration is planning to demand billions more for the endless war in Vietnam reminds us that it was less than a year ago that Mr. Johnson assured the nation no such choice between guns and butter would be necessary—and if by any chance it were, it would not be the poor who were sacrificed.

"This nation is mighty enough," the President asserted in his state of the Union message last January, "its society is healthy enough, its people are strong enough to pursue our goal in the rest of the world while still building a Great Society here at home." He scolded those who demanded more guns and less butter. "Whom will they sacrifice?" the President asked. "Will they sacrifice . . . opportunity for the distressed . . . the hope of our poor? . . . In the name of justice, let them call for the contribution of those who live in the fullness of our blessing, rather than strip it from the hands of those in need."

The harsh realities of January, 1967, stand in dismal contrast to the stirring rhetoric of January, 1966. The leader who cried out against sacrificing "the hope of our poor" seems bent on doing precisely that as he becomes obsessively involved in the war in Vietnam and ignores the other war at home.

Unless Mr. Johnson reverses his present role, unless, as Washington columnist Charles Bartlett put it, "he wraps a strong, protective arm around" the anti-poverty program, it will be starved by budget reductions and devoured by its enemies in the new Congress.

The President, it seems to us, should not only stop his post-election pursuit of consensus with the conservative, penny-pinching, budget-slashing Dirksen-Ford leadership in the Republican camp. He should also reread and rediscover—and perhaps believe again—the eloquent appeals to build the Great Society which only yesterday dominated his finest speeches. If he does this, he will come out fighting as the new Congress convenes—fighting for the social programs he has insisted he believes in but has lately placed in the greatest peril. If he chooses the other course—collaboration and compromise with the conservative Republican leadership in its commitment to a false economy—Mr. Johnson, we believe, will destroy the all-too-fragile foundations of his Great Society and place his own political future in even graver jeopardy than it is now.

INAUGURAL ADDRESS DELIVERED BY DR. PAUL W. COOK, JR., 10TH PRESIDENT OF WABASH COLLEGE

Mr. BAYH. Mr. President, on December 3, 1966, Dr. Paul W. Cook, Jr., was inaugurated as the 10th president of Wabash College. Although this outstanding liberal arts college, which is located in Crawfordsville, Ind., was founded in 1832, during the first 134 years of its existence only nine persons had served it as president.

For more than a century Wabash has been recognized as one of the leading undergraduate institutions of its type in the Nation. Although comparatively small in size, this private liberal arts college has always strived to provide the highest quality education possible for its all-male student body. In recent years sizable financial support from private foundations, alumni and friends, has enabled it to attract eminent scholars to its faculty, to construct new, more modern facilities, to revise and experiment with its curriculum, and to greatly expand its scholarship and financial aid programs. Wabash College has been rightly proud of its devoted faculty, its excellent study body, and its distinguished alumni.

At his inauguration, Dr. Cook spoke eloquently about the role of and prospects for the small, independent college in the United States. His analysis of the problems to be faced by and the values to be found in institutions of this type is worthy of widespread attention. In view of its significance I ask unanimous consent that Dr. Cook's inaugural address be printed in full in the RECORD.

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

ADDRESS BY DR. PAUL W. COOK, JR., ON THE OCCASION OF HIS INAUGURATION AS THE 10TH PRESIDENT OF WABASH COLLEGE, CRAWFORDSVILLE, IND., DECEMBER 3, 1966

Mr. President, Members of the Board of Trustees, Faculty, Honored Guests—Thank you for your kind and inspiring words. I accept your charge with total personal commitment; that is easy, it envelops me, I could not do otherwise. I also accept with complete intellectual conviction the idea that Wabash College will prosper, will grow in significance and reputation, and will come to be more cherished not only by its immediate family but by all who benefit from its being what it is. This is not to forecast that I will be a great president, but to reply to those who, noting that I am forty years old, might say that I was to be the "tenth and last president of Wabash College."

There are many thoughtful people who say the private liberal arts colleges, with only a few exceptions, will not survive my generation. Some say that, with our limited curricula, we will not be able to attract good students, an idea which no facts that I have seen will support. The best students are too smart for that; they want to go to the school that offers the best total experience, so long as they are convinced their education will not suffer.

Their education will not suffer, though these same people may say a small college cannot offer a quality education. Perhaps they don't know that we can start a student as high as his Advanced Placement scores permit and can let him run as far as he can go. If a program needs tailoring to meet an exceptional need, in a good small college it just happens in the ordinary course of events. If they looked at a Wabash graduating class, they would see many who came as students and are leaving as respected associates, having acquired a great many things other than their specialty along the way.

Some say we won't be able to attract and hold good faculty. Perhaps they cannot imagine a faculty of scholarly distinction that is also devoted to a school; they should meet the Wabash faculty.

What the faculty question boils down to is a question of resources, since there is a limit to the sacrifice a professor can impose upon his family in order to work where his satisfactions are greatest. On the question of resources, Wabash has been much blessed. Following World War II, which for Wabash was simply an extension of the Great Depression, our Board of Trustees acted with raw courage and the confidence that a job well done would find support. The job was well done, the support was forthcoming, and through the years, pure nerve could yield somewhat to reasoned expectation and conscious planning, with the result that our plant is nearly complete and our academic programs are strong. I hope those who took part in this great venture feel in their hearts the satisfaction they have so amply earned.

Despite our many blessings and our rela-

tive strength, let there be no doubt that these are extremely competitive and difficult times for all private colleges, including Wabash. All of them, and especially those west of the Appalachians, are caught between the hammer of the low charges at state schools and the anvil of costs that are rising faster than family incomes. The inundation of students is the root of the problem, since it has caused a shortage of qualified teachers which will persist through the next decade. Since the private colleges traditionally hope to keep the ratio of students to faculty relatively low, the pressure on them will be relatively high.

Programs aimed at helping serve all too often to make matters far worse for the colleges rather than better. Since the supply of teachers is limited, a great deal of the money is simply directed toward moving people doing the same sort of work from one institution and grant to another, or from teaching into research, or from undergraduate teaching into graduate schools. This is not the first time the government has entered into competition with itself, causing a tight little inflationary spiral, and producing unintended consequences. It is, on the whole, a better time to be a professor than to be a president.

Of course, there is no malice in anyone's heart, but my lawyer friends tell me that the word "intent" refers not to a state of mind but to the logical consequences of a course of action. Certainly an organization is presumed to have intended the results that its actions produce. In that sense of the word, we must conclude that there are massive forces at work in American society that intend to put the small private colleges out of business. If that puts the matter perhaps too strongly, I hope that it is at least and at last clear.

We are entering a decisive decade for private education in general and Wabash in particular. It is the world of Alice and the White Queen, where we will have to run faster than ever before simply to stay where we are, and to stay where we are is not good enough.

For me and for Wabash, this is more a matter of concern than outright worry. It vexes and challenges, but does not produce pessimism or despair. One major reason is that the men of Wabash have never quit fighting yet, they have never run from any competition. Just as in darker days in our history, they and others will see the value of an institution that not only does its educational job well but produces such spirit. When devotion and dedication are mixed together with quality, most people know that there is something there that is worthy of support. I unfortunately cannot answer for all small colleges, for each must find its own way. For Wabash, however, there will be an answer.

But, why? What is the genius of the place that generates for it the determination, the enthusiasm, the will, and, I am convinced, the ability not merely to survive a hazardous future, but to shine more brightly than ever before?

One answer is its history. We celebrate December 3 as Founders Day, for it was 134 years ago today that Wabash had its beginnings as an expression of faith in education held by men of faith in God. Curiously, though Presbyterian through and through, it was not church related. The young State of Indiana apparently feared the combining of secular and religious institutions; perhaps Hanover, founded some five years before, presented something of a menace at the time. So from its earliest beginnings, Wabash was as much on its own as any college could be, which meant it drew its support only from those who had personal knowledge of it and had made a personal commitment to it.

Wabash has always been blessed by a committed and informed community of teachers, students and friends dedicated to its excellence, through the happy accident of history which left it orphaned with no other resources and no other masters. It gained from what it lacked, because its support, its leadership and its distinctive character from the beginning were wholly derived from the personal conviction that it was important for itself, that it must be preserved and cherished, and that to serve it was an act of service to a society that needed it. Wabash does not hold and has never held the idea that a private college was a place of sanctuary for a privileged class. Quite to the contrary, it is now what it has always been, a college dedicated to serving society through the good that young men of character and high aspirations and abilities can do. We do not exist simply to broaden our students' opportunities or to reward their special graces. We exist to secure from them their best, not for themselves alone, but for the sake of the future of their world.

This ethic, infused into faculty and students alike, produced early what seems to be still the college's outstanding characteristic—a spirited, bullheaded, proud, indeed occasionally arrogant insistence on its own integrity, worth and independence. Wabash is, and has always been in the eyes of those associated with it, a unique and important agency for the service of a high calling, an end beyond one's self.

Social psychologists would undoubtedly add a number of other things that act to build distinctive spirit of the College. Men's colleges for a number of complex reasons seem to breed this outlook. Also, any institution prospering in active competition on all fronts with bigger, better publicized, and in many ways more powerful rivals tends to exhibit the same characteristics. Lastly we cannot forget the imprint of great individual personalities, dedicated men, so numerous that none can be mentioned without slighting many; however, I am sure all of them would want me to say that Wabash shaped them as much as they shaped it.

So we have dedication and a high purpose; is that enough? Does cold reason say that a college that admits 250 freshmen in a country whose colleges and universities admit 1.5 million can't amount to enough to be worth the trouble it will take?

It can be significant and indeed the chances of significance would decline if Wabash or the other small colleges were to get substantially larger. We must work hard to stay small, work hard because it is more difficult to do that than to grow. I base my belief in our significance on a belief in the leverage of leadership, the belief that a few individuals of character, with a sense of dedication and responsibility and armed with an education of highest quality can have immense impact. Similarly, I believe that a college that leads, that holds to a sound principle and sets an example, can have significance far beyond its size. Finally, I conclude, and this from eleven years' experience being charged with the job of training men for responsible leadership, that the historic mission of the liberal arts colleges, that of training responsible leaders and developing men of character, has its greatest chance of success in small college setting.

There is so much that is obvious here that it is difficult to believe it is so often forgotten. Perhaps people worry so much about the minutes when a student may be acting like an irresponsible boy that they forget the weeks and months when he is acting like a mature and dedicated man. I know many people worry far too much about what is said to students and have far too much confidence in its effectiveness for good or evil. There are many finer points, but the basic truth is simple. Men develop a sense of responsibility when they are required by their situation to bear responsibility. They acquire character when they are placed in situations that require character of them. They learn organization and leadership when they are in situations where they must organize and lead, not when they sit and listen to leaders paraded before them for their benefit. They acquire moral values when they learn that they cannot live effective lives without them.

Of course, the educational programs must reflect these truths, but that is only the beginning. At Wabash, as at similar schools, there is no mass, no student proletariat, where they can sink or must be sunk in anonymity. There are more positions requiring responsible student participation than there are students; they must double up and accept more than one. The pressures to participate on the young man who is academically only average or below is many times that in larger schools, which after all still have only one newspaper, one national debate team, one glee club, one band, one intercollegiate team in each sport, one theater group, and so forth, and increasingly fewer opportunities to take part in student government or in the leadership of small scale, autonomous living units which have important social and, at least here, educational functions. Our relatively low rate of student failures is due in substantial part to their concern for academic performance. In such a situation a man may observe less, but he does more. His satisfactions are not vicarious, but lie in his accomplishments. Even if he were to learn nothing of a substantive nature from the experience, which is highly unlikely, he develops as a man. To speak of such experiences as being merely extracurricular, as if they were entertainment of some kind, seems wholly to miss the point.

To this, of course, must be added the intimacy of contact between faculty and students that such a setting permits. We still believe the teacher should be in the classroom with his students. Indeed there should be times, perhaps once or twice in a student's career, when the professor's head should be about twelve inches away and his speech should be both loud and very much to the point. More than that, he should be capable of inspiring, both as a teacher and as a man. His heart, his home, his office and his mind should be open to his students. He should have neither so many colleagues nor so many courses or projects that all his interests are absorbed, leaving neither time nor energy for students as individuals. He is not just a fountain of knowledge, he is a "fisher of men."

These are old-fashioned virtues. They can be implemented; we can and will make more of them. They do not, however, lend themselves to the efficient handling of large numbers. They are expensive. They cannot be presented as projects or innovations which have appeal to sources of outside support, although the mere act of preserving them seems more radical each day.

They are however right, and we are very stubborn when it comes to doing things right. They are right because the concern for the total individual, the concern for the development of his own, unique, distinctive individuality, is the single foremost lesson that the liberal arts of the Western World have taught us. Without that concern, a student is an object, a number, something to be processed and passed on. No idea could be more alien to our tradition.

I focus on the opportunity for personal development only because I believe that the other main business of undergraduate education, that of simply informing the young, can be a virtual stand-off. Some things a good small school can do better, other things a good big school can do better; certainly both can achieve academic excellence. Undoubtedly some students of equal intellectual qualifications but different personalities should go to one and some to the other. We gain much in this country from having educational institutions that are almost as diverse as the students attending them.

The proposition is, however, quite simply stated; with the student and his educational advantages being equal, and I certainly would not settle for less than that, who do the

odds favor to make the most useful, fulfilled, responsible and contributing citizen? Who will make best use of what he has learned? Who do the odds favor to work easily with others without losing himself? Who do the odds favor to have the stability, the drive and the fortitude to persevere, not to be thrown by life's inevitable disappointments or frustrations?

These things are not learned in classrooms, though they may be reinforced there. They do emerge from the total experience of a good liberal arts curriculum in a small college setting. They are what the liberal arts are all about, for without a synthesis in the personality and the work and life-style of an educated man, the liberal arts are nothing but a miscellany of subject matter. A really good educational experience scars the psyche, it marks the man for life.

The economics of small scale education may be against us; the idea that an educational experience is only acquisition of knowledge, a form of social and private capital to be received like an injection, may be against us; the sheer weight of the numbers of people who must have more knowledge than they can gain in high schools has released forces that work against us. But if the small colleges should fall before these pressures, it could only mean we no longer cared about the development of the total individual personality which once we held so sacred. Were that to happen, not just the liberal arts colleges but the liberal arts themselves would be truly dead, a business for scribes.

Those who know Wabash know better; if they did not already know better, Wabash has taught them so. They are marked for life. The men of Wabash will not break faith with the humane tradition or with their history. We will be relentless in our pursuit of excellence. We will continue to develop men to lead and to serve. We will not compromise our sense of high purpose. We will do whatever we have to do to achieve our goal, not for ourselves, but for the greater benefit of mankind.

Mr. President, I accept your charge, humble in the knowledge that this is a great college made by great men, inspired by their example, and with the full faith of my heart and the full conviction of my mind.

PRELIMINARY REPORT ON TRIP TO THE FAR EAST AND MIDDLE EAST

Mr. SYMINGTON. Mr. President, upon my return to the United States the first part of this month, at a news conference on January 6, I gave impressions of my trip to the Far East and Middle East. I ask unanimous consent that an article written by John Cauley with respect to this news conference, and published in the Kansas City Star, 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 Kansas City Star, Jan. 7, 1967]

SHIFT IN VIEW: MISSOURI SENATOR RETURNS FROM SOUTHEAST ASIAN TRIP

(By John R. Cauley)

WASHINGTON.—Sen. Stuart Symington (D-Mo.) said yesterday that he was now more favorably inclined toward a political settlement for ending the war in Vietnam than he was a year ago.

Symington, who returned Thursday from a trip to Southeast Asia, also said that "this is going to be a long and expensive war. I am not as optimistic on the long pull as I was last year."

CHOICE IN 1966

In 1966, Symington said that the United States should either move forward or get out of Vietnam.

At a news conference the senator said he still felt this way but that "the monetary situation and other problems have increased my desire for a political settlement more so than before, if it can be arranged on a proper basis. This should be given serious study.

"The war looks to me like a long drawn out effort, very expensive, and it is difficult to see how it can be terminated in any way in a short period of time.

In Vietnam, Symington conferred with embassy officials, American military commanders and visited many areas of the country.

The United States is not attacking meaningful military targets in the North "as much as I would like to see," Symington said, and that there had been "no outstanding success" in stopping the infiltration of Communists into the South by bombing raids.

"The number of troops coming down from the North today is considerably greater than we were told last year would be coming down at this time," Symington said.

DOES NOT ELABORATE

The senator declined to elaborate on what precise steps he would suggest to obtain a political settlement.

Asked if the United States was winning the war in Vietnam, Symington said that this was difficult to answer. He explained that American troops now were more successful on the ground in daytime than they were in the past but that there still remained the problem of handling the guerrillas at night.

To a question as to whether he would advocate strategic bombing of the North, Symington replied "If you hit more meaningful military targets you would make certain of less infiltration from the North to the South.

"But whether the reaction in some other countries would make it detrimental to do so, that's another matter."

In citing the possible reaction of "other countries" Symington obviously was including Red China.

BACKS AIR POWER USE

Symington, the first secretary of the Air Force and now the only member of the Senate who is on both the foreign relations and armed services committees, stoutly defended the use of air power in Vietnam.

He said that the American military commanders there told him they could not possibly do as much on the ground as they were doing without the support of aircraft.

Asked whether a bombing lull might contribute to peace negotiations, Symington said that he was in Vietnam last year during the lull and that there was a great deal of conviction then that we were getting little out of the pause and that the Communists were benefiting from it.

"We will be under just as much criticism for bombing trucks and roads in the North as we would be for hitting more meaningful targets," Symington said.

Asked what he thought of the proposal of Senator Mansfield to seal off South Vietnam, Symington said the American military leaders in Vietnam were opposed to it.

TOO MANY REQUIRED

"A seal-off would require tens of thousands of additional troops," Symington said.

Senator Mansfield said yesterday he believes "the opening has been enlarged" for possible negotiations to end the war in Vietnam.

But Senator Everett M. Dirksen of Illinois said in a separate interview there have been "no hard evidence and no firm clues" that Hanoi wants to negotiate.

Mansfield said he believed the "great degree of flexibility" President Johnson gave U Thant, the U.N. secretary-general, in seeking peace negotiations might already be paying off.

But Dirksen said "nothing has come from that quarter that I can see to raise any new hopes."

EFFECTIVE FIREARMS CONTROLS—EDITORIALS

Mr. DODD. Mr. President, I ask unanimous consent to insert into the RECORD at this point editorial material on the need for Congress to enact effective firearms controls. These two articles, the lead story in the January edition of Reader's Digest and a strong editorial from the January 13 issue of Life magazine, represent the views of important segments of the American press on the need for the kind of laws Congress has been attempting to adopt for the third consecutive Congress.

These articles are concise and exhibit an unusual insight into the problem of crime. The publishers should be commended for the service they have rendered the public in focusing attention on the toll of innocent victims killed by guns, a toll which exceeds by three times that of our servicemen lost in Vietnam.

Mr. President, I commend these articles to the attention of my colleagues as they consider the Senate bill 1, which I recently introduced to amend the Federal Firearms Act.

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

[From Life, Jan. 13, 1967]

WHO NEEDS AN ANTITANK GUN?

Nearly five thousand Americans died in Vietnam last year—the expectable result of a shooting war. Here at home, more than three times as many people were shot to death—many of them victims of a traffic in guns that is unregulated by even the most basic of safeguards—any child, maniac or parolee can buy a gun about as easily as a pack of flower seeds.

Each year a million weapons come flooding into this country—outmoded relics of every military action from the Crimea to Korea. Here the guns are frequently advertised in the sleaziest of the pulp and girlie magazines, with promises of warped fulfillment in owning a Japanese Nambu 8-mm automatic—"the gun that won the Far East"—or "the acme of all German ordnance. The original Bazooka used by German troops to smash American-British forces all over Europe."

Any village idiot, or a Lee Harvey Oswald, can order such a weapon—and have it delivered by an express company even in those states or cities that have laws restricting the purchase of weapons. As long as there is no effective federal law limiting the interstate shipment of everything from derringers to bazookas, state and local laws are useless. In a recent study Chicago police were able to trace the destinations of 4,000 "mail-order" weapons. They found that 23% of them had gone to purchasers with criminal records ranging from murder to sexual molestation.

Gun nuts justify the sale of surplus 20-mm antitank guns as a constitutional right. They base their case on Article Two of the Bill of Rights, but quote just half the sentence, " . . . the right of the people to keep

and bear Arms, shall not be infringed." The Supreme Court has long held that right to be a collective one, reflecting the first words of Article Two, "A well regulated Militia, being necessary to the security of a free State. . . ."

Polls have consistently shown that over two thirds of all Americans want some form of control over the gun trade. But that majority of Americans so far has not had its way because Congress chooses to listen instead to the vocal minority which opposes any real controls. Speaking most forcefully through the National Rifle Association, the gun buffs have lobbied to death every attempt at a sensible bill.

We need a federal law that will:

Ban the sale of surplus monstrosities, the bazookas, grenade launchers and anti-tank guns for which no citizen can have a conceivable need.

Ban the interstate sale of weapons to minors.

Require any mail-order purchaser to file a notarized affidavit that his order does not violate the laws of his own state or locality—and include the name of his principal local police official. Delivery of the weapon then would be delayed until the dealer has returned a copy of the order to the named police official and he in turn clears it.

None of these restrictions would hinder the legitimate hunter or target shooter. But they would make it possible for states and localities to frame meaningful regulations that could not be circumvented with a coupon and a five-cent stamp.

The hearings have been held, the statistics are known. The Congress has a duty to pass a strong firearm control bill. It could literally be a lifesaver for some of the 17,000 Americans who otherwise will lose their lives to guns this year.

[From Reader's Digest, January 1967]

WE NEED A FIREARMS-CONTROL LAW—NOW

(By Alan Barth)

The toll of death by shooting is mounting steadily. Whether the deaths are accidental, calculated or the result of psychopathic rages, the lesson is the same:

Guns have played a dramatic role in American history. They armed the Minutemen who won American independence; they are intimately associated with the winning of the West and the expansion of our nation's frontier. But for most Americans living in today's crowded cities, the frontier has become part of the national folklore, and the indiscriminate possession of firearms has become a threat to their very lives.

More than 100,000 U.S. civilians were shot during 1966. About 17,000 of these shootings proved fatal. Each year guns figure in some 25,000 aggravated assaults and about 60,000 robberies. They are used to commit more than half of the nearly 10,000 annual murders. Moreover, the trend of casualties is consistently upward.

The United States is one of the few advanced countries to permit an almost wholly unregulated proliferation of firearms. Except for some local restrictions—made ineffectual by mail-order houses and by laxity in neighboring states or counties—firearms are available to anyone who can pay for them, including responsible sportsmen, fools, hopheads, drunks, thugs, children, burglars, homicidal maniacs, angry spouses, and persons who feel like sniping at their fellow citizens from rooftops during a riot.

Shootings can be divided into three categories:

Accidents, when the killing or wounding was unintended. This kind of mishap is so commonplace that, unless it involves a newsworthy person, it is relegated to inside pages of the newspaper and accorded little space.

A couple of illustrative items can be offered from a single issue of the Washington *Post*. One tells of a 12-year-old boy who was shot and killed by an 11-year-old friend while the two were watching television in the friend's home. The 11-year-old approached the 12-year-old with a .38-caliber pistol, saying, "Look what I found." At that point, according to the story, the pistol went off. The 11-year-old's mother said that the pistol belonged to another of her sons, and that she thought it was unloaded.

The second story that day recounts the death of a 14-year-old girl shot by her stepbrother, who was playing with a rifle which he had found on a wall rack in the home of a neighbor they had visited. The owner of the gun kept it loaded, he said, "for protection."

A word should be said about the use of guns for protection. In the first place, attempts by the average householder to defend his home against armed criminals rarely succeed. Criminals are more accustomed to handling guns than are ordinary householders and less squeamish about killing. And the sight of a householder, gun in hand, is likely to add an unintended murder to a lesser crime. In this kind of dueling, the record runs heavily against householders.

In the second place, pistols kept at home for self-protection will be used more often to shoot friend, by mistake, than foe. Journalism is full of these cases: Mother, hearing footsteps on the stairs, blazes away and learns that she has shot Junior trying to creep home quietly after a late date; or Father, seeing a silhouette on the draperies, takes quick aim—and finds himself a widower.

A pathetic illustration appeared in a recent Associated Press story from Indianapolis: "A high-school girl who arose before dawn to quiet the family dog was shot to death when her father mistook her for a burglar. Larna Kay Wilson, 18, cried, 'Oh, Daddy,' then collapsed and died. Her father, Jack Wilson, 45, was sobbing beside the body when police arrived."

Another familiar type of "accident" stems from the unfortunate propensity of hunters to mistake one another for deer, bear and other forms of wildlife. According to the Metropolitan Life Insurance Co., shooting accidents occur with special frequency during the October-through-December hunting season. Residents of rural areas in northern New England have come to consider it almost suicidal to venture outside their farm homes during this period.

The second category of shootings can be called acts of desperation. These range from suicides (some 10,000 a year by guns) to the slaying of a loved one by a rejected suitor, lover or husband to the wanton slaughter of complete strangers. Such a desperation case shocked the nation last summer when a demented University of Texas student first killed his wife and mother with a gun, then shot 31 fellow human beings from a tower on the university campus, killing 13 before he was himself killed by a policeman's bullet. One of the weapons for this massacre was purchased at a local store just an hour before it was put to its terrible employment.

A further illustration of desperation shooting is found in this newspaper account of tragedy: "William A. Thorpe, a carpenter known to his friends as 'a quiet and kindly man,' went berserk today and killed his mother, his sister, his young son and finally himself with a .25-caliber automatic. Thorpe had been worried over custody of his son since he became estranged from his wife six months ago."

The third and most common category of shooting includes killings and woundings committed in the course of another crime. Such shootings occur most frequently during robberies and holdups, when the armed holdup man becomes frightened or is indifferent to the taking of human life.

The Great Equalizer. One common denominator runs through all these categories. Guns may not have prompted the killings, but they made the accidents possible, the suicides easier, the resentments more lethal, the crimes more feasible.

Gun enthusiasts argue that the problem has nothing to do with guns. If the human will to kill is present, they say, and if no gun is handy, a kitchen knife, sash weight, rope or even bare hands will do just as well.

It is unquestionably true that the human will to kill lies at the root of all nonaccidental killing. But guns afford peculiarly apt implementation for that will. Appropriately called an "equalizer," a pistol can give a heady sense of power to many who, without it, would never dare defy the law. It is the standard weapon of the criminal. It makes a boy equal to a man, the village idiot equal to the sage, and the thug equal to the police officer.

The Secret Service is capable of protecting Presidents from knives, sash weights, ropes and bare hands, but the assassins of Presidents Lincoln, Garfield and McKinley all used guns. So did the Puerto Ricans who shot at President Truman in Blair House. And so did Lee Harvey Oswald when he decided to end the life of President Kennedy.

Yet today, despite the publicity and the public outrage over the ease with which Oswald obtained his rifle, no questions are asked by the mail-order merchants—or, at any rate, no questions requiring meaningful answers. Some request their customers to sign this statement, recommended by the National Rifle Association: I certify that I am 18 years or more of age; that I have never been convicted of a crime punishable by imprisonment for a term exceeding one year; that I am not a mental incompetent, drug addict or adjudged drunkard; and that I am not prohibited from legally acquiring a firearm by state or local laws.

Since no notarization, official certification or witness is required, the statement is worthless.

Aim. It has been demonstrated that cities with gun-control laws have a markedly lower homicide rate than cities without them. James V. Bennett, formerly director of the U.S. Bureau of Prisons and an ardent advocate of firearms-control legislation, pointed out that in 1962 the homicide rate per 100,000 population in New York City was 5.4. That year the homicide rate in the city of Dallas, which has no gun controls, was 13.4. Firearms fatalities *can* be reduced by firearms control, and the reduction can be dramatic if federal and local controls supplement each other so that local legislation is not nullified by mail-order sales or by the laxity of neighboring jurisdictions.

This is precisely the aim of legislation introduced in the Senate by Connecticut's Sen. Thomas J. Dodd in 1965 and advocated by President Johnson and by law-enforcement authorities all across the land. The bill proposes three major reforms:

1. It would stop the flood of firearms from abroad. More than a million foreign military weapons are dumped in this country annually—because other countries will not let them in—and are made available at cut-rate prices as a potential arsenal for crime.

2. It would stop the mail-order gun business by providing that guns could be shipped across state lines only by one licensed dealer to another. License fees would be high enough to keep individuals who wished to evade the provision from designating themselves "dealers," as some 99,544 persons did in 1964, in order to buy guns at wholesale prices.

3. It would permit retail, over-the-counter sale of a handgun (pistol) only to a resident of the state where the purchase is made and who is eligible by state and local law to purchase such a weapon. It would operate, in short, to help the states enforce their own gun-control laws by forbidding other states to frustrate them.

The Dodd bill came to naught in the 89th Congress. After extensive hearings and approval by the Juvenile Delinquency Subcommittee, the full Judiciary Committee last September scuttled it and proposed a meaningless substitute that would regulate mail-order sale of handguns but not of carbines, rifles or shotguns. This makes about as much sense as a narcotics law restricting the sale of cocaine but ignoring the sale of heroin.

To Lessen the Consequences. Why was the Dodd bill killed? The answer lies, partly at least, in the opposition of the National Rifle Association, which has persistently mobilized its membership—now numbering about three quarters of a million—to thwart every genuinely effective attempt at firearms control during the past 30-odd years.

