communications on a broad scale to launch a frontal attack on the basic problems of the developing countries, altering as necessary the scale of priorities which until now has dominated the structure of our foreign aid program.

Testimony presented in the record of our hearings stressed time and again that the primary task confronting the less-developed countries is the development of their human resources. Until those resources come to be utilized in the processes of development, there will be no lasting solution to the problems of hunger, disease, and poverty which are the daily lot of nearly two-thirds of the human race.

There isn't enough food in the world, or enough aid that can come from the industrialized countries, to improve materially the condition of life of the majority of people of the developing countries. Only they can do that job. And modern communications offer us the opportunity to help them get started.

Modern communications can be used to stimulate achievement motivation, to spread innovation which is necessary for growth, to teach skills, and to help in the establishment of cooperative and community institutions which can multiply the product of development efforts.

Communications are being used for those purposes today—but on a very modest scale. During one recent period, more than 30 percent of our economic aid to Turkey, for example, was devoted to transportation; less than one-half of 1 percent to the improvement of communications. And the story apparently is not much different in other countries.

Last year, in enacting Title IX (Popular Participation in Development) of the Foreign Assistance Act of 1966, as well as the related amendments to sections 211 (Assistance to Educational Institutions in the United States) and section 601 (Collection and Dissemination of Information Relating to the Development Process), the Congress pointed the way toward a new emphasis in foreign assistance.

This new emphasis is consistent with, even demands, greater support of communications in our foreign aid undertakings.

Second, we recommend that our Government exert special effort to make the content of our communications responsive to the aspirations and conditions of the people in the developing countries. We should also strive to discover and employ the combination of media best suited to promote the process of development in each given case.

Many of our present-day communications bear little relation either to the aspirations or to the condition of the people in a particular developing country. As a result, we have encountered repeated difficulties in trying to associate ourselves with their hopes for a better future, and in helping them to attain it.

The usefulness of talking about industrialization in a country whose primary job is to find a source of food for its people; or of broadcasting the advantages of labor-saving machinery in a country which has a labor surplus; or of teaching concepts of social and economic organization which will not become relevant to a given society for decades if ever, is, to say the least, questionable. The wasted effort expended in trying to sell in other cultural environments concepts and slogans which are only pertinent in a setting of Western institutions, should have taught us this lesson once and for all.

The job of communicating with people raised in a different culture is not easy. We must be prepared to do much more listening, and learning, before we arrive at a given formula for successful communication. And this formula will differ from country to country, even from group to group in a single country.

Also, in order to maximize the effectiveness of our communication, we may have to resort to transmitting it through different media. The mass media, for example, offer the immediate advantages of extensiveness and rapidity. Yet American researchers have found that for improved effectiveness, they should be supported by personal communication.

Finally, we recommend that the United States endeavor to assist the developing countries in organizing and developing their internal communications systems in order to advance their development objectives.

Until now, the development of internal communications in the developing countries has proceeded largely in a haphazard manner, without any conscious plan or deliberate connection with the task of development.

This has meant a loss of a resource which those countries can ill afford to misuse.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 16, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Have no anxiety about anything; but in everything by prayer and supplication with thanksgiving let your requests be made known unto God.—Philippians 4: 6.

Eternal Father of our spirits, whose mercy is from everlasting to everlasting and whose truth endureth forever—in this moment of prayer may we hear Thy voice speaking to us and with receptive minds may we respond. Always and in all ways Thou art very, very near. Help us to be aware of Thy presence and to keep ourselves open to the leading of Thy spirit. Strengthen us when we fail; support us when we fall and sustain us when we falter.

Open our eyes that we may see the higher virtues, open our ears that we may hear the greater voices as they speak to us, open our hands that we may deal wisely and justly the cards that life hands to us—not that we may always win but that we may play the game fairly and honorably.

By Thy spirit help us to live together in this dear land of our birth and preserve us, O God, for in Thee do we put our trust. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 10. An act to authorize and direct the Secretary of the Treasury to cause the vessel *Ocean Delight*, owned by Saul Zwecker, of Port Clyde, Maine, to be documented as a vessel of the United States with coastwise privileges;

S. 111. An act to authorize and direct the Secretary of the Treasury to cause the vessel *Eugenie II*, owned by J. C. Strout, of Milbridge, Maine, to be documented as a vessel of the United States with full coastwise privileges;

S. 690. An act to authorize and direct the Secretary of the Treasury to cause the vessel *Draggin' Lady*, owned by George W. Stevenson, of Rockport, Maine, to be documented as a vessel of the United States with coastwise privileges;

S. 1031. An act to amend further the Peace Corps Act (75 Stat. 612), as amended;

S. 1093. An act to authorize the use of the vessel *Annie B.* in the coastwise trade;

S. 1494. An act to authorize and direct the Secretary of Transportation to cause the vessel *Cap'n Frank*, owned by Ernest R. Darling, of South Portland, Maine, to be documented as a vessel of the United States with full coastwise privileges; and

S. 1762. An act to amend section 810 of the Housing Act of 1964 to extend for 3 years the fellowship program authorized by such section.

The message also announced that the Senate had passed Senate Resolution 114 expressing the disfavor of the Senate to the Reorganization Plan No. 2 transmitted to the Congress by the President.

The message also announced that the Vice President, pursuant to section 5581 of the Revised Statutes, reappointed Mr. ANDERSON as a member of the Board of Regents of the Smithsonian Institution on the part of the Senate.

SAFE WATER ASSURED BY NEW DEVICE

Mr. HALLECK. 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 Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, when the Water for Peace Conference is held here in Washington next week, one of the most promising developments in the world's search for methods of providing people of underdeveloped nations with safe water will be displayed by a fine company located in the district it is my privilege to represent.

While we in this country take for granted the safety of the water we use, today nearly two-thirds of the world population must carry water from rivers or public fountains.

This virtually insures its contamination before reaching the family home. As a result, waterborne diseases are one of the leading causes of death among infants in such areas.

Heretofore, the cost of distributing safe water from the source to individual dwellings has been prohibitive, for such reasons as expensive equipment and waste by the consumer.

Now, experience in a number of countries, including South Vietnam, Brazil, and Iran, has demonstrated that a valve developed by the Ford Meter Box Co., of Wabash, Ind., is providing an effective answer to this problem.

Known as the Fordilla—"Fordeeya"—Middleway, this new concept in water distribution first scored a particularly notable success in Asuncion, Paraguay, where safe water is now being supplied

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to extremely low-income families at a cost even they can afford.

Now similar Fordilla systems are being installed in developing nations around the world.

On the eve of the Water for Peace Conference it is a matter of gratification to me that an Indiana industry is making this significant contribution to the cause of safe water for human beings everywhere.

The conference will be held at the Sheraton Park Hotel May 22 to 27, featuring exhibits from several countries, and in my opinion it merits attendance by the Members of this body.

THE LATE FRANK H. THOMPSON—ONE OF FLORIDA'S MOST OUTSTANDING MASONS

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

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

There was no objection.

Mr. SIKES. Mr. Speaker, many of my colleagues in the House have been saddened at the news of the death of a distinguished and able Floridian, the Honorable Frank H. Thompson, Sovereign Grand Inspector General of the Scottish Rite Order of Masons in Florida. He died April 29, 1967, at Lakeland, Fla., after a long and illustrious career as one of Florida's most outstanding Masons.

He was elected an active member of the Supreme Council of Scottish Rite Masons on October 18, 1955, after serving as deputy since October 31, 1952. A life member of the Tampa Scottish Rite bodies, he has served as Master of the Lodge of Perfection, chapter of Rose Croix and Consistory. He was invested with the rank and decoration of Knight Commander of the Court of Honor October 27, 1919, and coroneted inspector general honorary October 19, 1923.

Raised to the sublime degree of Master Mason in Lakeland Lodge No. 91, he was worshipful master in 1917–18 and in 1947 was grand master of Masons in Florida. He has held high office in all of the Masonic and appendant orders including that of grand master of the Supreme Council of the International Order of DeMolay.

Mr. Thompson was born on October 23, 1887, at Jefferson, Ga. He is survived by his widow to whom my deep and heartfelt sympathies are extended.

SST WILL BE THE SAFEST PLANE EVER

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

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

There was no objection.

Mr. PELLY. Mr. Speaker, shortly there will be hearings in the House Appropriations Committee on the proposal of the administration that the Congress appropriate $198 million for two prototypes of the supersonic transport, and I have been privileged to discuss a few of the many outstanding features to be integrated into this new generation of airplanes.

Today, I would like to speak of safety. The Seattle newspaper aerospace editor, William Schulze, recently interviewed H. W. Withington, Boeing Co. vice president and general manager of the company's SST branch, and May 2 a story appeared on page 1 of the Seattle Post-Intelligencer which I would like to call to the attention of my colleagues. In this interview, Mr. Withington said the SST would be an improvement on the safety of today's airlines. He pointed out that every subsequent airplane type has to be at least as safe as the one before. Withington also gave as an example of safety measures being taken in the design of the SST, the much greater use of titanium metal which is much more heat resistant than the aluminum used mainly in today's jets. Air friction at the SST's speed of 1,800 miles an hour will heat frontal areas of the wing and fuselage to more than 450° Fahrenheit. This is hotter than temperatures often used in household range burners for cooking a family's food. Mr. Speaker, Mr. Withington also dispelled the rumor that if a window of an SST should blow out, passengers would die in an explosive decompression. Mr. Withington said that with a window out and only two of the SST's four pressurization packs working, the aircraft's cabin pressure could be maintained at 14,000 feet.

Mr. Speaker, I think it is important to know about the safety, economy, and just plain good sense of proceeding with the SST project on schedule. Yesterday I talked more fully about this project under a special order as shown on page 12732 of the RECORD.

CRIME CONTROL GAP

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

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

There was no objection.

Mr. POFF. Mr. Speaker, the "crime control gap" should be closed. I speak of the gap between the recommendations of the President's Crime Commission and the proposals the President has made to Congress. Here are a few items suggested by the Commission's Task Force on Organized Crime but ignored by the President:

First, authorize electronic surveillance by law enforcement officers under court order;

Second, establish a joint congressional Committee on Organized Crime;

Third, expand the Organized Crime and Racketeering Section—OCR—of the Justice Department;

Fourth, grant OCR final authority for decisionmaking in organized crime prosecutions conducted by U.S. attorneys;

Fifth, authorize OCR to lend technical assistance, upon request, to State prosecutors in organized crime prosecutions;

Sixth, permit prosecutors to appeal trial court orders suppressing evidence;

Seventh, create heavier penalties for those convicted of supervisory responsibility in organized crime; and

Eighth, abolish the two-witness and direct-evidence rules in perjury prosecutions.

In the field of organized crime, Federal grants of money will not fill the void. New Federal laws are necessary to close the crime control gap.

CRIME CONTROL GAP THAT CONGRESS MUST FILL

Mr. CRAMER. 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 Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, I join wholeheartedly in the suggestions made by the gentleman from Virginia who, of course, is chairman of the Republican Task Force on Crime, and one of the outstanding authorities in the House of Representatives on the subject.

I agree with him wholeheartedly. There is a gap between the President's recommendations and the recommendations of the American Crime Commission and a considerable gap between the President's recommendations and bills that have been introduced by many Members, including myself. I have introduced a bill to establish a joint committee of the Congress on organized crime which I think this Congress should get down to the business of enacting in the very near future.

Another example is the establishment of a National Institute of Crime Detection and Prevention which the President did not ask for.

Of course, money alone is not the answer to this problem.

Mr. Speaker, I have obtained a half-hour special order today to discuss this subject particularly in view of the shocking evidence presented to the State legislature by the Governor's investigator and the director of the Florida war on crime showing the extent to which organized crime is openly and notoriously operating in the State of Florida and I intend to discuss this matter later this afternoon.

WHY STEEL MILLS FOR COMMUNIST RUMANIA?

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

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

There was no objection.

Mr. ADAIR. Mr. Speaker, I learned with great dismay recently that the Import-Export Bank of Washington is contemplating making guarantees available to American firms covering the sale of about $8 to $10 million of components for a steel mill project in Communist Rumania. It is my understanding that

three American companies are to join together with three French companies to build this complex for a total of $35 million in all. In reply to my letter addressed to the bank, I was informed as follows:

Our consideration of this transaction will be reserved until such time as we might receive an application from the Rumanian Government. We have received no such application and, accordingly, we have not made any decision with respect thereto at this time.

So, evidently, this is all that is delaying the transaction.

Are we to believe that steel mills are no longer of strategic importance? This complex, I am told, will consist of a blooming mill, a cold-rolled steel mill, and a hot strip mill. Our brave fliers have risked their lives over North Vietnam in bombing Ho Chi Minh's steel mills. Steel mills are still the core of the industrial might of a nation. At least prior to World War II, we only shipped scrap metal to Japan. We forced the Japanese to melt it down in order to get steel. Nowadays we seem to be willing to supply our Communist enemies with the whole package.

Let us view this proposed transaction from another point of view. If this new steel making capacity is not used for war, then what? There is already excess steel making capacity in the Soviet Union. The Soviet bloc, in general, has ample steel to meet its normal needs. Then the only other possible answer is that this steel will be dumped on the world market and ultimately could further hurt our domestic industry.

In my view, we do not need expanded East-West trade, but what is needed is a tightening up of congressional oversight of some of the agencies in Washington that consistently formulate trade policies that are opposed by the majority of Americans, not only because they oppose aiding Communist nations that assist North Vietnam, but because these policies are harmful to American industry and jobs.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

ARLINE AND MAURICE LOADER

The Clerk called the bill (H.R. 1971) for the relief of Arline and Maurice Loader.

There being no objection, the Clerk read the bill, as follows:

H.R. 1971

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $20,000 to Arline and Maurice Loader of Half Moon Bay, California, in full settlement of their claims against the United States based upon the deaths of their sons, Maurice G. Loader and Frederic C. Loader, on October 15, 1944, as the result of the explosion of a 37 millimeter armor-piercing shell found by children on the Montara firing range.

No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM JOHN MASTERTON, GEORGE SAMUEL KONIK, AND LOUIS VINCENT NANNE

The Clerk called the bill (H.R. 2048) for the relief of William John Masterton, George Samuel Konik, and Louis Vincent Nanne.

There being no objection, the Clerk read the bill, as follows:

H.R. 2048

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, William John Masterton, George Samuel Konik, and Louis Vincent Nanne shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 24, 1959.

With the following committee amendment:

On page 1, line 4, strike out the name ", George Samuel Konik,".

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill for the relief of William John Masterton and Louis Vincent Nanne."

A motion to reconsider was laid on the table.

E. F. FORT, CORA LEE FORT CORBETT, AND W. R. FORT

The Clerk called the bill (H.R. 2661) for the relief of E. F. Fort, Cora Lee Fort Corbett, and W. R. Fort.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DEMETRIOS KONSTANTINOS GEORGARAS

The Clerk called the bill (H.R. 1596) for the relief of Demetrios Konstantinos Georgaras (also known as James K. Georgaras.)

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

MRS. M. M. RICHWINE

The Clerk called the bill (H.R. 3717) for the relief of Mrs. M. M. Richwine.

There being no objection, the Clerk read the bill, as follows:

H.R. 3717

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. M. M. Richwine of Chevy Chase, Maryland, the sum of $100, in full settlement of her claim against the United States for not paying, by reason of lapse of time, a $100 United States postal money order held by her, numbered 18706, dated July 13, 1944. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, lines 10 and 11, strike "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PUGET SOUND PLYWOOD, INC., OF TACOMA, WASH.

The Clerk called the bill (H.R. 4949) for the relief of Puget Sound Plywood, Inc., of Tacoma, Wash.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PROPERTY IN OREGON OWNED BY JOHN JOHNSON

The Clerk called the bill (H.R. 4374) to remove a cloud on the title of certain real property in the State of Oregon owned by John Johnson.

There being no objection, the Clerk read the bill, as follows:

H.R. 4374

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of removing a cloud on the title to certain land, the United States hereby quitclaims to John Johnson, of Milo, Oregon, all right, title, or interest in and to the southwest quarter of the northeast quarter of section 7, township 30 south, range 2 west, Willamette meridian, Oregon.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEY LANDS TO RAYMOND EDUCATIONAL FOUNDATION

The Clerk called the bill (H.R. 4983) to provide for the conveyance of certain lands to Raymond Educational Foundation, an Arizona corporation.

There being no objection, the Clerk read the bill, as follows:

H.R. 4983

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey all of the right, title, and interest of the United States in the land described as the southeast quarter of section 4, township 20 north, range 4 east, Gila and Salt River base and meridian, Coconino County, Arizona, to Raymond Educational Foundation, an Arizona corporation.

With the following committee amendment:

Strike out all after the enacting clause and insert the following language:

"That the United States hereby disclaims any right, title or interest in the land described as the southeast quarter of the southeast quarter of section 4, township 20 north, range 4 east, Gila and Salt River base and meridian, Coconino County, Arizona, based on a conveyance dated July 13, 1902, from Cormick E. Boyce to the United States purportedly as a lieu section under the Act of June 4, 1897."

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill to disclaim any right, title, or interest by the United States in certain lands in the State of Arizona."

A motion to reconsider was laid on the table.

SELL RESERVED PHOSPHATE INTERESTS IN FLORIDA

The Clerk called the bill (H.R. 6602) to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in certain lands located in the State of Florida to the record owners of such lands.

There being no objection, the Clerk read the bill, as follows:

H.R. 6602

Be it enacted by the Senate and House of Representatives of the United States of America in Congress asembled, That the Secretary of the Interior is authorized and directed to convey, sell, and quitclaim all phosphate interests now owned by the United States in and to the hereinafter described lands to the present record owner or owners of the surface rights of such lands:

Beginning at the northwest corner of the northwest quarter of the northeast quarter of section 7, township 38 south, range 24 east, for point of beginning;

thence south along west line of said northwest quarter of northeast quarter for a distance of 531.22 feet to centerline of drainage canal;

thence northeasterly along said centerline to the north line of said northwest quarter of northeast quarter;

thence west along said north line for a distance of 485.65 feet to point of beginning, containing 2.96 acres, more or less.

SEC. 2. In the event that the Secretary of the Interior determines that the lands decribed in the first section are not prospectively valuable for phosphate, he shall convey the reserved phosphate interests to the present record owner or owners of the surface rights upon the payment of a sum of $200 to reimburse the United States for the administrative costs of the conveyance; otherwise, the phosphate interests shall be sold to the record owner or owners of the surface rights upon the payment of a sum equal to $200 plus the fair market value of the phosphate interests as determined by the Secretary after taking into consideration such appraisals as he deems necessary.

SEC. 3. Proceeds from the sale made hereunder shall be covered into the Treasury of the United States as miscellaneous receipts.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RESERVED PHOSPHATE INTERESTS IN FLORIDA

The Clerk called the bill (H.R. 6716) to authorize the Secretary of the Interior to sell reserved phosphate interests of the United States in lands located in the State of Florida to the record owners of the surface thereof.

There being no objection, the Clerk read the bill, as follows:

H.R. 6716

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to convey, sell, and quitclaim all phosphate interests now owned by the United States in and to the hereinafter described lands to the present record owner or owners of the surface rights thereof: The southeast quarter of the southwest quarter of section 15, township 39 south, range 21, east, Tallahassee meridian, Florida.

SEC. 2. In the event that the Secretary of the Interior determines that the lands described in the first section are not prospectively valuable for phosphate, he shall convey the reserved phosphate interests to the present record owner or owners of the surface rights upon the payment of a sum of $200 to reimburse the United States for the administrative cost of the conveyance; otherwise, the phosphate interests shall be sold to the record owner or owners of the surface rights upon the payment of a sum equal to $200 plus the fair market value of the phosphate interests as determined by the Secretary after taking into consideration such appraisals as he deems necessary.

SEC. 3. Proceeds from the sale made hereunder shall be covered into the Treasury of the United States as miscellaneous receipts.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. That concludes the call of the Private Calendar.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 90]

Abernethy	Bow	Conte
Ashbrook	Byrne, Pa.	Conyers
Ashley	Cabell	Corbett
Barrett	Carey	Cowger
Belcher	Celler	Dellenback
Bingham	Clark	Dent
Blatnik	Collier	Derwinski
Diggs	Holland	Reid, Ill.
Dorn	Hosmer	Rodino
Dwyer	Howard	Rooney, Pa.
Eilberg	Laird	St. Onge
Everett	Leggett	Smith, Iowa
Flood	McEwen	Smith, N.Y.
Ford, William D.	McMillan	Smith, Okla.
Green, Pa.	Macdonald, Mass.	Tunney
Hagan	MacGregor	Watkins
Halpern	Morgan	Williams, Miss.
Hanna	Nedzi	Willis
Hansen, Idaho	Nix	Younger
Hays	Pool	

The SPEAKER. On this rollcall, 374 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION TO COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight to file certain privileged reports.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

INDEPENDENT OFFICES AND DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT APPROPRIATION BILL, 1968

Mr. EVINS of Tennessee. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill—H.R. 9960—making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 3 hours, the time to be equally divided and controlled by the gentleman from North Carolina [Mr. JONAS] and myself.

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

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Tennessee.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 9960, with Mr. BOLLING in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. The gentleman from Tennessee [Mr. EVINS] will be recognized for 1½ hours, and the gentleman from North Carolina [Mr. JONAS] will be recognized for 1½ hours.

The Chair recognizes the gentleman from Tennessee [Mr. EVINS].

Mr. EVINS of Tennessee. Mr. Chairman, I yield myself such time as I may require.

First, Mr. Chairman, we are bringing

you today the independent offices and Housing and Urban Development appropriations bill for fiscal 1968. This is a big bill—an important bill—a significant bill. This is a bill that touches the lives of all our people.

Second, our committee considered this bill for more than 3 months. We held extensive hearings with more than 4,000 pages of testimony contained in three volumes of hearings.

Every member of our subcommittee contributed to this important measure. We have 10 members on our Subcommittee on Independent Offices and Housing Appropriations—and all members made significant contributions to this measure.

At the outset I want to commend the hard work of all of our members—I refer to my colleagues, the gentleman from Massachusetts [Mr. BOLAND], the gentleman from Illinois [Mr. SHIPLEY], the gentleman from Connecticut [Mr. GIAIMO], the gentleman from Virginia [Mr. MARSH], the gentleman from Arkansas [Mr. PRYOR], the ranking minority member of our subcommittee, the gentleman from North Carolina [Mr. JONAS], the gentleman from Ohio [Mr. MINSHALL], the gentleman from New Hampshire [Mr. WYMAN], and the gentleman from California [Mr. TALCOTT].

We are confronted, Mr. Chairman, with the matter of effecting a balance between our domestic programs and the support of our forces in Vietnam. We have to achieve this balance as a matter of practical reality.

It was our purpose to report a reasoned, responsible, and responsive bill—and I believe we have achieved that objective, insofar as possible. There have been, of course, differences in viewpoint on specific items. All legislation is a compromise. Some Members have favored larger appropriations—others favored smaller amounts. This bill is within this pattern of compromise and debate It was reported out of full committee by unanimous vote.

I believe we have arrived at a fair and just bill which has the support of all members of our committee—this bill was also reported out of the full committee by unanimous vote.

This bill touches the lives of virtually all Americans in its funding of the operations of the regulatory agencies. For example, the Federal Communications Commission regulates and supervises the radio and television industry standards in an effort to insure that these media will be operated in the public interest.

The Federal Trade Commission shields consumers from unfair and deceptive trade practices and fraud in the marketplace.

The Securities and Exchange Commission regulates the sale of stocks and securities in the open market, with full disclosure required in the public interest.

The Federal Power Commission protects the consumer with its regulation of natural gas and electric utility rates.

The Civil Aeronautics Board regulates airline and air-carrier service air safety in the public interest.

In addition the appropriations for the Veterans' Administration in this bill provide the greatest veterans' benefit program of any nation in the world. These benefits include education and training, the new GI bill, housing, homeownership, insurance, compensations and pensions, hospital and medical care.

TOTALS

Our committee considered budget estimates totaling $10,804,642,700. The committee is recommending and the bill carries an appropriation totaling $10,032,905,000. We have reduced and cut the budget estimates by $771,736,800—a cut and reduction of 7.1 percent.

I repeat: we have made cuts and reductions totaling more than $770 million. Almost $800 million—more than three-quarters of a billion dollars.

I would point out further that there are 88 line items of appropriations contained in the bill—and that in 58 instances the requested amounts were reduced.

We are told that some want to cut this bill further. I wonder what it takes to satisfy some members. Stop everything and turn the clock back. Is this what they propose? I want to urge the Members to stand by the reasoned and responsible approach of the committee.

Our committee considers this bill essential and necessary to fund vital programs and operations of the Department of Housing and Urban Development and the several independent agencies, in the public interest.

Because of the Vietnam conflict and its demands upon our national resources, programs and projects that could be deferred, delayed, and curtailed at this time have been reduced or deleted.

Time will not permit a detailed discussion of all the items contained in this bill, Mr. Chairman. We stand ready, of course, to give every Member any and all information needed on any item in the bill.

However, I do want to highlight some of the larger items in this appropriations measure.

EXECUTIVE OFFICE OF THE PRESIDENT—NATIONAL AERONAUTICS AND SPACE COUNCIL

This Council, headed by the Vice President, advises and assists the President in matters relating to programs and policies of the United States in the fields of aeronautics and space. The committee recommends the budget request of $524,000.

OFFICE OF EMERGENCY PLANNING

The committee considered a budget estimate of $4,780,000 for salaries and expenses of the Office of Emergency Planning for assisting the President in the direction of nonmilitary defense programs of the United States. The committee recommends $4,700,000 which represents a reduction of $80,000 from the budget estimate.

This bill contains 3,000,000 for civil defense and mobilization functions and $1,945,000 for telecommunications services.

OFFICE OF SCIENCE AND TECHNOLOGY

This Office provides advice and assistance to the President in developing policies related to science and technology. The committee recommends $1,450,000 for this purpose—$387,000 less than the budget estimate.

FUNDS APPROPRIATED TO THE PRESIDENT—DISASTER RELIEF

The committee recommends the full budget estimate of $15,000,000 for the President's emergency disaster relief fund. The amount is the same as appropriated for the current fiscal year, excluding $8,000,000 pending in a current supplemental bill.

INDEPENDENT OFFICES

We made some small cuts in appropriations for the regulatory agencies, including a $100,000 reduction for the Federal Communications Commission, a $225,000 reduction for the Federal Trade Commission, a $384,000 reduction for the Interstate Commerce Commission, and a $310,000 reduction for the Federal Power Commission.

We are recommending a total of $152,970,000 for these regulatory agencies.

CIVIL SERVICE COMMISSION

The committee recommends $142,148,000 for activities and operations of the Civil Service Commission in fiscal 1968, including $136,048,000 by appropriations and $6,100,000 by transfer from trust funds.

This represents an increase of $1,474,000 over the current year and a reduction of $1,148,000 from the budget estimate.

The committee is concerned about the accrued unfunded liability of the Civil Service Commission's retirement and disability fund, which will have a deficit of $50.3 billion as of June 30, 1967. The committee urges the administration and appropriate legislative committees of Congress to take action and address itself to this matter.

GENERAL SERVICES ADMINISTRATION

Another major item in the budget includes funds for the General Services Administration. We are recommending $521,613,900—a reduction of $18,925,800 in the budget estimate, and a reduction of $92,126,100 from appropriations for the current year.

There have been major reductions in the GSA construction program. The GSA request of $62.5 million for new contruction—half of the 1967 request—was reduced to $54,511,900—a cut and reduction of $8,033,800 from the budget estimate.

We are recommending funds for eight new starts, including the substructure for the South Portal Building in the District of Columbia, and increases for seven others.

We are recommending funds for the extension of the Roosevelt Library in Hyde Park, N.Y.

A total of $80 million is provided for repair and improvement to Federal buildings to prevent deterioration and obsolescence—$9.8 million below the budget estimate.

It is estimated that GSA procurement for the Government saved the taxpayers an estimated $363 million, representing the difference which agencies would have had to pay in wholesale commercial prices.

NATIONAL SCIENCE FOUNDATION

The committee considered a budget estimate of $526,000,000 for the National

Science Foundation. The bill recommends an appropriation of $495,000,000—a cut and reduction of $31,000,000.

The activities and programs of the National Science Foundation are planned and conducted as part of the Federal support of education and scientific research, involving more than 40 Government agencies.

Emphasis currently is being placed on four fields of science—chemistry, social sciences, the atmospheric sciences, and the ocean sciences.

You will be interested in knowing that in fiscal 1966 NSF awarded 8,500 fellowships and traineeships.

NSF conducts a number of programs to strengthen basic scientific research and the committee is providing what it considers a reasonable and necessary amount, at this time, in consideration of the crisis in Vietnam.

CIVIL AERONAUTICS BOARD

The committee considered a budget estimate of $9,066,000 for salaries and expenses of the Civil Aeronautics Board and recommends $8,900,000—or $166,000 less than the amount requested. The appropriation recommended does not include funds for the former Bureau of Safety and related functions which have been transferred to the new Department of Transportation.

FEDERAL COMMUNICATIONS COMMISSION

The committee recommends $19,000,000 for salaries and expenses of the Federal Communications Commission which represents an increase of $1,147,000 over the current fiscal year and $100,000 less than the budget estimate.

The committee is recommending this increase because of the rapidly expanding communications industry and the development of several new areas of regulations including satellite communications and Community Antenna Television—CATV.

FEDERAL HOME LOAN BANK BOARD

The committee recommends $4,540,000 for administrative expenses, $13,650,000 for examining and supervising member institutions, and $298,000 for administrative expenses of the Federal Savings and Loan Insurance Corporation—a total of $18,488,000 for the Board.

The committee is concerned about the continuing number of problem Associations and urges the Board to take precautionary and remedial action wherever appropriate.

FEDERAL POWER COMMISSION

The committee recommends $14,220,000 for salaries and expenses of the Federal Power Commission—a reduction of $310,000 in the budget estimate.

FEDERAL TRADE COMMISSION

The committee recommends $15,000,000 for salaries and expenses of the Federal Trade Commission. This is an increase of $622,000 over the present year appropriation, but $225,000 less than the budget request. This increase will assist the Commission in coping more effectively with increased workloads in the areas of deceptive practices, antimergers, and other services in the public interest.

INTERSTATE COMMERCE COMMISSION

The committee recommends an appropriation of $23,400,000 for salaries and expenses of the Interstate Commerce Commission. This is $384,000 less than the budget estimate and the same amount as the adjusted appropriation for the current fiscal year—taking into consideration the transfer of certain functions to the Department of Transportation.

RENEGOTIATION BOARD

An appropriation of $2,600,000 is recommended for salaries and expenses of the Renegotiation Board as proposed in the budget estimate. The workload of this Board, due to the Vietnam crisis and a prosperous economy, is mounting.

SECURITIES AND EXCHANGE COMMISSION

The committee recommends $17,350,000 for salaries and expenses of the Securities and Exchange Commission. This amount is $95,000 less than the budget estimate and is an increase of $500,000 over the current appropriation. Through the use of computers, SEC now is checking on a regular basis all 8,000 securities quoted in the over-the-counter market.

SELECTIVE SERVICE SYSTEM

The committee recommends the budget estimate of $57,455,000 to operate the Selective Service System in fiscal 1968. This estimate is based on the induction of 285,000 registrants—which compares with 311,000 registrants for the current fiscal year.

DEPARTMENT OF DEFENSE—CIVIL DEFENSE

Civil defense is important to all of us—we are all concerned. We are developing new techniques and evolving new research in this vital field of Federal activity. We are funding this program at a level of $86,100,000. The budget request was $111,000,000. The committee approved $86,100,000—a reduction of $24,900,000.

The civil defense program has made great progress—it has come a long way. It is apparent that we have a strong, basic program upon which we can continue to build. It is my feeling, Mr. Chairman, that the civil defense program is well funded.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—PUBLIC HEALTH SERVICE

The committee recommends $9,000,000 for emergency health activities administered by the Public Health Service.

This includes the cost of maintaining the medical stockpile, emergency health training, and community preparedness activities. The amount recommended is $3,500,000 below the budget estimate and $1,000,000 less than in 1967.

VETERANS' ADMINISTRATION

The appropriations for the Veterans' Administration represents the largest item in this bill. The funds for veterans services and benefits reflect our Nation's continuing commitment to build the most effective and most comprehensive veterans benefits program in history.

Those who have fought for freedom in almost every generation—around the world—deserve no less than the best that reasonably can be provided.

The Veterans' Administration budget for fiscal 1968 totals $6,651,014,000—an increase of $209,999,000 from the current fiscal 1967 budget.

The new GI bill enacted in the 89th Congress for Vietnam veterans created 4 million additional new veterans eligible for the various benefits provided by Congress.

Of the total budget of $6.6 billion, 75 percent—or $5 billion—is earmarked for direct payments to veterans and their survivors for compensation and pensions. An additional 22 percent of the budget—or $1.475 billion—is required to continue operation of the VA medical programs. A total of 2.8 percent of the budget represents operating expenses. We have made token cuts only in administrative expenses.