In the light of the NRA's adamant, and successful, opposition to the Administration firearms bill, it should be noted that there is nothing in the bill that would curtail present ownership in any way or keep responsible, law-abiding adults from buying firearms—whether for sporting purposes, for target shooting, for self-protection or for the simple pleasure of collecting guns. It would inconvenience the responsible, law-abiding adult to the extent of requiring him to make his purchases in the state of his residence and to wait a few days to let the police check his identity. It would cause serious inconvenience only to felons, juveniles, habitual drunkards, drug addicts and the mentally ill. Can responsible Americans really be unwilling to undergo such minor inconvenience in order to keep deady weapons out of the hands of the irresponsible?

The NRA has managed to imbue many of its members with the quite mistaken notion that effort at effective regulation conflict with the Second Amendment to the U.S. Constitution, which provides that "A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed." The Supreme Court has made it clear that the second part of this amendment must be read in relation to the first part. The Court ruled, in approving the existing National Firearms Act, that the right to bear arms must have "some reasonable relationship to the preservation or efficiency of a well-regulated militia." The organized militia of the states is today the National Guard, armed and equipped by the federal government. Proposed federal legislation would not interfere with this; and as far as local legislation is concerned, the Second Amendment of course imposes no restraint.

Laws, admittedly, cannot of themselves put an end to crime and folly. But they *can* lessen the tragic consequences of human frailties. What possible sense is there in making it easy for any criminal, any suicidal or homicidal madman, even any child, to obtain guns that can be used at whim to maim and kill?

Let Americans who want to do something to lessen the tragic toll of shootings in this country write to their Congressmen and Senators, to their state legislators and municipal councillors, to their local newspapers. Let them make known that they have had enough of this senseless slaughter and want something done about it—now.

IMPORTATION OF FOREIGN-MADE WATCHES A THREAT TO DOMESTIC WATCH INDUSTRY

Mr. TOWER. Mr. President, I was gravely concerned late last week upon being informed that the Office of Emergency Planning had determined that importation of watches, watch movements and watch parts poses no threat to national security. I must strenuously dissent with this analysis, Mr. President, just as I must take exception to President Johnson's immediate order that tariffs on watch movements entering the United States be reduced. The President's action was issued in direct response to the report from the Office of Emergency Planning.

During the Second World War our country found itself without adequate facilities for production of timing devices and mechanisms for military and weapons use. Until that time we had been depending on European-made timing devices, and had not had the forethought to nurture a domestic watch industry.

It was the recollection of that unfortunate situation 25 years ago which led me to request the President several months back to take a good hard look at our domestic watch industry and its capabilities in light of the threat being posed by the continued high level of watch imports.

It is the recollection of our historic experiences which leads me to question the report of the Office of Emergency Planning, that our domestic watch industry is thriving in its competition with imports.

In my own State, in the city of Abilene, a large number of workers are in danger of losing their jobs in a watch manufacturing company—one of the town's largest employers—due to the President's decision upon receiving this report.

In this report, it was observed that "the military production capability of the domestic watch industry has not only been unimpaired by imports in the past decade but is currently at its maximum and is expanding."

I do not believe that the shutting down of plants and the laying off of workers is symptomatic of an industry enjoying an expanding production capability.

The unavoidable result will be a slowdown in the growth and stability of our domestic watch industry and a decline in the number of U.S. and Texas jobs available in that industry. I long have joined in urging protection of this industry and these jobs, and I do not believe that the administration has proved its case for reduced tariffs at this time when recessionary straws are in the wind and other major industries are curtailing production and laying off workers.

For the benefit of all concerned, I urge that the administration withhold its ruling until Congress has had a chance to explore the problem and arrive at a less malevolent decision.

At stake are jobs of hundreds of Americans.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

Mr. SMATHERS. Mr. President, I suggest the absence of a quorum.

Mr. KUCHEL. Mr. President, if the Senator will withhold that request for a moment, does the Senator contemplate having a live quorum?

Mr. SMATHERS. Not at this time.

Mr. KUCHEL. I thank the Senator.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT OF STANDING RULES OF THE SENATE

The PRESIDING OFFICER (Mr. BURDICK in the chair). The question is on agreeing to the motion of the Senator from South Dakota [Mr. McGOVERN] to proceed to the consideration of Senate Resolution 6.

Mr. ERVIN. Mr. President, I rise in objection to this motion.

Mark Twain is reputed to have said:

> Truth is precious. Use it sparingly.

But I do not propose to take Mark Twain's advice. Instead, I expect to be rather extravagant in the use of truth, both in the amount of the dosage which I should like to give to the Senate and also in the number of words which I expect to employ in administering it.

I expect to look to history, despite the fact that some of my brethren have said we should not look back to the words of Jefferson or Washington or the other great men of the past.

Mr. President, I am not the only person who has some veneration for history. The founder of the Democratic Party, Thomas Jefferson, said, on one occasion:

> History informs us of what bad government is.

One of my purposes in looking back to history is to let Senators know what some may have forgotten. In times past, we have had some bad government in our great Republic.

The great French philosopher Lamartine said:

> History teaches everything, even the future.

One of the reasons I expect to look backward to history is that we may know from the history of the past what the future may be.

The great German philosopher Von Schlegel emphasized that point. He said:

> A historian is a prophet looking backward.

The reason I wish to look back to history is the hope that we might avoid the misfortune which George Santayana predicts for those who ignore the lessons of history. He said:

> Those who cannot remember the past are condemned to repeat it.

So I look to the past, that is, to history, because I want the Senate to look to the future and appreciate what the result might be, if the Senate should repudiate all of its history since 1789, and change rule XXII so that Senators can be silenced in the hope that impatient men and organizations will get their way.

When the rulers of a nation ignore the lessons of history, they condemn their nation to repeat the mistakes of the past.

I wish our country to have a great future. I wish my little grandchildren and their contemporaries to enjoy life in a nation which has institutions that safeguard the people against governmental tyranny. Every time a new Congress comes to Washington, we repeat the performance we are witnessing concerning rule XXII. I am convinced that there is no popular demand abroad in our land for a change in rule XXII. I think that the effort which is made every 2 years by those who seek to change the rule and to destroy the only thing that makes the Senate a distinctive legislative body comes from a few organizations dominated by impatient and, I fear, sometimes intemperate men. If it were not for such organizations, dominated by impatient and, as I fear, sometimes intemperate men, the Senate could proceed immediately to its work whenever a new Congress convenes.

We live in a rather dangerous age for America, because we have abroad in our land many men who give their allegiance to what may be called the cult of conformity. For some strange reason those men no longer put value on such things as the right of any American to dissent from the views of the majority. If they had their way, they would compel every American to quit thinking his own thoughts and to adopt theirs, and they would compel every American to conform his actions to their wishes rather than to his own honest convictions.

We sometimes see the cult of conformity accepted among men in high places. The impatient organizations which demand that the Senate lay aside its work every 2 years and discuss a proposed change in rule XXII apparently suffer under the delusion that if they could find some way to keep Senators from pointing out the folly of some of the notions they entertain, they could induce the Senate to put their ideas of conformity into law and impose them upon all the American people. They suffer under a delusion, because I think the reason Members of the Senate will not vote for their proposals is that Senators recognize that the proposals are unwise.

As I have stated, there is a controversy about rule XXII every time a new Congress meets. We had it asserted on the Senate floor last week that the rules of the Senate should be changed so that the Senate might be made like all other legislative bodies on the face of the earth.

We have had it asserted by one of the proponents of the change that the rules of the Senate ought to be changed so that it would operate like the House of Commons.

God forbid such a calamity. The House of Commons has had a great part in the liquidating of a great empire, of which it could formerly be said that the Sun never set upon its flag and that its ships controlled the seven seas.

England was once the mightiest power on earth. But it has been converted, by acts of Parliament in large measure, into what is now a second-rate nation.

For this reason I cannot accept the suggestion that the Senate ought to be changed in its nature and converted into a place where majority rule prevails on all occasions, as is the case in the House of Commons. Our Nation has steadily grown in power during all its history, and this is true in large part because the Senate has never limited debate otherwise than by rule XXII.

As I have stated, there is a controversy about rule XXII every time a new Congress meets.

I have been much intrigued by the reasons given in times past, during my service in the Senate, by those who seek a change in this rule.

When I first came to the Senate the proponents of change in rule XXII said that we should change the rule because the southerners thwart the will of the Senate. I do not claim to be an expert in mathematics, but I have not been able to comprehend how anyone can delude himself into believing that 22 southerners can thwart the will of 78 other Senators. As a matter of fact, rarely do 22 southerners stand together on this proposition. Usually several secede from the Confederacy. The charge that a few sinful southerners who never number more than 22 can thwart the will of 78 other Senators is preposterous. It always makes me think of the story which I have told before in the course of these discussions.

I think all Senators have enjoyed at times seeing the cartoons which depict Jiggs and his wife Maggie. On one occasion one of these cartoons showed Jiggs and Maggie on a visit to Spain. They were walking along the streets of Madrid when Maggie became irritated with Jiggs and proceeded to visit her irritation upon his person. It happened that a few days before Jiggs had learned about the existence of a society in Spain called the Kazooks. The Kazooks were composed of married men who had developed some idea of forming a self-protective organization to guard themselves against injury at the hands of their wives. Jiggs had become a member of this organization. Each Kazook had taken a blood oath to come to the relief of any brother Kazook when that brother was threatened by his wife and gave the word of distress, "Kazook." On this occasion when Maggie started to vent her irritation upon Jiggs, Jiggs remembered this fine and great organization which he had joined, so he gave the word of distress, "Kazook." The cartoon then showed about a thousand fellow Kazooks running to Jiggs' assistance. The cartoon then depicted the fact that Maggie took her umbrella and laid all the Kazooks out. The last picture in the cartoon on that occasion showed Jiggs in the hospital, all bandaged up, and philosophizing thus, "The idea behind this Kazook Society is pretty good, but the trouble with the society is it hasn't got enough members."

That is one trouble about the southern Members of the Senate. I think it would be a good thing for the country if there were more of them in the Senate, provided they entertained the same sound views on all subjects that I do. I am bound to confess, however, they do not all do that.

When I first came to the Senate the excuse was that rule XXII had to be destroyed, that the freedom of debate that has existed in the U.S. Senate since George Washington was inaugurated as President, had to be abolished, to keep 22 sinful southerners from thwarting the will of all other Senators. That excuse became somewhat threadbare when a person used only a little mathematics, so the proponents of rules change abandoned that insupportable contention as the basis for demanding a rules change.

The next thing the proponents of rules change did was to come in at the beginning of a session of a new Congress with a very eloquently phrased document saying that the rules of the Senate had to be changed, particularly rule XXII, because the rules of the Senate were conceived by the minds and written by the hands of men who were sleeping in "the voiceless silence of the dreamless dust." The proponents of rules change evidently came to the conclusion that there was no wisdom on earth until the present generation arrived.

I may be guilty of some heresy in saying this, but I happen to entertain the view that there was a considerable amount of wisdom on this earth before my colleagues and I reached this earth or reached the U.S. Senate; but the proponents of rule changes came in at the opening of the particular Congress to which I refer with the demand that the rules of the Senate be rewritten, and particularly rule XXII, because they were conceived by the minds and written by the hands of dead men.

This movement did not get very far in that particular Congress, because, after some days of debate, it slowly began to dawn upon certain Members of the Senate that the Ten Commandments were brought down off Mount Sinai by Moses, and that Moses had been sleeping the everlasting sleep on the top of Mount Nebo for many generations. So that conviction, which came to Members of the Senate as the debate progressed, tended to weaken the contention that the rules of the Senate had to be changed merely because some of them had been written by men who had passed into the Great Beyond.

Then after some days of debate, it occurred that those who embrace most of the great religions of the earth, and particularly Christianity, received their religious doctrines from the Man of Galilee and His successors, such as St. Paul. It dawned upon the Senate, after some days of debate, that the Man of Galilee, St. Paul, St. Peter, and the rest of the apostles and disciples, had vanished from human life many centuries ago. The realization of that truth tended to minimize the appeal of those who urged that rule XXII ought to be changed, and that other rules of the Senate ought to be rewritten because they had been conceived by the minds and written by the hands of men now dead.

It was further called to the attention of the Senate, during the debates on that occasion, that the barons who ex-

acted Magna Carta from King John at Runnymede in about the year 1215 had also descended into the "voiceless silence of dreamless dust" many generations and centuries ago; and even those who did not like documents such as the Senate rules, which had been conceived in the minds and written by the hands of men now dead, had to concede that there were some things in Magna Carta that they were not willing to rewrite.

As the debate on that occasion continued, the contention that the rules of the Senate had to be rewritten because they were conceived in the minds and written by the hands of men now dead became even weaker. It suddenly dawned upon the proponents of rule changes in that session that Thomas Jefferson, the author of the Declaration of Independence, as well as all the men who framed the Constitution of the United States, were likewise sleeping in the "voiceless silence of dreamless dust." So the effort to rewrite the rules of the Senate, and particularly rule XXII, because they were written in part by the hands of men now dead, lost its driving force; and the majority of the Senate decided that perhaps, after all, the Ten Commandments, the Gospel, Magna Carta, the Declaration of Independence, the Constitution, and the rules of the Senate had much virtue in them notwithstanding that the hands which wrote those great documents or those great rules originally had crumbled into dust in the grave.

The next argument that was made to justify a change in the rules was that rule XXII prevents majority rule. This argument is based fundamentally on the proposition that the way the Government ought to be conducted is not on the basis of debate, not by reason, not by adherence to principles, not by correctly appraising the welfare of the American people, but by counting the number of noses on one side and the number of noses on the other side of a proposition.

So the proponents of rule change say, "We want majority rule. We want to count the noses on this side of the question and the noses on the other side of the issue and decide the issue on that basis, without debate, without reasoning together, without determining on which side wisdom lies and on which side folly is to be found."

Mr. President, the Founding Fathers were great students of the history of men's bitter struggle for the right of self-rule. They knew that man had wrested every right he had in this area—the right of freedom, the right of freedom of speech, the right of freedom of religion, the right of self-government—from tyrants. Anyone who reads the Constitution of the United States and studies the speeches and writings of the men who framed that immortal document, and anyone who studies the debates which raged around the ratification of that document by the States, and anyone who reads "The Federalist" knows that the Founding Fathers were seeking to establish a government to preserve liberty and prevent tyranny.

We are told on the floor of the Senate by some of the proponents of the proposed rule change that our Government does not work fast enough, that it does not pass laws fast enough, and that it is not efficient enough. Those who make those assertions overlook one thing which was well known to the Founding Fathers, and that is that if we want an efficient government, we must have a dictatorship. If the Founding Fathers had been concerned primarily with establishing an efficient government, they would not have established a House of Representatives and a Senate; they would have established only one legislative body. One legislative body can pass a law a great deal faster than two legislative bodies. However, the Founding Fathers know that any one legislative body can make mistakes. Therefore they created the Senate, in order that the Senate might remedy the mistakes in legislation committed by the House, and they created the House, in the hope that the House might cure any errors which the Senate might make in legislation.

There is a familiar story relating to a conversation supposedly had between George Washington, who had just completed his service as the Presiding Officer of the Convention which framed the Constitution, and Thomas Jefferson, who had just returned to America from France. According to the story these two famous men were drinking coffee together and discussing the recently drafted Constitution of the United States.

In accordance with the fashion of the day, Thomas Jefferson had poured some of his coffee into a saucer to cool it. Thomas Jefferson asked George Washington why the Convention had created the Senate, instead of reposing all legislative power in the House of Representatives. George Washington replied:

> The Convention created the Senate in order that it might do the same thing that your saucer is doing. You are cooling off your hot coffee in your saucer. The Constitutional Convention created the Senate in order that the hot legislation passed by the House might be cooled before it is poured down the throats of the people of America.

If that was a wise course of action for 1789, it is a far wiser course of action for 1967. At that time America consisted of 13 sparsely settled Colonies along the Atlantic coast. Today America consists of 50 different States which contain a population rapidly approaching 200 million persons.

We are told by the proponents of rule change that we do not pass laws fast enough. The American people are perhaps the most law-ridden people on the face of the earth. They are certainly the most law-ridden people ruled by a legislative assembly such as Congress. I think that instead of devoting itself to a proposal to change rule XXII, the Senate might well give some consideration to the question of what laws we should retain which have been passed in time past, as well as to what laws we should pass in the future.

When I was elected to represent my county in the North Carolina legislature many years ago, the town philosopher, Lum Garrison, visited me to give me some fatherly advice before I left to go to the capitol in Raleigh. Lum gave me this advice: "Pass no more laws and repeal half of those we have already gotten." There was, and is, much wisdom in his advice.

It is serious business to pass laws to govern the conduct of 200 million people, and Congress should be a little slow about passing such laws. I say that because of the difficulty of ever repealing a law, no matter how foolish it is, when once it is placed on the statute books of the Nation.

The Founding Fathers did two things to preserve liberty and to prevent tyranny. They used what is properly called the doctrine of the separation of governmental powers in the Constitution. They also inserted in the Constitution what we know as the system of checks and balances. Why did the Founding Fathers do that when they drafted our Constitution and created the Government of the United States? They did it because they had read the history of man's long and bitter struggle to escape from governmental tyranny, and they had found this lesson written in letters of blood on each page of history: "Government itself is the deadliest foe of liberty."

The Founding Fathers separated the powers of government in a twofold manner. In the first place, they separated the powers of government between the Federal Government and the States by assigning to the Federal Government the powers necessary to be exercised on a national level, and by preserving to the States the powers which in equity and in good conscience, and in commonsense ought to be exercised on the local level. They employed the doctrine of the separation of powers in the second sense by separating the powers of the Federal Government among the executive department, the legislative department, and the judicial department of the Federal Government.

In their wise efforts to establish a government under which men could remain free, and a government of laws rather than of men, they also inserted in the Constitution what we call the system of checks and balances.

The Constitution provides that all the legislative power of the Federal Government is vested in the Congress, but the Founding Fathers wanted to put some check on possible abuses in legislation by the Congress, so they vested in the President the power to veto measures. Then, in order to put a countercheck upon the President and thus prevent the President from vetoing wise legislation as distinguished from foolish legislation, the Founding Fathers inserted in the Constitution the provision that Congress could override Presidential vetoes by a two-thirds vote.

Incidentally, the vote which the Constitution requires to override a Presidential veto is identical with the vote which rule XXII requires for a majority of the Senate to silence a minority of the Senate.

Another illustration of the system of checks and balances placed in the Constitution by the Founding Fathers to prevent governmental tyranny is found in the provisions which say that the President is the Commander in Chief of the Army and the Navy, but that the Congress shall have control of power of

the purse and make appropriations for the Army and Navy, but that no appropriation made by the Congress for the Army or the Navy shall endure for more than 2 years.

The purpose of that provision was to prevent a President from being able to become a dictator by control of the Armed Forces of the Nation.

I could go on at great length to point out how careful the Founding Fathers were to draw a Constitution which would prevent oppression of the people by any governmental power.

One of the finest documents on government, particularly on the American system of government, was written by a Frenchman who visited America and acquired a very profound knowledge of our system of government, and who already possessed a profound knowledge of human nature. I refer to Alexis de Tocqueville's book "Democracy in America." This is a book which contains some very sage advice for those of us who believe the Founding Fathers were wise in recognizing that the most important thing they could do for the benefit of their fellow Americans was to establish a system of government which would be devoted primarily to the preservation of liberty, rather than efficient government.

We talk about the majority rule, which, as I have said, in the eyes of those who disagree with us who think we should debate public questions, is regarded as a counting of noses rather than the use of human reason and human powers of persuasion. Such majority rule is fraught with danger. De Tocqueville, on page 259 of volume 1 of his "Democracy in America," said this concerning the fact that majorities cannot safely be trusted:

> A majority taken collectively is only an individual, whose opinions, and frequently whose interests, are opposed to to those of another individual, who is styled a minority. If it be admitted that a man possessing absolute power may misuse that power by wronging his adversaries, why should not a majority be liable to the same reproach? Men do not change their characters by uniting with one another; nor does their patience in the presence of obstacles increase with their strength.

That is a very sage observation. I am very much impressed by what the writer said, that the patience of men does not increase with their power. I believe there are illustrations in the Senate which indicate that even some of the fine Members of the Senate are somewhat impatient.

They wish to put their reform into effect before the sun goes down and are willing to destroy the only thing that makes the Senate a distinctive legislative body in order to do so. I am delighted to yield to the distinguished Senator from Louisiana.

I shall read one more extract from page 269 of De Tocqueville's book entitled "Democracy in America." It relates to the dangers of majorities. De Tocqueville said:

> If ever the free institutions of America are destroyed, that event may be attributed to the omnipotence of the majority.

I have discussed three of the reasons advanced for asking for rule changes. The first was that a rule change is needed because there is a danger that a few simple Southerners, who at most never constitute more than 22 percent of the membership of the Senate, are controlling the other 78 percent. As a matter of mathematics, that contention is without foundation.

Then I discussed their contention that the rules of the Senate should be changed because some rules of the Senate, like the Ten Commandments, the Bible, Magna Carta, the Declaration of Independence, the Constitution, and George Washington's Farewell Address to the American people, were written by men whose hands have crumbled into dust in the grave.

The third reason given for a change was that rule XXII prevents majority rule in the Senate.

There was another argument, which was made a few years ago. It was said that the Senate was a kind of governmental atom, sailing aimlessly upon the sea of chaos. It was said that the Senate, like the House of Representatives, had no rules at the beginning of a new Congress; that the Senate is not a continuing body; that actually it had no rules and had to adopt rules at the beginning of a new Congress.

If I may change the metaphor, the proponents of a change in the rules were saying, in effect, that the Senate was like Josh Billings' mule: It "didn't kick according to no rules"; and the reason why the Senate could not act was that, like Josh Billings' mule, the Senate had no rules.

This argument was made notwithstanding that under the Constitution the Senate is a continuing body, that two-thirds of its Members are always in office, and that the Senate has had rules since 1789 and has been operating under those rules. Those who disliked rule XXII said that since the Senate had no rules, the majority of the Senate had constitutional power to change the rules or to adopt rules at the beginning of a Congress, but did not have that power at any other time in a Congress. Of course, that argument had no validity, for two reasons. In the first place, the Senate came into existence in 1789. It adopted rules in 1789. It has had the rules ever since 1789, and those rules have been changed on several occasions.

The Senate has always proceeded according to those rules at the beginning of each new Congress, as well as at the later stages of each Congress. So the proponents of a rule change who said the Senate had no rules were confronted with the fact that the Senate had had rules long before they were born, and that the Senate had always regarded those rules as continuing from session to session.

Another obstacle confronted those who advanced this argument. They argued that the Senate could change its rules by a majority vote at the beginning of each session, but not later in the session. It is an obvious absurdity that the Constitution of the United States changes its meaning from the first part of a session to other stages of a session. The constitutional truth is that the Senate is empowered to make the rules of its own proceedings, and this provision of the Constitution applies at the beginning of a session and during every day of the session. So far as the Constitution itself is concerned, it applies when there is no session of Congress, because the Constitution does not change from day to day, as the advocates of this very fantastic proposal contend.

I shall discuss another reason that is given for the proposed rule change. Some of the proponents stand upon the floor of the Senate and say that the reason why a change is needed in rule XXII is that under the rule the Senate cannot give any consideration to so-called civil rights bills. There is a great deal of propaganda in the world. Those who advocate changes in the rule have been listening to their own propaganda for so long that they have actually reached the point where they accept it.

Their propaganda reminds me of a custom we have in the rural areas of North Carolina. At certain times of the year, it is customary in North Carolina for people whose relatives are buried in the little country cemeteries to meet and clear out the weeds which have grown up. It happened on one occasion that a man, somewhat like the Senator from North Carolina, who was somewhat opposed to too strenuous physical work, attended a gathering at a little country churchyard to assist in removing the weeds from the cemetery. Being opposed to strenuous physical labor, he hired a boy named George to go along with him and do his work for him. George was down on the ground, pulling the weeds off the grave. All at once he burst into laughter.

The man who had employed him said, "George, what are you laughing about?"

George said, "I am laughing about the funny words written on this tombstone."

George's boss said, "I don't see any funny words written on the tombstone."

George said, "Boss, just look there at what it says. It says, 'Not dead but sleeping.'"

The boss said, "I don't see anything funny in that."

George said, "He ain't foolin' nobody but himself."

Those who say it is necessary to change rule XXII to get civil rights bills through the Senate are fooling nobody but themselves. If they look at the history of what has happened in the past few years, they will not even fool themselves any longer. Since 1957, when I came to the Senate, the Senate has spent more time debating so-called civil rights bills on the floor of the Senate than it has spent in connection with the foreign policy of the United States in the very precarious world in which we live. It has spent more time arguing about civil rights bills on the floor of the Senate since 1957 than it has spent in building, creating, and legislating the Great Society. It has passed some of the most drastic legislation in the history of this country in the form of the Civil Rights Act of 1964 and the Voting Rights Act of 1965.

If those who make those arguments will just consider the facts, they will, unlike the decedent whose gravestone

said, "Not dead but sleeping," stop fooling themselves any longer on this proposition.

Mr. President, I have thus far today discussed the reasons assigned by the proponents of the proposed rule change to justify their position. I respectfully submit that for the reasons I have already stated none of those arguments made in favor of the rules changes is valid. I shall now devote myself to showing that the history of our country shows the advisability of having safeguards which will prevent hasty and impatient and intemperate action by those in positions of authority. It was my purpose to refer to American history for a striking illustration of the desirability, nay, the necessity, of protecting the people of this Nation against impatient and intemperate actions on the part of their officials.

Rule XXII of the Senate is one of the few restraints left. Many of the great Senators of the past have stated that no good legislation has ever been prevented by the rule of the Senate permitting free debate, but that, on the contrary, much bad legislation has been prevented by this rule.

I might add that a very good case may be made for one proposition; this rule prevented two of the worst pieces of legislation ever proposed to the Congress of the United States from passing at the last session.

The first was the bill to repeal section 14(b) of the Taft-Hartley Act. That proposed piece of legislation would have compelled every American, eventually, to pay dues to a union for the simple privilege of eating his own bread in the sweat of his own brow. And as one who is opposed, on principle, to compelling any man to make any contribution of money in any form save in the form of taxes for the support of government, I condemn that proposed piece of legislation as something wholly incompatible with freedom and something which countenances the highest degree of tyranny.

The other piece of legislation was a proposal that every American owning a piece of residential property anywhere in the United States be robbed, by an act of Congress, of the power to determine for himself to whom to sell or to rent his property.

I say that any rule that prevented either of those pieces of legislation from being enacted by Congress is a rule which should be preserved inviolate for the protection of liberties of the people of the United States.

I see no distinction in principle between the proposal to establish a majority cloture rule and the proposal to establish a 60-percent cloture rule. The people who need protection are minorities; and the smaller the minority is, the more it stands in need of protection. To my mind, it would be repugnant to the continuance of freedom in the Nation for 51 percent of the Members of the Senate to have the power to silence the other 49 percent of the Members of the Senate when that 49 percent insists on speaking what they think should be said for the preservation of the Nation.

Likewise, there is very little difference, in effect, and no difference whatever in principle, between saying that 51 percent of the Senate shall have the power to silence 49 percent of the Senate and saying that 60 percent of the Senate shall have the power to silence 40 percent of the Senate.

I grant you, Mr. President, that sometimes some of us may stand on the floor of the Senate and speak when some of our colleagues want to vote, and in so doing we may make nuisances of ourselves in the eyes of our colleagues. But a great commentator upon the passing scene, William S. White, has well stated the desirability of maintaining this condition in his book on the Senate entitled "The Citadel," in which he says it is well to remember that a rule which can be invoked today to silence a man whom we deem to be a troublesome demagog can be invoked tomorrow to silence a brave man fighting for a just cause.

I stand for the preservation of the two-thirds rule. As a matter of principle and also as a practical matter, I do not think the future interest of our Nation will permit the Senate to sanction any fewer than two-thirds of the Senate to silence one-third of its Members.

I invite attention to a similar rule that is in the Constitution of the United States. First I wish to read from section 4 of article II of the Constitution these words:

> The President, Vice President, and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

It will be noted that this paragraph in the Constitution sets forth three conditions, and three conditions only, for which a President, a Vice President, or a civil officer of the United States can be impeached. They are: treason, bribery, or other high crimes and misdemeanors. The other provisions of the Constitution relating to impeachment are found in subsections 6 and 7 of section 3 of article I of the Constitution. I read subsection 6 of section 3 of article I:

> The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no person shall be convicted without the Concurrence of two thirds of the Members present.

Subsection 7 of section 3 of article I reads as follows:

> Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

I shall later discuss these constitutional provisions in more detail. At present, however, I wish to emphasize that the provision of subsection 6 of section 3 of article I of the Constitution, which prescribes that "no person shall be convicted without the concurrence of two-thirds of the Members present," is the only thing which saved the United States at one of the most crucial hours of its history from witnessing a total blackout of constitutional government.

In speaking for the retention of rule XXII in its present form, I say it is not beyond the realm of possibility that the two-thirds provision of rule XXII may serve like subsection 6, section 3, article I of the Constitution, and some day again prevent a total blackout of constitutional government in the United States.

The scene which I propose to discuss in this connection was enacted in this very Senate Chamber. If it had not been for the two-thirds provision of subsection 6, section 3, article I, and the courage of a handful of Senators, constitutional government in the United States would have been destroyed on the very floor of the Senate.