On June 30, 1966, there were approximately 25.6 million veterans, 64.9 million family members of living veterans, and 3 million survivors of deceased veterans, for a total of 93.5 million people who are all potentially eligible for some form of veterans benefit. This is about 48 percent of the total population of the United States.

The basic programs are funded as follows: $1,475,376,000 for the veterans medical care and hospital programs; $4,991,296,000 for compensation and pensions and educational benefits; $52 million as the eighth annual increment in the long-range modernization and replacement of obsolete facilities; and $4 million for grants to States to assist in construction of State nursing homes. The costs of veterans programs are expected to increase.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

For the Department of Housing and Urban Development with its 55 programs, we considered a budget request of $2,561,391,000. We are recommending $1,872,765,000. This represents a cut and reduction of $688,626,000 from the budget estimate.

The administration and the Congress are committed as a matter of national policy to a program of assistance to our cities—large and small—to improve the quality of life in our urban areas.

Our recommendation is in line with this commitment—weighed and balanced with requirements of our commitment to preserve freedom in Vietnam. Our large cities are caught in a population strangulation—our smaller cities are caught in a population decimation.

THIRD GREAT CRISIS

Many close observers and authorities on urban affairs advise us that this Nation is careening downhill like a runaway vehicle toward its third great crisis—the crisis of our cities.

These authorities say the first great crisis was the Civil War. The second great crisis was the great depression. The third is said to be the continuing deterioration of our cities under the massive pressures of the population explosion—coupled with the impact of great and sudden change in many dimensions affecting urban life.

Our great scientific and technological progress—the impact of automation, computerization, and the electronic space age—have combined to create sweeping

changes in our society and in our cities—large and small.

This great surge of change has created progress—but it has also created problems national in scope. Urban decay walks side by side with urban growth—and many believe that together they threaten the traditional roles of our central cities in our civilization.

All of us know the symptoms of this accelerated urbanization that has already placed seven out of 10 people in this Nation on 1 percent of the land—and will place four out of five Americans in metropolitan areas by the turn of the century if this trend of urban growth continues unabated.

PROBLEMS OF OUR CITIES

We all know what the problems are—the problems of our cities—the crime and violence; the slums and substandard housing; the poverty and ignorance; the disease and the fouling of our countryside; pollution of our air, our rivers, and streams; the high unemployment in important segments of our population; the traffic congestion that threatens to congeal urban transportation systems and paralyze the basic functions of our cities; the exodus of leadership and taxpayers to the doughnut-shaped suburbs that ring our central cities; the erosion of the community concept—the spirit of cooperation—that is the foundation of our Nation and the cement of our democratic society. All of these factors are part and parcel of the crisis of our cities.

Coupled with this is plus the fact that our cities have only limited resources with which to respond to this challenge.

It is against this background that the Congress has established a national policy of assisting our cities in coping with these great problems of change, growth, and decay.

The Cabinet-level Department of Housing and Urban Development was created to coordinate and concentrate the attack on these problems. Existing programs were strengthened and supplemented by new programs. Much progress has been made in this area but much remains to be done.

SMALL TOWNS

As our major cities swell with population our smaller cities and towns suffer from the out-migration of their young people—the loss of verve and leadership and creativity as the young seek opportunities in the metropolitan areas.

Leading authorities on the problems of our cities like Lewis Mumford emphasize that our big cities and smaller towns complement each other—that they have unique roles to perform in our society.

We must continue to assist and strengthen both our big cities and our small towns. Our large cities are centers of diversity—the nerve centers of vast networks of commerce and industry—the heart of dynamic human interaction between millions of people in every phase and facet of life.

Our smaller towns—the citadel of the community concept—present a golden opportunity to ease the population pressure on our major cities by reducing the out-migration.

In our smaller cities we can combine the best of the old community concept—the community spirit—the spirit of cooperation and feeling of being a part of a unit and a sense of belonging—with the best of the new technology and science. And we must work to build this community concept into cities.

Leading authorities say that if our cities are to be human cities serving people, the neighborhood community units must be strengthened.

AN IMMENSE TASK

As our population passes the 200-million mark and heads for the 300-million milestone, the Nation is faced with the immense task of building as many structures in the next 35 years as have been built since the Nation was founded 270 years ago.

This means, for example, that an estimated 22 million new dwelling units must be built within 10 years. Free enterprise must take the lead—with Federal, State, and local assistance where possible.

PUBLIC HOUSING

More than 600,000 housing units were occupied by more than 2 million American families in 1966. Hundreds of thousands of low income families have been assisted through this program since its inception in 1937. There is now a waiting list of more than 300,000 families for such housing.

Of the 147,000 families who moved into public housing in 1966, more than half came from substandard housing.

It is significant that about 35 percent of the residents of public housing units remain for less than 5 years. During this time they achieve a higher standard of living, a higher income, and move on to a self-supporting status.

The rent supplement program—bringing into public housing the vital elements of the free enterprise system—is helping to provide an answer to the problems of housing for low-income groups.

Housing for the elderly—another HUD program—has resulted in construction of 35,000 units for our older people.

More than $3.5 billion has been loaned for 3,000 college housing projects to provide more than 600,000 units for students and faculty.

URBAN RENEWAL

Urban renewal is continuing to assist cities in redeveloping and reviving blighted areas—and its popularity and usefulness is attested by the continued applications for this program by our cities and towns throughout America. More than 2,000 urban renewal projects are completed, planned, or underway.

More than 100,000 dwelling units have been built, or are being built, in urban renewal areas. More than 3,000 commercial and public structures have been built under this program. It is estimated that almost $6 billion in urban renewal investment has stimulated the flow of an additional $25 billion into the economies of the cities that have undertaken these programs in partnership with the Federal Government.

WATER AND SEWER GRANTS

One of the most needed and necessary programs—and certainly one of the most popular—authorized by the Congress has been the water and sewage grants program. This is the program of grants for basic water and sewer facility projects—the prerequisites for industrial, commercial, and residential development in any community. Some $190 million has been allocated to almost 400 communities. This bill provides an additional $165 million for this purpose.

The programs of mass transportation, urban beautification, building of public facilities and neighborhood facilities, assistance in planning and code enforcement, the programs of acquisition of open space for parks and playgrounds—all of these programs have formed a pattern of assistance that has led many of our cities to the door of our new Cabinet-level Department.

THE 1968 BUDGET

These vital and essential programs are funded in this bill for the Department of Housing and Urban Development.

I repeat, our committee considered budget estimates totaling $2,561,391,000 for HUD—and the committee recommends $1,872,765,000, as I have stated previously. This is a reduction and cutback of $688,626,000. This is a compromise figure. This is the best solution that could be developed from the varied shades of opinion in the committee on the urgency and the funding of these various programs at this time.

MODEL CITIES

This figure includes $237,000,000 for the model cities program—a program designed to concentrate the full resources and facilities of all levels of Government on specific city problems.

The total requested for this program by HUD was $662,000,000—including $12 million for additional planning grants, $400 million for supplementary grants, and $250 million for new urban renewal projects in model city areas. As shown in the committee report, we are recommending for the model cities program the following: $12 million for planning grants; $150 million for supplemental grants; and $75 million for urban renewal projects in model city project areas.

It will take from 6 months to a year to complete planning for these projects—and it was the consensus of the committee that the amounts recommended by the committee will be adequate and sufficient at this time.

HUD officials advise that 193 cities have applied for the initial planning grants for the model cities program. Some 70 cities will be approved on this program. Additional cities will receive planning grants under the appropriations in this bill.

Many are convinced that this funding will contribute immensely to helping solve the problems of our cities. Many authorities believe that this is the forerunner of the pattern of coordinated, comprehensive programing and cooperation from all levels of Government and private enterprise which must be the heart of our programs of city improvement in the future.

I have been advised, Mr. Chairman, that 20 of the Nation's businessmen have gone on record in favor of the model

cities program. These businessmen are concerned with the future of our cities. They know the problems—and they know the urgency and the necessity of strong action toward a solution to these problems. While expressing disappointment over cuts and reductions in the request for this program, they added:

We believe it is imperative that at least the amount of funds recommended by the Committee be retained by the House.

This is a most impressive group, Mr. Chairman, and I would like to insert their names in the RECORD at this point:

AFFILIATIONS OF BUSINESSMEN SUPPORTING MODEL CITIES BUDGET

Mr. S. D. Bechtel, Chairman, Bechtel Corporation.

Mr. Fred Borch, President, General Electric Company.

Mr. D. C. Burnham, President, Westinghouse Electric Corporation.

Mr. Walter Cisler, Chairman, The Detroit Edison Company.

Mr. John T. Connor, President, Allied Chemical Corporation.

Mr. Donald C. Cook, President, American Electric Power Service Corporation.

Mr. Russell DeYoung, Chairman, The Goodyear Tire & Rubber Company.

Mr. Ben W. Heineman, Chairman, Chicago & Northwestern Railroad Company.

Mr. Edgar F. Kaiser, President, Kaiser Industries Corporation.

Mr. David Kennedy, Chairman, Continental Illinois National Bank & Trust Company.

Mr. John A. McCone, Chairman, Joshua Hendy Corporation.

Mr. Cyril Magnin, President, Joseph Magnin Company.

Mr. Robert S. Oelman, Chairman, The National Cash Register Company.

Mr. David Packard, Chairman, Hewlett-Packard Company.

Mr. Herman H. Pevler, President, Norfolk & Western Railway Company.

Mr. David Rockefeller, President, Chase Manhattan Bank.

Mr. Stuart T. Saunders, Chairman, The Pennsylvania Railroad Company.

Mr. Herbert R. Silverman, Chairman, James Talcott, Inc.

Mr. Gardiner Symonds, Chairman, Tenneco, Inc.

Mr. Sidney J. Weinberg, Partner, Goldman, Sachs & Company.

Mr. Stanley Marcus, President, Neiman-Marcus Company.

RENT SUPPLEMENTS

Concerning the rent supplements program, the committee recommends $10 million in contract authority—a reduction of $30 million from the $40 million budget request. This will provide a total of about 50,000 units.

This is the private enterprise approach to providing housing for the needy and underprivileged. This program brings private enterprise into the building and contracting of housing for these low-income groups.

This program is based on the sound principle of the substitution of private credit for public credit. It is this committee's intention that all rent supplement projects be financed on the private money market—as indicated in our report—and if the state of the money market makes such financing impractical, the program should be deferred until such time as the market warrants.

I would remind those who are skeptical of the rent supplement program that the U.S. Government has been subsidizing rent payments by lower income groups for 30 years through its public housing program.

This is a better approach.

In this bill we are considering today, $275 million is included as this Government's annual contribution for contracts requirements for almost 700,000 public housing units. This annual contribution is a subsidy on rent payments by the occupants of these units.

The difference in the public housing subsidy and rent supplements is simply that private enterprise is at the heart of the rent supplement program—public housing is Government-owned, Government-financed, Government-managed.

The rent supplement units are privately built, privately maintained, privately managed, and the buildings are on the tax rolls.

The following associations endorse rent supplements:

National Association of Homebuilders;
American Homebuilders Association;
State Homebuilders Association;
American Banking Association;
Municipal League of the United States;
Co-op League of the United States;
General Contractors Association;
Mortgage Bankers Association;
Association of Mutual Savings Banks;
National Association of Real Estate Boards;
National Housing Conference;
National Conference on Agriculture;
National Farmers Union;
National Savings & Loan League;
United States Conference of Mayors; and

Many church and religious groups, private associations, and others.

This program opens the way for private enterprise to enter this area of housing—and it should be retained and continued.

RESEARCH

The committee is recommending $5 million for intensive research into urban problems and the application of our highly developed scientific and technological knowledge to the solution of our urban problems.

A total of $20 million was requested for this purpose but the committee felt that $5 million was sufficient to expand research in the areas of housing, metropolitan growth, and urban problems which has been authorized. This is a cut of $15 million.

The urban renewal program is being continued at a funding level of $750 million. This program is being funded through annual appropriations, instead of back-door financing.

We are recommending $27 million to continue the neighborhood facilities program.

We are recommending $75 million to assist municipalities in acquiring open space for parks and playgrounds.

SUMMARY

In summary, Mr. Chairman, the committee considered budget estimates totaling $10,804,642,700. Cuts and reductions totaled $771,736,800. These cuts and reductions amount to 7.1 percent.

The committee in its deliberations was mindful—as I have said—of the needs and requirements of our troops and forces in Vietnam.

This bill has endeavored to achieve a fair and reasonable balance between our domestic needs and our defense needs—and I believe we have succeeded.

This is an important bill, Mr. Chairman—well considered. This bill is based on the hard realities of our time. We are fighting to preserve freedom in Vietnam. We are fighting to preserve, strengthen, and improve our cities—large and small—at home.

Only two items were considered by some to be controversial—the model cities program and the rent supplement program. These programs represent new approaches to the timeless problems of our cities—problems accelerated and aggravated in our time by rapid growth and change.

The rent supplement program is in the second year of funding. Today we are acting to continue appropriations in accordance with a basic decision already made.

We have the problems of our cities—the crisis of our cities—confronting us. We must address ourselves to the solution of these problems. We must act. These problems cannot wait. This bill today responds to these problems to the degree possible in view of the balance that must be maintained between defense and domestic needs.

As I said, some of our members favored more appropriations in some areas—some wanted less appropriations in certain areas.

We have brought you today a compromise bill—a bill which responds to our needs, and yet takes into account our responsibilities in other areas.

This is a good bill, a vital bill, and I urge its approval by the House.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. EVINS of Tennessee. Yes; I yield to my friend, the gentleman from New York.

Mr. FARBSTEIN. Mr. Chairman, the gentleman from Tennessee [Mr. EVINS] made a very appealing statement in support of this legislation when the gentleman referred to urban decay, crises and violence, and crimes in our cities, and I wish to applaud the gentleman for his statement, because it is my opinion that the gentleman is absolutely correct.

Yet, Mr. Chairman, I want to take exception to the fact and to the general attitude of the Committee on Appropriations in that it has reported this bill out of that committee on the basis of compromise.

Mr. Chairman, the gentleman from Tennessee [Mr. EVINS] seems to take pride in the fact that the committee and the subcommittee of which he serves as chairman, reduced the request of the administration by a considerable percentage.

In my opinion this is all wrong. How are you going to avoid "hot summers" in the large cities? How are you going to avoid crime and violence when you use compromise as the basis for appropriating money with which to meet problems that badly need care?

Mr. Chairman, I do not recall that compromise was the basis for appropriations for the various areas in the West and in the South when we were dealing with farms and the farmers. You cannot compromise with crime and with the conditions that cause it. The programs which we have previously enacted for these areas have been designed to help the people. By the same token, it seems to me that this body has an obligation to the residents of the cities to see that compromise does not become an excuse for perpetuating a deprived life. I would not be proud that compromise has become the basis for appropriations contained in this bill.

Mr. EVINS of Tennessee. Well, Mr. Chairman, the gentleman from New York recognizes that all legislation, and most all appropriations, are a matter of compromise.

Mr. Chairman, as I stated earlier, there were some members—and we have a subcommittee of 10 members—who did not want to provide any appropriation at this time at all for certain of these programs. Some wanted the full amount as recommended by the President.

Mr. Chairman, we have a letter here from the Secretary of the Department of Housing and Urban Development in which he says the full amount requested for that Department is needed. However, he indicated that he is disappointed in the fact that the full amount was not appropriated, but is pleased that in certain of the programs coming under his Department this amount recommended in the bill has been provided.

Mr. Chairman, I want to say to the gentleman from New York [Mr. FARBSTEIN] that I feel it is unwise to fan the flames of unrest and to do anything calculated to stimulate further the problems in our cities. I do not think we need to make any references to threats by others, if more appropriations are not provided. Let us do our duty and do what we feel is right. Let us not promote unrest.

Mr. FARBSTEIN. Mr. Chairman, if the gentleman from Tennessee will yield further, I agree with the gentleman, that we ought to do what is right and we ought to do our duty and our duty is to prevent crime and other crises throughout the country.

Mr. Chairman, I regret exceedingly that it is necessary for me to make the recommendations which I have made to the gentleman from Tennessee, to which the gentleman has taken umbrage, but I say to the gentleman that there is a two-edged sword which is represented in all of these matters which we are considering. It is my further opinion that the House of Representatives should know that there is a two-edged sword involved in the consideration of this important legislation.

The CHAIRMAN. The gentleman from Tennessee is recognized for 3 additional minutes.

Mr. FULTON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. As ranking member of the minority side of the Committee on Science and Astronautics, I would like to be assured that there is no appropriation for the National Aeronautics and Space Agency within this appropriation bill.

Mr. EVINS of Tennessee. As the legislative committee has not passed the necessary authorizing legislation bill, the committee is therefore unable to fund the program at this time.

Mr. FULTON of Pennsylvania. I mean the authorization.

Mr. EVINS of Tennessee. The NASA authorization bill has not been passed, and there are no funds in this appropriation bill for the space program.

This bill has been in the area of $15 to $16 billion in the past, and this year, without any funds carried in this bill for NASA, our bill is in the area of $10 billion.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. EVINS of Tennessee. I yield to my friend from Iowa.

Mr. GROSS. On page 28 of the report there is a listing under Veterans' Administration, "Participation sales authorization, $260 million," and so forth, and "Payment of sales insufficiencies."

Will the gentleman take a moment or two to explain what is meant by "participation sales of authorization"?

Mr. EVINS of Tennessee. Yes; I will be glad to explain that to my friend.

The Treasury has some $25 billion to $30 billion in loans and securities that are considered frozen assets. During the previous administration, or, let us say, back in 1954 in the Eisenhower administration, we used the participation sales concept to allow the sale of securities to bring private capital into credit programs requiring assistance. We have the veterans direct loan program and we have made many direct loans. These holdings have accumulated. What we are proposing to do here is to sell some of these loans into the private securities market so that there will be more money available for veterans programs and other programs if they want to make loans for homes, and without increasing appropriations. This permits the substitution of private credit for public credit by selling some of our frozen assets held by the Treasury.

Mr. GROSS. Mr. Chairman, I thank the gentleman for yielding, and if he will yield further, with reference to this figure of $590 million which is shown on page 28 of the report, how does that figure in the total of this bill?

Mr. EVINS of Tennessee. The budget has proposed the sale of a limited number of VA loans and our committee has set the amount of these sales at the budget level.

The budget has indicated the amount of the interest cost.

It is my view that the interest cost will be less than the budget provides. Interest rates have already dropped, they are coming down, and this was figured when the interest rates were higher.

Furthermore, I do not anticipate that they will sell all of these securities, and the amount will be actually less than the amount indicated. The $946,000 shown in the report and the bill is an estimate, only.

The CHAIRMAN. The gentleman from Tennessee has consumed 28 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. JONAS. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, I listened with interest and profit, as I always do, to my friend from Tennessee, the very able chairman of the subcommittee which considered this bill for about 3 months, and which developed the testimony that fills three large volumes of hearings. No one could read all of these hearings in the time which has been available since they were printed, but I would recommend to all who are interested in the controversial items that they take the time to read the hearings, because they are very revealing, and will give the Members of Congress and the public a better idea of the direction in which these programs are going than we could possibly do here in this short discussion from the floor.

Mr. Chairman, during the course of my remarks I will comment on three or four of the very controversial subjects which are included in this bill. They are, of course, as the gentleman from Tennessee has indicated, the sale of participation certificates program, rent subsidies, and the demonstration cities program.

The Department has now started to refer to this as the model cities program. But you will not find that word in the legislation. It was first designated as the demonstration cities program. But you do not demonstrate with 140 cities or 15,000 cities. I think the word "model" was substituted as a better selling term than "demonstration" because who could oppose making his city a model city.

If you were setting out to demonstrate the value of a program, you would wisely undertake to do it with one city or with five cities or 14 cities as Secretary Weaver is doing right now in a dry run where he is undertaking to find out what some of the bugs are in this program in an effort to eliminate them. I applaud him for that. That is one of the controversial sections of the bill.

Another controversial section is the rent subsidy section. Of course, some people do not like to use the word "subsidy" and they hit upon the more salable word "supplement." But what it is is a subsidy and we might as well admit that.

The Government subsidizes a variety of activities in this country and has now begun to subsidize house rent for a limited number of citizens. If I ran through the list of subsidies, it would take more time than I want to devote to it. But this is a subsidy program and we might as well face that fact.

Then I want to discuss later the sale of participating certificates.

My distinguished friend, the gentleman from Tennessee and I do not see eye to eye on what that program involves. Without meaning to invite a controversy with him, I must say that I do not think the participation sales program is quite as innocent as he has represented it here today.

When I get around to a discussion of that controversial subject, I will make some points which I think will demonstrate to the committee and to those who read the RECORD that there is a lot more

to this than just liquidating some frozen assets.

I do not know of anybody in the United States who would oppose the sale of these frozen assets. I certainly would not if we were selling them at par, or if we were taking the proceeds and paying them on the national debt. Some of the national debt was created when these mortgages were acquired.

Now what the administration is proposing to do is to sell $4,750 million of those assets this year—and do what with the money? Not restore the capital or reduce the national debt. They are proposing to sell $4.75 billion of capital assets and are planning to use most of the money to pay current bills. They will not use this money to make loans to veterans. They are not planning to spend the money for college housing. They are not planning to spend the money for community facility loans. The proceeds of these sales will go to the Treasury and a credit will be entered on the books in favor of the various agencies that hold the mortgages. Not a dime of that money can be used in the future for college housing loans or any other kind of loans unless authority to do it is incorporated in the budget and this Congress makes an appropriation. So there is more to this sale of participating certificates than merely getting rid of some frozen assets. If that were all that is involved, no one would oppose it.

Before I get into a discussion of these controversial subjects, let me give a little background which I hope will be pertinent to what I intend to say later. The gentleman from New York interrogated the gentleman from Tennessee and deprecated the reductions made in the bill. Of course there are people in the United States who are not worried about the growing national debt. They do not stop to consider where the Federal Government gets its money to discharge these obligations or to carry on these programs or to fund new ones. But we who have the responsibility of appropriating, and the other committee which has the responsibility of raising the finances, perhaps properly so, are more concerned over the question, "Where is the money coming from? How much is involved, and how much can we afford? Where are we going financially?"

You all know the Government is broke. It is out of money. Despite unprecedented income the Treasury ran out of money last February. It had borrowed all that it could borrow under the law. It had spent all that had been extracted from the taxpayers. It ran out of money, and the Secretary of the Treasury came up to Capitol Hill and pleaded with Congress to give him additional borrowing authority in the amount of $6 billion. To do what? So that he could pay the bills that were coming due on March 1.

He made a statement that I never thought would be made by any Cabinet officer. He said that if Congress did not give him that additional borrowing authority, he would not be able to mail out social security checks that were coming due on March 1.

There are some people in the United States who have argued for years that the so-called social security trust fund is a myth, that there is no money in it, that the Federal Government has spent the money and substituted I O U's. But every time that statement has been made it has been vigorously denied. But here the Secretary of the Treasury tells Congress that if we do not give him the right to borrow $6 billion, he would not be able to send out social security checks that are due March 1. That is how close we came to ruin and chaos last February—2 months ago.

So reluctantly additional borrowing authority was granted in the sum of $6 billion, but it was not enough. Yesterday the Secretary was back before the Committee on Ways and Means. What is he asking now? He is asking to increase the debt limit, to Government's borrowing authority by another $29 billion—up to $365 billion; $29 billion above the limit that was fixed back in February of this year. He is quoted as having said—and I have not had an opportunity to read his testimony, but I have before me now the report of it from the Washington Post of this morning—he is reported to have said that the deficit next year may run to $24 billion.

The President estimated last January—4 months ago—that the deficit next year would be $8.1 billion. But the very distinguished chairman of the House Committee on Appropriations on this floor has stated recently that unless a lot of contingencies happen, that deficit might well be $18 billion.

I myself think it will be nearer $18 billion than $8 billion. But the Secretary of the Treasury is stating—and did state yesterday—that it may go to $24 billion, according to the Washington Post.

I ask my friends, who can make a good case for every one of the programs that has been reduced—and I could make a good case for most of them—where are they going to get the money? Is there no limit to the obligations they expect the Federal Government to assume? Do they visualize no limit to what the Government should borrow?

Look what that is going to do to the interest, when we get a national debt of $365 billion. The interest on the national debt has already gone up to $5 billion a year during the period of the last 6 years. We could remodel a lot of cities, we could do a lot for mass transportation, we could build a lot of public housing, we could expand urban renewal—we could do a great many things if we were not spending that extra $5 billion a year on interest.

Interest will kill you. That is the reason we ought not continue to increase the national debt, because it has gotten out of hand, to the point where we are now wasting $14 billion a year on interest.

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Tennessee.

Mr. EVINS of Tennessee. Mr. Chairman, the gentleman has made a significant contribution to the reduction of this bill in the amount of three-quarters of a billion dollars. I believe he should point with pride to the achievement of the committee. We have made substantial reductions in this bill.

Mr. JONAS. With all due respect to the comment of my friend—and I appreciate it—I believe I would like to make my argument in my own way.

I participated in these cuts. Certainly I am not going to vote for any increases. I may even vote for some further reductions. I may even propose one, because I can tell the Members that this bill does not stop with $10 billion. The amount of funds that we are authorizing the Government to spend in this bill is $13,267,905,000. That comes about by reason of the fact that we are making direct appropriations of $10 billion, but in addition the bill authorizes the sale of $3,235,000,000 of participation certificates, which will go into the Treasury and which will increase the spending program of the Federal Government.

So I am very pleased to have had a part in the substantial reductions in the new obligational authority. But I think the authority to sell participating certificates should be cut back.

The CHAIRMAN. The gentleman from North Carolina has consumed 15 minutes.

Mr. JONAS. Mr. Chairman, I yield myself 5 additional minutes.

I do not apologize for any of the cuts. I believe they were justified, but I do not think we should be swept off our feet here. I believe when considering this bill, it should be known that there is $3.25 billion in spending authority provided in this bill in addition to the $10 billion in direct appropriations.

It is spending we are talking about really, when we talk about increasing the national debt. Some of the obligational authority granted in this bill will not be spent for years, but the proceeds from the sale of the participating certificates will go into the Treasury and right out again before you can bat an eyelid.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. JONAS. Mr. Chairman, I yield to the very distinguished chairman of the Committee on Appropriations.

Mr. MAHON. The gentleman is making a very interesting and provocative speech.

Would it be fair to say that the overall spending made possible by this bill would be about $5 billion higher if the authorization had been passed for the space program?

Mr. JONAS. That is substantially correct.

Mr. MAHON. If that $5 billion—or approximately that amount—had been added, then we would have had a much larger amount in this bill. The space budget will of course come up later in the session.

Mr. JONAS. Yes. It will not just go away. We have to face that $5 billion a few weeks hence. It is not out of the picture. It is not in this bill, but it is in the offing.

I understand the legislative committee marked up that bill today, so we will be back here soon with another bill in the $5 billion range.

Mr. GROSS. Mr. Chairman, will the gentleman yield on this point, very briefly?

Mr. JONAS. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. The $5 billion for the Space Administration, or whatever it is, is in addition to the $13 billion in this bill; is that correct?

Mr. JONAS. That is correct. There is not $13 billion in obligational authority in this bill, but in obligational authority plus spending authority through the participating sales it is $13 billion. The appropriation for NASA will be in a later bill.

Mr. MAHON. Mr. Chairman, if the gentleman would yield, funds from the participation certificates which you have referred to do not directly involve spending in a sense, but rather a covering of the money into the Treasury from the sale of obligations which the Government has.

Mr. JONAS. That is correct.

Mr. MAHON. Which is a different situation.

Mr. JONAS. I have never contended otherwise. That is correct. That is the situation exactly.

Since there seems to be more interest in the participation certificates than the other points to which I have alluded, let me go into that now.

I have told my friend from Tennessee there will be an amendment offered to reduce this, but there is in this bill $850 million of authorizations for the Veterans' Administration to sell participating certificates in some of its mortgages and $2,385 million of authorizations for the Department of Housing and Urban Development to do likewise.

I have already stated that these sales are not to be made at par. They cannot sell them at par, because they carry lower interest than mortgage interest rates today.

Whenever in the past I have made the point that we are subsidizing whoever buys these participating certificates, it is pointed out, "Well, we have already granted the subsidy to the borrower of the funds represented by these mortgages."

I would respectfully point out to my colleagues, that this does not answer the argument about the subsidy. What that argument means is that we have allowed one subsidy to the borrowers by lending them money at a lower rate of interest than the Federal Government had to pay for its borrowings, and now we are compounding trouble by paying a second subsidy on the same money to the people who buy the certificates. So we have a double subsidy here.

I would remind those who are interested in this subject that this is not a 1-year subsidy but a recurring subsidy. We will have to keep putting money up for this every year.

In the total participating sales program for 1968 there is, as I have said, $4,750 million. There is $2.3 billion for HUD, $850 million for VA, and the rest of it is for the other agencies and departments of the Government.

The estimated subsidy for 1967 was $16 million, and it is estimated to be $71 million in 1968, for a total of $87,652,000 in subsidies for the sale of these certificates.

If they run for only 10 years—and many of these mortgages run far beyond 10 years—the recurring subsidy will amount to $876 million—close to a billion dollars in subsidies.

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I am glad to yield to the gentleman from Tennessee.

Mr. EVINS of Tennessee. The gentleman recognizes that the amounts are set by the Bureau of the Budget and the Treasury Department. It was initiated in the Eisenhower administration.

College housing loans, which are 3-percent loans, can be sold through the participation sales program. So can some of the GI loans, and some of the Farmer's Home Administration loans. If we want these loan programs to continue then we want these certificates marketed to provide necessary funds. The committee is counting on receipts from participation sales so the housing for the elderly and handicapped loan program can continue.

I am sure the gentleman recognizes that the Committee on Appropriations of the Congress sets the limitation on the amount of these securities annually that can be sold. All we are doing here is setting the limit.

Mr. JONAS. I will say to my friend from Tennessee that his understanding of the way this works is not the same as mine. He mentions college housing loans. The administration is asking to sell $1.6 billion of participating certificates in a pool of college housing loans, but the department proposes to disburse on the college housing program next year only $300 million. What is going to happen to the remaining $1.3 billion of receipts? It is going to go into the Treasury to pay current bills. It will not be available for college housing loans. It is the same way with the Veterans' Administration loans—direct loans and guaranteed loans. The receipts from the sale of those certificates will not be available to the Veterans' Administration unless and until future budget and congressional action is taken. Then the money will not be in the bank; it will not be in the Treasury; it will have been spent. How will the Treasury get the money for future VA loans? It will have to borrow it. The only reason the administration adopted this little clever scheme was to get extra money into the Treasury without increasing the national debt. They are willing to pay over a 10-year period three-quarters of a billion dollars in subsidies in order to do that. Every time somebody offers an objection to some program the answer is, "Well, this is the same way they did it under some previous administration." I do not believe that you can show this scheme was followed in the previous administration. I have asked everybody who appeared before the committee to point out one instance of that to me. They exchanged some securities, but they did not have this kind of a system. Even if they did, that does not make it right.

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield further?

Mr. JONAS. Yes. I yield to the gentleman.

Mr. EVINS of Tennessee. I am sure that the gentleman knows the Export-Import Bank has been using this technique for years. It is not new or novel. The Eisenhower administration initiated this and used it in the sale of FNMA securities. What we are doing here is just going a little bit further toward the same objective—putting frozen Government assets back to work.

Mr. JONAS. Yes, you are going quite a little bit further. I would say half a league onward and beyond that. This is a subsidy bill, as I have said. Those who like it, all right. I am just doing my duty as I see it in pointing out what we are doing and how we are not facing up to the fact that the Government is broke. This is just like a man cashing in a share of stock to pay the grocery bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JONAS. Mr. Chairman, I yield myself 5 additional minutes.

I take this extra time, not because I want to use all of our time but because I do not have many requests for time on our side. When I have requests I will, of course, suspend.

There are several other things that should be pointed out, Mr. Chairman. I said I would allude to the rent supplement program. I will briefly. That, as the gentleman from Tennessee has said, was substantially reduced, from $40 million to $10 million, and quite properly so. Here again we need to know what we are talking about. We are not talking about $40 million. That is just the first year. These contracts run for 40 years. What we were asked to do was to take action that would obligate the Government to pay $1.6 billion in rent subsidies.

We reduced it, because the program has not really gotten off the ground. We have previously given $32 million to the Department in contract authority; that is, authority to enter into these 40-year contracts. Then we were asked to put up $40 million more. So, Mr. Chairman, if this bill stands up, as written, it will mean that the Department has $42 million in contract authority. But as of March 1967, they had only made $18 million worth of contract reservations. They had only 230 contracts outstanding at that time. The first rent subsidy check was issued in March of this year.