In order to discuss this subject, I shall have to go back a little into American history. On one occasion on this continent and in this Nation a terrible fratricidal war occurred, in which thousands of the flower of the youth of our land, both in the South and in the North, died. My study of American history has convinced me that that terrible war and its carnage would never have occurred if it had not been for intemperate and impatient men in the North and impatient and intemperate men in the South. If ever there was an event which ought to teach all Americans the virtue of patience, it was that terrible war and the terrible carnage it caused.

One of the great men in American history was Abraham Lincoln. I often wonder what would have happened to Lincoln, after Lee's surrender, if he had not fallen by an assassin's bullet. I suspect that perhaps he would have been more maligned at the hands of Members of Congress and at the hands of the American press than any other man in our history. Sometimes a tragic event, such as Lincoln's assassination, spares the man who suffers such an event from great future tragedy. Abraham Lincoln was a merciful man. He was a man who loved his fellow men.

After the surrender of Lee at Appomattox, the question naturally arose as to what was to be done to adjust the relations between the Union and the 11 Confederate States. Lincoln had a very fine plan for the rebuilding of the relationship between the Union and the 11 so-called Confederate States. I shall read a brief statement of his plan from page 804 of the Concise Dictionary of American History, which was edited by Wayne Andrews and published by Charles Scribner's Sons:

> In his proclamation of December 8, 1863, President Lincoln offered pardon with certain exceptions, to those who would take oath to support the Constitution of the United States and abide by Federal laws and proclamations touching slaves. When oath-takers equal in number to one-tenth of the State's voters in 1860 should "re-establish" a government in a seceded commonwealth, Lincoln promised executive recognition of such government without commitment as to congressional recognition. Both the "plan" and the whole southern policy of Lincoln were denounced as far too lenient, and there followed a storm of controversy with the radical Republicans who by their control of Congress prevented any settlement of this vital question during Lincoln's life. The hopeless deadlock between President and Congress was seen in the Radical Wade-Davis bill which Lincoln killed by a pocket veto. After this Lincoln issued a proclamation (July 8, 1964) explaining that

he could not accept the radical plan as the only method of reconstruction and was promptly answered by Wade and Davis in a truculent manifesto.

It would be quite interesting to know why Lincoln pocket-vetoed the Wade-Davis bill. Those who advocate majority rule on the spur of the moment and in haste ought to ponder the Wade-Davis bill which Lincoln denounced and vetoed.

Now I read a very brief description of the provisions of that bill, from the "Encyclopedia of American History," by Richard B. Morris, on page 246:

The Wade-Davis bill, which was passed by Congress on the 4th of July 1864, represented the congressional blueprint for reconstruction. It required a majority of the electorate in each Confederate State to take an oath of past as well as future loyalty as a condition precedent to restoration.

That condition precedent to restoration under the Wade-Davis bill, would have prevented any of the 11 Southern States from again being admitted to their rights as States of the Union, because that bill required the taking of an oath of both present loyalty and past loyalty; and a majority of the people of the Southern States could not have truthfully taken such an oath. This is very well illustrated by the situation in the State of North Carolina. In 1860, North Carolina had a total population of approximately 629,000, counting all the men, women, and children, and both the white people and the Negro people. Out of that population, North Carolina had sent into the Confederate Army 125,000 of its men and boys—a number far in excess of the total electorate of that State. Under that condition of the Wade-Davis bill, it would have been impossible for any more than a very negligible part of the electorate of North Carolina to have taken the oath required by the terms of the bill as a condition precedent to readmission as part of the Union. In fact, the bill was designed to prevent any of the Southern States from being readmitted to the Union.

Mr. President, a moment ago, when I said that perhaps the assassin's bullet spared Lincoln from much abuse and suffering, I had in mind the fact that even during his lifetime he was maligned by the authors of the Wade-Davis bill and by the other supporters of that bill for his wise action in vetoing it.

After the assassin's bullet felled Lincoln, Andrew Johnson, the Vice President during Lincoln's administration, who was a native of North Carolina, succeeded Lincoln in the Presidency. At that time there was in existence what was known as the Joint Committee on Reconstruction. It was composed of six Senators and nine Members of the House of Representatives, and was dominated by Thaddeus Stevens, a Member of the House of Representatives from the State of Pennsylvania. That Joint Committee acquired domination over Congress; and it was not long before the Joint Committee found itself able to ride roughshod over Members of the Senate and Members of the House of Representatives who did not agree with its plans.

Some day, Mr. President, history will recognize that Andrew Johnson was one of the truly great men of America. When he became President of the United States, he undertook to carry into effect Lincoln's plan for the so-called reconstruction of the Confederate States. Andrew Johnson made a slight modification in the plan, in that he added a provision that those who had been disqualified as electors in those States by the Lincoln plan for reconstruction of the States should include those who owned $20,000 or more in property. But Andrew Johnson did a superb job in carrying out that plan, which, in effect, provided that the persons residing in those States who were qualified to vote by State laws should establish a State government, should outlaw the debts incurred by the Confederate States for war purposes, and should approve the laws and the amendment abolishing slavery.

Andrew Johnson was privileged to act, by reason of the fact that Congress was not in session at the time he assumed the Presidency and at the time he undertook to put into effect Lincoln's plan for reconstruction. Before Congress assembled in December 1865, all of the 11 Southern States, except Texas, had reorganized their State governments in accordance with the Presidential plan of reconstruction and were maintaining law and order within the borders of their States and were operating civil courts for the trial of civil and criminal cases. The last Confederate soldier had laid down his arms and returned to peaceful pursuits. The people of the Southern States were looking forward to resuming their old place in the Union.

But Congress met. Congress immediately entered into a controversy with Andrew Johnson, claiming that the Congress, and not the President, had the power to reconstruct the government in the Southern States.

About that time the Supreme Court of the United States entered the picture by handing down the most courageous decision ever rendered by that body. I refer to the decision in Ex parte Milligan.

Ex parte Milligan was a case which involved a civilian who was a resident of the State of Indiana. He had been tried before a military commission created by President Lincoln as Commander in Chief of the Army. Milligan had been convicted of treason and other charges and had been sentenced to death. Milligan's attorneys filed a petition in the circuit court for habeas corpus, contending that the courts of Indiana were open for the trial of criminal cases, that Milligan was not within the jurisdiction of the military commission, and that Milligan was surrounded by the protection of the constitutional provisions which required indictment by a grand jury and conviction by a petit jury before he could be punished for the charges preferred against him.

Milligan was defended in the Supreme Court of the United States on the review of the habeas corpus proceeding by Jeremiah Black, one of the greatest lawyers of America. The opinion of the Supreme Court in Ex parte Milligan was written by one of the greatest judges our Nation has ever known—Judge Davis, an Associate Justice of the Supreme Court. He was known not only for his great legal learning and his devotion to constitutional government, but also for his great courage, which never failed him.

Before reaching the main body of his opinion, Judge Davis set out some of the facts. Incidentally, his opinion is reported in 4 Wallace. The case begins at page 1 and runs through to page 142. The opinion of Judge Davis covers only a portion of those pages. It begins on page 107 and ends on page 131. It is an opinion which every person who believes in constitutional government ought to read and reread.

Beginning on page 118, Judge Davis said:

The controlling question in the case is this: Upon the facts stated in Milligan's petition, and the exhibits filed, had the military commission mentioned in it, jurisdiction, legally, to try and sentence him? Milligan, not a resident of one of the rebellious States, or a prisoner of war, but a citizen of Indiana for 20 years past, and never in the military or naval service, is, while at his home, arrested by the military power of the United States, imprisoned, and, on certain criminal charges preferred against him, tried, convicted, and sentenced to be hanged by a military commission, organized under the direction of the military commander of the military district of Indiana. Had this tribunal the legal power and authority to try and punish this man?

No graver question was ever considered by this court, nor one which more nearly concerns the rights of the whole people; for it is the birthright of every American citizen when charged with crime, to be tried and punished according to law. The power of punishment is, alone through the means which the laws have provided for that purpose, and if they are ineffectual, there is an immunity from punishment, no matter how great an offender the individual may be, or how much his crimes may have shocked the sense of justice of the country, or endangered its safety. By the protection of the law human rights are secured; withdraw that protection, and they are at the mercy of wicked rulers, or the clamor of an excited people. If there was law to justify this military trial, it is not our province to interfere; if there was not, it is our duty to declare the nullity of the whole proceedings. The decision of this question does not depend on argument or judicial precedents, numerous and highly illustrative as they are. These precedents inform us of the extent of the struggle to preserve liberty and to relieve those in civil life from military trials. The founders of our government were familiar with the history of that struggle; and secured in a written constitution every right which the people had wrested from power during a contest of ages. By that Constitution and the laws authorized by it this question must be determined. The provisions of that instrument on the administration of criminal justice are too plain and direct, to leave room for misconstruction or doubt of their true meaning. Those applicable to this case are found in that clause of the original Constitution which says, "That the trial of all crimes, except in case of impeachment, shall be by jury;" and in the fourth, fifth, and sixth articles of the amendments. The fourth proclaims the right to be secure in person and effects against unreasonable search and seizure; and directs that a judicial warrant shall not issue "without proof of probable cause supported by Oath or affirmation." The fifth declares "that no person shall be held to answer for a capital or otherwise infamous crime, unless on presentment by a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public

danger, nor be deprived of life, liberty, or property, without due process of law." And the sixth guarantees the right of trial by jury, in such manner and with such regulations that with upright judges, impartial juries, and an able bar, the innocent will be saved and the guilty punished. It is in these words: "In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining Witnesses in his favor; and to have the Assistance of Counsel for his defense." These securities for personal liberty thus embodied, were such as wisdom and experience had demonstrated to be necessary for the protection of those accused of crime. And so strong was the sense of the country of their importance, and so jealous were the people that these rights, highly prized, might be denied them by implication, that when the original Constitution was proposed for adoption it encountered severe opposition; and, but for the belief that it would be so amended as to embrace them, it would never have been ratified.

I now come to the portion of this opinion which I think contains the greatest judicial language ever uttered on this continent, Judge Davis continued:

Time has proven the discernment of our ancestors; for even these provisions, expressed in such plain English words, that it would seem the ingenuity of man could not evade them, are now, after the lapse of more than 70 years, sought to be avoided. Those great and good men foresaw that troublous times would arise, when rulers and people would become restive under restraint, and seek by sharp and decisive measures to accomplish ends deemed just and proper; and that the principles of constitutional liberty would be in peril, unless established by irrepealable law. The history of the world had taught them that what was done in the past might be attempted in the future. The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances. No doctrine, involving more pernicious consequences was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy or despotism, but the theory of necessity on which it is based is false; for the Government, within the Constitution, has all the powers granted to it, which are necessary to preserve its existence; as has been happily proved by the result of the great effort to throw off its just authority.

Then, after discussing the fact that men in naval and military service were subject to trial by military courts rather than by juries in civil courts, Judge Davis says:

All other persons, citizens of States where the courts are open, if charged with crime, are guaranteed the inestimable privilege of trial by jury. This privilege is a vital principle, underlying the whole administration of criminal justice; it is not held by sufferance, and cannot be frittered away on any plea of State or political necessity. When peace prevails, and the authority of the Government is undisputed, there is no difficulty of preserving the safeguards of liberty; for the ordinary modes of trial are never neglected, and no one wishes it otherwise; but if society is disturbed by civil commotion—if the passions of men are aroused and the restraints of law weakened, if not disregarded—these safeguards need, and should receive, the watchful care of those instructed with the guardianship of the Constitution and laws. In no other way can we transmit to posterity unimpaired the blessings of liberty, consecrated by the sacrifices of the Revolution.

Judge Davis then proceeded and showed that in the military trial Milligan had been denied his constitutional rights to be indicted by a grand jury before he could be put on trial, and his constitutional right to a trial by jury, and held that his trial before a military commission was a nullity under our Constitution.

As I speak in favor of the retention of rule XXII, which is one of the safeguards erected not for the benefit of individual Senators but, as former Senator Joe O'Mahoney said, "for the benefit of our country," I cannot help thinking that we ought to heed the words of Judge Davis when he said:

Those great and good men—

Who drew up our Constitution—and the same applies to the great men who wrote the rules of the Senate—

foresaw that troublous times would arise, when rulers and people would become restive under restraint, and seek by sharp and decisive measures to accomplish ends deemed just and proper.

As I have said, in my judgment this was the greatest decision ever handed down by the Supreme Court of the United States. It proclaims a great constitutional principle. It was written by a judge of the highest legal learning, of the greatest character, and of the stanchest courage.

When this decision was handed down the Joint Committee on Reconstruction and the other radicals in the Congress of the United States, and a considerable portion of the American press, heaped vituperation upon the Supreme Court of the United States. As a result of this decision the radicals, in control of the Congress, concluded that the Supreme Court of the United States had entered into a conspiracy with the President, Andrew Johnson, to thwart the will of the radicals.

They came to that conclusion because the purpose in the minds of the radicals was to destroy the State governments which had been erected in the Southern States under the Presidential plan of reconstruction, and to establish military government in the South.

So, in July 1866 the radicals in Congress enacted a law for the purpose of keeping President Johnson from filling any vacancy on the Supreme Court. At that time there was one existing vacancy, and President Johnson had designated as his appointee for the vacancy Henry Stanbery, one of the greatest lawyers this country has ever known. When the bill was brought up in the Congress, one of the Representatives, who was piloting the bill through the House, was asked if the bill was intended to keep Stanbery from becoming a member of the Supreme Court. He frankly said, "Yes; and to prevent further appointments from being made by President Johnson."

The bill would have reduced the number of judges on the Supreme Court Bench by two, so as to take care of the then existing vacancy and those which might occur in the future during Johnson's Presidency.

Not only did the radicals in Congress make this proposal to prevent President Johnson from filling vacancies on the Supreme Court, but they began to demand that the Supreme Court be reorganized. They threatened to take away all of the appellate jurisdiction of the Supreme Court, and some of them went so far as to threaten to abolish the Supreme Court by constitutional amendment.

The radicals in Congress had such complete control over Congress that they would undoubtedly have been able to carry out their threat, so far as Congress was concerned, to enact a proposed constitutional amendment by a two-thirds vote, with a view to abolishing the Supreme Court of the United States.

It is not altogether surprising that some of the members of the Supreme Court began to lose their courage. The Court handed down only two other courageous opinions in this period. One was the decision in the case of Cummings against Missouri, and the other was the decision in Ex parte Garland.

The first of these decisions involved the law of the State of Missouri. The legislature of that State had enacted a law providing that no man could practice his profession unless he was able to take an oath to the effect that he had never aided the Confederacy in any way.

It is a rather strange thing that the Missouri law was applied to a preacher. Cummings was a preacher, and he undertook to preach the gospel. For some reason, the Legislature of Missouri thought it was better for sinners to go to the devil than to be brought to the Lord through the agency of a minister who could not take an oath that he had not aided the Confederacy in any manner. It is a rather strange conception that the State legislature could ever reach the conclusion that a man ought not to be able to preach the gospel of Christ if he had had anything to do with the Confederacy. The Legislature of Missouri had evidently forgotten something of the record of Saul of Tarsus, who became Paul, the great apostle to the gentiles.

The other case involved one of the great lawyers of this Nation, Augustus H. Garland, who was noted for his appearances in many cases before the Supreme Court of the United States.

In those two cases, the Supreme Court, which had not been frightened entirely away from courageous action by radicals in Congress, held that the law of Missouri and a Federal statute enacted by Congress which attempted to apply the same rule to attorneys were ex post facto laws and therefore unconstitutional.

But thereafter too much courage was not exhibited by the members of the Supreme Court, with the possible exception of Judge Davis, Judge Grier, and one or two others, because, as Benjamin R. Curtis, a great lawyer from Massachusetts, wrote about this time, "The Congress, with the acquiescence of the country, has subdued the Supreme Court as well as the President."

In other words, the radicals in Con-

gress had threatened to impeach members of the Supreme Court or to rob them of their jurisdiction, and even to abolish the Court by a constitutional amendment, because they were displeased with the courage the Court had displayed in Ex parte Milligan, in Cummings against Missouri, and in Ex parte Garland. That was the way they dealt with the Supreme Court.

Just to elaborate on that particular point, let me say that the radicals in Congress took control of the Congress and rode roughshod over those Members of Congress who dared to oppose them. They subdued the Supreme Court to such an extent that it practically withdrew from the constitutional field insofar as the Southern States were concerned. They prevented the Southern States from defending themselves by denying them representation in the Senate and in the House of Representatives. Then they undertook to enact laws under which they would take charge, through military forces, of local government in all of the Southern States except Tennessee. Tennessee was allowed representation in the Senate and in the House, while the other 10 Southern States were denied such representation, because Tennessee had ratified the 14th amendment and the other 10 Southern States had rejected the 14th amendment.

In March 1867 the radicals, who controlled Congress, passed the most monstrous legislation ever passed in American history.

I refer to the so-called Reconstruction acts under which all Southern States, except Tennessee, were placed under military government. Also at that time a statute was enacted which was directed against President Johnson. I refer to the Tenure of Office Act.

President Johnson had inherited, as a part of Lincoln's Cabinet, the Secretary of War, Edwin M. Stanton, who proved himself to be in alliance with the radicals in Congress and unfaithful to his chief, the President.

The radicals in Congress were afraid that President Johnson would do what any person in his situation desired to do, and remove Stanton from office as Secretary of War. Therefore, Congress passed the Tenure of Office Act, which provided in substance that the President could not remove from office any appointee whose appointment had been confirmed by the Senate. Andrew Johnson felt that this act was unconstitutional, and he removed Stanton from his post as Secretary of War. That act on his part was the chief cause of his later impeachment by the House of Representatives, controlled as it was, by the radicals.

I come now to the Reconstruction acts, which I consider the most monstrous and unconstitutional legislation ever enacted in this Nation.

I should like to read from a book written by one of my former teachers of history, Dr. J. G. de Roulhac Hamilton, entitled "Reconstruction in North Carolina." The book was published at Columbia University in 1914. But before I read a passage from that book, I wish, to state that the 10 Southern States, when they were represented by legislatures elected by voters possessing constitutional qualifications, that is, qualifications prescribed by State law, all rejected the 14th amendment.

I now read from pages 216 to 219 of "Reconstruction in North Carolina":

> The fate of the 14th amendment, when submitted to the North Carolina Legislature, has been noticed.[1] It met with rejection in all the other Southern States except Tennessee. When Congress met in December 1866 enough of the Southern States had rejected the amendment to show the prevailing opinion in the South, and consequently the question at once arose as to what policy should be adopted. The uncertainty in regard to this became less as the remaining Southern States in turn rejected the amendment. Consequently, in February 1867 it became a determined fact that the State governments, as organized by the President, should be superseded by others organized under military authority; that the political leaders of the Southern States should be disqualified from taking part in the reorganization of the governments; and that the right of suffrage should be extended to the Negro by national legislation, in utter defiance of the constitutional right of the individual States in the matter.

I digress from a reading of the text to say that in North Carolina there had been an election in 1865, conducted under the Presidential plan for reconstruction, and the State government had been reestablished by its people, with officers coming largely from those North Carolinians who had opposed secession from the Union. The State Legislature of North Carolina, like the State legislatures of other Southern States, had ratified the 13th amendment prohibiting slavery, and had outlawed the Confederate debt, and had also accepted in good faith all the other conditions prescribed by the Presidential plan for reconstruction.

This government had been in existence for approximately 2 years when the first of the Reconstruction acts was passed.

I now resume my reading from "Reconstruction in North Carolina," by Dr. Hamilton:

> In pursuance of this determination, the act of March 2, 1867, "to provide for a more efficient government of the rebel States," was passed. It was vetoed by the President, but was passed over the veto on the same day. Declaring in the preamble that no legal State governments or adequate protection for life or property existed in the 10 "rebel" States, the act provided that these States should be divided into 5 military districts, each under an officer of the army of not lower rank than brigadier general, and made subject to the military authority of the United States. North Carolina and South Carolina formed the second district. The commander of each district was required to protect all persons in their rights and to suppress insurrection, disorder, and violence. In the punishment of offenders, he was authorized to allow the civil tribunals to take jurisdiction, or if he deemed it necessary, to organize military commissions for the purpose. All interference with such tribunals by the State authorities was declared void and of no effect. It was further provided that the people of any of the said States should be entitled to representation whenever they should have framed and ratified a constitution in conformity with the Constitution of the United States. This constitution must be framed by a convention elected by the male citizens of the State, regardless of race, color, or previous condition, with the exception of those disfranchised for participation in rebellion or for felony. Those persons on whom disabilities would be imposed by the proposed 14th amendment were disqualified from holding a seat in the convention and from voting for delegates. The constitution thus framed, and containing the provision that all persons whom the act of Congress made electors should retain the electoral franchise, must then be approved by Congress. Whenever representatives should be admitted, the portion of the act establishing military governments would become inoperative so far as concerned the State in question. Until the completion of this reconstruction, the existing civil governments were declared provisional and liable at any time to modification or abolition.
>
> On March 23, a supplementary act was passed. The original act left the whole matter of the initiation of reconstruction very indefinite. The supplementary act provided that the district commanders should cause a registration to be made of all male citizens who could take a required oath as to their qualifications as electors. The election of delegates to a convention should then be held by the commanders. For the sake of giving at least an appearance of following the will of the people, the act provided that the question of holding a convention should be submitted to them at the same time. Unless a majority of the registered voters took part in the election and a majority in favor of holding the convention resulted, no convention should be held. Provision was made for boards of election composed only of those who could take the ironclad oath. Finally, it was provided that a majority of those registered must take part in the voting on the ratification of the Constitution in order to make t valid. This act was also vetoed by President Johnson and promptly repassed by the required majorities.
>
> In July, Congress met again. In the meantime Attorney General Stanbery had sent to the President an interpretation of the act, which closely restricted the power of the military commanders. At once another supplementary act was passed, as an authoritative interpretation of the former acts. It gave the commanders full power to make any removals from office that they might see fit, and authorized the boards of registration to go behind the oath of an applicant for registration whenever it seemed to them necessary. District commanders, the boards of registration, and all officers acting under either were relieved from the necessity of acting in accordance with the opinion of any civil officer of the Unted States. The executive and judicial officers referred to in the imposition of disabilities were declared to include the holders of all civil offices created by law for the administration of justice or for the administration of any general law of a State. An extension of time for registration was authorized, and also a revision of the lists of registered voters before the election. This act, as was now the customary thing, had to be passed over the President's veto.
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> Such was the most important legislation enacted for the restoration of the South. Questions of precedent and of constitutional law were alike disregarded in their passage, and justification found for all.

Mr. President, I have read a synopsis from Dr. Hamilton's book, setting forth the provisions of the Reconstruction acts. These acts provided for military government in the South. They provided that the South should be garrisoned. A garrison was stationed in my hometown until 1874, if my recollection of history serves me aright. I have heard older men in my county tell how they had to go through the ranks of

[1] Cf. supra, p. 187.

soldiers of the army of occupation in order to vote in 1868, and see their natural leaders, on whose advice they had relied in times past, sit on rail fences and not vote because they were disfranchised.

The gentleman in charge of each of those five military districts was given the power to decide whether civilians should be tried by military commissions or in civil courts. They were given the power to remove from office any of the State or local officials who had been placed in office under Presidential reconstruction. They were given charge of the election machinery of those States and charge of the elections and of registration of voters. They were even excused by act of Congress from paying any attention to any advice they received from any civil authorities at the National or State level.

Of course, those States tried to get an interpretation of the Reconstruction acts and to get a decision from the Supreme Court of the United States as to their constitutionality. The first of these attempts was made on April 5, 1867, when three great lawyers, Robert J. Walker, Augustus H. Garland, and William H. Sharkey, applied to the Supreme Court for leave to file a bill in equity to enjoin "Andrew Johnson, a citizen of the State of Tennessee and President of the United States, and his officers and agents appointed for that purpose, and especially E. O. C. Ord, assigned as military commander of the district from executing or in any manner carrying out the acts of March 2 and 25, 1857."

The Supreme Court refused to allow those attorneys, who were representing the State of Mississippi, to file such a bill in equity in the Supreme Court; and that first attempt to secure a decision in regard to the constitutionality of the Reconstruction acts failed. On April 15 the Supreme Court held that it would not permit a bill in equity to be filed, because it did not wish to pass on the delicate issue as to the power of the Court to control Executive acts; and, therefore, the Court denied the leave sought.

A few days later another application was made to the Supreme Court for permission to file a bill in equity to challenge the constitutionality of the Reconstruction acts; and the Supreme Court granted that application. However, after argument, a few days later the Court entered a decision dismissing the suit—on the ground that it called for adjudication, not of the rights of persons or property, but of rights of a political character affecting the sovereignty or corporate existence of a State; and the Court said it had no jurisdiction over such a controversy.

Then it appeared possible that by a curious twist of fate a case which did reach the Supreme Court of the United States would require the Court to pass on the constitutionality of a statute which the radicals had passed in Congress on February 5, 1867, for the benefit of Federal officials and so-called loyal persons in the South. That statute was so phrased that it gave the Federal circuit courts jurisdiction in all cases in which any person was restrained or deprived of his liberty, in violation of the Constitution or in violation of any treaty or law of the United States. It happened that at that time there was in Vicksburg, Miss., an editor, named McCardle, who had published in his newspaper an editorial criticizing the military government then in vogue in Mississippi and in other Southern States. The radicals in Congress had no respect for the right of freedom of speech, which was supposed to be secured by the first amendment of the Constitution to persons who disagreed with them; and McCardle was arrested, at the instance of the military authorities, for speaking ill of them. He was imprisoned, and was held for trial before a military commission. He applied to the circuit court for habeas corpus for his release, on the ground that his arrest and detention under the Reconstruction acts violated the Constitution. When the circuit court refused to grant him his liberty, he appealed to the Supreme Court of the United States. He was asserting a constitutional right as a person; and the Supreme Court of the United States clearly had jurisdiction of his case, and the case clearly made it necessary—if the Supreme Court was to discharge any judicial function whatever—for it to rule on the constitutionality of the Reconstruction acts. That situation sent a good deal of fear into the hearts of the radicals who then controlled Congress because their actions showed time and time again that they were conscious of the unconstitutionality of the Reconstruction acts. So the radicals introduced in Congress a bill which provided that in any case involving the constitutionality of an act of Congress, unless two-thirds of the judges of the Supreme Court agreed that the act was unconstitutional, the Court could not hand down such a decision. That bill was defeated because of the terrible criticism it received at the hands of the American bar.

So, at the instance of Thaddeus Stevens, the radicals then introduced in the Senate a bill which forbade the Supreme Court of the United States to take jurisdiction of any case in law or equity which arose out of the Reconstruction acts. That bill also caused a violent reaction in the press and among the lawyers of the North, and the bill was laid aside.

Finally, the McCardle case was argued before the U.S. Supreme Court, and the Supreme Court took it under advisement. When that happened, the radicals saw it was necessary for them to take some drastic action immediately. As I have pointed out, McCardle had done nothing except exercise his right of free speech, and he was applying for a writ of habeas corpus to free him from his imprisonment—which he claimed was illegal and unconstitutional—under the Reconstruction acts. He was seeking the greatest right of all—the right to secure the liberty of a person against unlawful imprisonment—that had ever been developed in any legal system on the face of the earth.

So what did the radicals in Congress do in their attempt to keep the Supreme Court of the United States from handing down a decision as to the constitutionality of the Reconstruction acts under which McCardle was arrested and held for trial, before a military tribunal, for exercising the right of freedom of speech and for condemning something which ought to have been condemned? The radicals in Congress succeeded in having passed a statute which robbed the Supreme Court of the United States of its jurisdiction to review habeas corpus proceedings brought under the act of 1867.

Mr. President, in that connection, a certain amount of criticism can justly be leveled at the Supreme Court of the United States, because the Court had heard arguments in that case and had taken the case under advisement before that measure was brought up in Congress, and the bill was passed through the House, in the first instance, by a sneak action, in which a Member of the House obtained unanimous consent to have the House take up a bill, then on the calendar, which had no relationship to this matter. It was taken up, following a statement that it was an innocuous bill, but then the bill was amended so suddenly in that way that scarcely any other Member of the House knew what had happened. The bill was then passed by both Houses of Congress, but was vetoed by President Johnson, and it was passed over President Johnson's veto, in the course of a heated debate in which the opponents of the bill—such as Senator Reverdy Johnson and others—correctly characterized the bill, and in no uncertain terms condemned the action of the radicals in having it passed.

So the Supreme Court missed a glorious opportunity to hand down a decision on that act. On the contrary, apparently the majority of the Court postponed action so that Congress could act, thus enabling the Court to escape making a decision. That statement does not apply to some of the Justices, because some of them wanted to take action.

The bill was passed by the Congress while the impeachment trial of Andrew Johnson was in progress in this very Senate Chamber. The greatest exhibition of courage of the most sublime character ever given by any President of the United States was given by Andrew Johnson at that time. He was actually being tried at the instigation of the radicals who controlled Congress in an impeachment proceeding which could have resulted in his removal from office and his inability ever to occupy another office under the Federal Government. Despite that fact, Andrew Johnson signed a magnificent statement vetoing the act of Congress which robbed the Supreme Court of jurisdiction to review the McCardle decision. He said in his great veto message:

> It will be justly held by a large portion of the people as an admission of the unconstitutionality of the act on which its judgment may be forbidden or forestalled, and may interfere with their willing acquiescence in its provisions, which is necessarily harmonious and efficient execution of any law.