Now, Mr. Chairman, in addition, it turns out as the result of our hearings that, whereas, this program was originally sold on the basis that the average would be anywhere from $37.50 to $40 a month, the practical experience shows that they are now making reservations that are averaging $900 a year or $75 per month.

So, Mr. Chairman, the committee, in its wisdom, felt that to increase the $32 million of contract authority that is outstanding by another $10 million, would be sufficient and would give the Department as much additional contract authority as it can really use in the next fiscal year, and, so, that decision was made.

Now, Mr. Chairman, I shall take the remainder of my time to discuss the demonstration cities program. Of course, Mr. Chairman, one must realize that this is a brandnew program. It is not as yet off the ground. We gave them—or this Congress did—last year $11 million for planning. They have not as yet spent 1 penny of it. Originally they proposed to select 70 cities—70-odd, something in that neighborhood—to be recipients of

these planning grants. The deadline for submission of applications was May 1 and 2 days before that expiration date they had only received a few applications. However, they finally got in around 190-odd applications, based upon the last figures I saw. But, now, the new program—before any of the planning is completed, before any of the current planning money is disbursed this year—they have asked for $12 million more for planning grants for another 70 cities. Further, they requested $250 million in extra urban renewal money, money to be used in demonstration neighborhoods. Then, they asked for $400 million for grants—construction grants—for the cities that are selected to be demonstration cities.

Mr. Chairman, you hear it frequently said that, "If you do not do this, we are going to have riots in the streets; if you do not do this, something terrible is going to happen."

The CHAIRMAN. The time of the gentleman from North Carolina has again expired.

Mr. JONAS. Mr. Chairman, I yield myself 5 additional minutes.

The CHAIRMAN. The gentleman from North Carolina is recognized for 5 additional minutes.

Mr. JONAS. Mr. Chairman, one would feel, based upon these statements, that Congress is not doing anything for the metropolitan areas of the United States. But that is not the fact.

Dr. Weaver himself testified before the Ribicoff subcommittee last year that the Federal Government is expending $28 billion a year on programs and projects that are directly related to urban populations. A part of that was represented by loans, but if the loans are eliminated the figure is about $15 billion in grants.

Mr. Chairman, we have expended $2.3 billion in subsidies for public housing.

We have expended $3.8 billion to date on urban renewal, and it is argued that these programs are not effective—not effective and not doing the job they were intended to do.

After we have spent more than $5 billion on these programs to help house people in urban communities, we are told they will not do the job. But they do not propose to eliminate either one of those programs. They want to superimpose this one on top of the ongoing ones and on top of all the other programs that are designed to benefit the metropolitan areas of the country.

There is $275 million in this bill for public housing, subsidies to occupants of public housing units. There is $750 million in this bill for the regular urban renewal. So that is over $1 billion right there. Then there are some 60-odd programs administered by this department, all of which are designed to benefit urban communities.

The Secretary of Housing and Urban Development made a speech recently in which he said there were over 200 Federal aid programs that relate directly or indirectly to urban communities.

But while the administration comes up with this new program to be superimposed on the others, it is downgrading the water and sewer program which affects every State of the Union. We have approved the budget estimate in the last 2 years for water and sewer grants—$100 million each year, which accumulate. The administration could have requested $400 million this year. There are $400 million of authorizations outstanding which the administration could have requested to be funded in this bill to expand the water and sewer program, but it did not do so. It only requested $165 million and the bill includes it all.

Out of the $100 million that Congress gave last year for the water and sewer program, the Department is only going to use $90 million, and is going to carry over into next year $10 million of unexpended funds. Despite this fact, according to their own testimony, they have over a billion dollars' worth of requests for water and sewer grants on file, and as late as last December they had about $4 billion in applications, but they farmed out some of the others.

So the committee is recommending $237 million for the demonstration cities program. It is a cut from $662 million to $237 million—made as a result of a consideration of the requirement for $25 billion to carry on the war in Vietnam, made as a result of all of these other ongoing programs that have been in existence for years, and which cities are already relying on, plus the fact that this program is not ready to get off its feet yet. I could cite the testimony of the Secretary where he stated that he had selected 14 cities, and was experimenting with them and was trying to find out how much trouble it was going to be to get the kind of cooperation of the other Government agencies it would be necessary to make this program effective.

I think that is a sensible plan, and compliment him for engaging in what he referred to as a "dry run."

I believe my friend from Tennessee, in reading the letter from the Secretary did a useful service, because I know they want all the money. They are not going to say publicly that they made a mistake, and asked for $662 million when $237 million will be all right, but I am saying to the Members that their own program does not plan to spend but $140 million next year. I am saying to the Members that they have not spent a dime of the $11 million we gave them last year. I am saying to the Members that they have not got plan 1 in. We asked them to send plans in so we could see them, so we would know exactly what they are planning to do. We have not seen any of those plans. I have seen one city's application from my own district but I got it from the mayor, but that is not a plan. My friend from New Jersey has an application from his city, but it is not a plan. The plans have to be approved downtown before you know what is in them.

Mr. GOODLING. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman.

Mr. GOODLING. Mr. Chairman, on page 11 of this bill I see you are providing $22 million for building one post office. I would like to know if this building is to be lined with gold; and how do you get $22 million in one building?

Mr. JONAS. I have held the floor too long and will appreciate it if the gentleman will direct that question to the next speaker from the other side.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman from North Carolina [Mr. JONAS] has consumed 37 minutes.

Mr. EVINS of Tennessee. Mr. Chairman, I yield 1 minute to the gentlewoman from Missouri [Mrs. SULLIVAN].

Mrs. SULLIVAN. Mr. Chairman, the chairman of the Subcommittee on Housing of the House Committee on Banking and Currency, Congressman WILLIAM A. BARRETT, of Pennsylvania, deeply regrets that the Appropriations Committee made such drastic slashes in the funds available for the model cities program and the rent supplement program. As the Members know, today is primary election day in Philadelphia, and as a result, the gentleman from Pennsylvania [Mr. BARRETT] cannot be here today because he is very much involved in the election.

I therefore ask unanimous consent that our very able colleague who is the chairman of the Subcommittee on Housing, the gentleman from Pennsylvania [Mr. BARRETT] be permitted to have his remarks, as prepared for the debate, inserted in the RECORD at this point.

Mr. BARRETT. Mr. Chairman, I am deeply sorry that the Appropriations Committee made such drastic cuts to the model cities program and the rent supplement program. Model cities funds were slashed from $400 million to $150 million and rent supplements from $40 million to $10 million.

Frankly, Mr. Chairman, I cannot think of two more vitally needed programs to help us meet our pressing urban problems and to encourage private enterprise to provide decent housing for our low-income families. At a time when there should be a wide consensus that a full-scale campaign must be mounted to make our cities better places in which to live and to provide the housing so desperately needed by our low-income families, it seem incredibly shortsighted to deny full funding for the model cities program and the rent supplement program.

Mr. Chairman, our Housing Subcommittee and our Banking and Currency Committee labored for months in 1965 and 1966 to authorize these two far-sighted and compassionate programs and our efforts were finally successful after long struggles on the floor of this House. Failure to fund these programs upsets me personally and I know it will hurt our cities and the housing aspirations of our poor families.

Mr. Chairman, while I deplore the drastic reductions in the appropriation bill, we can take consolation that at least with partial funding, these vitally needed programs will be kept alive. We can hope further that a substantial amount of the reductions can be restored in conferences between the two bodies in the legislation which will ultimately go to the President. I fervently hope so.

Mr. EVINS of Tennessee. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. BOLAND] a valued member of our subcommittee.

Mr. BOLAND. Mr. Chairman, the bill now before the Committee of the Whole is a massive appropriation bill carrying more than $10 billion to finance the activities of 19 agencies and the Depart-

ment of Housing and Urban Development for fiscal year 1968. If the budget requests for the National Aeronautics and Space Administration were in the bill, an additional $5 billion would be added to the total the Committee is now considering.

The chairman of the subcommittee, the distinguished gentleman from Tennessee [Mr. EVINS], and the able ranking minority member, the gentleman from North Carolina [Mr. JONAS], have fully explained the action for our Committee. As always, it has been a pleasure to work with these two outstanding Members of the Congress, as well as the other members of the committee.

Mr. Chairman, I have said that this is a massive appropriation bill. It is this because the Congress has given some massive responsibilities to the Federal agencies that are listed in the bill. Practically every facet of the American scene and economy is touched by these agencies.

The task of running and administering the myriad Government bureaus that are included in this bill is a challenging and difficult one. I compliment those who are charged with these awesome tasks. Over the years, the Congress has piled great responsibility on them and they have responded magnificently, in carrying out the complex duties that are theirs.

The Congress and the Nation have a right to be proud of their dedication and their service and this pride embraces the whole gamut of personnel—from the heads of the agencies through the entire rosters of employees.

Chairman EVINS has said that there have been some compromises arrived at by the committee so that we could bring this bill to the floor. This should cause no surprise for there are some controversial parts to it. In these areas, some Members wanted more money for some of the programs—some wanted less—and others opted for none. So, necessarily, there are disappointments.

For myself, I am concerned with the cuts, the deep cuts, in the Department of Housing and Urban Development. In the light of the problems facing the cities of this land—problems which have been mounting with the years—I am convinced that we have shortchanged the Nation. And, let me hasten to add, we have undercut the programs that Congress itself has said were essential if we were to meet the challenges that confront the cities and the sprawling and ever-growing metropolitan areas of our land.

Mr. Chairman, the 89th Congress, in its two sessions, compiled a remarkable record of enacting programs to meet America's urban problems.

But the 90th Congress will have to provide the appropriations that are essential to carry the programs into effect. As President Johnson said when he pointed out that some of the most promising urban programs are today only authorizations on the statute books:

The 89th Congress made them law. *It remains for the 90th Congress to give them life.*

This is our task. During the first session of the 89th Congress, we passed the comprehensive Housing and Urban Development Act of 1965 with its expansion of existing programs and its new provisions for rent supplements, and for grants-in-aid to open space, urban beautification, neighborhood centers, rehabilitation, and water and sewer facilities.

In the second session came the breakthrough programs: First, the model cities, with its provision for 80 percent supplemental grants, unearmarked and usable as the community thinks best within the program area; second, metropolitan development with its incentive 20 percent grants to support orderly development by local communities working together in metropolitan areas; third, new communities development with FHA mortgage insurance.

MODEL CITIES PROGRAM

Mr. Chairman, I am distressed over the committee action on the model cities program. In my judgment, it should have been fully funded. I am deeply concerned over the $250 million cut in the model cities grant program and the $175 million cut in urban renewal attuned to the model cities program.

Mr. Chairman, our country now has more than 190 million people. In 50 years, the experts tell us that this figure will hit 320 million—an increase of 130 million over today's population. These are startling, incredible, dramatic figures, but they are so. We better be prepared for this increase, and the model cities program is one of the ways to meet this incredible growth. There have been various dollar estimates on what must be spent to meet the complex problems of our metropolitan areas. Mayor Lindsay of New York indicated that New York alone would need more than $50 billion. A study called "Tempo," conducted by the General Electric Co. at Santa Barbara, Calif., put a dollar figure of $262 billion over the next 10 years—and the Ribicoff committee in the Senate had testimony indicating that $1 trillion would be needed to solve the problems of our cities.

Eighteen cities and six counties have filed applications for planning grants. I will ask unanimous consent that the list of cities and counties be included at this point.

Attached are the 188 cities and six counties that have applied for model cities planning funds. They are listed by region and population-size category. Note that West Virginia's only applicant is Kanawha County, not the city of Charleston:

MODEL CITIES APPLICANTS BY POPULATION-SIZE CATEGORY

REGION I (37)

A. Cities over 750,000 persons (1): New York, New York.

B. Cities over 250,000, under 750,000 persons (3): Boston, Massachusetts; Buffalo, New York; Rochester, New York.

C. Cities over 50,000, under 250,000 persons (25):

Connecticut: Bridgeport, Hartford, New Haven, Waterbury.

Maine: Portland.

Massachusetts: Cambridge, Chicopee, Fall River, Holyoke, Lawrence, Lowell, Lynn, Malden, New Bedford, Pittsfield, Quincy, Springfield, Worcester.

New Hampshire: Manchester.

New York: Albany, Binghamton, Mount Vernon, Syracuse, Yonkers.

Rhode Island: Providence.

D. Cities under 50,000 persons (8):

Maine: Bangor.

Massachusetts: Chelsea.

New York: Amsterdam, Cohoes, Lackawanna, Newburgh, Poughkeepsie.

Vermont: Winooski.

REGION II (30)

Cities applied by May 1, 1967, by size category

Over 750,000: Washington, D.C., Baltimore, Maryland, Philadelphia, Pennsylvania.

From 250,000 to 750,000: Prince Georges County, Maryland, Jersey City, New Jersey, Newark, New Jersey, Pittsburgh, Pennsylvania, Allegheny County, Pennsylvania, Norfolk, Virginia.

From 50,000 to 250,000: Atlantic City, New Jersey, Camden, New Jersey, East Orange, New Jersey, Trenton, New Jersey, Chester, Pennsylvania, Erie, Pennsylvania, Lancaster, Pennsylvania, Reading, Pennsylvania, Wilkes-Barre, Pennsylvania, Alexandria, Virginia, Hampton, Virginia, Newport News, Virginia, Portsmouth, Virginia, Richmond, Virginia, Kanawha County, West Virginia.

Less than 50,000: Hoboken, New Jersey, Perth Amboy, New Jersey, Orange, New Jersey, New Castle, Pennsylvania, Butler, Pennsylvania, Easton, Pennsylvania.

REGION III (31)

Cities applied by May 1, 1967, by size category

Over 750,000: Dade County, Florida.

From 250,000 to 749,999: Atlanta, Georgia, Louisville, Kentucky, Tampa, Florida, San Juan, Puerto Rico, Nashville, Tennessee.

From 50,000 to 249,000: Covington, Kentucky, Winston-Salem, North Carolina, High Point, North Carolina, Huntsville, Alabama, Charlotte, North Carolina.

Under 50,000: Alma, Georgia, Camilla, Georgia, Douglas, Georgia, Cookeville, Tennessee, Spartanburg, South Carolina, Pikeville, Kentucky, Greenville, North Carolina, Holly Springs, Mississippi, Smithville, Tennessee, Rock Hill, South Carolina, Greenville, Mississippi, Pulaski, Tennessee, Bowling Green, Kentucky, Greenville, Tennessee, Shelbyville, Tennessee, Sanford, Florida, Athens, Georgia, Gainesville, Georgia, Tuskegee, Alabama, Brookhaven, Mississippi.

REGION IV (34)

Cities applied by May 1, 1967, by size category

Over 750,000: Chicago, Illinois, Detroit, Michigan, Cleveland, Ohio, Milwaukee, Wisconsin.

From 250,000 to 750,000: Minneapolis, Minnesota, Omaha, Nebraska, Akron, Ohio, Cincinnati, Ohio, Columbus, Ohio, Dayton, Ohio, Toledo, Ohio.

From 50,000 to 250,000: East St. Louis, Illinois, Rock Island, Illinois, Gary, Indiana, Des Moines, Iowa, Flint, Michigan, Grand Rapids, Michigan, Lansing, Michigan, Saginaw, Michigan, Duluth, Minnesota, Springfield, Ohio, Mansfield, Ohio, Springfield, Illinois, South Bend, Indiana.

Less than 50,000: Carbondale, Illinois, Benton Harbor, Michigan, Highland Park, Michigan, Muskegon Heights, Michigan, Muskegon, Michigan, Grand Forks, North Dakota, Martins Ferry, Ohio, Zanesville, Ohio, Mitchell, South Dakota, Steubenville, Ohio.

REGION V (29)

Cities applied by May 1, 1967, by size category

Over 750,000 population: None

From 250,000 to 750,000: Denver, Colorado, St. Louis, Missouri, San Antonio, Texas, Tulsa, Oklahoma, Wichita, Kansas, Kansas City, Missouri.

From 50,000 to 250,000: Waco, Texas, Pueblo, Colorado, Kansas City, Kansas, Little Rock, Arkansas/North Little Rock, Lawton, Oklahoma, Albuquerque, New Mexico.

Under 50,000: Edinburg, Texas, Olathe, Kansas, Chickasha, Oklahoma, Hot Springs, Arkansas, Texarkana, Texas, Grand Prairie, Texas, McAlester, Oklahoma, Pine Bluff, Arkansas, Eagle Pass, Texas, Walsenburg, Colorado, Trinidad, Colorado, Joplin, Missouri, Crystal City, Texas, Texarkana, Ar-

kansas, Artesia, New Mexico, Russellville, Arkansas, Logan County, Arkansas.

REGION VI (32)

A. Cities over 750,000 persons (1): *California:* Los Angeles.

B. Cities over 250,000 under 750,000 persons (7):

Arizona: Phoenix.

California: Oakland, San Jose, San Mateo County.

Hawaii: Honolulu.

Oregon: Portland.

Washington: Seattle.

C. Cities over 50,000 under 250,000 persons (11):

Alaska: Anchorage.

California: Berkeley, Compton, Fresno, Oxnard, Richmond, San Bernardino.

Nevada: Las Vegas.

Utah: Ogden, Salt Lake City.

Washington: Tacoma.

D. Cities under 50,000 persons (13):

Arizona: Chandler.

Alaska: Bethel.

California: Alviso, Calexico, Menlo Park, Pittsburg, Seaside.

Montana: Butte, Helena.

Nevada: North Las Vegas.

Washington: Anacortes, Ellensburg.

Wyoming: Cheyenne.

Mr. Chairman, the model cities program is addressed to the problem of urban blight which in general is compounded of poverty and unemployment, inadequate education, a lack of medical and social services, and of inadequate recreation, transportation, and community facilities.

With the model cities program, our communities have new hope that they can eradicate blight, and replace slums with livable neighborhoods.

Model cities is a program that aims at human as well as physical renewal. It is a plan to use all available tools and resources to deal comprehensively with the overall problems of slums and blight. In contrast with our past piecemeal approach to urban problems, the model cities concept permits a full-scale attack on the many causes of urban blight and the social failure that blight breeds.

The model cities program enables cities to bring together and concentrate on slum problems all the programs—local and State as well as Federal—of planning, of housing construction and rehabilitation, of transportation, job training, health facilities, of welfare, education, and recreation. It puts all these programs to work in tandem to transform deteriorated neighborhoods into healthy, safe, and attractive places to live.

The ultimate objective of the program is the improvement of the lives of the people who inhabit the blighted areas of a city—to enable poor and disadvantaged people to become useful, productive citizens, participating fully in community life.

In the President's words, the model cities program is based on the recognition that "cities are made of people, not just brick and mortar." Thus, it aims to rebuild lives, at the same time as it achieves the physical renewal of the cities' slums and blighted areas. It renews human beings as well as real estate. Its scope is broad enough to deal with social welfare, crime, and delinquency, police protection, community relations, trash collection, street lighting, rodent extermination.

Through its accomplishments it will—

Wipe out or arrest blight and decay in entire sections or neighborhoods of our cities;

Increase the supply of good housing at low and moderate cost;

Improve the education and reduce disease and idleness of those who live in slums and blighted areas;

Halt the continuing waste of human resources, which we can ill afford; and

Finally, it will have a sound and permanent impact on the entire city, improving the economic as well as the social atmosphere. For restoration is "catching"—it spreads to nearby neighborhoods and contributes to the healthy growth of the entire city.

METROPOLITAN DEVELOPMENT PROGRAM

Mr. Chairman, I disagree with the committee action in cutting $30 million for supplementary grants in the metropolitan development program.

The metropolitan development program authorized in 1966 arms the cities to deal with metropolitan growth problems and avoid the waste and disorder of urban sprawl.

Today, two-thirds of all Americans live in metropolitan areas. In the last decade the metropolitan population increased by 35 percent. In fact, practically all of the country's population growth occurred in metropolitan areas. Furthermore, most of the 3 million annual increase in urban residents forecast in the next 35 years will also occur in metropolitan areas.

Though many communities have plans and programs for public facilities to accommodate and serve this population growth, they lack the funds to carry out the plans, for most State and local expenditures have outrun their tax revenues.

To encourage orderly development and assist the communities programing and planning for it, the metropolitan development legislation authorizes 20 percent grants for types of projects that shape metropolitan growth and are consistent with comprehensive metropolitan planning.

Thus, supplementary grants are authorized for projects involving mass transit facilities, open space, hospitals, libraries, airports, water supply, sewage systems, highways, land conservation, and similar public works. All of these are potent factors in metropolitan development which takes into account the central city, its suburbs, and the region of which all are a part and which are interdependent.

If planned without relation to the whole, these projects can distort urban growth; one project can greatly reduce, or even negate the benefits expected from another.

For these reasons, Mr. Chairman, I believe that supplementary grants under title II of the Housing and Urban Development Act of 1966 in the amount of $30 million should have been provided for.

RENT SUPPLEMENT PROGRAM

Mr. Chairman, I did not agree with the action of the committee in reducing the request of HUD for the rent supplement program from $40 million to $10 million. In my judgment, this is one of the best programs to meet the consistent problem of providing low-rent housing for low-income groups. The program needs stronger support than this $10 million will provide.

The rent supplement programs was provided by the 89th Congress to enable poor families to live in decent, privately owned housing.

Rent supplements may be paid to families whose incomes are so low they are eligible for publicly owned housing and have been displaced from their homes by Government action or a disaster or are elderly or physically handicapped. This is the new and imaginative approach to the provision of low-income housing. It is designed to make the construction of low-rent units attractive for builders and encourage private enterprises to come into the field.

In the past we have used only public resources in meeting low-income housing needs. Now, under the rent supplement program, private enterprise is also brought into the market, and housing in this program is privately financed, with FHA furnishing mortgage insurance at market interest rates. The housing is privately built, owned, and managed by nonprofit, limited dividend, or cooperative organizations. Tenants—who must qualify as elderly, handicapped, displaced by governmental action, or be living in substandard housing—pay 25 percent of their income toward the rent. The difference between their payments and the market rental is made up by a Federal rent supplement. A lease with an option to purchase permits a tenant to purchase a dwelling unit when his income increases.

The need for decent housing for this group is plain: Incomes of many families are too low to pay the full cost of adequate housing on the open market. But there has not been until now an adequate method of meeting the need. The rent supplement program, by bringing a substantial flow of private funds into the construction of low-income housing and by the device of closing the gap between cost and ability to pay, helps to meet the need.

Notably, the rent supplement program applies Federal subsidy for the first time to privately owned and operated housing. It means that the subsidy can be used to house low-income families with all the flexibility of the private market, and at the same time employed to keep housing costs down.

Rent supplements are not a substitute for public housing, but an additional method, tapping private resources, of increasing the supply of housing needed for low-income families. Public housing, too, continues to serve this need through public resources. The 1965 act, in fact, expanded the scope of public housing, to enable it to make use of existing housing for low-income purposes through purchase, or lease, and rehabilitation, of older and often larger housing structures that abound in older areas of the city. So we now have a double-edged weapon, combining private and public resources to accelerate our production of good housing for the low-income market.

Mr. Chairman, this program is working and it will continue to be more ac-

ceptable as more and more private investors get into the program. I will ask unanimous consent to include at this point a table summarizing the program with respect to the sponsors, the States, and the reservations and contracts:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Summary of rent supplement reservations and contracts as of Apr. 28, 1967

	Number of projects	Total units	Supplement	Reservation or contract		Units supplemented	Reservation or contract
Market rate	245	26,824	25,910	$20,606,357		25,910	$20,606,357
Nonprofit	119	13,857	13,316	10,993,978	Preliminary	17,918	12,908,386
Limited dividend	122	12,662	12,289	9,380,057	Formal	7,826	7,522,381
Cooperative	4	305	305	232,322	Contract	144	163,390
					Payment	22	12,200
BMIR	15	2,833	1,634	1,344,359		1,634	1,344,359
Nonprofit	10	2,577	1,467	1,213,952	Preliminary	302	285,150
Limited dividend	5	256	167	130,407	Formal	1,049	867,149
					Contract	283	192,060
Secs. 202 and 231	96	13,305	2,228	1,422,228		2,228	1,422,228
Nonprofit	94	13,074	2,191	1,397,808	Preliminary	322	208,000
Cooperative	2	231	37	24,420	Formal	797	516,751
					Contract	487	301,984
					Payment	622	395,493
Total	356	42,962	29,772	23,372,944		29,772	23,372,944
Nonprofit	223	29,508	16,974	13,605,738	Preliminary	18,542	13,401,536
Limited dividend	127	12,918	12,456	9,510,474	Formal	9,672	8,906,281
Cooperative	6	536	342	256,742	Contract	914	657,434
					Payment	644	407,693

Rent supplement reservations and contracts by location, as of Apr. 28, 1967

Location	Sponsor	Sponsorship	Units		Reservations and contracts
			Total	Supplemented	
MARKET INTEREST RATE					
Massachusetts:					
Roxbury	Charles St. AME Church	Nonprofit	38	38	$50,134
	St. Joseph's Housing, Inc	do	44	44	26,400
	Twelfth Baptist Church, Inc	do	54	54	32,400
	Maurice Simon	Limited dividend	368	368	255,900
Brockton	Horner, Nelson, Schneider	do	101	101	60,600
	First Realty Co. of Boston	do	200	200	120,000
Boston	Maury Simon	do	324	321	361,931
	South End Community Development, Inc	Nonprofit	10	10	12,360
Falmouth	Cape Cod United Church Homes, Inc	do	81	40	24,000
Connecticut: Shelton	Methodist Homes of Connecticut	do	200	199	180,750
New York:					
Woodridge	Kiwanis Club of Woodridge	do	25	20	13,200
Troy	Roger Schaeffer	Limited dividend	200	150	90,000
Syracuse	Local 150, Hotel and Restaurant Employees Union	Nonprofit	304	304	350,280
Pennsylvania:	Friends Housing, Inc	do	39	39	31,200
Philadelphia	Lindy Bros. Builders	Limited dividend	50	25	11,000
	Union Church Non-Profit Housing and Development Corp	Nonprofit	156	156	124,800
	Bright Hope Baptist Church	do	223	223	178,400
	Philadelphia Housing Development Corp	do	147	147	117,600
	do	Cooperative	113	113	90,400
	do	Nonprofit	110	110	88,000
Chambersburg	Bell Urban Properties, Inc	Limited dividend	40	20	12,000
Harrisburg	Parkside Apartments (M. T. Pugatch)	do	252	126	75,600
Swatara	Monumental ME Church	Nonprofit	128	128	76,800
Rawkin	Allegheny Community Corp	do	90	90	104,398
Liberty Borough	Bacchus Wright and L. A. Williams	Limited dividend	50	50	54,315
New Jersey:					
Lakewood	Raymond A. Burkland	do	125	125	100,000
Atlantic City	Michael Levitt	do	150	150	140,214
Newark	Mayel Realty Corp. (Triton Towers)	do	83	83	49,800
Camden	Samuel and Henry Berger	do	280	200	120,000
	Macedonia AME Church	Nonprofit	60	60	36,000
	Union AME Church	do	70	70	42,000
	Tenth Street Baptist Church	do	50	50	40,000
Bridgeton	Renewal Development Corp	Limited dividend	150	100	60,000
Carteret	Carteret Redevelopment Agency	do	75	75	60,000
West Virginia:					
Charleston	Hilltop Housing Association FCH	Cooperative	50	50	36,400
Berkeley County	Capital Heights Association	Limited dividend	110	110	83,000
Maryland: Prince George City	Washington Conference AME Church	Nonprofit	200	198	248,767
Virginia:					
Virginia Beach	Hickman & Associates	Limited dividend	235	125	85,118
Farmville	Taylor Manufacturing Co	do	20	20	13,200
Roanoke	Davis & West	do	108	108	86,400
Newport News	Fiscella & Falk	do	200	200	160,000
Georgia: Atlanta	Wheat St. Baptist Church	Nonprofit	114	114	118,404
	Catholic Diocese of Atlanta	do	150	150	144,000
Alabama: Ozark	To be created by city officials	do	50	50	30,000
Kentucky:					
Louisville	AME Church	do	129	129	92,880
	Carpenter Local 256, AFL-CIO	do	100	100	60,000
	Episcopal Diocese of Kentucky	do	236	236	141,600
Henderson	Woodard and Jackson	Limited dividend	36	36	21,600
Frankfort	Prince Hall Village	do	100	100	60,000
Cloverport	Nonprofit sponsor to be selected	do	40	40	24,000
Tennessee:					
Shelbyville	L. B. Howard & Sherrell Figures	Limited dividend	110	110	72,600
Knoxville	Hillcrest Manor, Inc	Nonprofit	51	51	41,633
	Knoxville College	do	144	144	158,717
Nashville	Phyllis Wheatly Home for the Aged	do	85	85	82,236
	Lane College	do	200	200	177,606
	To be selected by LPA	do	286	286	268,937

Rent supplement reservations and contracts by location, as of Apr. 28, 1967—Continued

Location	Sponsor	Sponsorship	Units		Reservations and contracts
			Total	Supplemented	
MARKET INTEREST RATE—continued					
Tennessee—Continued					
Memphis	National AME Church	Nonprofit	265	265	$242,550
	Episcopal Diocese of Tennessee	do	175	175	105,000
	National Society of Volunteers of America	do	200	200	120,000
	WDIA Goodwill Fund, Inc	do	200	200	192,000
Cleveland	Carl and James Haskins	Limited dividend	100	100	66,000
Jackson	Morris Crocker	do	50	50	30,000
Johnson City	U. G. Trivett, Sr. and Jr	do	100	100	87,780
Chattanooga	Community Relation Confederation of Chattanooga	Nonprofit	100	100	91,674
South Carolina:					
Sumter	Mount Pisgah AME Church	do	60	60	$47,500
Georgetown	Bethel AME Church	do	30	30	23,760
Conway	Cherry Hill Baptist Church	do	50	50	48,100
Mississippi:					
Mound Bayou	Catholic Diocese Natchez/Jackson	do	31	31	38,000
Gulfport	Mount Bethel Baptist Church	do	104	104	101,000
North Carolina:					
Salisbury	Redevelopment Community Salisbury	do	44	44	28,960
Thomasville	Thomasville Church Homes, Inc	do	100	100	72,000
Greensboro	Shiloh Baptist Church	do	95	95	68,400
	Housing, Inc	Limited dividend	100	100	72,000
Florida:					
Gainesville	Mount Carmel Baptist Church	Nonprofit	100	100	90,000
	Phillip I. Emmer	Limited dividend	172	172	191,664
Southeast Panama City	Everhart Construction Co., Inc	do	148	148	88,800
Gifford	Urban Development Utilities, Inc	do	55	55	50,820
St. Petersburg	Suncoast Housing for Senior Americans	Nonprofit	300	300	331,848
Daytona Beach	Phillip Hoffmeister, Jr., Inc	Limited dividend	108	108	94,248
Jacksonville	Vulcan, Inc	do	200	200	212,260
	William & Jack Dumetree	do	200	200	120,000
	New Metropolitan Mtg. Co	do	200	200	196,680
Tallahassee	Ideal Estate, Inc	do	100	100	109,300
	Leon Housing for Low-Income	do	100	100	110,352
Pensacola	Escambia Developers, Inc	do	100	100	60,000
Lake City	McCowen Developers, Inc	do	72	72	79,200
Tampa	Lily White & Longshoremen Association	Nonprofit	200	200	171,336
Miami	N. E. & Gerald Herzfeld	Limited dividend	140	140	84,000
	LPA for Co-op. (to be designated)	Cooperative	42	42	25,200
	W. William Smith	Limited dividend	96	96	57,600
Fort Lauderdale	Thomas P. Burns, et al	do	92	92	55,200
Opa Locka	Cogan, Ackerman & Rice	do	80	80	48,000
Ohio:					
Bucyrus	Larno Co	do	24	24	23,900
Hamilton	Geo. R. & Geo F. Oberer	do	94	94	75,794
Mansfield	Mansfield Alliance for Progress	Nonprofit	100	100	110,000
Cleveland	Better Homes for Cleveland Foundation	do	300	300	300,000
	Antioch Baptist Church	do	36	36	45,600
	St. Matthews Church Methodist Union	do	97	97	96,600
	Hope, Inc	do	170	170	150,000
	do	do	22	22	12,200
	Warner & Swasey Co	do	13	13	15,200
	Meat Cutters 427, AFL–CIO 47	do	94	94	103,686
Cincinnati	Hale, Johnson & Allen	Limited dividend	27	27	24,169
	B. E. Benton & T. O. Mayung	do	45	44	35,270
	Chelsea-Moore Corp	do	150	150	149,300
	Zion Baptist Church	Nonprofit	150	150	120,600
Martins Ferry	Junior Chamber of Commerce	do	70	70	55,920
Nebraska: Norfolk	Valley Town Houses, Ltd	Limited dividend	50	50	29,832
Michigan:					
Grand Rapids	Silas and Harold Albert	do	200	200	120,000
Battle Creek	Yound Israel	Nonprofit	100	100	60,000
Center Line	Dunn Family Senior Citizens Housing, Inc	do	146	146	105,120
Kalamazoo	Big Five Investors, Inc	Limited dividend	40	40	24,000
Saginaw	St. Paul's Episcopal Parish	Nonprofit	50	50	30,000
Detroit	Lincoln Square Corp	Limited dividend	130	130	101,400
Wisconsin:					
Bloomer	Pecha & Bleskack Contractors, Inc	do	12	12	13,274
Eau Claire	Buron J. Farmer	do	40	40	43,680
Milwaukee	Horizon Renewal Corp	do	112	112	122,377
Iowa:					
Cedar Rapids	Cedar Rapids Nonprofit Housing Corp	Nonprofit	200	200	120,000
Des Moines	Des Moines Area Council of Churches	do	150	150	144,000
Indiana:					
Columbus	Eastgate Realty Corp	Limited dividend	70	70	42,000
Mishawaka	First Community Development Corp	do	100	100	72,000
Evansville	Catholic Diocese of Evansville	Nonprofit	66	66	61,696
South Bend	First Community Development Corp	Limited dividend	150	150	90,000
	Greater South Bend Housing Corp	Nonprofit	150	150	108,000
Michigan City	Michigan City Fair Housing Commission, Inc	Limited dividend	150	150	126,000
South Dakota:					
Tabor	Commercial Club of Tabor	Nonprofit	11	11	8,800
Milbank	Methodist Church	do	20	20	16,700
Aberdeen	C. W. Hyde, Inc	Limited dividend	20	20	14,190
Vermillion	Irving V. Cressman	do	16	16	12,144
	Vermillion Housing, Inc	do	69	69	55,200
Aberdeen	C. W. Hyde, Inc	do	10	10	8,000
Louisiana:					
Lafayette	Andrus Homes, Inc	do	100	100	60,000
	Lafayette Development Corp	do	100	100	60,000
Lake Charles	Al Gaspard et al	do	48	48	28,800
Shreveport	Dummire & Van Cleave	do	100	100	60,000
	John N. Barineau	do	100	100	60,000
Westwego	Gilbert Blanchard	do	32	32	43,680
Baton Rouge	J. N. Barineau	do	175	175	195,216
	LeRoy Cobb Apartments	do	84	84	94,752
	Ross Cox and Bob Hollway	do	176	176	105,600
New Orleans	Christopher Inn Church Nonprofit Homes	Nonprofit	100	100	60,000
Monroe	Universal Housing, Inc	Limited dividend	92	92	55,200