In other words, at the very time when his political life was at stake in the impeachment proceeding, that President, a man who had fewer opportunities in life than any other man who has attained that high office, had the courage to veto the bill which most of his judges had assisted in passing through the Congress.

Some time ago I said that I favored the retention of the two-thirds requirement of rule XXII, because the history of the Nation showed that at one time the constitutional provision requiring a two-thirds vote to remove a President had prevented the total blackout of constitutional government in the United States.

Let us stop and think a moment of that impeachment proceeding. The Members of Congress who were controlled by the radicals knew that Andrew Johnson had not done anything to merit impeachment. They knew that Andrew Johnson had not been guilty of treason. On the contrary, they knew that Andrew Johnson had been trying to save the Constitution and constitutional government from destruction at their hands. They knew that Andrew Johnson had not been guilty of bribery. They knew that Andrew Johnson had not committed any high crime or misdemeanor. They knew that the only offense of which Andrew Johnson was guilty was his fidelity to the oath which he had taken to uphold the Constitution of the United States. They knew that the only thing they really had against Andrew Johnson was that he had vetoed acts of Congress which were entirely inconsistent with the Constitution and which were absolutely repugnant to free government in the United States.

Those were tragic days. The greatest tragedy lies in the fact that they showed that partisans will yield to temptation in times of stress and turmoil. This entire tragic story illustrates beyond any doubt that if liberty is to be preserved in our Nation, there must be some safeguards which will restrain impatient and intemperate acts on the part of those in authority in times of stress, strain, and turmoil.

Despite the fact that all of the Members of the House of Representatives knew that Andrew Johnson had not committed treason, bribery, or any high crime or misdemeanor as grounds for impeachment under the Constitution, the House of Representatives, by an overwhelming majority, impeached him on false charges, the main charge being that he had violated the Tenure-of-Office Act. Incidentally, at this point, I add that Andrew Johnson made repeated efforts to obtain a decision from the Supreme Court of the United States as to the validity and constitutionality of the Tenure-of-Office Act. He was unable to obtain such a decision because, as Benjamin R. Curtis has said, the radicals subdued the Supreme Court, at least temporarily.

Andrew Johnson was the only public official in our Nation who was able to stand between a radical Congress and a complete blackout of constitutional government in the United States.

So he was impeached, because he was resisting the radical Congress and its unconstitutional measures. They reasoned that if they could get rid of Andrew Johnson and remove him from office, he would be succeeded, in all probability, by Senator Wade, one of the chief leaders of the radicals, who would do the will of the radicals.

It is rather interesting to note at this point that Senator Wade, one of the authors of the Wade-Davis bill which was designed to prevent the Southern States from being again admitted to the Union, was President pro tempore of the Senate at the time of the impeachment of President Andrew Johnson and, under the law, would have succeeded to the Presidency of the United States if two-thirds of the Members of the Senate had voted to convict Andrew Johnson on his impeachment trial.

I hold in my hand a book, entitled "Concise Dictionary of American Biography," which was published by Charles Scribner's Sons in 1964. I read from it a portion of the biography of Benjamin Franklin Wade, Senator from Ohio, who was active in the bringing of the impeachment charges against Andrew Johnson. I read only a portion of the biography which is set forth on page 1121:

> At first believing that he—

That is, Senator Wade—

> and his group could bend President Andrew Johnson to support of their measures, Wade later turned on him and his policies. *Post* December 1865, along with Charles Sumner, Thaddeus Stevens and others, he waged a persistent campaign against Johnson and seemed ready to resort to any extremity in order to carry through the congressional program. Chosen president *pro-tempore* of the Senate, March 2, 1867, he would, according to the custom of that time, have succeeded to the presidency in the event of Johnson's removal. In the ensuing impeachment of Johnson, Wade voted for the president's conviction, despite the fact that he was an interested party. He was so expectant of success that he began the selection of his cabinet before the impeachment trial was ended. Thwarted by Johnson's acquittal and failing of re-election to the Senate, Wade resumed the practice of law in Ohio.

With sadness, I am constrained to hold up Senator Wade as an example to my brethren who think there ought to be no restraint in the Senate rules upon the action of a majority of the Senators. He was the powerful president pro tempore of the Senate, who led the majority of the Senators in the effort to impeach Andrew Johnson. He would have succeeded to the Presidency if Johnson had been convicted, because he was the president pro tempore of this august body. He sat as a judge in his own case and voted for the conviction of Johnson when he knew that that conviction would help to promote him to the Presidency of the United States. He was so certain of his success, as the book states, that he went so far as to begin to select the members of his Cabinet.

I would hold up Senator Wade, who was then presumably an honorable Member of the Senate, as an example for the consideration of those Senators who think that in this land of ours there need be no rules of the Senate to restrain the action of Senators.

Impeachment proceedings were brought against Andrew Johnson in the House of Representatives. He was tried in the Senate Chamber. In all human probability Chief Justice Salmon P. Chase, as the Presiding Officer at the impeachment trial of Andrew Johnson, sat in the seat now occupied by the Presiding Officer.

Chief Justice Chase was a man of rare ability. As Chief Justice he did many things which manifested his courage. He presided over the impeachment trial of Andrew Johnson in an extremely fair and legal manner. However, I feel that he missed greatness by a narrow margin, because of his ambition to be President of the United States. On rare occasions he had a tendency to fail to match his great ability with what was right. He yielded to the temptation to trim his sails to fit the political winds.

The trial occurred in this Senate Chamber.

Subsection 6 of section 3 of article I of the Constitution saved this Nation from a most disgraceful event. That was because it provides that when the Senate of the United States sits as a court of impeachment the person being impeached cannot be convicted without the concurrence of two-thirds of the Members present.

Andrew Johnson was saved from impeachment by the vote of one Senator, because those voting for his conviction lacked one vote of having the constitutionally required two-thirds majority.

While he was serving as a Member of the Senate, President John F. Kennedy wrote a very fine chapter in his book entitled "Profiles In Courage" about one of the Senators who voted with the minority. President Kennedy wrote of Edmund G. Ross. It has always seemed to me there was another Senator who voted with the minority who deserved great credit. I think the other Senator was James W. Grimes, a Member of the Senate who had a stroke of paralysis and who had himself carried into this Chamber in order that he might vote against the unjust impeachment of a President of the United States who was standing between a radical Congress and complete destruction of constitutional government in America.

At the risk of being somewhat tedious, I shall read what the President said about this trial and particularly what he said about Senator Edmund G. Ross. It is a stirring chapter. It is a stirring chapter because it deals with a man who had the courage to vote with the minority for what was right in the face of what was probably the greatest popular demand for an unjust act that this country has ever witnessed:

> In a lonely grave, forgotten and unknown, lies "the man who saved a President," and who as a result may well have preserved for ourselves and posterity constitutional government in the United States—the man who performed in 1868 what one historian has called the most heroic act in American history, incomparably more difficult than any deed of valor upon the field of battle—but a U.S. Senator whose name no one recalls: Edmund G. Ross of Kansas.

I digress for a moment to say that if the radical Congress had been successful in the conviction of Andrew Johnson and had removed him from office this would have set a precedent for other partisans and other radicals in the control of the Congress to follow, and we might have seen constitutional government in this

country become as unstable as it is in many other parts of the Americas.

I resume the reading of President Kennedy's article:

The impeachment of President Andrew Johnson, the event in which the obscure Ross was to play such a dramatic role, was the sensational climax to the bitter struggle between the President, determined to carry out Abraham Lincoln's policies of reconciliation with the defeated South, and the more radical Republican leaders in Congress, who sought to administer the downtrodden Southern States as conquered provinces which had forfeited their rights under the Constitution. It was, moreover, a struggle between executive and legislative authority. Andrew Johnson, the courageous if untactful Tennessean who had been the only southern Member of Congress to refuse to secede with his State, had committed himself to the policies of the Great Emancipator to whose high station he had succeeded only by the course of an assassin's bullet. He knew that Lincoln proir to his death had already clashed with the extremists in Congress, who had opposed his approach to reconstruction in a constitutional and charitable manner and sought to make the legislative branch of the Government supreme. And his own belligerent temperament soon destroyed any hope that Congress might now join hands in carrying out Lincoln's policies of permitting the South to resume its place in the Union with as little delay and controversy as possible.

By 1866, when Edmund Ross first came to the Senate, the two branches of the Government were already at each other's throats, snarling and bristling with anger. Bill after bill was vetoed by the President on the grounds that they were unconstitutional, too harsh in their treatment of the South, an unnecessary prolongation of military rule in peacetime or undue interference with the authority of the executive branch. And for the first time in our Nation's history, important public measures were passed over a President's veto and became law without his support.

But not all of Andrew Johnson's vetoes were overturned; and the radical Republicans of the Congress promptly realized that one final step was necessary before they could crush their despised foe (and in the heat of political battle their vengeance was turned upon their President far more than their former military enemies of the South). That one remaining step was the assurance of a two-thirds majority in the Senate—for under the Constitution, such a majority was necessary to override a Presidential veto. And more important, such a majority was constitutionally required to accomplish their major ambition, now an ill-kept secret, conviction of the President under an impeachment and his dismissal from office.

The temporary and unstable two-thirds majority which had enabled the Senate radical Republicans on several occasions to enact legislation over the President's veto was, they knew, insufficiently reliable for an impeachment conviction. To solidify this bloc became the paramount goal of Congress, expressly or impliedly governing its decisions on other issues—particularly the admission of new States, the readmission of Southern States and the determination of senatorial credentials. By extremely dubious methods a pro-Johnson Senator was denied his seat. Over the President's veto Nebraska was admitted to the Union, seating two more anti-administration Senators. Although last minute maneuvers failed to admit Colorado over the President's veto (sparsely populated Colorado had rejected statehood in a referendum), an unexpected tragedy brought false tears and fresh hopes for a new vote, in Kansas.

Senator Jim Lane, of Kansas, had been a conservative Republican sympathetic to Johnson's plans to carry out Lincoln's reconstruction policies. But his frontier State was one of the most radical in the Union. When Lane voted to uphold Johnson's veto of the civil rights bill of 1866 and introduced the administration's bill for recognition of the new State government of Arkansas, Kansas had risen in outraged heat. A mass meeting at Lawrence had vilified the Senator and speedily reported resolutions sharply condemning his position. Humiliated, mentally ailing, broken in health and laboring under charges of financial irregularities, Jim Lane took his own life on July 1, 1866.

With this thorn in their side removed, the radical Republicans in Washington looked anxiously toward Kansas and the selection of Lane's successor. Their fondest hopes were realized, for the new Senator from Kansas turned out to be Edmund G. Ross, the very man who had introduced the resolutions attacking Lane at Lawrence.

There could be no doubt as to where Ross' sympathies lay, for his entire career was one of determined opposition to the slave States of the South, their practices and their friends. In 1854, when only 28, he had taken part in the mob rescue of a fugitive slave in Milwaukee. In 1856, he had joined that flood of antislavery immigrants to "bleeding" Kansas who intended to keep it a free territory. Disgusted with the Democratic Party of his youth, he had left that party, and volunteered in the Kansas Free State army to drive back a force of proslavery men invading the territory. In 1862, he had given up his newspaper work to enlist in the Union Army, from which he emerged a major. His leading role in the condemnation of Lane at Lawrence convinced the radical Republican leaders in Congress that in Edmund G. Ross they had a solid member of that vital two-thirds.

The stage was now set for the final scene—the removal of Johnson. Early in 1867, Congress enacted over the President's veto the tenure-of-office bill which prevented the President from removing without the consent of the Senate all new officeholders whose appointment required confirmation by that body. At the time nothing more than the cry for more patronage was involved, Cabinet members having originally been specifically exempt.

On August 5, 1867, President Johnson—convinced that the Secretary of War, whom he had inherited from Lincoln, Edwin M. Stanton, was the surreptitious tool of the radical Republicans and was seeking to become the almighty dictator of the conquered South—asked for his immediate resignation; and Stanton arrogantly fired back the reply that he declined to resign before the next meeting of Congress. Not one to cower before this kind of effrontery, the President one week later suspended Stanton, and appointed in his place the one man whom Stanton did not dare resist, General Grant. On January 13, 1868, an angry Senate notified the President and Grant that it did not concur in the suspension of Stanton, and Grant vacated the office upon Stanton's return. But the situation was intolerable. The Secretary of War was unable to attend Cabinet meetings or associate with his colleagues in the administration; and on February 21, President Johnson, anxious to obtain a court test of the act he believed obviously unconstitutional, again notified Stanton that he had been summarily removed from the office of Secretary of War.

While Stanton, refusing to yield possession, barricaded himself in his office, public opinion in the Nation ran heavily against the President. He had intentionally broken the law and dictatorily thwarted the will of Congress. Although previous resolutions of impeachment had been defeated in the House, both in committee and on the floor, a new resolution was swiftly reported and adopted on February 24 by a tremendous vote. Every single Republican voted in the affirmative, and Thaddeus Stevens of Pennsylvania—the crippled, fanatical personification of the extremes of the radical Republican movement, master of the House of Representatives, with a mouth like the thin edge of an ax—warned both Houses of the Congress coldly: "Let me see the recreant who would vote to let such a criminal escape. Point me to one who will dare do it and I will show you one who will dare the infamy of posterity."

With the President impeached—in effect, indicted—by the House, the frenzied trial for his conviction or acquittal under the Articles of Impeachment began on March 5 in the Senate, presided over by the Chief Justice. It was a trial to rank with all the great trials in history—Charles I before the High Court of Justice, Louis XVI before the French Convention, and Warren Hastings before the House of Lords. Two great elements of drama were missing: the actual cause for which the President was being tried was not fundamental to the welfare of the Nation; and the defendant himself was at all times absent.

But every other element of the highest courtroom drama was present. To each Senator the Chief Justice administered an oath "to do impartial justice" (including even the hotheaded radical Senator from Ohio, Benjamin Wade, who as President pro tempore of the Senate was next in line for the Presidency). The chief prosecutor for the House was Gen. Benjamin F. Butler, the "butcher of New Orleans," a talented but coarse and demagogic Congressman from Massachusetts. (When he lost his seat in 1874, he was so hated by his own party as well as his opponents that one Republican wired concerning the Democratic sweep, "Butler defeated, everything else lost.") Some 1,000 tickets were printed for admission to the Senate galleries during the trial, and every conceivable device was used to obtain one of the four tickets allotted each Senator.

From the 5th of March to the 16th of May, the drama continued. Of the 11 articles of impeachment adopted by the House, the first 8 were based upon the removal of Stanton and the appointment of a new Secretary of War in violation of the Tenure of Office Act; the 9th related to Johnson's conversation with a general which was said to induce violations of the Army Appropriations Act; the 10th recited that Johnson had delivered "intemperate, inflammatory, and scandalous harangues * * * as well against Congress as the laws of the United States"; and the 11th was a deliberately obscure conglomeration of all the charges in the preceding articles which had been designed by Thaddeus Stevens to furnish a common ground for those who favored conviction but were unwilling to identify themselves on basic issues. In opposition to Butler's inflammatory arguments in support of this hastily drawn indictment, Johnson's able and learned counsel replied with considerable effectiveness. They insisted that the Tenure of Office Act was null and void as a clear violation of the Constitution; that even if it were valid, it would not apply to Stanton, for the reasons previously mentioned; and that the only way that a judicial test of the law could be obtained was for Stanton to be dismissed and sue for his rights in the courts.

I digress at this point to say that since that time the Supreme Court has held in many cases that a President has the constitutional power to remove from office any person he appoints to an office, regardless of whether that persons' appointment has been confirmed by the Senate. So the position of Johnson's lawyers in the impeachment proceedings that the Tenure of Office Act was unconstitutional has been confirmed many times.

I continue to read:

But as the trial progressed, it become increasingly apparent that the impatient Republicans did not intend to give the President a fair trial on the formal issues upon which the impeachment was drawn, but intended instead to depose him from the White House on any grounds, real or imagined, for refusing to accept their policies. Telling evidence in the President's favor was arbitrarily excluded. Prejudgment on the part of most Senators was brazenly announced. Attempted bribery and other forms of pressure were rampant. The chief interest was not in the trial or the evidence, but in the tallying of votes necessary for conviction.

Twenty-seven States (excluding the unrecognized Southern States) in the Union meant 54 Members of the Senate, and 36 votes were required to constitute the two-thirds majority necessary for conviction. All 12 Democratic votes were obviously lost, and the 42 Republicans knew that they could afford to lose only 6 of their own Members if Johnson were to be ousted. To their dismay, at a preliminary Republican caucus, six courageous Republicans indicated that the evidence so far introduced was not in their opinion sufficient to convict Johnson under the articles of impeachment. "Infamy," cried the Philadelphia Press. The Republic has "been betrayed in the house of its friends."

But if the remaining 36 Republicans would hold, there would be no doubt as to the outcome. All must stand together. But one Republican Senator would not announce his verdict in the preliminary poll—Edmund G. Ross, of Kansas. The radicals were outraged that a Senator from such an anti-Johnson stronghold as Kansas could be doubtful. "It was a very clear case," Senator Sumner, of Massachusetts, fumed, "especially for a Kansas man. I did not think that a Kansas man could quibble against his country."

From the very time Ross had taken his seat, the radical leaders had been confident of his vote. His entire background, as already indicated, was one of firm support of their cause. One of his first acts in the Senate had been to read a declaration of his adherence to radical Republican policy, and he had silently voted for all of their measures. He had made it clear that he was not in sympathy with Andrew Johnson personally or politically; and after the removal of Stanton, he had voted with the majority in adopting a resolution declaring such removal unlawful. His colleague from Kansas, Senator Pomeroy, was one of the most radical leaders of the anti-Johnson group. The Republicans insisted that Ross's crucial vote was rightfully theirs and they were determined to get it by whatever means available. As stated by DeWitt in his memorable "Impeachment of Andrew Johnson," "The full brunt of the struggle turned at last on the one remaining doubtful Senator, Edmund G. Ross."

When the impeachment resolution had passed the House, Senator Ross had casually remarked to Senator Sprague of Rhode Island, "Well, Sprague, the thing is here; and, so far as I am concerned, though a Republican and opposed to Mr. Johnson and his policy, he shall have as fair a trial as an accused man ever had on this earth." Immediately the word spread that "Ross was shaky." "From that hour," he later wrote, "not a day passed that did not bring me, by mail and telegraph and in personal intercourse, appeals to stand fast for impeachment, and not a few were the admonitions of condign visitations upon any indication even of lukewarmness."

"Throughout the country, and in all walks of life, as indicated by the correspondence of Members of the Senate, the condition of the public mind was not unlike that preceding a great battle. The dominant party of the Nation seemed to occupy the position of public prosecutor, and it was scarcely in the mood to brook delay for trial or to hear defense. Washington had become during the trial and central point of the politically dissatisfied and swarmed with representatives of every State of the Union, demanding in a practically united voice the deposition of the President. The footsteps of the anti-impeaching Republicans were dogged from the day's beginning to its end and far into the night with entreaties, considerations, and threats. The newspapers came daily filled with not a few threats of violence upon their return to their constituents."

Ross and his fellow doubtful Republicans were daily pestered, spied upon and subjected to every form of pressure. Their residences were carefully watched, their social circles suspiciously scrutinized, and their every move and companions secretly marked in special notebooks. They were warned in the party press, harangued by their constituents, and sent dire warnings threatening political ostracism and even assassination. Stanton himself, from his barricaded headquarters in the War Department, worked day and night to bring to bear upon the doubtful Senators all the weight of his impressive military associations. The Philadelphia Press reported "a fearful avalanche of telegrams from every section of the country," a great surge of public opinion from the "common people" who had given their money and lives to the country and would not "willingly or unavenged see their great sacrifice made naught."

The New York Tribune reported that Edmund Ross in particular was "mercilessly dragged this way and that by both sides, hunted like a fox night and day and badgered by his own colleague, like the bridge at Arcola now trod upon by one army and now trampled by the other." His background and life were investigated from top to bottom, and his constituents and colleagues pursued him throughout Washington to gain some inkling of his opinion. He was the target of every eye, his name was on every mouth and his intentions were discussed in every newspaper. Although there is evidence that he gave some hint of agreement to each side, and each attempted to claim him publicly, he actually kept both sides in a state of complete suspense by his judicial silence.

But with no experience in political turmoil, no reputation in the Senate, no independent income and the most radical State in the Union to deal with, Ross was judged to be the most sensitive to criticism and the most certain to be swayed by expert tactics. A committee of Congressmen and Senators sent to Kansas, and to the States of the other doubtful Republicans, this telegram: "Great danger to the peace of the country and the Republican cause if impeachment fails. Send to your Senators public opinion by resolutions, letters, and delegations." A member of the Kansas Legislature called upon Ross at the Capitol. A general urged on by Stanton remained at his lodge until 4 o'clock in the morning determined to see him. His brother received a letter offering $20,000 for revelation of the Senator's intentions. Gruff Ben Butler exclaimed of Ross, "There is a bushel of money. How much does the damned scoundrel want?" The night before the Senate was to take its first vote for the conviction or acquittal of Johnson, Ross received this telegram from home:

"Kansas has heard the evidence and demands the conviction of the President.

"D. R. ANTHONY AND 1,000 OTHERS."

And on that fateful morning of May 16 Ross replied:

"To D. R. ANTHONY AND 1,000 OTHERS: I do not recognize your right to demand that I vote either for or against conviction. I have taken an oath to do impartial justice according to the Constitution and laws, and trust that I shall have the courage to vote according to the dictates of my judgment and for the highest good of the country.

"E. G. ROSS."

That morning spies traced Ross to his breakfast; and 10 minutes before the vote was taken his Kansas colleague warned him in the presence of Thaddeus Stevens that a vote for acquittal would mean trumped up charges and his political death.

But now the fateful hour was at hand. Neither escape, delay or indecision was possible. As Ross himself later described it: "The galleries were packed. Tickets of admission were at an enormous premium. The House had adjourned and all of its members were in the Senate chamber. Every chair on the Senate floor was filled with a Senator, a Cabinet Officer, a member of the President's counsel or a Member of the House." Every Senator was in his seat, the desperately ill Grimes, of Iowa, being literally carried in.

It had been decided to take the first vote under that broad 11th article of impeachment, believed to command the widest support. As the Chief Justice announced the voting would begin, he reminded "the citizens and strangers in the galleries that absolute silence and perfect order are required."

But already a deathlike stillness enveloped the Senate Chamber. A Congressman later recalled that, "Some of the Members of the House near me grew pale and sick under the burden of suspense"; and Ross noted that there was even "a subsidence of the shuffling of feet, the rustling of silks, the fluttering of fans, and of conversation."

The voting tensely commenced. By the time the Chief Justice reached the name of Edmund Ross 24 "guilties" had been pronounced. Ten more were certain and one other practically certain. Only Ross' vote was needed to obtain the 36 votes necessary to convict the President. But not a single person in the room knew how this young Kansan would vote. Unable to conceal the suspense and emotion in his voice, the Chief Justice put the question to him: "Mr. Senator Ross, how say you? Is the respondent Andrew Johnson guilty or not guilty of a high misdemeanor as charged in this article?" Every voice was still; every eye was upon the freshman Senator from Kansas. The hopes and fears, the hatred and bitterness of past decades were centered upon this one man.

As Ross himself later described it, his "powers of hearing and seeing seemed developed in an abnormal degree.

"Every individual in that great audience seemed distinctly visible, some with lips apart and bending forward in anxious expectancy, others with hand uplifted as if to ward off an apprehended blow * * * and each peering with an intensity that was almost tragic upon the face of him who was about to cast the fateful vote. Every fan was folded, not a foot moved, not the rustle of a garment, not a whisper was heard. * * * Hope and fear seemed blended in every face, instantaneously alternating, some with revengeful hate * * * others lighted with hope. The Senators in their seats leaned over their desks, many with hand to ear. It was a tremendous responsibility, and it was not strange that he upon whom it had been imposed by a fateful combination of conditions should have sought to avoid it, to put it away from him as one shuns, or tries to fight off, a nightmare. I almost literally looked down into my open grave. Friendships, position, fortune, everything that makes life desirable to an ambitious man were about to be swept away by the breath of my mouth, perhaps forever. It is not strange that my answer was carried waveringly over the air and failed to reach the limits of the audience, or that repetition was called for by distant Senators on the opposite side of the Chamber."

Then came the answer again in a voice that could not be misunderstood—full, final, definite, unhesitating, and unmistakable: "Not guilty." The deed was done, the President saved, the trial as good as over and the conviction lost. The remainder of the roll-

call was unimportant, conviction had failed by the margin of a single vote and a general rumbling filled the Chamber until the Chief Justice proclaimed that "on this article 35 Senators having voted guilty and 19 not guilty, a two-thirds majority not having voted for his conviction, the President is, therefore, acquitted under this article."

A 10-day recess followed, 10 turbulent days to change votes on the remaining articles. An attempt was made to rush through bills to readmit six southern States, whose 12 Senators were guaranteed to vote for conviction. But this could not be accomplished in time. Again Ross was the only one uncommitteed on the other articles, the only one whose vote could not be predicted in advance. And again he was subjected to terrible pressure. From "D. R. Anthony and others," he received a wire informing him that "Kansas repudiates you as she does all perjurors and skunks." Every incident in his life was examined and distorted. Professional witnesses were found by Senator Pomeroy to testify before a special House committee that Ross had indicated a willingness to change his vote for a consideration. (Unfortunately this witness was so delighted in his exciting role that he also swore that Senator Pomeroy had made an offer to produce three votes for acquittal for $40,000.) When Ross, in his capacity as a committee chairman, took several bills to the President, James G. Blaine remarked: "There goes the rascal to get his pay." (Long afterward Blaine was to admit: "In the exaggerated denunciation caused by the anger and chagrin of the moment, great injustice was done to statesmen of spotless character.")

Again the wild rumors spread that Ross had been won over on the remaining articles of impeachment. As the Senate reassembled, he was the only one of the seven "renegade" Republicans to vote with the majority on preliminary procedural matters. But when the second and third articles of impeachment were read, and the name of Ross was reached again with the same intense suspense of 10 days earlier, again came the calm answer, "Not guilty."

Why did Ross, whose dislike for Johnson continued, vote "Not guilty"? His motives appear clearly from his own writings on the subject years later in articles contributed to Scribner's and Forum magazines:

In a large sense, the independence of the executive office as a coordinate branch of the Government was on trial. If * * * the President must step down * * * a disgraced man and a political outcast * * * upon insufficient proof and from partisan considerations, the office of President would be degraded, cease to be a coordinate branch of the Government, and ever after subordinated to the legislative will. It would practically have revolutionized our splendid political fabric into a partisan Congressional autocracy. This Government had never faced so insidious a danger * * * control by the worst element of American politics. If Andrew Johnson were acquitted by a nonpartisan vote * * * America would pass the danger of partisan rule and that intolerance which so often characterizes the sway of great majorities and makes them dangerous.

The "open grave" which Edmund Ross had foreseen was hardly an exaggeration. A Justice of the Kansas Supreme Court telegraphed him that "the rope with which Judas Iscariot hanged himself is lost, but Jim Lane's pistol is at your service." An editorial in a Kansas newspaper screamed:

"On Saturday last Edmund G. Ross, U.S. Senator from Kansas, sold himsef, and betrayed his constituents, stultified his own record, basely lied to his friends, shamefully violated his solemn pledge * * * and to the utmost of his poor ability signed the death warrant of his country's liberty. This act was done deliberately, because the traitor, like Benedict Arnold, loved money better than he did principle, friends, honor and his country, all combined. Pour, pitiful shriveled wretch, with a soul so small that a little pelf would outweigh all things else that dignify or ennoble manhood."

Ross' political career was ended. To the New York Tribune he was nothing but "a miserable poltroon and traitor." The Philadelphia Press said that in Ross "littleness" had "simply borne its legitimate fruit," and that he and his fellow recalcitrant Republicans had "plunged from a precipice of fame into the groveling depths of infamy and death." The Philadelphia Inquirer said that "They had tried, convicted, and sentenced themselves." For them there could be "no allowance, no clemency."

Comparative peace returned to Washington as Stanton relinquished his office and Johnson served out the rest of his term, later—unlike his Republican defenders—to return triumphantly to the Senate as Senator from Tennessee. But no one paid attention when Ross tried unsuccessfully to explain his vote, and denounced the falsehoods of Ben Butler's investigating committee, recalling that the general's "well-known groveling instincts and proneness to slime and uncleanness" had led "the public to insult the brute creation by dubbing him 'the beast.'" He clung unhappily to his seat in the Senate until the expiration of his term, frequently referred to as "the traitor Ross," and complaining that his fellow Congressmen, as well as citizens on the street, considered association with him "disreputable and scandalous," and passed him by as if he were "a leper, with averted face and every indication of hatred and disgust."

Neither Ross nor any other Republican who had voted for the acquittal of Johnson was ever reelected to the Senate, not a one of them retaining the support of their party's organization. When he returned to Kansas in 1871, he and his family suffered social ostracism, physical attack, and near poverty.

Who was Edmund G. Ross? Practically nobody. Not a single public law bears his name, not a single history book includes his picture, not a single list of Senate "greats" mentions his service. His one heroic deed has been all but forgotten. But who might Edmund G. Ross have been? That is the question—for Ross, a man with an excellent command of words, an excellent background for politics, and an excellent future in the Senate, might well have outstripped his colleagues in prestige and power throughout a long Senate career. Instead, he chose to throw all of this away for one act of conscience.