Rent supplement reservations and contracts by location, as of Apr. 28, 1967—Continued

Location	Sponsor	Sponsorship	Units		Reservations and contracts
			Total	Supplemented	
MARKET INTEREST RATE—continued					
Colorado:					
Pueblo	Bonforte Foundation, Inc	Nonprofit	40	40	$38,400
Denver	LPA	do	24	24	14,400
	Good American Organ	do	44	44	39,627
Colorado Springs	Vrooman Enterprises, Inc	Limited dividend	37	37	22,200
New Mexico:					
Albuquerque	Carpenter's District Council Union Brotherhood and Joiners of America	Nonprofit	106	106	113,256
Las Cruces	Carpenter's District Council of New Mexico	do	60	60	46,800
Hobbs	do	do	200	200	156,000
Clovis	do	do	75	75	58,500
Kansas:					
Topeka	Eastgate Townhouse Corp. FCH	Cooperative	100	100	80,322
Fort Scott	Reorganized Churches of Jesus Christ	Nonprofit	100	100	96,000
Kansas City	Urban Builders, Inc	Limited dividend	50	50	48,000
Texas:					
Crockett	Hafner & Davis	do	70	70	42,000
Troup	Cellum, Cellum & Jordan	do	44	44	38,227
Sulphur Springs	J. R., W. C., & J. A. Famey	do	48	48	28,800
Palestine	Bird, Calloway, Lively & Stilwell	do	100	100	80,784
San Antonio	H. B. Zachry Co	do	200	200	120,000
	AFL-CIO	Nonprofit	100	100	60,000
	Building and Trade Council	do	100	100	60,000
	Antioch Baptist Church	do	100	100	60,000
	West End Baptist Church	do	50	50	30,000
	Mission Lodge No. 4991 BPDEW	do	100	100	60,000
	St. James AM Church	do	100	100	60,000
	Pan-American League	do	100	100	92,928
	San Jose Mobile Manor, Inc	Limited dividend	144	144	135,168
	Brewery Workers Local No. 110	Nonprofit	100	100	60,000
Mesquite	Impact Homes, Inc	Limited dividend	150	150	90,000
Port Arthur	Prince Hall Masons	Nonprofit	120	120	118,800
	St. Joseph's Society of Sacred Heart	do	150	150	148,500
Garland	J. W. Tynes and H. E. Goldberg	Limited dividend	150	150	133,056
Jefferson	Robert Cargill	do	60	60	48,000
Longview	French, Harris Cargill	do	100	100	74,052
Greenville	W. R. Browne, B. G. Mowatt, and T. A. Sexton	do	200	200	175,428
Silsbee	Frank Thielen, Jr	do	100	100	60,000
Lufkin	R. B. Thompson	do	100	100	60,000
Mercedes	Rio Grande Valley	Nonprofit	100	100	60,000
Athens	D. L. Keller, M.D., and Mike Campbell	Limited dividend	150	150	90,000
Austin	David Chapel Missionary Baptist Church	Nonprofit	100	99	96,386
Jacksonville	Sweet Union Baptist Church	do	100	100	71,148
	Coleman & Walker	Limited dividend	60	60	55,783
Houston	Missionary Baptist Church	Nonprofit	200	200	120,000
	Messrs. Edelman and Lafkowitz	Limited dividend	252	252	151,200
	John C. McClelland	do	250	250	150,000
	do	do	250	250	150,000
Gainesville	Osborne & Hill	do	58	58	48,404
Carthage	Robert Cargill	do	70	70	56,000
Mission	NP to be selected	Nonprofit	100	100	60,000
Corsicana	Travis Ward	Limited dividend	150	150	90,000
Dallas	St. James AME Church	Nonprofit	100	100	60,000
	Mays, Adams, Mays & Box	Limited dividend	110	110	66,000
	Mount Tabor Baptist Church	Nonprofit	160	160	96,000
Waco	Paul Quinn College	do	150	150	90,000
	New Hope Baptist Church	do	200	200	120,000
Texarkana	J. E. Boyd	Limited dividend	150	150	144,000
Henderson	Rusk-Cherokee CAP, Inc	Nonprofit	109	109	104,640
Nacogdoches	Hale, Davis & Davis	Limited dividend	100	100	96,000
Big Springs	Big Springs Housing Corp	do	70	67	57,222
Oklahoma:					
Lawton	Missionary Baptist Association AME & Church of God	Nonprofit	150	150	120,000
	Catholic Diocese, Oklahoma	do	65	65	69,696
Tulsa	Messrs. Aufleger, Garrett & Edwards	Limited dividend	116	116	73,920
	Vernon AME Church	Nonprofit	195	195	205,920
Arkansas:					
West Memphis	American Legion Post No. 53	do	100	100	60,000
Blytheville	Ruddle Heights, Inc	Limited dividend	50	50	49,896
Russellville	R. H. Williams, S. A. Walker, J. A. Henry	do	100	100	93,192
North Little Rock	Shorter College Gdns. Inc	Nonprofit	196	196	237,442
Missouri:					
St. Louis	St. Louis LPA	do	145	120	72,000
Kansas City	LaSalle Foundation	do	100	100	54,000
Kinloch	Most Worshipful Prince Hall G. Lod	do	110	100	125,215
Washington:					
Pasco	Benton Franklin Counties, CLC	do	52	52	64,310
Spokane	Larry & Ralph Guthrie	Limited dividend	130	130	85,800
Tacoma	Baptist Ministers Cong	Nonprofit	50	50	30,000
	Curtis Peterson & V. L. Lyon	Limited dividend	50	50	46,200
Seattle	Freeman O. Michkils	do	54	54	49,896
	Don Watkins	do	50	50	39,600
	Delguzzi, Hill & Goodwin	do	60	60	52,668
	Stanley W. Donogh	do	66	66	57,750
	Delguzzi, Hill & Goodwin	do	150	150	131,670
California:					
Fresno	J. Roderick Jarrett	do	100	100	60,000
Visalia	Sigma Acres	do	65	64	67,861
Oxnard	L. A. Psycho/Social Clinic	Nonprofit	96	96	92,585
Los Gatos	Assembly of God	do	250	250	150,000
San Diego	St. Paul's Methodist Church	do	600	200	120,000
San Bernardino	Robert J. Erwin	Limited dividend	36	36	34,320
Los Angeles	Bibleway Church, Household of God	Nonprofit	100	100	60,000
	St. Stephens Baptist Church	do	100	100	60,000
Wyoming:					
Lusk	Jerry Hollan	Limited dividend	20	20	13,200
Douglas	Ed Hollan	do	20	20	19,668
Laramie	Longhorn Co	Nonprofit	50	50	29,040
Torrington	KMD Land Co	Limited dividend	25	21	13,860
Casper	W. O. Specht	Nonprofit	50	40	24,000
Cheyenne	Cheyenne Corp	Limited dividend	70	60	36,000
	Equality Co-op Association	Nonprofit	40	40	26,400
	Cheyenne Terrace, Inc	Limited dividend	151	151	85,800

Rent supplement reservations and contracts by location, as of Apr. 28, 1967—Continued

Location	Sponsor	Sponsorship	Units		Reservations and contracts
			Total	Supplemented	
MARKET INTEREST RATE—continued					
Idaho: Boise	High Horizons, Inc	Nonprofit	118	62	$39,000
Arizona:					
Mesa	Winslow West Develop. Corp	Limited dividend	50	50	36,300
Eloy	Dr. H. Howard Holmes	do	34	34	24,700
Oregon:					
Portland	Alpha Development & Investment Corp	do	21	21	25,344
	Bruce Kamhoot	do	47	47	41,368
	C. L. McDonald	Nonprofit	135	135	133,201
Salem	Weaver & Furtick	Limited dividend	24	24	20,160
Utah: Salt Lake City	Carl and Wallace Ohran	do	64	64	$57,600
Montana: Ashland	St. Joseph Village, Inc	Nonprofit	40	40	26,000
Puerto Rico:					
San Juan	Association Cana. Inc	do	144	144	155,232
Santurce	do	do	180	180	174,800
Total, market interest rate			26,824	25,910	20,606,357
		Nonprofit	13,857	13,316	10,993,978
		Limited dividend	12,662	12,289	9,380,057
		Cooperative	305	305	232,322
BMIR					
Pennsylvania: Philadelphia	Germantown Settlement Homes, Inc	Nonprofit	62	16	12,672
New York: New York City	Leonard A. Rapaport	Limited dividend	22	18	13,886
	Roewack, Inc. (U.S. Gypsum)	Nonprofit	116	60	39,784
	Carolyndale Foundation	do	48	48	29,818
	Catholic Archdiocese—New York	do	370	75	45,000
	Consortium (Union Settlement)	do	135	54	42,530
	Phipps Houses	do	156	35	20,064
	do	do	248	57	30,492
	250 East 105th Street Association	do	48	12	8,712
	Park Slope North Improvement Corp	do	76	50	38,280
	Mobilization for Youth	do	13	6	5,834
	Roewack III (U.S. Gypsum)	do	60	60	36,000
	Irving Berman and Harold Lachover	Limited dividend	60	25	15,000
Rhode Island: Providence	Central Classic	Nonprofit	285	94	66,000
Connecticut: Hartford	Episcopal Metropolitan Mission (Van Block)	do	88	88	113,256
District of Columbia: Washington	Pitch	do	26	26	15,600
Mississippi: Greenville	Catholic Diocese of Natchez and Jackson	do	120	120	79,200
Ohio: Columbus	Inner-City Catholic Parishes, Inc	do	208	208	173,316
Nebraska: Omaha	Omaha Association of the Blind	do	41	40	22,000
Michigan:					
Lansing	St. Vincent de Paul	do	66	7	4,200
Pontiac	Leon Blachura and Ray O'Neil	Limited dividend	56	56	48,470
Illinois: East St. Louis	Denverside Improvement Association	Nonprofit	86	86	92,000
	Central City Homes, Inc	do	63	63	53,962
Kansas: Topeka	Highland Homes & Jay Hawk Construction Co	Limited dividend	100	50	35,231
Oklahoma: Eufaula	Creek Indian Nation	Nonprofit	60	60	31,950
Hawaii:					
Hilo	Donald Martin	Limited dividend	18	18	17,820
Halawa	St. Timothy's Episcopal Church United PB Workers	Nonprofit	150	150	198,000
Washington: Pasco	Benton Franklin Counties C.L.C	do	52	52	55,282
Total, BMIR			2,833	1,634	1,344,359
		Nonprofit	2,577	1,467	1,213,952
		Limited dividend	256	167	130,407
SECS. 202 AND 231					
Massachusetts:					
Malden	Beth Israel School, Inc	Nonprofit	81	13	7,800
Quincy	Quincy Point Congregational Church Homes, Inc	do	216	43	22,987
New York: New York City	Alliance Holdings, Inc	do	50	8	5,227
Maine: Portland	Cumberland Manor, Inc	do	137	25	15,000
Maryland:					
Baltimore	St. Mary's Roland View Towers, Inc	do	149	29	15,840
	Memorial Apartments	do	283	52	29,568
	St. Mary's Roland View Towers, Inc	do	210	40	22,440
Silver Spring	United Church of Christ Home, Inc	do	124	23	12,962
Pennsylvania:					
Harrisburg	Presbyterian Apartments	do	165	26	15,600
Pittsburgh	Riverview Apartments, Inc	do	108	14	11,181
	Allegheny Union Baptist Association	do	59	11	5,940
Philadelphia	Casa Enrico Fermi	do	288	57	26,928
	Four Freedoms, Inc	do	282	45	27,000
	Friends Guild Rehabilitation Program	do	91	18	9,900
New Jersey:					
Trenton	Trent Center Apartments	do	229	45	24,420
Paterson	Riese Corp	do	158	25	15,000
Atlantic City	Best-of-Life Park	do	208	33	19,800
Florida:					
Fort Myers	Lehigh Acres SC SF, Inc	do	48	10	4,620
Clearwater	Bayview Gardens Housing, Inc	do	406	81	53,460
Tennessee:					
Nashville	Metro Nashville Teachers Apartments	do	140	22	14,520
Johnson City	Christian Home for Aged, Inc	do	72	14	7,392
Georgia:					
Atlanta	Campbell-Stone Apartments, Inc	do	198	31	13,503
	Wesley Woods, Inc	do	202	8	6,336
Waycross	Baptist Village, Inc	do	65	8	6,230
Americus	Southern Georgia Methodist Home for Aged, Inc	do	177	28	18,480
Ohio:					
Parma Heights	Educators Housing, Inc	do	130	21	13,860
Dayton	Dayton-Miami Valley SH Foundation	do	265	42	27,720
	Dayton-Kiwanis School Inc	do	41	7	4,200
Mayfield Heights	Villa Serena, Inc	do	242	39	25,740
Perrysburg	Elm House	do	31	5	3,300
Lorain	Ohio Conference of Congregational Christian Churches	do	77	15	13,700
Oberlin	Ohio Conference of Congregational Christian Churches	do	67	13	9,700
Indiana:					
Bremen	Michiawa Benevolent Society, Inc	do	46	7	4,620
Goshen	Greencroft Central Manor, Inc	do	84	13	8,580

Rent supplement reservations and contracts by location, as of Apr. 28, 1967—Continued