But the twisting course of human events eventually upheld the faith he expressed to his wife shortly after the trial: "Millions of men cursing me today will bless me tomorrow for having saved the country from the greatest peril through which it has ever passed, though none but God can ever know the struggle it has cost me." For 20 years later Congress repealed the Tenure of Office Act, to which every President after Johnson, regardless of party, had objected; and still later the Supreme Court, referring to "the extremes of that episode in our Government," held it to be unconstitutional. Ross moved to New Mexico, where in his later years he was to be appointed Territorial Governor. Just prior to his death when he was awarded a special pension by Congress for his service in the Civil War, the press and the country took the opportunity to pay tribute to his fidelity to principle in a trying hour and his courage in saving his Government from a devastating reign of terror. They now agreed with Ross' earlier judgment that his vote had "saved the country from * * * a strain that would have wrecked any other form of government."

Those Kansas newspapers and political leaders who had bitterly denounced him in earlier years praised Ross for his stand against legislative mob rule: "By the firmness and courage of Senator Ross," it was said, "the country was saved from calamity greater than war, while it consigned him to a political martydom, the most cruel in our history. Ross was the victim of a wild flame of intolerance which swept everything before it. He did his duty knowing that it meant his political death. It was a brave thing for Ross to do, but Ross did it. He acted for his conscience and with a lofty patriotism, regardless of what he knew must be the ruinous consequences to himself. He acted right."

* * * * *

I could not close the story of Edmund Ross without some more adequate mention of those six courageous Republicans who stood with Ross and braved denunciation to acquit Andrew Johnson. Edmund Ross, more than any of those six colleagues, endured more before and after his vote, reached his conscientious decision with greater difficulty, and aroused the greatest interest and suspense prior to May 16 by his noncommittal silence. His story, like his vote, is the key to the impeachment tragedy. But all seven of the Republicans who voted against conviction should be remembered for their courage. Not a single one of them ever won reelection to the Senate. Not a single one of them escaped the unholy combination of threats, bribes, and coercive tactics by which their fellow Republicans attempted to intimidate their votes; and not a single one of them escaped the terrible torture of vicious criticism engendered by their vote to acquit.

William Pitt Fessenden, of Maine, one of the most eminent Senators, orators and lawyers of his day, and a prominent senior Republican leader, who admired Stanton and disliked Johnson, became convinced early in the game that "the whole thing is a mere madness."

The country has so bad an opinion of the President, which he fully deserves, that it expects his condemnation. Whatever may be the consequences to myself personally, whatever I may think and feel as a politician, I will not decide the question against my own judgment. I would rather be confined to planting cabbages the remainder of my days. Make up your mind, if need be, to hear me denounced a traitor and perhaps hanged in effigy. All imaginable abuse has been heaped upon me by the men and papers devoted to the impeachers. I have received several letters from friends warning me that my political grave is dug if I do not vote for conviction, and several threatening assassination. It is rather hard at my time of life, after a long career, to find myself the target of pointed arrows from those whom I have faithfully served. The public, when aroused and excited by passion and prejudice, is little better than a wild beast. I shall at all events retain my own self-respect and a clear conscience, and time will do justice to my motives at least.

The radical Republicans were determined to win over the respected Fessenden, whose name would be the first question mark on the call of the roll, and his mail from Maine was abusive, threatening, and pleading. Wendell Phillips scornfully told a hissing crowd that "it takes 6 months for a statesmanlike idea to find its way into Mr. Fessenden's head. I don't say he is lacking; he is only very slow."

Fessenden decided to shun all newspapers and screen his mail. But when one of his oldest political friends in Maine urged him to "hang Johnson up by the heels like a dead crow in a cornfield, to frighten all of his tribe," noting that he was "sure I express the unanimous feeling of every loyal heart and head in this State," Fessenden indignantly replied:

"I am acting as a judge * * * by what right can any man upon whom no responsibility rests, and who does not even hear the evidence, undertake to advise me as to what the judgment, and even the sentence, should be? I wish all my friends and constitutents to understand that I, and not they, am sitting in judgment upon the President. I, not

they, have sworn to do impartial justice. I, not they, am responsible to God and man for my action and its consequences."

On that tragic afternoon of May 16, as Ross described it, Senator Fessenden "was in his place, pale and haggard, yet ready for the political martyrdom which he was about to face, and which not long afterward drove him to his grave."

The first Republican Senator to ring out "not guilty"—and the first of the seven to go to his grave, hounded by the merciless abuse that had dimmed all hope for re-election—was William Pitt Fessenden of Maine.

John B. Henderson, of Missouri, one of the Senate's youngest Members, had previously demonstrated high courage by introducing the 13th amendment abolishing slavery, simply because he was convinced that it would pass only if sponsored by a slave-state Senator, whose political death would necessarily follow. But when the full delegation of Republican Representatives from his State cornered him in his office to demand that he convict the hated Johnson, warning that Missouri Republicans could stomach no other course, Henderson's usual courage wavered. He meekly offered to wire his resignation to the Governor, enabling a new appointee to vote for conviction; and, when it was doubted whether a new Senator would be permitted to vote, he agreed to ascertain whether his own vote would be crucial.

But an insolent and threatening telegram from Missouri restored his sense of honor, and he swiftly wired his reply: "Say to my friends that I am sworn to do impartial justice according to law and conscience, and I will try to do it like an honest man."

John Henderson voted for acquittal, the last important act of his senatorial career. Denounced, threatened, and burned in effigy in Missouri, he did not even bother to seek reelection to the Senate. Years later his party would realize its debt to him, and return him to lesser offices, but for the Senate, whose integrity he had upheld, he was through.

Peter Van Winkle, of West Virginia, the last doubtful Republican name to be called on May 16, was, like Ross, a "nobody"; but his firm "not guilty" extinguished the last faint glimmer of hope which Edmund Ross had already all but destroyed. The Republicans had counted on Van Winkle—West Virginia's first U.S. Senator, and a critic of Stanton's removal; and for his courage, he was labeled "West Virginia's betrayer" by the Wheeling Intelligencer, who declared to the world that there was not a loyal citizen in the State who had not been misrepresented by his vote. He, too, had insured his permanent withdrawal from politics as soon as his Senate term expired.

The veteran Lyman Trumbull, of Illinois, who had defeated Abe Lincoln for the Senate, had drafted much of the major reconstruction legislation which Johnson vetoed, and had voted to censure Johnson upon Stanton's removal.

But, in the eyes of the Philadelphia Press, his "statesmanship drivelled into selfishness," for, resisting tremendous pressure, he voted against conviction. A Republican convention in Chicago had resolved "That any Senator elected by the votes of Union Republicans, who at this time blenches and betrays, is infamous and should be dishonored and execrated while this free government endures." And an Illinois Republican leader had warned the distinguished Trumbull "not to show himself on the streets in Chicago; for I fear that the representatives of an indignant people would hang him to the most convenient lamppost."

But Lyman Trumbull, ending a brilliant career of public service and devotion to the party which would renounce him, filed for the record these enduring words:

"The question to be decided is not whether Andrew Johnson is a proper person to fill the Presidential office, nor whether it is fit that he should remain in it. Once set, the example of impeaching a President for what, when the excitement of the House shall have subsided, will be regarded as insufficient cause, no future President will be safe who happens to differ with a majority of the House and two-thirds of the Senate on any measure deemed by them important. What then becomes of the checks and balances of the Constitution so carefully devised and so vital to its perpetuity? They are all gone. I cannot be an instrument to produce such a result, and at the hazard of the ties even of friendship and affection, till calmer times shall do justice to my motives, no alternative is left me but the inflexible discharge of duty."

Joseph Smith Fowler, of Tennessee, like Ross, Henderson, and Van Winkle, a freshman Senator, at first thought the President impeachable. But the former Nashville professor was horrified by the mad passion of the House in rushing through the impeachment resolution by evidence against Johnson "based on falsehood," and by the "corrupt and dishonorable" Ben Butler, "a wicked man who seeks to convert the Senate of the United States into a political guillotine." He refused to be led by the nose by "politicians, thrown to the surface through the disjointed time * * * keeping alive the embers of the departing revolution." Threatened, investigated, and defamed by his fellow Radical Republicans, the nervous Fowler so faltered in his reply on May 16 that it was at first mistaken for the word "guilty." A wave of triumph swept the Senate—Johnson was convicted, Ross's vote was not needed. But then came the clear and distinct answer: "not guilty."

His reelection impossible, Fowler quietly retired from the Senate at the close of his term 2 years later, but not without a single statement in defense of his vote: "I acted for my country and posterity in obedience to the will of God."

James W. Grimes, of Iowa, one of Johnson's bitter and influential foes in the Senate, became convinced that the trial was intended only to excite public passions through "lies sent from here by the most worthless and irresponsible creatures on the face of the earth" (an indication, perhaps, of the improved quality of Washington correspondents in the last 87 years).

Unfortunately, the abuse and threats heaped upon him during the trial brought on a stroke of paralysis only 2 days before the vote was to be taken, and he was confined to his bed. The Radical Republicans, refusing any postponement, were delightedly certain that Grimes would either be too sick in fact to attend on May 16, or would plead that his illness prevented him from attending to cast the vote that would end his career. In the galleries, the crowd sang "Old Grimes is dead, that bad old man, we ne'er shall see him more." And in the New York Tribune, Horace Greeley was writing: "It seems as if no generation could pass without giving us one man to live among the warnings of history. We have had Benedict Arnold, Aaron Burr, Jefferson Davis, and now we have James W. Grimes."

But James W. Grimes was a man of great physical as well as moral courage, and just before the balloting was to begin on May 16, four men carried the pale and withered Senator from Iowa into his seat. He later wrote that Fessenden had grasped his hand and given him a "glorified smile. * * * I would not today exchange that recollection for the highest distinction of life." The Chief Justice suggested that it would be permissible for him to remain seated while voting—but with the assistance of his friends, Senator Grimes struggled to his feet and in a surprisingly firm voice called out "not guilty."

Burned in effigy, accused in the press of "idiocy and impotency," and repudiated by his State and friends, Grimes never recovered—but before he died he declared to a friend: "I shall ever thank God that in that troubled hour of trial, when many privately confessed that they had sacrificed their judgment and their conscience at the behests of party newspapers and party hate, I had the courage to be true to my oath and my conscience. Perhaps I did wrong not to commit perjury by order of a party; but I cannot see it that way. I became a judge acting on my own responsibility and accountable only to my own conscience and my Maker; and no power could force me to decide on such a case contrary to my convictions, whether that party was composed of my friends or my enemies."

Mr. President, I have read the very dramatic story written by President John F. Kennedy about the occasion in the Senate when a rule requiring a two-thirds vote in the Senate saved the reputation of the Senate and constitutional government in our Nation. In light of that circumstance, with that warning of history before me, I expect to stand for a rule of cloture which will require a two-thirds vote of Senators to silence any Senator who feels that his duty to his country and his God, and to his conscience, demands that he stand upon the floor of the Senate and say what he believes he should say.

There is an old saying that, "The saddest epitaph which can be written for the loss of any right is that those who had the saving power failed to stretch forth a saving hand while there was yet time."

I appeal to Senators to stretch forth saving hands while there is yet time.

To my mind, it is unwise to change rule XXII as proposed by either of the pending resolutions. There is no difference, in principle, between cloture based on a 60-percent vote and cloture based upon a majority vote. As a practical matter, however, a minority of 40 percent may be able to protect itself.

We need rule XXII, however, in order to protect smaller minorities and in order to prevent tyranny of the majority in the Senate of the United States.

In closing, I appeal to Senators to remember the history of our past and to stand by a rule of the Senate which will require a two-thirds vote before any Senator can be prevented from speaking what he honestly believes in his heart is necessary for the welfare of his country.

THE CONSUMER SUBCOMMITTEE—1967

Mr. MAGNUSON. Mr. President, in the closing days of the 89th Congress, the Senate Committee on Commerce established its first new standing subcommittee in over a decade—the Consumer Subcommittee. In so doing, the committee gave formal recognition to the coming of age of the consumer interest as a permanent concern of Congress.

The committee, in the 89th Congress, charted new courses toward the meaningful, responsible protection of consumers—the National Traffic and Motor Vehicle Safety Act, the Fair Packaging and Labeling Act, the Child Protection Act, and the Cigarette Labeling Act.

Embodied in the committee's decision to create the new subcommittee was a pledge to the American consumer that these acts were to be but the beginning of a broad and continuing effort to en-

courage products in the American marketplace and practices which measure up to the standards of a technologically advanced democratic society.

The committee recognizes that there has emerged in this country a firm understanding of the fields in which the consumer interest lies: The consumer interest lies in the standards of safety of the products sold and the services performed in commerce. It lies in the standards of marketing and advertising conduct which are to prevail in the promotion and sale of these goods and services; and it lies in the degree to which the consumer is permitted to function as the regulator of the free market economy through the exercise of informed choice among competing goods and services.

The consumer interest is as narrow as the constant frustration of the housewife unable to compare the price per ounce of competing products; but its significance is as broad and fundamental as the fair and efficient functioning of the national economy.

Following the unparalleled outpouring of social legislation in 1964, 1965, and 1966, the 90th Congress is now called upon to pause and reevaluate what has been done. Of course, we must subject our legislative production of the recent past to sharp and continuing scrutiny and review. But in the field of consumer legislation, we are not ready to limit ourselves to the patching up of existing legislation, for too many critical consumer needs remain unmet; too many gaps remain in the fabric of consumer protection laws.

Within the next several weeks, I intend to introduce six consumer bills. Each one, I believe, meets a critical consumer need, and each one, I am convinced, merits prompt attention and action—not in 1968 or 1969, but now.

1. THE NATIONAL COMMISSION ON HAZARDOUS HOUSEHOLD PRODUCTS

Congress has now dealt firmly with the need for national standards to promote the safe engineering of motor vehicles. We have not dealt with what appears to be the equally pressing need for promoting the safe design of manufactured goods and appliances for personal and household use.

Although responsible American manufacturers are making great strides in this sector, we know that hundreds—if not thousands—of nationally marketed products shock, burn, maim, and explode—not only through negligent use—but through faulty design and careless construction.

We have seen television sets which are constructed so that they leak current sufficient to deal a lethal shock; kitchen ranges, broilers, clothes dryers, portable heaters, and dehumidifiers with dangerously exposed electric terminals. We have seen electric fans and lawn mowers which hurl rocks or other sharp objects at the operator or bystanders. We see power tools without safety guards; blenders which inadvertently start; food waste disposals which spew out foreign objects at high speeds; garden sprayers which can explode; travel irons without thermostats to prevent fires and even children's toys are being marketed with sharp, exposed cutting edges and points.

We know that 51,000 Americans are killed while nearly 50 million are injured in nonvehicular accidents every year. In and around the home alone, 28,000 lives are lost and 20 million injuries sustained annually through accidents. The Public Health Service estimates that dangerous heating and cooking equipment claims 375,000 injuries annually; home machinery 125,000; nonshatter resistant glass doors and panels, 40,000; and power lawn mowers alone cause nearly 100,000 injuries a year.

It is an unhappy but undeniable fact that despite the significant work of Congress and the States in the field of product safety, the safe design and construction of the vast majority of products sold to the American family today still depend on an incoherent patchwork of voluntary self-regulation; municipal ordinance; common law product liability and occasional State and Federal law—all of uncertain scope and uniformity and doubtful adequacy.

Late in the last session of Congress, the distinguished senior Senator from New Hampshire [Mr. COTTON], the ranking minority member of the Commerce Committee—who is now in the Chamber—and I proposed the creation of a National Commission on Hazardous Household Products, to conduct a comprehensive study and investigation of the extent to which the unsafe design of household products constitutes a significant public health problem and a review of the scope and adequacy of present safeguards against the sale of hazardous products. The Commission was to be charged with a specific mandate to identify first, those products which present an unreasonable hazard to the safety of the consuming public; second, the degree to which voluntary standards and self-regulation afford significant protection; third, the impact of manufacturer product liability for injuries caused by unsafe products; and fourth, a review of Federal, State, and local laws and regulations relating to the protection of consumers against hazardous products. The Commission was to convey to Congress and to the President its recommendations for such legislation and other action as it found warranted. This proposal met with the unanimous approval of the Senate, but having passed in the closing days of the session, failed to obtain acceptance by the House.

Senator COTTON and I are more firmly convinced than ever of the need for a prompt and comprehensive review of product safety by the Commission. The President, in his state of the Union message, called for such action. We intend to reintroduce the legislation at an early date and to press for early enactment by Congress.

(At this point Mr. Moss assumed the chair as Presiding Officer.)

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

Mr. MAGNUSON. I yield.

Mr. COTTON. Mr. President, I commend the distinguished Senator from Washington, chairman of the committee on which I serve as the ranking minority member.

The Senator deserves the lion's share of the credit for pursuing the subject of hazardous substances.

I was much gratified, as I am sure the Senator and many other Senators were, when the President in his state of the Union message took up the cudgels for this type of legislation.

I was very happy and pleased to asssociate myself with the Senator on the bill last year. I am very happy to do so again and to work with him in the hope that this time the bill might be passed by both Houses of Congresss.

The President has already indicated that he would like to have such legislation.

I commend the Senator for the work he has done on this project.

Mr. MAGNUSON. Mr. President, I thank the Senator.

The Senator from New Hampshire, as a member of the Committee on Commerce, has not only taken a very active interest in matters of consumer legislation, but has also been of great assistance in helping to make these bills a matter of reciprocity between the manufacturers and the consumers.

I am sure that there is not a manufacturer in the United States who does not want to sell to the public the safest product that he can.

V. THE FLAMMABLE FABRICS ACT REVISION

The Flammable Fabrics Act, enacted in 1953 and unchanged since that time, represented the reaction of Congress to a series of shocking news stories, which appeared at the time, of young girls burned by sweaters so highly flammable that they exploded into flames in the presence of a lighted match or cigarette.

The act has well served to rid the country of such extremely flammable clothing. Yet there is disturbing evidence of the widespread distribution of dangerously flammable fabrics which are beyond the reach of this law. The situation is especially critical because the public is generally under the impression that the Flammable Fabrics Act protects them against all significant flammable fabrics.

In many cases the impression of protection is an illusion. A prominent Washington reporter, whose daughter was tragically and cruelly burned when her flannel pajamas were suddenly consumed by fire, took the charred remains of the pajamas to the Textile Bureau of the Federal Trade Commission for prosecution. The Trade Commission was powerless. The pajamas were not flammable under the standard established by the Flammable Fabrics Act and neither the Federal Trade Commission nor the Department of Commerce, through its standards procedures, are authorized to amend the standard.

Because the scope of the Flammable Fabrics Act is rigidly limited to "wearing apparel," the Trade Commission determined that it had the power to halt the sale of flammable bridal veils but not flammable baby blankets. And a fabric which can be banned from use in a sweater or suit can be sold without restriction as a drape or carpet, upholstery fabric or blanket.

I shall introduce a bill to transform the limited terms of the Flammable Fabrics Act into a comprehensive fire safety law for all household and personal fabrics.

I intend to propose, first, that the Department of Commerce be given full and continuing authority to revise and strengthen the current standards of flammability and to develop new standards in the interests of the reasonable safety of the consuming public; second, that the scope of the Flammable Fabrics Act be extended beyond wearing apparel to all personal and household fabrics which are determined to present a significant fire hazard; third, that the Department of Health, Education, and Welfare be authorized and directed to institute a crash research program to identify those products or fabrics which now constitute a significant health hazard; and, fourth, that the Department of Agriculture, which has pioneered in the development of flameproofing chemicals be authorized and directed to cooperate with the textile industry in the development of commercially feasible methods for flameproofing all fabrics.

Although many such chemicals are now on the market, they have not yet been sufficiently developed.

3. THE CIGARETTE TAR AND NICOTINE DISCLOSURE ACT

As many Senators and the general public know, the Committee on Commerce held long, comprehensive hearings on the entire question of cigarette smoking.

Three years ago tomorrow, the Advisory Committee to the Surgeon General on Smoking and Health concluded that "cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate remedial action."

For more than 1 year now, under the terms of the Cigarette Labeling Act, every package of cigarettes manufactured in the United States has carried the cautionary legend: "Cigarette smoking may be hazardous to your health."

Public health agencies and voluntary health organizations, in particular the American Cancer Society, have borne to smokers and would-be smokers alike the message: "Congress has acted—the next step is yours."

What is the result? Cigarette sales continue to set new records. While doctors and mature adults appear to be smoking less, young people, girls even more than boys, are taking up smoking in rapidly increasing numbers. And evidence continues to accumulate that diseases associated with smoking are taking an increasing toll of the smoking public. Even the apparent relative immunity of women smokers to lung cancer has turned out to be illusory, as lung cancer rates among women smokers now soars.

Perhaps the most striking change in smoking patterns which has occurred since the first substantial evidence incriminating smoking appeared has been the rise of the filter cigarette. Before 1954, the filter cigarette was little more than a novelty. Today, approximately 70 percent of all cigarettes sold in the United States are filter cigarettes. Consciously or unconsciously, smokers have turned in increasing numbers to the filter cigarette in the hope that filtration will provide some measure of protection against the hazards of smoking.

In June of this year, under the terms of the Cigarette Labeling Act, both the Secretary of HEW and the Chairman of the Federal Trade Commission must report to Congress on the effectiveness of the Government's effort to deal with the hazards of smoking. If its success is to be measured in terms of the numbers of smokers who have given up smoking, then the effort has not been adequate. If it is to be measured by the numbers of teenagers who have declined to take up smoking, it is likewise inadequate. Even if it is to be measured by the numbers of people who know and accept the evidence that cigarette smoking is hazardous but nevertheless choose to continue smoking, the act has been inadequate, though it has had some effect. It was never intended to force anyone to do anything. We merely said that every man is entitled to his own poison, but we had some responsibility to tell him what it was.

The problem of cigarette advertising, particularly on television, remains. Efforts have been made by the industry to limit direct appeals by commercials to young people and to avoid cigarette sponsorship of programs particularly attractive to children. I believe that the cigarette industry has seriously and conscientiously done this since the passage of the act, and it has its own voluntary code, to which it has adhered.

But the sheer volume of cigarette advertising must surely serve to reenforce the smoker's belief that cigarette smoking cannot be a very significant hazard.

I sympathize with members of the cigarette industry, who must confront the situation in which their product—and I underline this—without any fault on their part, has been condemned by the Government. I do not believe for an instant that there is a man in the industry who would not, if he knew how, produce and market a safe cigarette. Until such time as a safe cigarette is developed and proved, I firmly believe that the industry has two agonizing choices: It must either give up television advertising or work with the networks to provide public service time for smoking and health education, so that there will be some counterbalance in this matter. I would hope that this could be done voluntarily. I am confident that in the industry are men of good will who will see this as their responsibility. On our part, we shall consider our responsibility in the light of the inadequacy of present programs to make a total impact on this most serious problem.

In addition, we must take advantage of what is now known about the relative safety of competing cigarettes. Last July, together with the Senator from Oregon, Mrs. Neuberger, and the Senator from New York [Mr. KENNEDY], I introduced a bill to require all cigarette packages and advertisements to list tar and nicotine yields measured by a standard test. We did not intend to pass the bill or to push it during the last session, but we did wish to serve notice that this was still a problem and that we would take it up.

I am pleased that the Secretary of HEW, Mr. Gardner, has now endorsed this proposal. In a letter to me dated January 10, Secretary Gardner states:

> In our opinion, requiring the identification of "tar" and nicotine levels on packages and in advertising, as you have proposed, would be an important step and would result in the progressive reduction of "tar" and nicotine levels because of public demand.

Not only public demand is involved. I believe that every coin has two sides. The cigarette people have devoted a great deal of research to attempting to reduce the quantity of tar and nicotine; and in the last few months this has become a competitive feature. In some types of cigarettes they claim to have reduced the quantity of tar and nicotine to a minimum.

Also, this practical difficulty exists: When the average person reads on a cigarette package that the cigarettes contain so much tar and so much nicotine, what does that information mean to him?

All we suggest is that the smoker have an opportunity to compare one cigarette with another; and if he preferred the cigarette with the largest amount of tar and nicotine because he liked the "taste"—a word which is used a great deal—that would be his business. But he would be entitled to know. That will be another facet of this so-called consumer's package.

4. FAIR CREDIT ADVERTISING ACT

This is a subject that has been back and forth before Congress for a long time.

No single economic factor is more important to the success of the consumer in realizing "a dollar's worth for a dollar spent" than the informed and judicious use of credit. Yet the costs of credit—the costs of financing installment purchases—and the relationship between cash purchase and installment purchase, have been badly obscured by some—I say some, not all—promotional practices of many sellers of goods and credit. I believe that a great majority are not in this category.

We have been led to understand the need for meaningful credit information practices by our great former colleague from Illinois, Senator Douglas. I know that he is heartened by the powerful effort now being organized and led by the Senator from Wisconsin [Mr. PROXMIRE] to bring to final fruition the efforts to obtain a truth-in-lending law. I have been pleased to add my name to the list of the cosponsors of this legislation, which will enable consumers to compare the price of credit—as they compare the price of other commodities—through reference to the uniform standard of true annual interest.

But the credit information gap extends beyond the terms of the sales or credit agreement itself. Credit advertising, particularly advertising directed to low-income groups, is too often designed to obscure the true cost of credit.

Typically, an advertisement for a substantial consumer product will list a competitive cash price and promise generous weekly installment terms, failing to disclose that the weekly payments continue not only until the listed cash price is paid but far beyond—so that the total "time sale price" may eventually be double or even triple the "cash sale price."

I shall introduce a bill which will be

cosponsored by many members of the committee, to require first that any advertisement which represents that a product or loan may be purchased for a specified periodic installment, must also clearly and conspicuously state the cash sale price, the total number of such installments, and the total time sale price; and, second, that any advertisement which represents that credit is available at a stated rate of interest—it may be a reasonable amount to pay for the services—must state such rate in terms of the true annual interest to be charged. That is all we suggest. That is another phase of the so-called package.

We shall have to go into many aspects of this matter in much detail, because here, again, we wish to be fair and practical.

5. DOOR-TO-DOOR SALES ACT

I believe that the Senator from New Hampshire [Mr. COTTON] and I will receive some lively testimony with respect to this subject. I suggest that the hearings will be very interesting, because we have not arrived at any concrete conclusions. We know the problem and we welcome the hearings. This item affects door-to-door salesmen.

Perhaps some Senators, while attending school or college, have had occasion to go from door to door in an effort to earn a little extra money with which to buy things they could not otherwise afford.

Personally, I went around at one time and sold a lot of subscriptions to magazines. The town from which I came was small and I had no trouble in checking back to see whether there was delivery. Some people would take me in out of the cold and give me a cup of coffee and say, "You are a nice young boy. We will subscribe to a magazine." I had no trouble checking back to discover whether they had gotten the magazine. However, in larger areas the situation is a little difficult. This measure deals with door-to-door sales.

The consumer who enters a store and contracts to buy goods or services ordinarily does so deliberately, having voluntarily made a decision to shop for the product or service.

That is good old American ingenuity. No one objects to that. That is good old American practice. But this is true. I have bought things I had never thought I would just because the sales pitch was good and perhaps the salesman had convinced me though I had been living without this item several years, my life might be better if I bought it.

In most big towns the doorbells are ringing constantly. Many of the products are good; probably the great bulk of them are good. Although there are many responsible firms and salesmen who sell from door to door, too often, the unprepared housewife, the uneducated and the poor, are notoriously susceptible to the high-pressure techniques of the door-to-door salesman.

There is nothing wrong with the sales techniques, per se. But, too often, the moment the salesman closes the door behind him with the signed contract tucked away in his pocket, the consumer slowly begins to comprehend the financial burdens to which he or she has just committed the family.

I have been buying a set of books for 10 years. I do not think I have gotten the last volume yet. The books are not bad, but if I had known it I would not have spread the payments out as long as I did.

Too often, that night families take a look at the obligation for which they have signed, and many times it is not until later that the family for the first time carefully studies the terms of the contract and the full impact of a major unwanted family expenditure is comprehended.

In the worst of these cases the salesman may be in the next State before the consumer fully realizes what he is in for. Worse, the contract may be assigned to a collection agency and proceedings begun to collect the contract debt, although the goods and services may be undelivered or far below the quality promised by the salesman.

We expect to pursue a proposal which would afford anyone signing a substantial contract with door-to-door salesmen, within 24 hours to change his mind and to rescind the contract by notifying the seller at the seller's place of business. The bill would further require that the seller must furnish the buyer, at the time the contract is signed, with a receipt which tells the buyer of his right to rescind the contract and lists the address to which the buyer can mail or deliver notice of his intention to rescind.

Mr. President, I wish to give credit where credit is due. The American manufacturers have made great strides toward these objectives.

This might be called a consumers' package, coupled with the legislation that the Committee on Commerce enacted during the 88th Congress, the 89th Congress, and preceding Congresses. However, it is the general intention, at least of the chairman, to pursue these matters in the hope that we can arrive at a better relationship and a fairer relationship between all parties. I am sure that the American manufacturers, and the American businessmen welcome the fact that we will strive toward these goals because, with rare exceptions, no one wants to achieve them more than they do.

(At this point, Mr. TYDINGS assumed the chair as Presiding Officer.)

6. THE GUARANTEE DISCLOSURE ACT

Mr. MAGNUSON. Category 6 is what will be known as a study of the guarantees on products and probably, will be known as a proposal for the Guarantee Disclosure Act.

During the first 6 months of its existence, the Consumer Subcommittee has received more serious complaints concerning deceptive and misleading warranties and guarantees than any other consumer issue. Far too often the purchaser of a product first discovers limitations on its guarantee when the product has failed and he seeks performance under the guarantee. Only then does he discover that the guarantee covers parts but not the labor, that he cannot take the product to the dealer for repair but must ship it to the factory, bearing the mailing cost himself, or that every constituent part of the product falls under the guarantee except the very part which does not work, or that the guarantor does not guarantee that the product will be repaired or replaced but only that he will "make an effort" to repair it.

In each of these cases the buyer has been misled by the failure of the seller to initially disclose the limitations of the guarantee. Moreover, in many cases advertising and promotional material promise far greater protection under a guarantee than the fine print in the guarantee itself actually delivers.

For these reasons we shall examine a proposal to require that all guarantees clearly and conspicuously disclose the nature and extent of the guarantee's basic terms and conditions, including the exceptions, and that all advertisements which make representations as to the existence of a guarantee similarly disclose the basic terms and conditions.

CONCLUSION

By no means does this list of bills exhaust the consumer projects which will receive the attention of the Consumer Subcommittee this year. The subcommittee will continue, of course, its close scrutiny of the implementation of recent legislation such as the National Traffic and Motor Vehicle Safety Act of 1966 and the Fair Packaging and Labeling Act.

I expect, also, that we will consider the bill proposed by the Senator from Connecticut [Mr. DODD] to establish a Federal Motor Insurance Guarantee Corporation, to protect the public against insolvent automobile liability insurers. In this regard, I am very much concerned with reports of arbitrary and discriminatory policy cancellations by auto insurers, large and small.

In this regard some of us are very much concerned with reports which we hear more than we do about any other phase of this field. There may be some good reason for it and some justification, but the average person is caught short.

We receive many reports of arbitrary and discriminatory policy cancellations by auto insurers, large and small. Insurance companies have to have some escape to cancel policies, but the cancellation takes effect the day the company stamps and mails the notice.

More people will be driving around for 4 or 5 days—the present occupant of the chair, the distinguished Senator from Maryland [Mr. TYDINGS], has tried to do something about this, I know, in the District and in his own State—not knowing that they are not insured. This is something we must take a look at.

Mr. ERVIN. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I am happy to yield to the Senator from North Carolina.

Mr. ERVIN. I should like to make a suggestion to the Senator along this line: There has been a great deal of complaint in North Carolina in recent months by persons who have purchased mail order health insurance policies.

Mr. MAGNUSON. Yes.

Mr. ERVIN. In a great many cases, they are sold in interstate commerce but the companies do not qualify to do busi-

ness in any State except the one in which they do business.

Mr. MAGNUSON. That is correct.

Mr. ERVIN. Many people who have purchased policies in other States have no remedy at their disposal. The companies collect the money and then cancel out the policies.

I should like to suggest to the Senator from Washington that the Committee on Commerce give serious study to the question of the advisability of enacting some kind of legislation applicable to such insurance companies in the nature of the Webb-Kenyon Act after prohibition, which would prevent insurance companies from selling policies in States in which they are not qualified to do business.

Mr. MAGNUSON. Yes. I am sure that the Senator from North Carolina realizes that this has happened in many States. There have been cases of downright misleading tactics. We have some evidence that the men and women in our armed services have taken out insurance policies and the question has developed whether they can be served or not.

As to automobile insurance—I am talking about casualty and property damage—this is rapidly becoming a national problem. It is a hodgepodge of many laws. Many States require mandatory insurance. Others do not. Some cannot be served at all. Some people who have been right when an accident was involved, yet were hurt, have been more inconvenienced, particularly in small property damage suits, than anyone else. This is the kind of thing we must take a look at. I thank the Senator from North Carolina for his suggestions, because this is a serious matter we are discussing. We intend to look into it.

I also anticipate that the subcommittee will want to take a long, hard look at the adequacy of consumer protection against questionable mail order insurance practices.

The subcommittee will, of course, want to remain alert to new evidence of the need for action in any area. For example, I have recently seen, and asked the committee staff to investigate, reports that poorly designed and carelessly used medical diagnostic equipment may constitute a serious—and preventable—radiation hazard.

I anticipate that we will be a helpful sounding board for the great bulk of American manufacturers who are responsible to the consumers, those who try to do better and better every year in this whole field.

The committee, also, hopes to be a strong endorser of those in American business—and they are many—who have been responsible to their duty to the American consumer and whose goals are for even better performance. They are the real contributors to the stability of our great American free enterprise system.

Clearly, the Consumer Subcommittee and Congress have their work cut out for them in this field of consumer action, both in reviewing the old and in formulating the new. We expect to work closely with the strong chairman of the House Interstate and Foreign Commerce Committee [Mr. STAGGERS], who has long demonstrated his devotion to the cause of the consumer.

We have set ourselves strenuous goals. This will be neither a short nor an easy session for the members of the Commerce Committees. But we are prepared to do what must be done.

Mr. COTTON. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. COTTON. I repeat my commendation to the Senator from Washington for his presentation today. That does not necessarily mean that I endorse everything which has been suggested——

Mr. MAGNUSON. No, no.

Mr. COTTON. But the Senator has obviously given great attention to these problems. It is my privilege not only to serve on his committee but I trust also that it will continue to be my privilege to serve on the Consumer Subcommittee.

I want to say to the Senator that he will have my absolute cooperation, and I am sure that of the minority members of the subcommittee, and the full committee, in seeking to face these grave questions which he has so well raised in the Senate today.

Mr. MAGNUSON. I thank the Senator from New Hampshire. He has already made great contributions to the consumer bills which have been previously passed.

ANOTHER ARMS RACE?

Mr. CLARK. Mr. President, the New York Times magazine of January 15 contains an article by Roswell L. Gilpatric, formerly Deputy Secretary of Defense, which I hope that every Member of the Senate and the other body will read. It is entitled "Are We on the Brink of Another Arms Race?"

The article argues against producing and deploying an antiballistic missile system or ABM. Mr. Gilpatric sums up the main philosophical argument in one terse statement, saying that a decision to go ahead and develop an ABM system "will signalize a U.S. determination to do the Soviet Union one better in a new struggle for world power through force of arms and to base its relations with the Soviets more on a philosophy of conflict than on one of accommodation."

Mr. Gilpatric discusses not only the military implications of such a decision but also the political and economic considerations. These include such questions as: whether it would then be necessary to furnish ABM systems to our allies—and whether the Soviets would then consider that they would have to follow suit; the effect such a decision would have on other disarmament measures; and the cost to the United States and the sacrifices that would be involved in other Federal programs.

I will have more to say on this subject in a report I will issue within a week reporting on my study mission in November to the Soviet Union, Poland, Yugoslavia, and Czechoslovakia.

For the present, I commend Mr. Gilpatric's article to the attention of my fellow Senators and ask unanimous consent that it be printed in the RECORD at this point.

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

BANE OF MANKIND—ARE WE ON THE BRINK OF ANOTHER ARMS RACE?

(By Roswell L. Gilpatric)

For many people, the idea of an "arms race" acquired its sinister connotation some 20 years ago with the beginning of the nuclear-weapons age. Yet in fact rivalry in arms, even in its earlier and simpler manifestations, has always been a bane of mankind. Whenever two nations have found themselves in competition to develop, produce and deploy new arms, the results have been to divert national energy, resources and time from peaceful uses, to exacebate relations between those nations in other fields by engendering fear and distrust, and, above all, to provide the ingredients of easily ignited conflict.

Notwithstanding the almost universal desire to contain competitive armament struggles, our generation has never been free of them. Since World War II the United States has gone through two cycles of competition with the Soviet Union in strategic armaments, and the signs are multiplying that we may be on the brink of engaging in still another arms race.

The first step-up in U.S. armaments after World War II grew out of Soviet actions and attitudes during the Berlin blockade of 1948–49 and the general intransigence of the Stalin regime on all international-security issues. When it became evident that the United States would have to provide itself with a strategic deterrent against Soviet aggressiveness, a decision was taken in the early nineteen-fifties to develop and produce a post-war generation of medium- and long-range jet bombers, first the subsonic B–47's and B–52's and later the supersonic B–58's. These manned-bomber programs were paralleled by other major technological advances, such as the development of more compact nuclear weapons through improvement in the yield-to-weight ratio of atomic warheads, and also by the production of jet tankers and the introduction of air-refueling techniques to make it possible for our bomber fleets to reach the heartland of Russia.

The Soviets reacted in two ways. First, they developed their own fleet of medium- and long-range bombers, the so-called Bears and Bisons; second, they installed elaborate defensive systems consisting of wide belts of antiaircraft cannon and missile emplacements supplemented by large fleets of interceptor aircraft.

These moves, in turn, led to extensive U.S. countermeasures, including the establishment of a far-flung radar network, known as the Distant Early Warning Line, whose outer perimeter extended from Alaska across the northern reaches of Canada to Greenland. Picket ships and plane-borne radar extended the bomber-warning systems along both the East and West Coasts. The U.S. also set up, under joint command with Canada, numerous air-defense centers consisting of fighter aircraft and antibomber surface-to-air missiles. Finally, to tie together all of the elements in this vast complex for the defense of North America, there was installed during the mid-nineteen-fifties what was called the Semi-Automatic Ground Environment (SAGE) system.

All these offensive and defensive measures cost the U.S. many billions of dollars before much of the equipment involved was rendered obsolete by the advancing state of the military art.

From the start of the first post-World War II arms race, fundamental differences became apparent in the Soviet and U.S. responses to each other's strategic-weapons programs.

The U.S. sought to emphasize and to invest more of its resources in offensive capabilities, whereas the Soviets have always stressed defensive measures. In consequence, as the Russians built up stronger defenses, the U.S. added to the number of its strategic forces and provided them with the capacity to penetrate Soviet defenses. At the same time we learned that beyond a certain level of defense, the cost advantage lies increasingly with offense.

The next lap in the arms race, beginning in the late fifties and continuing into the early sixties, was characterized chiefly by a partial shift from manned bombers to ballistic missiles, in both offensive and defensive roles, and by improved intelligence through satellite-based reconnaissance about what the other power was up to. After what at first appeared to be, but never in fact materialized as, an early Soviet lead—the so-called "missile gap" of 1950 and 1960—the U.S. forged ahead in both the quantity and the quality of its intercontinental ballistic missiles (ICBM's).

Quickly on the heels of the first generation, liquid-fueled Atlas and Titan missiles, launched from "soft"—that is, vulnerable—land-based sites, came the Minuteman and Polaris families of ICBM's, solid-fueled and fired either from "hardened"—protected—underground silos or underwater from submarines. With a force destined soon to comprise 1,000 Minutemen and 656 Polaris missiles, U.S. ICBM's have consistently outnumbered the Soviet missile force by a ratio of 3 or 4 to 1. Moreover, for some time Soviet missiles were of less advanced types, being liquid-fueled and deployed in soft or semiprotected sites and hence vulnerable to attack.

During this same period of the early nineteen-sixties, both U.S. and Soviet defenses against bomber attacks were strengthened by the development and installation of successively improved models of surface-to-air missiles of which, characteristically, the Soviets deployed by far the greatest number. To cope with tougher Soviet defenses, U.S. bombers were modified to carry air-launched missiles in addition to gravity bombs and were equipped with electronic countermeasures to confuse Russian radar.

Both sides began developing antiballistic missile (ABM) systems, but it was only toward the end of 1966 that our Government acknowledged publicly that the Soviets had moved from the development stage to the quantity production and deployment of ABM's. In contrast, the U.S. has kept its ABM effort at the engineering design and development level and continued to place its principal reliance on the capacity of its strategic-weapons-delivery systems, whether bombers or missiles, to penetrate any type of Soviet defense, no matter how sophisticated.

After the Russians had been stood down during the Cuban missile crisis of 1962 and had reached an accord with the U.S. for a partial test-ban treaty in 1963, it appeared that the Soviets might accept the then-existing military equation with the U.S. and not challenge us to another round in the strategic arms race.

For a period after the present Soviet leadership headed by Brezhnev and Kosygin took over from Khrushchev, it seemed to be Soviet policy to seek a *détente* with the U.S. Our Government therefore felt safe in leveling off its strategic forces at least until the time—not expected before 1975–80—when the Chinese Communists might develop their own nuclear weapons to the point of being able to threaten the continental United States.

As 1966 drew to a close, however, the American people were told that not only were the Soviets proceeding with a comprehensive installation of ABM's, but in addition were setting out to build a larger force of solid-fueled and invulnerably sited ballistic missiles. Such a build-up might, it was indicated, reach a point, beginning in 1968, where, the U.S. strategic force of some 1,650 Minutemen and Polaris missiles would no longer enjoy its present overwhelming margin of superiority.

It thus became apparent that, in determining how to respond to these new developments, the U.S. is once again facing the possibility of a stepped-arms race with the Soviet Union of even more critical and dangerous proportions than the two previous cycles.

As he reviews the coming year's military proposals and budgets, President Johnson is therefore confronted with some hard choices regarding new weapons systems. Among them are the following:

(1) Should the U.S. now produce and deploy, either on a full or limited scale, an antiballistic missile system? The current version is known as the Nike X (consisting of two nuclear-tipped interceptor missiles, one short-range called Sprint and the other extended-range, the improved Zeus), supplemented with large numbers of a new high-performance interceptor aircraft, the F–12, and an extensive Civil Defense program for providing on a nationwide scale fallout shelter protection.

(2) Or should the U.S. instead rely for the maintenance of its "second strike" strategic deterrent on a new generation of ICBM's consisting of Minuteman III and Poseidon missiles—together referred to as Improved Capability Missiles (ICM's)—with the capacity to penetrate or saturate the new Soviet missile defenses?

(3) Should the U.S., in addition to procuring the new ICM's, equip its Air Force with quantities of an Advanced Manned Strategic Aircraft (AMSA) to take over the bomber role from the aging B–52 fleet and ultimately from the new supersonic jet bomber, the B–111, that will become operational a few years hence?

A go-ahead decision on the first, or the first and third, of these proposals will signalize a U.S. determination to do the Soviet Union one better in a new struggle for world power through force of arms and to base its relations with the Soviets more on a philosophy of conflict than on one of accommodation. Let us first consider the military implications of such a choice.

Defense Secretary McNamara states that the currently planned U.S. offensive force of missiles and bombers was specifically designed to hedge against several different contingencies, including the possibilities "first, that a Soviet ballistic-missile defense might be greater than expected by the intelligence estimates; and, second, that the Soviets might embark upon any one of several possible offensive build-ups, including variations in their target doctrine, variations in the technological sophistication of their weapons systems, and variations in the speed of deployment of those systems."

In thus taking into account possible Soviet threats over and beyond those projected in the latest national intelligence estimates, Secretary McNamara explains that "we have done so because an assured destruction capability, a capability to survive the first strike and survive with sufficient power to destroy the attacker, is the vital first objective which must be met in full regardless of the cost under all foreseeable circumstances and regardless of any difficulties involved."

His position is that, with the development of Minuteman III, the accelerated development of the Poseidon missile and moving ahead on new penetration aids to insure our weapons getting through any defenses the Soviets may put in place, the U.S. has in effect anticipated and insured against the latest moves by the Soviet Union. Notwithstanding a Russian ABM system and more and better Soviet ICBM's, he concludes that the U.S. strategic forces will continue to maintain their present power to survive a Soviet first strike with sufficient capability to destroy the attacker, which is the foundation of the deterrent power upon which our national security depends.

The conclusions of the Secretary of Defense are being severely questioned in a number of quarters. In the first place, there are indications that most of the professional military organization, from the Joint Chiefs of Staff on down, believes that the United States should go ahead with both production and deployment of an ABM system and also with a new generation of manned bombers as well as the new ICM's.

This military judgment will find strong support in the Congress, especially among the influential leaders of the Armed Forces committees, and will be backed by substantial sectors of public opinion, particularly in the South and on the Republican right. There is also likely to be considerable pressure from segments of the defense industry, backed by the communities that would benefit from the increased armament production, for this nation to embark on a new round of strategic weapons building. It is possible that the Secretary of Defense's position may not enjoy undivided support even within the Johnson Administration.

But apart from the military implications of these new weapons choices, there are a number of political and economic issues which, so far as the public knows, may not have been fully considered.

If the U.S. decides to install ABM's to protect its population, should such systems also be placed in Europe, and if so, will not the countries on the other side of the Iron Curtain respond in kind? In that event, will the ABM's be furnished to our allies by ourselves, and to the bloc countries by the Soviets, and at whose cost?

Will our action to go ahead with an ABM deployment play into the hands of the Communist Chinese efforts to disrupt U.S.-U.S.S.R. relations? How far will we and the Soviets go beyond ABM's in building active defenses when the costs involved are measured by tens of billions of dollars, with enormous strategic implications and a long-lasting political impact?

The effects would be felt especially in Europe but also, as Communist Chinese nuclear capabilities develop, in India, Japan and other countries on the periphery of the Chinese mainland.

A new arms race will produce other casualties. Besides the hoped-for nuclear weapons nonproliferation treaty, toward which the Soviets and the U.S. have of late been making progress, there have long been under discussion between Russian and American disarmament negotiators a series of other arms-control measures. These include the extension of the partial test ban to include underground testing, the establishment of nuclear-free zones, a cut-off in the production of nuclear materials and a freeze on—or possibly a reduction in—strategic delivery vehicles.

In the event of a new arms race, all this effort, and the partial foundations thereby constructed for further disarmament moves, will go by the board, and whatever headway has been built up, both at the U.N. and in the 18-nation disarmament conference at Geneva, will be lost. Indeed, even if the Soviet Union and the U.S. should in their own interests come to terms on a nonproliferation treaty, it is hardly to be expected that the major nuclear have-not nations, such as India and Japan, will sign away their rights to join the nuclear club at a time when its two charter members, Russia and the U.S., are building up rather than cutting down their nuclear arsenals.

Still another danger inherent in a renewed arms race lies in its short-term effect in Europe. For the U.S. to press ahead with a new strategic armament program would further weaken the NATO alliance, whose last meeting in Paris stressed the twin themes of *détente* with the Soviet Union and the "diminished threat of military aggression"

rather than the need for greater defensive measures. The alliance, already under strain because of our allies' concern over the heavy U.S. involvement in the Vietnam war, would suffer another blow if U.S.-U.S.S.R. relations took a turn for the worse.

In approaching its decisions, the Administration will presumably take into account positive as well as negative emanations from the Soviet Union. Among the favorable developments in U.S.-U.S.S.R. relations are the recently announced agreements for commercial air services between the two countries and for banning weapons of mass destruction from outer space.

Apart from their intrinsic significance, these developments indicate that the Soviet Union has not considered itself entirely inhibited from reaching agreements with the U.S. despite its predicament over Vietnam. This condition cannot, however, be expected to last if the Soviets feel themselves put in the position of countenancing U.S. bombing raids in the Hanoi area which produce civilian casualties. Undoubtedly, the present state of U.S.-U.S.S.R. relations would rapidly worsen if a significant intensification occurred in the scale of our air attacks against North Vietnam.

At worst, Soviet intentions regarding a renewed arms race should be treated as ambivalent and unclear rather than entirely negative. Their ABM deployment can be accounted for otherwise than as indicating a desire to alter the strategic power balance. It not only is in keeping with the ultimate in defensive postures but may also have resulted from military pressures within the Soviet regime rather than from a far-reaching decision to abandon the *détente* objective.

The latest increase in the Soviet defense budget is likewise equivocal. The announced rate of increase, 8.2 per cent, is not in itself of menacing proportions, although in announcing the rise in defense spending the Soviet authorities spoke of "recently sharpened international tensions" and the increased "danger of a new world war" because of "aggressive acts" of U.S. "imperialists."

Aside from these vital questions affecting international relations, the effect on our economy of a U.S. decision to proceed with ABM deployment and new strategic weapons would be tremendous. Depending on the timing and extent of these programs, the U.S. defense budget would be inflated by at least $5-billion to $6-billion a year, with the probable result that the present level of military expenditure, which will stay in the $70-billion to $75-billion-a-year range during the period of the Vietnam war, would thereafter remain at that order of magnitude instead of receding to the pre-Vietnam budget level of around $50-billion a year.

The effect of this Federal spending and diversion of national resources, might well be to reduce or delay further funding of U.S. space and supersonic transport programs as well as to forestall further financing of the Great Society programs such as antipoverty projects, Federal aid to education, demonstration cities and the like.

It is not, however, the economic cost of a decision to deploy ABM's as well as to add to the level of our bomber and missile forces that is the most disturbing aspect of a renewed arms race. With the U.S. gross national product estimated to rise to $790 billion during 1967 and to grow at 4 per cent a year thereafter, projecting defense expenditure at 9 per cent of G.N.P. (compared to 15 per cent of G.N.P. during the Korean War) would produce a defense budget of over $70-billion a year, which should not prove an intolerable burden on our economy. The price tag of another arms race, while staggering, is not in itself an argument against it.

What the United States faces is a major watershed in national security policy. Should it re-engage in an armament contest with the Soviet Union, or should it strive for more progress toward arms control and the substitution of political, economic and sociological measures for military force as means for insuring world peace?

In these terms, the question comes down to how the United States will exercise its acknowledged strength and world leadership—whether toward heightening the tension that will come from renewed emphasis on armaments and accelerated advances in weapons technology or in the direction of arms limitation and the solution of world problems through peaceful means.

Should the decision be reached during 1967 to proceed with any of the major new weapons systems now being pressed upon the President by some of his advisers, their opposite numbers in the Soviet would obviously be in a stronger position to insist on corresponding increases in Russian weapons projects.

The reaction in political terms would be even more dangerous, jeopardizing not only the *détente* so ardently sought after by our allies but also the fragile gains achieved through Soviet restraint in recent years in such troubled areas of the world as Africa, Latin America and on the India-Pakistan subcontinent.

The decisions which the President now faces are made doubly difficult by the national mood of frustration over the way the war is going in Vietnam. All-too-ready distrust of the Soviets' intentions coupled with anger at their growing aid to Vietnam, would prompt many of our people to view with suspicion or antagonism a national policy of forbearance in dealing with the Soviet Union. For others, an effort to moderate the competition in arms would be regarded as a sign of weakness and a peril to our national security.

Yet President Johnson has recognized, as did President Kennedy, that if a third world war is to be avoided the United States, as the most advanced of the superpowers, must take the lead in demonstrating a willingness to practice self-discipline both in the use of force and in providing itself with the power to apply force. The present situation puts to a critical test our national determination not to be swerved from the rightness and sanity of that course.

RECESS

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 3 o'clock and 50 minutes p.m.) the Senate recessed, until Tuesday, January 17, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 16 (legislative day of January 12), 1967:

United Nations

Richard F. Pedersen, of California, to be deputy representative of the United States of America in the Security Council of the United Nations.

Department of Labor

James J. Reynolds, of New York, to be Under Secretary of Labor, vice John F. Henning.

Thomas R. Donahue, of Maryland, to be an Assistant Secretary of Labor, vice James J. Reynolds.

U.S. Circuit Judges

Francis L. Van Dusen, of Pennsylvania, to be U.S. circuit judge, third circuit, vice J. Cullen Ganey, retired.

Bert T. Combs, of Kentucky, to be U.S. circuit judge, sixth circuit, vice Shackelford Miller, Jr., retired.

Judge, U.S. Customs Court

Lindley G. Beckworth, of Texas, to be judge of the U.S. customs court, vice David J. Wilson, retired.

U.S. District Judges

Joseph C. Waddy, of the District of Columbia, to be U.S. district judge for the District of Columbia, vice Richmond B. Keech, retired.

Frank G. Theis, of Kansas, to be U.S. district judge for the district of Kansas, to fill a new position created by Public Law 89–372, approved March 18, 1966.

James A. Comiskey, of Louisiana, to be U.S. district judge for the eastern district of Louisiana to fill a new position created by Public Law 89–372, approved March 18, 1966.

Jack B. Weinstein, of New York, to be U.S. district judge for the eastern district of New York, vice Leo F. Rayfiel, retired.

Thomas A. Masterson, of Pennsylvania, to be U.S. district judge for the eastern district of Pennsylvania, to fill a new position created by Public Law 89–372, approved March 18, 1966.

Hiram R. Cancio, of Puerto Rico, to be U.S. district judge for the district of Puerto Rico, vice Clemente Ruiz-Nazario, resigned.

Myron L. Gordon, of Wisconsin, to be U.S. district judge for the eastern district of Wisconsin, to fill a new position created by Public Law 89–372, approved March 18, 1966.

U.S. Attorneys

Edward E. Davis, of Arizona, to be U.S. attorney for the district of Arizona for the term of 4 years, vice William P. Copple, resigned.

William M. Byrne, Jr., of California, to be U.S. attorney for the central district of California for the term of 4 years, vice Manuel L. Real.

Paul F. Markham, of Massachusetts, to be U.S. attorney for the district of Massachusetts for the term of 4 years, vice W. Arthur Garrity, Jr.

Edward P. Gallogly, of Rhode Island, to be U.S. attorney for the district of Rhode Island for the term of 4 years, vice Raymond J. Pettine.

U.S. Marshals

Luke C. Moore, of the District of Columbia, to be U.S. marshal for the District of Columbia for the term of 4 years. (Reappointment.)

Elmer J. Hardegree, of Georgia, to be U.S. marshal for the northern district of Georgia for the term of 4 years, vice William J. Andrews, retired.

William F. Malchow, of Minnesota, to be U.S. marshal for the district of Minnesota for the term of 4 years, vice Ray H. Hemenway, resigned.

Associate Judges

Milton D. Korman, of the District of Columbia, to be an associate judge of the District of Columbia court of general sessions for the term of 10 years to fill a new position created by Public Law 89–598, approved September 21, 1966.

Fred L. McIntyre, of Maryland, to be associate judge of the District of Columbia court of general sessions for the term of 10 years to fill a new position created by Public Law 89–598, approved September 21, 1966.

In the Air Force

The following-named officers for appointment in the Regular Air Force to the grades indicated, under the provisions of chapter 835, title 10 of the United States Code:

To be major general

Maj. Gen. Gordon T. Gould, Jr., FR4040 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Bertram C. Harrison, FR1425 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. John S. Samuel, FR1638 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Joseph L. Dickman, FR1656 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. John L. McCoy, FR1705 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Vincent G. Huston, FR1865 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Michael J. Ingelido, FR4295 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Harry L. Evans, FR4619 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. William W. Wisman, FR4990 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Joseph J. Cody, Jr., FR5126 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Louis E. Coira, FR1429 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. David M. Jones, FR1811 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Richard S. Abbey, FR1992 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Thomas G. Corbin, FR4097 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Timothy F. O'Keefe, FR4608 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. George S. Boylan, Jr., FR4836 (brigadier General, Regular Air Force), U.S. Air Force.

Maj. Gen. Lawrence S. Lightner, FR5219 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Royal N. Baker, FR8315 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Jewell C. Maxwell, FR8383 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Alonzo A. Towner, FR19158 (brigadier general, Regular Air Force, Medical), U.S. Air Force.

To be brigadier generals

Brig. Gen. Daniel E. Riley, FR3768 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Frank P. Wood, FR3928 colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Robert J. Gibbons, FR3978 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. William B. Martensen, FR4113 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Russell A. Berg, FR4376 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. George E. Brown, FR4425 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Roland A. Campbell, FR4535 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Joseph J. Kruzel, FR4640 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Leo A. Kiley, FR4953 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Anthony T. Shtogren, FR4956 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John R. Dyas, FR4968 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John W. Kline, FR5084 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. David I. Liebman, FR5164 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Jack C. Ledford, FR5238 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Carroll H. Bolender, FR5243 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Adrian W. Tolen, FR3041 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John B. Wallace, FR4426 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Herman Rumsey, FR4723 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Guy H. Goddard, FR7111 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Ernest L. Ramme, FR6360 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. George V. Williams, FR7733 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Clifford J. Kronauer, Jr., FR7750 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Edward M. Nichols, Jr., FR7805 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Arthur W. Cruikshank, Jr., FR8107 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John A. DesPortes, FR8199 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Henry B. Kucheman, Jr., FR8353 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Francis W. Nye, FR8418 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John E. Morrison, Jr., FR8459 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Paul K. Carlton, FR8693 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Edward B. Giller, FR8696 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. George M. Johnson, Jr., FR8810 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John R. Murphy, FR 8944 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Frederick E. Morris, Jr., FR9166 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Rockly Triantafellu, FR9504 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Louis T. Seith, FR9756 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Thomas H. Beeson, FR9767 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Sherman F. Martin, FR9963 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. William V. McBride, FR10077 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Henry L. Hogan III, FR10151 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. William H. Lumpkin, FR6487 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Edmund F. O'Connor, FR10200 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Burl W. McLaughlin, FR10624 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Joseph R. DeLuca, FR33749 (colonel, Regular Air Force), U.S. Air Force.

(Brig. Gen. Jammie M. Philpott, FR13694 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Thomas H. Crouch, FR19192 (colonel, Regular Air Force, Medical), U.S. Air Force.

Brig. Gen. Lee M. Lightner, FR18923 (colonel, Regular Air Force, Dental), U.S. Air Force.

IN THE AIR FORCE

The following Air Force officers for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be prescribed by the Secretary of the Air Force:

To be major (Judge Advocate)

Thomas V. Bruton, FV2205687.

To be major (Chaplain)

Conan J. Conaboy, FV2255923.

To be captain (Medical)

Bruce K. Kimbel, FV2083741.

The following Air Force officers for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

To be majors

George F. Fisher, FV1859588.
Raymond H. Gaylor, FV1851110.
Robert E. Tinney, FV1864520.
James F. Walsh, FV2085734.

To be first lieutenants

Abrahamson, Raymond L., FV3099925.
Abramoff, Arthur J., FV3155339.
Adams, Howard E., FV3155519.
Alducin, Donald G., FV3145042.
Alexander, Charles E., III, FV3132374.
Allison, Roger L., FV3155789.
Amond, Wayne J., FV3154513.
Anderson, Wesley R., FV3131136.
Anderson, William B., FV3145618.
Andrews, Anthony C., FV3146561.
Arnold, George W., FV3146604.
Bailey, John E., FV3155180.
Baker, Herbert H., FV3145235.
Baker, James C., FV3145468.
Banning, George W., FV3147028.
Barkstrom, Richard U., FV3155399.
Barnard, Larry L., FV3145807.
Barr, George M., FV3155521.
Basham, Dale W., FV3155990.
Beach, Sam F., Jr., FV3156285.
Beasley, Lawrence G., FV3154919.
Beatty, James M., Jr., FV3156214.
Beaver, Robert E., FV3131957.
Becker, Raymond C., FV3138435.
Bell, Larry A., FV3156286.
Bennett, Logan J., Jr., FV3144826.
Benson, Rodney E., FV3154904.
Berglund, Lance W., FV3154885.
Berk, Dean H., FV3155131.
Bernier, Robert J., Jr., FV3154688.
Berry, Keith, FV3156288.
Berry, Robert H., FV3133493.
Betts, John A., FV3132521.
Beyer, Thomas J., FV3155630.
Beyerle, John A., FV3155188.
Bihler, Richard P., FV3155369.
Biles, James C., Jr., FV3154484.
Birkner, John H., FV3146061.
Birnbaum, Melvin, FV3155341.
Blair, Robert J., FV3144706.
Blanchard, David C., FV3139157.
Blose, John N., FV3146327.
Bodine, Paul L., FV3154606.
Bodner, Nathan, FV3144493.
Boehmer, George E., FV3146585.
Bonney, Kent L., FV3156103.
Borchardt, Gary I., FV3133400.
Borgatti, Paul M., FV3133627.
Bowers, Ellis M., FV3156773.
Bowman, John C. V., FV3145318.
Braatz, Robert W., FV3145610.
Brannon, Gene, FV3145080.
Bridges, Daniel W., Jr., FV3155508.
Brinson, Glenn W., FV3145415.
Bronner, Robert F., FV3146830.
Brower, Ralph W., FV3109303.
Brown, Donald S., Jr., FV3145859.
Brown, Gerald D., FV3155896.
Brown, Harold J., FV3144900.
Brunetti, Mario J., FV3145957.
Buermeyer, David W., FV3154706.
Burch, Donald P., FV3154805.
Buren, Harold W., FV3155034.
Burkhardt, John T., FV3155796.
Burns, John F., FV3155897.
Burrell, Steven K., FV3134262.
Burrows, Bruce W., FV3155797.
Burton, William A., FV3155554.
Butler, William H., FV3133262.
Butterfield, Hugh G., FV3134033.
Cade, Robert G., FV3144764.
Caldwell, Robert W., FV3154753.
Caldwell, Thomas M., FV3130612.
Calhoun, John C., FV3134311.
Cannon, George B., Jr., FV3145603.
Cantrell, Zell O., FV3119765.
Carlin, Gerard A., FV3156296.
Carlson, Dean M., FV3133496.
Carr, William E., FV3146939.
Carroll, Robert C., FV3144815.
Carson, Ronald N., FV3134067.
Catherwood, George A., FV3155555.
Chandler, William P., FV3154689.
Chapin, Richard H., FV3133631.
Christian, Alan C., FV3155233.
Christofolis, William, FV3145163.
Christopher, Delbert L., Jr., FV3145866.
Cizek, James W., FV3134264.
Clark, John B., Jr., FV3146913.
Clarke, Thomas W., FV3145388.

Claud, William D., FV3145391.
Clouser, Gordon L., FV3155950.
Coddington, Neil A., FV3145638.
Coffinger, Maralin K., FV3145406.
Coggburn, Dennis K., FV3145066.
Coker, Merle L., FV3147209.
Collins, Alva L., FV3154923.
Collier, Edmond J., FV3132482.
Collins, George J., Jr., FV3133127.
Collins, Peter, FV3146572.
Connolly, George C., FV3155265.
Coombs, David M.. FV3132766.
Cooper, Grier H., FV3156113.
Cooper, Richard C., FV3147159.
Corbett, Joseph T., FV3145883.
Corbett, Patrick H., FV3118703.
Corcoran, James F., FV3145837.
Cordell, William M., FV3144572.
Corley, Robert C., Jr., FV3154972.
Counts, Wilson E., FV3145111.
Cowan, Jeffrey P., FV3144805.
Cowger, Ronald I., FV3155073.
Cox, Charles O., FV3131649.
Cox, James E., FV3155135.
Cox, Joseph R., FV3146352.
Craig, Roy L., FV3132739.
Cram, Donald L., FV3145684.
Cranford, Eugene E., FV3133221.
Crigger, James C., Jr., FV3132827.
Cronenberg, David A., FV3133633.
Crush, James M., FV3157196.
Cunningham, Roy B., FV3154617.
Dahl, Martin J., FV3155634.
Dahlstrom, David V., FV3146379.
Dalbey, Larry R., FV3146864.
Daly, Thomas J., FV3146634.
Darnell, William D., Jr., FV3144495.
Davies, Richard L., FV3134104.
Davis, Frank H., FV3145989.
Davis, Philip C., FV3120281.
Dean, Phillip G., FV3138755.
Deaton, Donald R., FV3146376.
Defoore, Finis M., Jr., FV3145612.
Deford, Ted E., FV3145238.
Delawter, Wayne E., FV3134105.
Denington, Michael R., FV3144531.
Denson, Lawrence C., FV3154620.
Denton, James R., FV3146234.
Derby, Arthur E., FV3146015.
Devore, Gale A., FV3144468.
Diekmeier, Raymond C., FV3144448.
Dinning, Donald B., FV3139180.
Doherty, Daniel J., FV3154867.
Doneen, Dennis D., FV3146685.
Dorr, Frederick R., FV3147020.
Dorrity, Jordan L., FV3156387.
Dougherty, Dennis W., FV3155529.
Douglas, Dirk F. G., FV3146624.
Dow, George M., FV3133774.
Dowdey, John D., Jr., FV3146950.
Draper, Raymond P., Jr., FV3154486.
Dugan, Daniel J., Jr., FV3155327.
Dusing, Philip J., FV3144540.
Ebert, Gary P., FV3154978.
Edelblute, Malcolm C., FV3154622.
Egge, Bruce E., FV3144872.
Ehresman, Bruce E., FV3146794.
Ehrlich, Clarence D., FV3144634.
Eldridge, Golda T., FV3154463.
Ellis, Paul V., III, FV3146737.
Engelauf, Robert E., FV3139183.
Enroth, John E., Jr., FV3147079.
Enz, Edward L., FV3144763.
Erickson, Lawrence A., FV3157016.
Ervin, Marvin S., FV3118731.
Eskeldson, John R., FV3145347.
Eubank, Oscar T., FV3133361.
Evans, Charles B., FV3147029.
Faga, Martin C., FV3156106.
Fanning, Donald L., FV3145651.
Faulkner, Siler, III, FV3154391.
Fegan, Thomas A., FV3146533.
Feibusch, Morris D., FV3144804.
Ferguson, Justin G., FV3155194.
Ferro, Philip H., FV3144580.
Fisher, Walter A., FV3145741.
Fleming, Rex J., FV3145558.
Flom, Frederic R., FV3157103.
Fluetsch, Robert L., FV3146773.
Folsom, Jim L., FV3132042.
Forbes, Walte H., III, FV3146638.
Forseth, Archie O., FV3155647.
Fouss, James H., FV3138029.
Foutch, Mark R., FV3133408.
Frank, John E., FV3146165.
Frank, Robert E., FV3132009.
Fray, Robert R., FV3134234.
Frederick, Richard A., FV3155814.
Fredenburgh, Paul F., FV3138373.
Fredregill, James M., FV3134265.
French, Robert E., FV3145993.
Frette, Richard D., FV3134235.
Frye, Richard J., FV3156524.
Fuller, Lawrence H., FV3133585.
Fulton, Charles E., FV3155076.
Gable, Joseph E., FV3156392.
Gallimore, Max, FV3145707.
Gallo, Paul E., FV3138322.
Gamble, William D., FV3131236.
Gandy, Robert W., FV3155562.
Ganley, John A., FV3133409.
Garner, Jerry L., FV3133209.
Garr, Roy B., FV3134248.
Garrett, James V., Jr., FV3146455.
Gavin, Tony C., FV3132697.
Gebelein, Richard H., FV3154756.
Gentry, Gerold L., FV3128390.
George, Millard W., FV3144866.
George, Wallace E., Jr., FV3146025.
Gibson, Kent M., FV3156310.
Giles, John W., FV3154468.
Goduto, Thomas G., FV3139310.
Goldberger, Russell J., FV3155200.
Gonyeo, William M., FV3144797.
Good, Donald E., FV3146139.
Good, Stephen F., FV3133561.
Gould, John E., FV3156311.
Graham, Ronald A., FV3146517.
Grann, Gary M., FV3154907.
Graves, Dennis D., FV3155137.
Graves, Robert L., FV3146419.
Griffin, Donald E., FV3147192.
Grimard, Laurence N., FV3146653.
Grimes, Thomas L., FV3145868.
Grimshaw, James A., Jr., FV3132647.
Groninger, William G., FV3144893.
Groshon, Kenneth W., FV3144799.
Grounds, Herbert W., Jr., FV3147000.
Guillian, Bruce, FV3156313.
Gullixson, Jon K., FV3144917.
Guthrie, Aubrey A., FV3144958.
Haan, Leslie R., FV3147083.
Haines, Thomas H., Jr., FV3145575.
Haley, Tommie L., FV3133588.
Hall, Engle L., FV3145386.
Hall, Gail H., FV3134375.
Hall, Jerre B., FV3145432.
Hall, Norman P., FV3156893.
Hamby, Dennis W., FV3146333.
Hamilton, Donald W., FV3144475.
Hampton, Patrick L., FV3155702.
Harden, James E., FV3145439.
Harger, Richard, FV3145860.
Harkness, Delbert W., FV3133599.
Harrington, David R., FV3138730.
Harris, James A., Jr., FV3145876.
Hartwig, Ronald C., FV3144547.
Harvin, Charles B., Jr., FV3145020.
Haskins, Thomas E., FV3145247.
Hasselbrink, Robert W., FV3155703.
Haub, Darrel L., FV3120295.
Hayes, John H., FV3155737.
Headley, Robert R., FV3146600.
Healey, Harry W., FV3156181.
Heinsch, Paul A., FV3156041.
Heiser, Lee R., FV3156124.
Helgesen, Robert H., FV3146552.
Hellikson, Larry D., FV3147015.
Helms, Ted M., FV3144553.
Henderson, Lael W., FV3157112.
Henderson, Leo D., FV3156797.
Henning, Stephen D., FV3134154.
Henry, Donald D., F-3134081.
Herbst, Daniel J., FV3146615.
Herche, Lynn R., FV3146222.
Herrett, James W., FV3133925.
Hicks, Donald B., FV3146347.
Highmiller, Ralph H., II, FV3133012.
Hixon, David W., FV3156541.
Hodgeman, Stuart A., FV3155157.
Hodgson, Robert D., FV3147150.
Hoffman, James, FV3144461.
Hogan, Charles E., FV3139188.
Hogan, John E., FV3145199.
Holbrook, Robert A., Jr., FV3154694.
Hopper, Robert E., FV3145950.
Horowitz, Kenneth L., FV3155204.
Housholder Ross F., FV3133320.
Houston, Walter T., Jr., FV3132899.
Howard, Charles F., FV3134267.
Hubbard, William J., FV3156984.
Huggins, Jan P., FV3147051.
Hulbert, David J., FV3157023.
Hulpke, John F., FV3145222.
Hunter, Ronald A., FV3133639.
Hussey, William C., FV3139190.
Hutchinson, Peter FV3144592.
Hyatt, Dennis M., FV3146668.
Iannacone Richard T., FV3120039.
Igoe, John F., Jr., FV3147130.
Irvine, Robert B., Jr., FV3134155.
Isley, Floyd W., FV3130928.
Iverson, Kenyon A., FV3155081.
Jackson, Claude G., Jr., FV3156323.
Jamtaas, Norman S., FV3145350.
Janecek, Willi J., Jr., FV3145385.
Jarosz, Kenneth E., FV3132561.
Jenkins, Alvin B., FV3146188.
Jensen, John W., FV3134288.
Johnson, David A., FV3154588.
Johnson, David M., FV3144581.
Johnson, James B., FV3145471.
Johnson, Larry C., FV3156742.
Johnson, Robert D., Jr., FV3146648.
Johnston, James M., FV3147217.
Jones, Darrell D., FV3144809.
Jones, Lloyd T., FV3145716.
Jordan, Melvin D., Jr., FV3145952.
Joy, Donald, FV3134363.
Joyner, Edward L., Jr., FV3155603.
Jozsa, Frank P., FV3145811.
Judd, Martin E., Jr., FV3145310.
Judd, Thayne H., FV3132790.
Judkins, Monte T., FV3134201.
Kahler, Asher J., FV3139287.
Kangas, Dale H., FV3144629.
Karnasiewicz, Edward, FV3145898.
Kearns, Dennis C., FV3155705.
Keen, Richard O., FV3155468.
Kehrer, William S., FV3155441.
Keller, Tommy D., FV3145332.
Kelley, Harold F., FV3144569.
Kelling, Edward K., FV3146403.
Kelly, Kevin J., FV3146723.
Kennedy, Patrick V., FV3139315.
Kenville, Thomas E., FV3155650.
King, John L., FV3156688.
Kirkpatrick, Charles D., FV3154446.
Kissler, Larry R., FV3147131.
Klasch, Joseph T., FV3133507.
Klein, Jacques P., FV3144754.
Klein, William C., FV3134270.
Knight, Chase D., FV3145100.
Knight, John R., FV3139162.
Koch, Ernest H., III, FV3156328.
Koehnlein, Thomas H., FV3155638.
Kontny, Rodney A., FV3144645.
Kopf, Ralph E., FV3145879.
Korczak, Gregory G., FV3155651.
Korpela, Keith R., FV3156029.
Kosak, Gary F., FV3133644.
Kosmider, Patrick F., FV3154853.
Kouyoumjian, Charles H., FV3154732.
Kramer, Paul F., FV3155416.
Krantweiss, Gerald, FV3146268.
Krebs, Thomas H., FV3155001.
Kretzschmer, Clark W., FV3145607.
Kricker, Frank M., FV3156329.
Kyger, Delbert L., Jr., FV3133977.
Kyrazis, George T., FV3119873.
Lage, William P., FV3155312.
Laible, Charles A., FV3155489.
Lamkin, Robert D., FV3146136.
Langley, Stanley R., FV3144935.
Lansberry, John E., FV3145980.
Lavine, Larry L., FV3134203.
Leach, Howard H., Jr., FV3146730.
Ledbetter, David L., FV3145182.
Leimer, Robert C., FV3080710.
Lentz, Gerald A., FV3147031.
Levenson, Eric O., FV3156107.
Lewis, Bruce E., FV3155640.
Lewis, Donald W., FV3154531.
Lewis, Edwin J., FV3147145.
Lewis, George H., FV3087173.
Lillie, Peter C., FV3145585.

Lippolt, John R., FV3132850.
Litz, Allan L., FV3100464.
Livingstone, Roger A., FV3144791.
Lobdell, Charles A., FV3155314.
Loughmiller, Larry G., FV3133927.
Maceoin, Donald, FV3139193.
Mack, Joseph M., Jr., FV3145058.
Mair, Alexander, FV3146088.
Mallchok, Richard, FV3146055.
Malm, Rollen G., FV3144525.
Manweiler, Allan B., FV3120174.
Markutsa, Robert E., FV3156332.
Marrah, Francis V., Jr., FV3139292.
Marsden, John R., Jr., FV3130844.
Marshall, Ronald W., FV3156593.
Martens, Edward A., FV3145428.
Mates, Donald A., FV3146349.
Mathis, Charles B., FV3138912.
Matthews, Walter L., FV3157124.
Mayhew, David L., FV3146458.
Mayo, Robert E., FV3146999.
McCartin, Hiller P., Jr., FV3154641.
McCoin, Lloyd H., Jr., FV3118948.
McEnery, Philip K., FV3146320.
McGourin, Wiliam E., FV3156997.
McGovern, Wiliam L., FV3144522.
McGrath, Joseph A., FV3139294.
McIntire, Harry D., FV3138991.
McIntyre, Max L., FV3146871.
McMillan, Robert J., FV3145824.
McMillian, Eugene L., FV3145123.
McNeill, David R., Jr., FV3145775.
McQueen, Robert N., FV3157127.
Meagher, William A., Jr., FV3138866.
Medlin, Phillip L., FV3146048.
Mehan, Hugh B., Jr., FV3155470.
Meisterling, Harold E., FV3133980.
Metzler, Phili L., Jr., FV3133591.
Micari, Peter P., FV3146820.
Mikita, George T., FV3146819.
Miller, Daniel J., FV3134166.
Miller, John W., FV3134293.
Miller, Roger M., FV3133604.
Mims, George I., Jr., FV3156402.
Mitchell, Claude D., FV3107322.
Mobley, Edwin H., FV3145242.
Moen, James A., FV3138943.
Mohn, Kermit S., FV3144742.
Molinder, John I., FV3155118.
Monahan, Bruce H., FV3146716.
Moncivaiz, Adolfo, FV3145288.
Montebello, Andrew A., III, FV3145330.
Moore, Burton R., FV3155050.
Moran, Augustus C., FV3133689.
Moran, Joseph L., FV3156230.
Morgan, John B., Jr., FV3156551.
Morgan, Neal D., FV3133541.
Moriarty, Peter G., FV3133647.
Morris, Robert H., FV3156280.
Morrow, Arden V., FV3146560.
Morton, Tim R., FV3145721.
Mosier, James D., FV3134240.
Murphy, Robert S., FV3144790.
Murray, James E., III, FV3132132.
Nash, Gerald W., Jr., FV3133543.
Nash, Thomas M., Jr., FV3138829.
Neeley, Robert M., FV3138007.
Negler, Stephen T., FV3156801.
Nekoba, Francis K., FV3156015.
Nelson, Frank W., FV3139297.
Nelson, Fritz E., III, FV3131153.
Nesbitt, John R., FV3144787.
Nicholson, John R., FV3132578.
Nicklaw, Galen F., Jr., FV3145365.
Nickles, Gilbert E., Jr., FV3145682.
Nies, Joseph H., Jr., FV3131073.
Noonan, Herbert I., FV3139299.
Nordhaus, Richard O., FV3156986.
Nugent, John W., FV3146576.
Odell, Charles L., Jr., FV3133837.
Olson, Duane A., FV3147023.
O'Neil, Bard E., FV3156867.
O'Neil, Eugene, FV3144702.
Onslow, Christopher J., FV3156050.
Orton, Stephen L., FV3145480.
Osgood, Roger H., Jr., FV3144972.
Osterberg, Jon C., FV3146953.
Otero, Daniel L., FV3146317.
Ozbolt, Jesse Q., FV3155515.
Page, Robert M., FV3133283.
Panneton, Robert J., FV3133690.
Parent, Larry A., FV3146872.
Patterson, James A., FV3145426.
Paul, Edgar, Jr., FV3157055.
Paul, Leighton L., FV3133379.
Paull, John D., FV3154475.
Peaslee, James R., FV3146152.
Peck, Glenn C., FV3134127.
Pellek, John, FV3155248.
Pellman, Vernon L., Jr., FV3134174.
Perfito, Joseph C., FV3155358.
Peri, Edward L., FV3156051.
Perkins, Richard C., FV3108956.
Perry, J. R., FV3133950.
Peters, Michael J., FV3133513.
Petrucco, Richard J., FV3156258.
Petz, Michael J., FV3154835.
Phillips, John F., FV3147058.
Phillips, Kent M., FV3155120.
Phipps, Charles J., FV3155052.
Pierce, Rodney D., FV3154594.
Pierson, David E., FV3156612.
Pinizzotto, Rober T., FV3146265.
Pinson, Reginald A., FV3155544.
Polumbo, Dennis J., FV3144941.
Posgate, James C., Jr., FV3145720.
Pospeschil, Frederick W., FV3146589.
Poulsen, George H., FV3144488.
Preston, John F., III, FV3146508.
Preston, John S., Jr., FV3145903.
Privitt, Nathan L., FV3145470.
Proctor, Joseph O., FV3137879.
Quay, Richard H., FV3146786.
Quay, William H., Jr., FV3139338.
Raby, Thomas P., FV3144508.
Rankin, Richard B., FV3130471.
Ransom, Kirk D., FV3154914.
Records, William R., FV3157036.
Redding, Robert G., FV3156616.
Redmond, William W., FV3156066.
Reed, James E., FV3139324.
Rees, Phillip W., FV3133331.
Reid, Danny M., FV3144484.
Richman, Philip, FV3146523.
Richter, Donald L., FV3154879.
Riley, Earl D., FV3146166.
Rimes, Billy S., FV3156460.
Rissell, Robert A., FV3155395.
Roberts, Ronald D., FV3156969.
Robinson, Fredrick M., FV3145646.
Robson, Norbert G., FV3155122.
Rodenbeck, Conrad, FV3144670.
Rohrer, James H., II, FV3146425.
Rose, Dennis A., Jr., FV3155587.
Roshon, Larry D., FV3155846.
Ross, Dennis D., FV3156053.
Roulson, Calvin R., FV3134295.
Routt, Douglas B., FV3155717.
Ruggiero, Robin R., FV3145337.
Rundle, Michael F., FV3131356.
Rutherford, William L., FV3144480.
Ruthruff, Gary A., FV3146488.
Sabsevitz, Alan D., FV3156161.
Sacilotto, Raymond G., FV3145131.
Saddler, Thomas M., Jr., FV3155690.
Salminen, James E., FV3155476.
Salvetti, Lloyd D., FV3154717.
Sanborn, Gene C., FV3144658.
Sand, Duane D., FV3145782.
Sandine, Kenton A., FV3156033.
Sanford, Stephen G., FV3146208.
Sbrega, John J., FV3155396.
Schaan, Dennis L., FV3155645.
Schaber, Leonard D., FV3156018.
Schaebethal, Kenneth P., FV3145440.
Schafer, Timothy G., FV3155760.
Scherer, Donald T., FV3145544.
Schilletter, William A., Jr., FV3065950.
Schmitt, Barry W., FV3155783.
Schneider, John M., FV3155873.
Schneider, Kent L., FV3146957.
Schneider, Marion F., FV3137781.
Schoner, Robert J., FV3155454.
Schowalter, Paul W., FV3119971.
Schrimshire, Thaniel O., FV3156821.
Seagrave, Roger N., FV3154719.
Seavey, John A., FV3133993.
Seeland, Carlton P., FV3155263.
Seibel, Richard J., FV3146257.
Selander, James G., FV3134276.
Sellman, Wayne S., FV3132591.
Sengbusch, Ronald, FV3146481.
Senter, James E., FV3139302.
Sepulveda, Domingo, FV3155361.
Sharp, Tracy M., FV3134368.
Shaw, Vance R., FV3145657.
Sheads, Harold C., Jr., FV3156097.
Shipman, Marcus B., FV3146822.
Shoemaker, Jerry K., FV3154795.
Shuster, Jerrold S., FV3146007.
Shy, William H., FV3146202.
Sibley, David S., FV3134260.
Sieger, Bruce J., FV3156054.
Sills, Joel W., FV3133842.
Simms, Ronald E., FV3154720.
Simon, Douglas W., FV3156068.
Singletary, Joe H., FV3146985.
Sistrunk, Glynn D., FV3139325.
Smith, Barrie T., FV3155273.
Smith, Collins E., Jr., FV3133795.
Smith, David L., FV3156354.
Smith, James H., Jr., FV3156355.
Smith, Larry R., FV3146759.
Smith, Richard D., FV3144766.
Smith, William T., FV3145514.
Snider, John E., FV3145619.
Sowden, Sterling J., FV3144940.
Sparks, John H., FV3133311.
Spence, Robert E., Jr., FV3156961.
Sporrer, Michael A., FV3145092.
Stach, Bruce A., FV3145819.
Stanley, David J., FV3154701.
Stanley, Page B., FV3156557.
Stans, Leonard, FV3155363.
Stapleton, Ronald J., FV3134182.
Starrett, Dennis G., FV3156162.
Stastny, Sidney, FV3155125.
Staten, Carroll M., FV3144879.
Stathis, Gus J., FV3156357.
Steffen, John P., FV3155022.
Stephenson, Clifford O., FV3156021.
Sterk, James R., FV3155934.
Sterling, Keith L., FV3156238.
Sternloff, Don F., Jr., FV3144861.
Stoecklin, Duane R., FV3145278.
Stone, Thomas M., FV3154839.
Stuart, Adrian C., FV3145474.
Stull, John H., FV3155875.
Sturm, Jerry R., FV3144450.
Suelzle, Robert D., FV3146337.
Sullivan, James J., FV3146542.
Sullivan, John B., III, FV3132135.
Sullivan, Lloyd D., Jr., FV3154658.
Suomela, John W., FV3146613.
Swarts, Barry G., FV3154542.
Swisher, Denny R., FV3145562.
Tarre, Gerald S., FV3131905.
Taylor, Reede L., Jr., FV3156505.
Taylor, Woodrow M., FV3155590.
Teets, Terry L., FV3138540.
Tenoso, Edwin E., FV3139343.
Thigpen, John M., FV3131682.
Thompson, Howard D., FV3138862.
Thompson, Robert R., FV3145275.
Thomson, George R., FV3145479.
Thoreson, Steven M., FV3139170.
Tichenor, Alfred H., FV3133350.
Tilton, James E., FV3145621.
Torkelson, Loren H., FV3155656.
Tripp, Joe L., FV3145826.
Trostle, Marvin K., FV3134383.
Truitt, Tracy P., FV3155056.
Tucker, Theo M., FV 3145567.
Tukey, Darold E., FV3146875.
Tyacke, Douglas D., FV3154916.
Valentine, John J., Jr., FV3146456.
Vannier, Lavon D., FV3133847.
Vaughn, Arthur D., FV3145297.
Via, Ronald D., FV3147055.
Villarreal, Delfino E., Jr., FV3156638.
Vogel, John M., FV3145864.
Wadleigh, David A., FV3144460.
Wagoner, William L., FV3156670.
Waldron, Richard L., FV3146220.
Walker, Charles R., FV3133256.
Walker, Leon E., Jr., FV3144542.
Wangerin, Robert H., FV3133578.
Warders, Norman H., FV3145427.
Ware, Wayne E., FV3131116.
Warzocha, Donald C., FV3133656.
Webber, John S., FV3139347.
Weber, Joseph H., FV3156242.
Weeks, Roy F., FV3145362.
Welch, Charles R., FV3144844.
Welsh, Jack S., FV3154899.
West, Gerald V., FV3155613.

West, James C., Jr., FV3132928.
West, Thomas H., FV3145695.
Wheeler, Geral R., Jr., FV3119564.
White Gerald D., FV3155303.
White, John F., FV3139305.
Whitlow, David W., FV3155596.
Whittington, Harold W., FV3144890.
Wickman, Robert W., FV3157042.
Wideman, Hampton E., FV3133292.
Widener, Lloyd H., FV3145115.
Wielhouwer, Peter W., FV3145192.
Wieting, Richard L., FV3146477.
Wilkinson, Peter R., FV3155304.
Williams, Jon C., FV3156372.
Williams, Larry A., FV3156930.
Willis, Joe M., FV3133257.
Wilson, Ernest C., FV3139348.
Wilson, Kennedy B., FV3147070.
Wilson, Robert O., FV3156374.
Wimer, David J., FV3119721.
Windedahl, Layne C., FV3156490.
Winkelmann, James D., FV3133595.
Winston, John T., FV3134094.
Withers, James A., FV3144499.
Wolf, Richard A., FV3146059.
Worthington, William L., Jr., FV3146947.
Wuhs, Gregory, FV3138773.
Yeckley, John K., FV3146000.
Yeutsy, Kenneth R., FV3144871.
Young, Jerry L., FV3145340.
Zann, Stephen M., FV3144413.
Zielinski, Leonard J., FV3155408.
Zucchetti, Roberto, FV3146553.
Zupko, Gregory S., FV3145205.

To be second lieutenants

Alford, Lester D., FV3155786.
Allen, Charles W., FV3119898.
Alpers, John H., Jr., FV3157185.
Ames, Harry C., III, FV3155305.
Amos, Thomas H., FV3147547.
Anderson, James R., FV3155187.
Anderson, Ronald G., FV3157069.
Ankeny, Darrel J., FV3157009.
Armstrong, Malcolm B., FV3157259.
Arthur, Ernest R., FV3133712.
Ash, Vernon G., FV3156563.
Ashcraft, Boyd L., FV3134096.
Assenheimer, Perry J., FV3150524.
Aulwurm, Henry C., FV3147985.
Baither, Richard A., FV3134097.
Ball, Henry A., Jr., FV3148332.
Ball, John F., FV3149025.
Bares, Philip E., FV3147284.
Bear, William M., FV3155031.
Behrends, Martin E., FV3133936.
Bennett, Barry D., FV3148833.
Berens, Roger J., FV 3157011.
Bernhard, Robert B., FV3146245.
Billesbach, Robert L., FV3155107.
Binion, Dallas, FV3148673.
Biritz, Robert B., FV3148513.
Black, Julian, FV3156423.
Bogart, William M., FV3148738.
Boland, David J., FV3118473.
Boyd, Robert W., FV3147601.
Boyett, Randall H., FV3156709.
Brazelton, Michae L., FV3148590.
Bridges, John W., III, FV3160770.
Britt, Ward P., FV3156294.
Brown, Anthony E., FV3139379.
Brown, David E., FV3149104.
Brown, Melvin L., FV3147573.
Browning, John M., FV3150527.
Bryant, William L., FV3148549.
Bull, James G., FV3147742.
Burgess, Floyd K., FV3146331.
Bush, Dennis K., FV3154419.
Butler, William W., FV3133430.
Cachuela, Jose M., Jr., FV3148593.
Cada, Larry C., FV3148370.
Caldwell, Robert O., FV3148091.
Canup, William D., FV3157172.
Carmine, Henry E., Jr., FV3130713.
Carr, William J., FV3148580.
Carroll, Winfred N., FV3133856.
Casey, Robert J., FV3157072.
Cecil, Allan V., FV3155947.
Chalmers, Paul S., FV3147397.
Chatham, Charles W., FV3150495.
Chesney, Gary W., FV3133961.
Cluse, William T., FV3147408.
Cobb, James H., III, FV3149054.
Collins, Douglas F., FV3149083.
Crockett, John T., Jr., FV3162193.
Crum, Marshall E., FV3133720.
Cuevas, Thayne H., FV3147278.
Dalbey, Joseph P., FV3147826.
Dayton, Hugh K., Jr., FV3148980.
Dempsey, William L., FV3146922.
Desloge, John M., Jr., FV3157145.
Dillon, John P., FV3148559.
Ditmyer, Frank J., FV3150398.
Doctor, Stanley, FV3161357.
Donovan, John M., FV3155193.
Doty, David S., FV3150458.
Draper, Roderick V., FV3147682.
Drill, Arnold G., FV3147673.
Dundon, David E., FV3148770.
Dunn, Richard J., FV3106089.
Eachus, Herbert T., FV3107278.
Eastman, Herbert C., Jr., FV3147647.
Eller, Johnnie R., FV3148488.
Endicott, Richard E., FV3147480.
English, Patrick W., FV3147615.
Ewing, James R., Jr., FV3155309.
Fair, John P., FV3148529.
Farmer, George T., FV3120213.
Farmer, Michael C., FV3139381.
Farra, Fredric M., FV 3147357.
Ferguson, James M., Jr., FV3155560.
Finney, Charles M., FV3156714.
Floyd, Brodus A., FV3147994.
Fowl, Gregory A., FV3147672.
Frattaroli, Robert, FV3148117.
Frost, Robert E., FV3148519.
Gaiser, Ernest N., Jr., FV3156174.
Garmon, Claude E., FV3148267.
Gilbert, William E., FV3155776.
Goetz, Wayne A., FV3154776.
Gordy, Richard R., FV3139384.
Gould, Walter D., FV3156993.
Gray, Ronald D., FV3162258.
Gregg, Billy E., FV3148327.
Gretz, Charles R., FV3156891.
Griffin, James P., FV3133663.
Grosland, Darrell R., FV3148275.
Hamilton, Kenneth L., FV3148194.
Hannan, Robert R., FV3147410.
Harding, Colin M., FV3147423.
Harmon, Steven E., FV3147692.
Harris, William A., FV3160913.
Hatfield, Richard G., FV3155908.
Hattershire, Bond R., FV3147708.
Hauck, Jerome C., FV3148793.
Hayes, Patrick G., FV3133374.
Headlam, Gerald L., FV3149029.
Heaney, Patrick, FV3148841.
Heinlen, Walter D., FV3147564.
Heivilin, Thomas S., FV3148554.
Helt, James P., FV3148831.
Hoekstra, Sidney S., FV3145846.
Hoff, Gary F., FV3149081.
Holler, James W., III, FV3147943.
Holm, Ralph W., FV3120168.
Hornbeck, Jeffrey L., FV3139355.
Horos, Raymond A., FV3148720.
Horton, John W., FV3156497.
Howington, Marvin D., FV3147308.
Hudson, Ronald L., Jr., FV3133729.
Huffer, Gordon C., Jr., FV3155080.
Hughen, Willard M., FV3162531.
Hutchings, Bryan K., FV3148847.
Hyden, Larry C., FV3150464.
Isaak, Robert J., FV3133375.
Jack, James T., FV3156586.
Jacobowitz, Leonard, FV3133640.
Jensen, Peter D., FV3156799.
Johnson, David F., FV3155378.
Johnson, David F., FV3162846.
Johnson, Donald E., FV3150438.
Johnson, Larry N., FV3162542.
Johnson, Morris C., FV3157892.
Johnson, Robert L., FV3156902.
Johnston, Allan H., FV3148502.
Kaplan, Louis A., FV3156128.
Kendall, Willmoore H., FV3157256.
Kenney, Ronald R., FV3147640.
King, John F., FV3155044.
Klett, Temple C., FV3147806.
Klipsch, Frederick S., FV3134119.
Koger, Perry D., Jr., FV3157123.
Krider, Frank E., FV3139362.
Kroyer, James M., FV3157079.
Kuykendall, Charles W., FV3156590.
Lacy, Billy F., FV3149014.
Laird, Thomas F., FV3157212.
Lane, Robert W., FV3147735.
Lang, Robert E., FV3148345.
Larkin, John C., FV3148634.
Lastrapes, Thomas M., FV3130676.
Laurendine, Larry G., FV3148937.
Lawrence, Harold L., Jr., FV3147471.
Layton, William F., FV3149039.
Letellier, Patrick J., FV3157179.
Lewis, Neil H., FV3147478.
Lienard, Armand R., FV3147775.
Lisenby, Ralph W., Jr., FV3133733.
Lyon, John R., FV3120045.
Madsen, Ronald W., FV3147416.
Malagarie, Frank M., FV3147983.
Maloney, Michael R., FV3148506.
Manes, Donald R., FV3148581.
Marshall, John R., Jr., FV3148455.
Martin, Fred W., FV3154642.
Mattey, James G., Jr., FV3150411.
Mattina, Larry J., FV3147952.
Mayers, Russell S., FV3155672.
McConnell, John M., FV3148538.
McDermott, James F., Jr., FV3148641.
McGill, Forerst G., FV3150472.
McMullen, Emerson T., FV3156998.
McNally, William R., III, FV3148610.
Meier, Lorence D., FV3147661.
Melton, Bruce L., FV3148411.
Melvin, Ronald M., FV3148658.
Menges, George B., FV3147438.
Michaud, Edward J., FV3154501.
Miles, William P., FV3147655.
Miller, Thomas D., FV3148047.
Mills, Dean W., FV3157030.
Mitchell, Joseph R., FV3147359.
Mitts, Richard L., FV3134378.
Moon, Albert J., FV3148319.
Moon, Ross A., FV3148742.
Moran, John H., FV3148911.
Morgan, Guy H., Jr., FV3154532.
Mounkes, Donald C., FV3155293.
Murphy, John, FV3148037.
Newton, George H., FV3150512.
Nieto, Donald E., FV3147835.
Nixon, Harvey L., Jr., FV3147968.
Nye, Harvey N., FV3162555.
Oberholzer, Richard J., FV3133391.
O'Brien, Harry G., Jr., FV3150475.
O'Connor, William J., FV3148629.
O'Mara, Raymund E., FV3131319.
Orth, Harry M., Jr., FV3155839.
Osborne, Otto L., FV3155973.
Pandolfi, Paul T., FV3148308.
Pantilla, John T., FV3148005.
Parham, Chester, III, FV3139369.
Parmeter, John S., FV3147462.
Parry, James L., FV3162594.
Peterson, John W., FV3120227.
Peura, Edwin W. A., FV3148677.
Porter, Mike R., FV3156980.
Potsic, Curtis J., FV3148932.
Ramsey, Boyd H., Jr., FV3156406.
Raymond, Carlyle, FV3163574.
Rechkemmer, David D., FV3150415.
Riegel, Richard A., FV3154791.
Rigel, Raymond L., FV3158737.
Riley, Edward W., FV3147388.
Ritter, Peter H., FV3163570.
Robertson, Martin L., Jr., FV3163568.
Robinson, Douglas C., FV3155608.
Rodriguez, Rodolfo F., FV3148776.
Rogers, Arthur L., Jr., FV3133886.
Rooks, Robert J., FV3157087.
Roviello, Frank V., FV3148647.
Russell, Carlton, Jr., FV3156920.
Russell, John C., FV3148655.
Ruth, Richard E., FV3148973.
Ryan, James, III, FV3148817.
Sager, Ronald W., FV3134210.
Schaal, Gary, FV3148696.
Schettler, Charles B., FV3133693.
Schmidt, Edwin A., FV3162556.
Schuehle, Robert M., FV3157037.
Scott, William V., FV3154935.
Scully, Paul W., FV3148038.
Seavers, Victor C., FV3147719.
Securda, Kerrick C., FV3147627.
Sexton, Michael E., FV3134179.

Shackelford, Robert S., FV3150482.
Sherwood, Marion P., III, FV3147736.
Sickel, Allen C., FV3133889.
Simonsen, Martin H., FV3156982.
Sisney, Vernon V., FV3155980.
Sjolander, Ronald A., FV3156020.
Sledge, Donald H., FV3132666.
Smith, Joseph M., FV3157161.
Smith, William H., III, FV3147902.
Soth, Martin W., FV3133463.
Sparfeld, Paul E., FV3147857.
Spurger, George A., Jr., FV3149003.
Stafford, Richard A., FV3131903.
Stafford, Thomas J., FV3148110.
Staniszewski, Henry J., Jr., FV3148115.
Stephenson, Orlando W., III, FV3154838.
Stephenson, Walter J., FV3147476.
Stone, Jack T., Jr., FV3133369.
Swartz, Thomas W., FV3133335.
Swigart, Gary A., FV3155765.
Terry, Marvin L., FV3148075.
Thaxton, James H., Jr., FV3133752.
Thompson, Brian C., FV3146897.
Tibbitts, Loel B., FV3150485.
Tiller, George W., FV3130692.
Turner, Frances S., FV3147500.
Tyson, Francis E., FV3134369.
Vanhersett, David G., FV3119341.
Vergamini, Michael G., FV3147305.
Vincent, David G., FV3154413.
Vogel, Harold R., FV3147376.
Voorhies, Russell L., FV3154545.
Walker, Elbert S., Jr., FV3147424.
Walker, Joseph P., Jr, FV3147429.
Walker, Michael S., FV3148256.
Waters, James L., FV3133338.
Watts, Wayne E., FV3150488.
Webster, Robert A., FV3134076.
Wege, Robert W., FV3147695.
Weichel, Roger L., FV3149048.
Weinberg, Lawrence E., FV3150545.
Welsh, Jay B., FV3147698.
Wentz, Robert W., FV3147544.
Werner, Thomas J., FV3148108.
White, George F., FV3157200.
Whitfield, Glenn T., Jr., FV3163592.
Williams, John H., FV3133477.
Willis, Arthur J., FV3147903.
Williss, William B., FV3155093.
Wilson, Christopher C., FV3133594.
Winkler, Frank P., FV3133516.
Wisler, Walter D., FV3157195.
Wisser, Clifford E., FV3154844.
Worgo, Ronald T., FV3156082.
Worth, Arthur L., FV3147298.
Wright, William C., Jr., FV3148355.
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EXTENSIONS OF REMARKS

The Amtorg Trading Corp.—Soviet Spy?

EXTENSION OF REMARKS
OF
HON. GLENARD P. LIPSCOMB
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, January 16, 1967

Mr. LIPSCOMB. Mr. Speaker, today's New York Times, the January 16, 1967, issue, carries a two-page Soviet advertisement soliciting interest of American businessmen in trade opportunities in the Soviet Union.

Interested firms are invited to get in touch with the Amtorg Trading Corp. in New York. The Amtorg Trading Corp. acts as agent for most of the foreign trading organizations of the U.S.S.R. in transacting and carrying out operations in connection with the import of goods from the U.S.S.R. into the United States, and with the export of goods from the United States to the U.S.S.R.

When Mr. Hoover appeared before the House, State, Justice, Commerce, and Judiciary Appropriation subcommittees last session on February 10, 1966, I asked Mr. Hoover about Soviet trading organizations and about the need for American businessmen to be alerted to the great care that must be exercised in dealing with Soviet organizations such as Amtorg because of their espionage activities.

I am sure that the membership of the House and the public will be interested in our colloquy on this matter and under leave to extend my remarks submit it for inclusion in the RECORD:

Mr. LIPSCOMB. Mr. Director, there seems to be an increase in the contact that American businessmen are having with Soviet trade missions. You, upon other occasions, have warned and alerted American business that they should be careful in dealing with trading organizations such as Amtorg and other Communist trade organizations.

Are these trade organizations working now, do they still conduct and fit into the espionage picture?

Mr. HOOVER. Amtorg fits into it 100 percent. It is the main trade organization of the Soviet Government in this country.

Mr. LIPSCOMB. American business, in their interest to expand trade with the Communist countries, should still be very careful?

Mr. HOOVER. I think they should be particularly alert and keep their guard up.

I wrote an article for the Harvard Business Review some time ago on that very subject, on the businessman and the spy. It concerned efforts to obtain information through businessmen and their concerns, that would be of value to the Soviet bloc in their activities in opposition to this country.

Mr. LIPSCOMB. I think it is important they keep alert.

Mr. HOOVER. I think it is highly important they keep alert, that they know what is going on.

Mr. LIPSCOMB. This is like so many other things. They fail to realize that the Soviets are still out to "bury us" and that is economically and militarily.

Mr. HOOVER. Some forget that and think we can live in peaceful coexistence, which I think is a complete fallacy.

Mr. LIPSCOMB. Again, Mr. Director, my thanks to you and to your associates for the dedicated job you are doing.

Mr. HOOVER. Thank you, Mr. Lipscomb.

In the article referred to by FBI Director Hoover in his testimony, entitled "The U.S. Businessman Faces the Soviet Spy," Mr. Hoover discusses efforts and methods of the Soviets in their attempts to obtain information from businessmen and their firms that would be of value to the Communists.

Under leave to extend my remarks, I include a section of the article which contains Mr. Hoover's comments and recommendations on how to meet the threat:

The American businessman, previously scorned as a warmongering capitalist exploiter, is now being assiduously courted by the Communists.

What is the answer? What are the implications for corporate action?

First of all, the threat must be met within our democratic tradition. True, Soviet-bloc personnel, in making personal contacts, in purchasing government documents, in visiting conventions, are exploiting our freedoms in a free society. They take advantage of our system of government to advance their own interests.

Yet this should not scare us into rash and intemperate action. Any response to the Communist threat based on hysteria or alarmism will do more harm than good. Just as no successful business is run on emotion, so too the campaign against this conspiracy must be a sustained, intelligent effort. This Communist attack can be defeated without compromising our free institutions.

The businessman can do much in a *positive* way to help in the fight not only against Soviet-bloc espionage but also in the nation's over-all struggle against the Communist enemy. Being a highly respected, influential, and farsighted individual, he has the imagination, ingenuity, and aggressive thinking which will help us find successful ways of combating the threat. He has a heavy responsibility—one which cannot be performed by any other segment of our society. This entire problem should not be of auxiliary or minor concern but of deep and continuing interest—for him and for all other members of his organization.

KEY STEPS AND POLICIES

What steps should management take? Let us examine the most important ones.

1. *Immediate Plant or Industrial Security.* Industrial security programs, of course, vary from company to company, depending on size, materials manufactured, and whether government contracts are being handled. This is as it should be. However, experience teaches us something about what to emphasize.

Where applicable, the industrial executive should give priority attention to perfecting immediate plant security, involving such items as the control of documents (classified and nonclassified), the identification of visitors, access to restricted areas. Many plants already have effective security programs. However, experience teaches that they must be constantly evaluated, analyzed, and reviewed.

Actually, plant security is our last line of defense. Business executives probably do not realize how carefully the Russians scrutinize their industrial security setup, looking for loopholes and weaknesses. If one can be found, it will be exploited; if not, they will move to another company. By constantly evaluating its security program, the company can often find places where it can be strengthened.

If the business manager wants the very best security in his plant, he must make certain that he employs competent and experienced people for the job. And he must see to it that they have adequate facilities, that their recommendations are carefully considered by their superiors, and that adequate funds are available to meet their needs. A dollar spent in protection is a dollar well spent.

2. *Long-Range Educational Programs.* Industrial executives can do much to effectively educate their employees to the problems involved in Soviet espionage and communism. Many companies have provided lending libraries, published articles in their company magazines, secured qualified guest lecturers, and shown movies and training films. Special training sessions, especially for supervisory personnel, can be most productive.

The question of security should not be something which is taken for granted or left

exclusively to the security officers. In today's business world, the responsibility belongs to each employee. The Russians may contact an executive officer of a company, a salesman, an engineer employed in the plant, or an exhibitor at a technical convention. They are not restricted by inhibitions! To illustrate:

In one instance, a Russian official had the audacity to go to a company's front office and ask for an employee to be called off the job. The diplomat, not identifying himself, was a complete stranger to the engineer. During a luncheon conversation, the Russian attempted to secure the engineer's cooperation as a "consultant." When the American determined that the stranger was actually a Soviet national, he immediately broke off the conversation and reported the incident to the proper authority. The vigilance of that engineer is commendable. His information was of great value to the FBI.

Every employee should know his responsibility in the field of security and to whom to report factual information he possesses.

3. *Reporting of Pertinent Security Information.* The FBI is the governmental agency charged with investigating espionage, sabotage, and subversive activities. The FBI is *not* interested in legitimate business dealings of Soviet-bloc officials with American business firms. If, however, there is an indication that the Soviets are abusing the right, in ways indicated in our John Smith story, the FBI should be immediately advised.

Many times a businessman may think that a piece of information in his possession is insignificant or nonpertinent. Resolve that doubt by reporting it to the FBI. Many times a small scrap of data, when coordinated with information we already possess, may help us solve a case. In one instance, a photographer called the FBI headquarters in Washington and reported that a client was very much interested in securing an aerial map to be taken at extremely high altitude. We quickly identified this individual who, by a ruse, was trying illegally to secure a map of military value. Based on this report, the Russian diplomat was declared *persona non grata* by the Department of State.

The manager should not attempt to conduct his own investigation. This is a job for the FBI, which has experienced, specially trained agents. If a private citizen tries to conduct his own investigation, he may unknowingly jeopardize other counterintelligence operations of the FBI.

Never should an individual think it is too late to contact the FBI to supply information! A person may have been contacted by the Russians, even given them sensitive data—but this should never mean he is irrevocably "lost." His patriotic duty is to come to the FBI promptly. This is the best way to overcome previous mistakes and to serve not only his own personal interests but also the welfare of his country.

4. *Public Service and Community Programs.* In our society the progressive businessman can no longer think only of his own business, his own product, his own operating techniques. He has an obligation not only to his immediate community but to the entire country. Through public service and community programs, advertising, and general public relations, companies can do much to encourage Americans to be better citizens, to take a deeper interest in the affairs of their community and nation. We need today a deeper awareness of what American freedom means, of the positive role the American competitive business system is playing, and of the importance of the individual in a free society.

Americans are often too apathetic in understanding their duties and responsibilities. Businessmen can perform a valuable service by reawakening in our citizens those historic values which have made our country great—personal initiative, service to others, a willingness to do one's share.

Our approach toward communism must not be negative or defeatist. We are against communism, but that is not enough. *We must stand for something*—the moral and spiritual forces which make for decency, honesty, and understanding. These ideals are what give strength to America.

This means that businessmen must be willing to do their share in supporting programs to eliminate problems such as unemployment, corruption in public life, juvenile delinquency, organized crime, poverty, and discrimination. These are weaknesses which the Communists seek to exploit. By making a more healthy nation—economically, socially, and spiritually—we will illustrate to the entire world that free man can outproduce, outlive, and outthink Communist man.

Message Concerning the Death of Representative John E. Fogarty

EXTENSION OF REMARKS

OF

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, January 16, 1967

Mr. BINGHAM. Mr. Speaker, at the request of Mrs. Sylvia N. Rachlin, executive vice president of the Myopia Research Foundation of 415 Lexington Avenue, New York, N.Y., I include herewith the following message from the board of trustees of that foundation, to be added to the multitude of statements and messages expressing universal grief at the death of our distinguished colleague from Rhode Island, Representative John E. Fogarty:

The Board of Trustees of the Myopia Research Foundation is deeply grieved over the untimely passing of Congressman John E. Fogarty. He was a devoted friend and humanitarian. Millions of Americans are indebted to him for his foresight and understanding in proposing and developing splendid programs for the improvements of the Public Health facilities of the nation.

Oshkosh and Chilton Cited for Efforts in Traffic Safety

EXTENSION OF REMARKS

OF

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, January 16, 1967

Mr. STEIGER of Wisconsin. Mr. Speaker, each year traffic accidents take a tragic toll in human lives. In the State of Wisconsin alone, in fact, some 1,000 lives are lost annually in traffic accidents and the economic loss is almost $200 million yearly.

One of the chief causes of such accidents is faulty mechanisms. Many automobiles are being driven that need repairs and do not belong on our highways.

Two cities in the Sixth District of Wisconsin were cited last week for their programs to combat highway accidents by conducting voluntary vehicle inspections.

I would, at this time, like to join the citizens of the Sixth District, Mr. Speaker, in expressing our thanks and our congratulations to Oshkosh and Chilton, Wis., for their fine efforts toward making our highways safer.

American Seapower: Where Are We and Whither Are We Tending?

EXTENSION OF REMARKS

OF

HON. WILLIAM S. MAILLIARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, January 16, 1967

Mr. MAILLIARD. Mr. Speaker, on Tuesday evening, January 10, we heard the President of the United States report to the Nation on the state of the Union. At the very beginning of his address, the President stated:

I have come here tonight to report to you that this is a time, a time of testing for our Nation. * * *

As President Abraham Lincoln said, we must ask "where we are, and whither we are tending."

Well, to paraphrase the President's words, when can we expect to receive an answer to the question: "American seapower: Where are we and whither are we tending?"

No mention whatsoever was made in the President's latest state of the Union address concerning the American merchant marine. Yet, on January 4, 1965, in an earlier state of the Union address, the President said:

I will recommend . . . a new policy for our merchant marine.

Two years now have passed since that earlier Presidential promise of a new policy for our merchant marine and we are still waiting. Neither wishful thinking nor academic debate will cause the perplexing problem of the plight of the American merchant marine to miraculously disappear. But, this is all we seem to have witnessed over the past 2 years. How much longer, I ask, must we wait?

Meantime, through inaction we are abdicating our former position as a major world seapower to none other that our foremost cold war competitor—Russia. The Soviet Union is placing increasing and effective emphasis upon the development of a modern and well-balanced fleet of merchant and naval ships.

In February of last year when speaking before the Commonwealth Club of California, I forewarned:

The Soviet Union, I assure you, is not as apathetic as we to its merchant marine. It recognizes the rewards of sea power. It acknowledges the need for ships to obtain these rewards. It has faced up to the fact that such rewards are not without cost. Once considered a non-maritime nation, Russia is rapidly becoming a major maritime power.

Again, in July of last year when addressing the Republican Associates of San Diego County, San Diego, Calif., on

the topic, "American Seapower—Where Are We Going?" I made the following observation:

What is really most disturbing about this generally unfavorable direction being taken with American sea power is that while we appear to be "fiddling and declining," Russian sea power is modern and growing at a fantastic pace. Two years ago, Hanson W. Baldwin noted in his article, "Red Flag Over the Seven Seas," and I quote: "If to vast Russian land power is added major maritime power, the problem of deterrence becomes formidably difficult. If we lose control of the seas, it becomes impossible." Yet, this is the very real danger that now stares us in the face.

Because of this growing threat of the Soviet Union at sea—both commercially and militarily—I am inserting in the CONGRESSIONAL RECORD today the following copy of an editorial which appeared in the San Francisco Examiner of December 29, 1966, requesting that my colleagues pay particular heed to its concluding sentence:

GROWING SOVIET POWER AT SEA

The authoritative British publication Jane's Fighting Ships—a periodically updated compilation of naval strength throughout the world—has come up with a sobering estimate of Soviet sea power. The USSR, "Jane" notes, is now second only to the United States as a naval power, and possesses the biggest submarine fleet in the world.

The Soviets, moreover, are inching closer to Japan—now the world's leading merchant shipping nation—and may soon be challenging the Japanese for supremacy in the vital field of civilian maritime tonnage.

The Soviets steadily outbuild the United States in merchant tonnage. Last year the USSR accepted delivery of 129 ships; this country took 16. At the beginning of this year, the U.S. had 41 ships on order, the Russians more than 100. At the beginning of 1967 Russia expects to carry 75 percent of its trade in its own bottoms; the U.S. will carry 9 percent.

Thus we are served with timely notice that the Soviet Union is not only the huge land military power everyone knows it to be, but is also ominously strong at sea.

It will be a long time, however, before the Soviets can match the United States as a naval power. The USSR is considerably behind the U.S. Navy in the nuclear-powered field; the U.S. Navy, in fact, is aiming for total nuclearization of its vessels by the 1970's, and is thought to be far ahead of anyone in this aspect of naval technology. But the Soviets are making prodigious efforts in the nuclear field, too.

Both the naval and merchant shipping aspects of Soviet sea power are no doubt receiving close and appropriate attention in the Pentagon and the Congress. So they should and not one whit of relaxation in this surveillance must be permitted. No budgetary or other consideration must prevent the U.S. from maintaining its position as the world's leading sea power.

SENATE

TUESDAY, JANUARY 17, 1967

(Legislative day of Thursday, January 12, 1967)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

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

O merciful God whose law is truth and whose stature stands forever, we beseech Thee to grant unto us, who in the morning seek Thy face, the benediction which a sense of Thy presence lends to each new day. Unite our hearts and minds to bear the burdens that are laid upon us.

In a difficult and desperate era, be Thou our pillar of cloud by day and of fire by night, as patiently and obediently we follow the kindly light. May we close our national ranks in a new unity, as deadly peril threatens the birthright of our liberties.

As servants of Thine and of the Nation, and of the peoples of this shattered earth, save us from false choices and guide our hands and minds to heal and bind, and bless.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of January 17, 1967, was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Jones, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, informed the Senate that, pursuant to the provisions of 42 U.S.C. 2251, the Speaker had appointed Mr. HOLIFIELD of California, Mr. PRICE of Illinois, Mr. ASPINALL of Colorado, Mr. MORRIS of New Mexico, Mr. YOUNG of Texas, Mr. HOSMER of California, Mr. BATES of Massachusetts, Mr. ANDERSON of Illinois, and Mr. MCCULLOCH of Ohio as members of the Joint Committee on Atomic Energy on the part of the House.

LIMITATION ON STATEMENTS DURING THE 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.

CONSTITUTIONAL AMENDMENT TO LOWER VOTING AGE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the constitutional amendment seeking to lower the voting age from 21 to 18, introduced by the distinguished minority leader and myself and others, be allowed to remain at the desk through Monday, January 23.

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

EXECUTIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

The VICE PRESIDENT. If there be no reports of committees, the nomination on the Executive Calendar will be stated.

NEW ENGLAND REGIONAL COMMISSION

The Chief Clerk read the nomination of John J. Linnehan, of Massachusetts, to be Federal cochairman of the New England Regional Commission.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

Mr. PELL. Mr. President, I am very pleased that today the Senate has approved the nomination of John J. Linnehan for the new position of Federal cochairman of the New England Regional Development Commission.

On March 2, 1966, the Secretary of the Department of Commerce, John Connors, designated the six-State New England area as an economic development region as established under title No. 5 of the Public Works and Economic Development Act of 1965; legislation which I endorsed and supported. That same day, I joined with the other Senators from New England and recommended to the President the nomination of John Linnehan as Federal cochairman.

My interest in the regional development needs of the New England economy, and this pertinent legislation, stems from a report I had prepared by the Library of Congress—Legislative Reference Service—in March 1965. I submitted this report in April of that year to the Senate Committee on Public Works, which was holding hearings on regional economic development at that time and it is my thought that this report served as a guide to the Senate committee in recognizing the challenges and problems which confront the New England States. Therefore, I am especially glad that a fellow New Englander, Mr. Linnehan, of Haverhill, Mass., has been selected as Federal cochairman. Not only is he extremely knowledgeable regarding this area, but his valuable experience while he was special assistant to the Administrator of the Small Business Administration, and later in his position as director of governmental affairs for the National Homebuilders Association, should serve him well in his new capacity.

John Linnehan received a fine foun-