Location	Sponsor	Sponsorship	Units		Reservations and contracts
			Total	Supplemented	
SECS. 202 AND 231—continued					
Illinois:					
Chicago	Self-Help Home of the Aged, Inc	Nonprofit	45	7	$4,620
Richwoods	Lutheran Welfare Council	do	50	8	5,280
Oak Brook	Franciscan Tertiary Prov	do	110	18	11,880
Michigan:					
Detroit	Kundig Center, Inc	do	26	5	3,300
	Ferndale Co-op, Inc	Cooperative	70	11	7,260
	Four Freedoms House of Detroit	Nonprofit	320	51	33,660
Wyandotte	Co-op Services, Inc	Cooperative	161	26	17,160
Ann Arbor	Lurie Terrace, SCH	Nonprofit	142	23	15,180
Charlotte	Kiwani Home, Inc	do	51	8	4,800
Wisconsin: Milwaukee	Zonta Manor	do	104	17	10,200
Minnesota:					
St. Paul	Central Towers	do	282	25	16,618
	Redeemer Arms	do	160	26	17,160
Glenwood	Glenwood Retirement Home	do	26	5	3,300
Thief River	Valley Christian Home Society	do	38	6	3,960
Duluth	St. Ann's Home	do	200	32	21,120
Litchfield	Augustana Lutheran Homes	do	38	6	3,960
Montevideo	Montevideo Methodist Home	do	87	14	9,240
Austin	Lutheran Retirement Home	do	58	9	5,940
Elk River	Guardian Angels Foundation, Inc	do	24	5	3,300
Rochester	Am. Religious Town Hall Meeting, Inc	do	67	13	10,124
Iowa:					
Eagle Grove	Rotary Club of Eagle Grove	do	43	7	4,620
Denison	Eventide Lutheran Home for Aged	do	51	8	5,280
Walnut	Peace Haven Association	do	85	14	9,240
West Des Moines	Crestview Acres	do	100	16	10,560
Garner	Prairie View Home	do	76	12	7,920
North Dakota:					
Fargo	Am. Lutheran Homes, Inc	do	76	12	7,200
Garrison	McLean County Retirement Homes	do	49	8	5,280
Beach	Golden Valley Manor	do	54	9	5,940
South Dakota:					
Mitchell	Wesley Acres	do	45	7	$4,620
Spearfish	Pioneer Memorial Manor, Inc	do	22	5	3,300
Alcester	Morningside Manor	do	52	8	5,280
Nebraska: Lincoln	Lincoln Manor	do	56	9	5,940
Colorado:					
Loveland	Odd Fellows	do	50	25	12,738
Pueblo	Homes for Senior Citizens	do	48	8	4,800
	Pueblo Building & Construction Tr & Housing, Inc	do	156	31	18,600
Boulder	First Christian Manor, Inc	do	115	22	11,880
Kansas:					
Kansas City	Western University Holding Corp (AME Church)	do	50	8	4,805
Wichita	Wichita Senior Citizens Housing	do	60	12	12,989
Missouri:					
St. Louis	Council House Redevelopment Corp	do	301	48	31,680
Kansas	Paraclete Manor of Kansas City	do	121	19	12,540
	Defenders Townhouses, Inc	do	202	40	31,680
New Mexico: Roswell	Chavez County Housing Corp	do	96	15	9,000
Oklahoma:					
Oklahoma City	Foundation for Senior Citizens	do	215	34	22,440
Muskogee	Oklahoma Residence Corp	do	96	19	9,900
Texas:					
Dallas	C. C. Young Memorial Home	do	105	21	11,220
Denton	Fair Haven	do	48	8	4,800
Louisiana: New Orleans	Christopher Home, Inc	do	154	42	40,000
Arkansas: Little Rock	Retired Teachers Housing, Inc	do	136	22	14,520
Wyoming:					
Powell	Rocky Mountain Manor	do	78	12	7,920
Cody	Mountain View Manor	do	48	8	5,280
Arizona: Phoenix	Memorial Towers	do	153	24	16,743
California:					
Santa Cruz	The Christian Home of Northern California	do	48	8	5,280
Los Angeles	St. Timothy's Manor	do	21	4	2,217
	People's Independent Church of Christ	do	204	40	26,400
San Diego	First Lutheran Development Corp	do	202	32	21,120
San Francisco	Jones Memorial Homes, Inc	do	32	5	3,300
Vallejo	Ascension Services	do	75	12	7,920
Stockton	Stockton YMI Elderly Housing	do	163	26	17,160
Altadena	Friends Retirement Association	do	25	5	3,300
Napa	Rohlffs Memorial Manor	do	100	16	10,560
Fresno	Twilight Haven	do	32	5	3,300
Long Beach	Long Beach Brethren Manor	do	297	47	31,020
Santa Monica	Santa Monica Christian Towers	do	150	8	5,280
Washington:					
Seattle	Volunteers of American of Washington	do	112	18	11,880
	Four Freedoms House of Seattle	do	309	49	32,340
Vancouver	Mid-Columbia Manor	do	170	27	17,800
Montana:					
Plentywood	Montana Pioneer Manors, Inc	do	31	5	3,300
Billings	Lutheran Retirement Home	do	118	19	12,540
Great Falls	Fraternal Order of Eagles	do	141	23	15,180
Glendive	Badlands Home Sweet Home	do	45	7	4,620
Oregon:					
Corvallis	Episcopal Retirement Homes	do	84	13	8,580
Portland	Union Labor Retirement Association of Portland	do	300	48	31,680
Utah:					
Salt Lake City	Wasatch Manor, Inc	do	198	32	21,120
	Friendship Manor Corp	do	228	45	27,000
Puerto Rico: San Juan	Altergerten Las Teresas, Inc	do	91	15	9,000
Total, sec. 202 and 231			13,305	2,228	1,422,228
		Nonprofit	13,074	2,191	1,397,808
		Cooperative	231	37	24,420

Mr. Chairman, the model cities program has received wide support from all segments and localities in our country. This support has already been pointed out by Chairman EVINS. I would like to add to that support some of the Nation's most distinguished names in the business and financial world. In this morning's Washington Post, there appeared an

article calling upon the House to restore the cuts made in the model cities program. I will ask consent to include it with my remarks:

MODEL CITIES

Restoration of the $250 million cut out of the Administration's $400 million model cities programs by the House Appropriations Committee was urged yesterday in a statement by 21 financial leaders by Edgar Kaiser, president of Kaiser Industries.

The businessmen said the House should make no further cuts when the bill comes to the floor today, and the Senate should raise the appropriation back to $400 million.

Aside from Kaiser, the following signed the statement:

S. D. Bechtel, chairman, Bechtel Corp.; Fred Borch, president, General Electric; D. C. Burnham, president, Westinghouse Electric; Walter Cisler, chairman, Detroit Edison; ex-Commerce Secretary John T. Connor, president, Allied Chemical; Donald C. Cook, president, American Electric Power Service; Russell DeYoung, Chairman, Goodyear Tire and Rubber; Ben Heineman, chairman, Chicago and Northwestern Railroad; David Kennedy, chairman, Continental Illinois National Bank and Trust Co.; former CIA director John A. McCone, chairman, Joshua Hendy Corp.; Cyril Magnin, president, Joseph Magnin Co.; Robert Oelman, chairman, National Cash Register; David Packard, chairman, Hewlett Packard; Herman Pevler, President, Norfolk and Western Railway; David Rockefeller, president, Chase Manhattan Bank; Stuart Saunders, chairman, Pennsylvania Railroad; Herbert Silverman, chairman, James Talcott, Inc.; Gardiner Symonds, chairman, Tenneco Inc.; Sidney J. Weinberg, partner, Goldman Sachs; Stanley Marcus, president, Neiman-Marcus.

Mr. Chairman, several telegrams supporting the programs that are being considered today were received by me and I will insert them at this point in my remarks:

WASHINGTON, D.C.,
May 16, 1967.

Hon. EDWARD P. BOLAND,
Washington, D.C.:

Urgently request you support at least committee recommendations for model city and rent supplement funds.

GEORGE MEANY,
President, AFL–CIO.

BOSTON, MASS.,
May 15, 1967.

Hon. EDWARD P. BOLAND,
U.S. House of Representatives,
Washington, D.C.:

Commonwealth cities and towns extremely disappointed in Appropriations Committee action on administration requests for Depart of HUD. On their behalf, league strongly urges you to oppose any effort to further cut these appropriations, particularly model cities, urban renewal and urban information and technical assistance. Also request your full support of amounts reported by committee as minimums needed for these critical programs.

J. KINNEY O'ROURKE,
Executive Director, Massachusetts League of Cities and Towns.

BOSTON, MASS.,
May 16, 1967.

Hon. EDWARD T. BOLAND,
House Office Building,
Washington, D.C.:

We urge that you not cut back important social legislation. Need necessary funds for model cities and rent supplement programs. We also urge that you oppose the Quie amendment in schools as it is harmful to progress in the field of civil rights.

MARTIN SMALL,
National Affairs Chairman, Massachusetts Americans for Democratic Action.

HOLYOKE, MASS.,
May 15, 1967.

Hon. EDWARD J. BOLAND,
House Office Building,
Washington, D.C.:

Your support of the full HUD appropriation for model cities and rent supplement is most urgently requested, both of these programs are of vital importance to communities such as Holyoke, recognize the urgent need for financial assistance for Vietnam war effort, feel our attack on substandard housing and rundown neighborhoods is equally important.

DANIEL F. DIBBLE,
Mayor, City of Holyoke.

BOSTON, MASS.,
May 16, 1967.

Representative EDWARD P. BOLAND,
House Office Building,
Washington, D.C.:

We urge your vote for full administration request for model cities—412 million; for rental assistance—40 million for demonstration grants—90 percent Federal aid; and for other HUD programs. Budget cuts proposed by appropriations here are excessive and would cripple existing Federal programs. I am sending this as a member of the New England Chapter, American Institute of Planners and my view is shared by the President and other members.

SOL GERSTMAN,
Principal Planner, City Planning Department, Springfield.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Chairman, I am sure the gentleman did not hear me, but I made it clear the spending program is $140 million for 1968. They do plan to spend $140 million, if they get the money.

Mr. BOLAND. I appreciate the correction. Let me say there are 188 cities and towns in the United States and, I believe, these are six counties which have filed applications for planning grants under the model cities program. These applications total alone $33 million. We have only $11 million to spend on them.

Mr. JONAS. The gentleman will correct me if I am incorrect, but my understanding is, that of the 188 or 192, there will be selected from that number, or from that group, only about 60 or 70.

Mr. BOLAND. The gentleman is exactly correct. There will be approximately 70 selected from that group.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I am delighted to yield to the gentleman from North Carolina.

Mr. JONAS. I believe the RECORD should show—and I am sure the gentleman would want it to show—that we have put in $5 million as an addition to pay the subsidies that are due under the rent supplement program, in addition to the contract authority.

Mr. BOLAND. The gentleman is correct. We have put in $5 million to pay contract authority under those applications that have already been approved.

Mr. JONAS. Mr. Chairman, I yield 15 minutes to the gentleman from New Hampshire [Mr. WYMAN].

Mr. WYMAN. Mr. Chairman, I am glad to have had the opportunity to participate in the deliberations of the subcommittee under the able leadership of the distinguished gentleman from Tennessee, our subcommittee chairman, Congressman EVINS.

The interest, attention, and introspective analysis devoted to these hearings by all the able subcommittee members of both parties has been an inspiration to me, but especially that of the conscientious, capable, and highly respected ranking minority member.

It is suggested that because the committee action on this bill involves a reduction of some 7 percent, everyone is to be congratulated. I believe this is true up to a point, but once again the reductions are almost a half billion dollars in excess of last year's appropriations and are reductions only in the sense that they are lower than the recommendations and the requests of the administration through its Bureau of the Budget.

I hope that I will live to see the day when committee rules sanctioned by the full House will not permit the various subcommittees of the Appropriations Committee to run off in various directions, acting as quasi-independent agencies and making recommendations for an appropriation that in its total is unlimited. I cannot see that it makes sense to let the various appropriations subcommittees—except perhaps the Defense Subcommittee in the time of a national emergency—appropriate up to or even in excess of the budget request, without some determination of the overall revenues of the United States for the period for which the appropriation will be made, and an appropriate limitation. I do not see how we are going to get out of the woods in this country fiscally until appropriations are limited to revenues.

It is wrong to appropriate in excess of revenues except for a national crisis. It is wrong to increase the national debt again and again. It is wrong to pour gasoline on the coals of an already overheated economy in this way, because it steals from the pay envelopes and savings of every single American citizen.

Members can protest they want to stand for fiscal responsibility, but fiscal responsibility is not yet with us and there is no sign of it in some of the procedures that are current in this body.

Some of the Government agencies that come before the committee are modest in their requests, but almost always it is a question of how much they can justify in the way of an addition or increase.

More properly the requirement upon them should be to justify what they have or else be cut back. Yet this is unheard of. It is invariably urged that we have more people, we have a growing and expanding economy which requires more and bigger government.

Realizing the genius of the politician as well as that of the Congress, perhaps we can never achieve fiscal responsibility. Perhaps there will never be a firm rule in this body requiring a legislative estimate of the revenues to be anticipated for the coming fiscal year and requiring the Committee on Appropriations to stay within these limits and the subcommit-

tees thereof to act within the limit of their percentage of the overall total of revenues anticipated.

This ought to be done for another reason, too, because there are many money questions that ought not to be put to a vote on the floor of this House because often for political reasons Members cannot stand up and vote "no." This is because we are responsible to constituencies the majority of whom want us to vote "yes" on such questions. Yet we should not be put in that situation at all when fiscal responsibility indicates the contrary to be in the national interest. Only in this way can we arrive at a workable, operable restriction in the nature of self-discipline.

It is impossible to cut more pieces from a pie than there are materials in a pie. Yet the Congress continually appropriates in excess of revenues. Yesterday the Secretary of the Treasury requested an increase of $29 billion in the debt limit.

I like to believe that all we are doing here is not utterly futile. I would like to think that there is at least a majority in this great House when the urgency is present who would put aside partisan political advantage and vote to do what needs to be done to preserve the solvency of the United States, but I must confess as I view the present methods and procedures it seems this reasoning is a bit naive. There is no true fiscal responsibility and we have an appropriating procedure that imposes no self-discipline.

Mr. Chairman, there are several parts of the pending bill on which I want to say a few words as a member of the subcommittee. First, in the report at page 10 in the appropriation to the National Science Foundation it is important I think to note that the appropriation approves the $4 million requested for the sea-grant college program, but it also expressly approves all of the other requests of the National Science Foundation for oceanography. This language was put in at the specific request of the subcommittee after a specific vote. The language where it says, "and other oceanographic programs as proposed in the budget" at page 10 of the report means exactly what it says. Every request of the National Science Foundation for specific allocations in its research program on the subject of oceanography has been approved by the subcommittee.

Mr. GIAIMO. Mr. Chairman, will the gentleman yield at that point?

Mr. WYMAN. I will be glad to yield to the gentleman.

Mr. GIAIMO. I am delighted that the gentleman brought up that point, because the gentleman was very helpful in the subcommittee in bringing about a restoration of some of the proposed cuts that we were going to make in the budget of the National Science Foundation. With the gentleman's help we were able to restore some of the money which might well have been cut from that budget and might have been cut from the sea grant college area and also from the area involving oceanographic research. It is a good idea that we did put this language in the budget, as the gentleman suggests, to stress both oceanography and research in oceanography and also the money for the sea grant colleges, which are two vital areas, I believe. I know the gentleman believes that this work should be done.

Mr. WYMAN. I thank the gentleman. The reason why I made reference to it was the fact that it does not appear in the bill itself, but I made the reference so that if anyone has any doubt about the committee's action, it will appear upon the record.

Mr. GIAIMO. It is in the record, and the gentleman has pointed it out today.

Mr. WYMAN. Thank you.

The committee has done a good job in breaking down and analyzing the budget requests that were received. Almost $772 million has been cut. This is hard to do. It is a reduction, as has been said, of over 7 percent. It is a start in the right direction. The most substantial reductions, however, were made in the programs administered by the Department of Housing and Urban Development. This Department has received the largest cuts of any department or agency we have yet considered. In the model cities program the committee recommended a substantial reduction in the funds, but I think it is important to observe that there is an appropriation of $150 million together with $75 million additional for urban renewal projects in the model cities areas and at this point there is nothing before the Department of Housing and Urban Development except some applications from cities for planning grants.

Now, Mr. Chairman, there is no sense—and I sympathize with the statements which have been made by the gentleman from New York and the gentleman from New Jersey who spoke in the full committee on this subject—there is no sense in appropriating this money too far ahead of time. There is no sense in appropriating to the Department of Housing and Urban Development funds beyond which they cannot constructively commit at this time. In other words, it will be January 1968 before there will be any specifically approved city planning that will require the granting of funds to which the gentleman from Massachusetts made reference.

And, Mr. Chairman, in this situation the $150 million is an adequate appropriation.

Mr. JONAS. Mr. Chairman, will the gentleman yield at that point?

Mr. WYMAN. Yes, I am happy to yield to the distinguished gentleman from North Carolina, our ranking minority member.

Mr. JONAS. Well, is it not true that we had four or five or six mayors of cities appear before the subcommittee and, invariably, the answer was, when asked, "When can you get your plan in," it would take some 6 to 9 or 12 months to work up the plans.

Mr. WYMAN. That is what they said, but they hurried in with enough plans so that there are pending at the present time applications for a certain number of plans.

Mr. JONAS. Mr. Chairman, if the gentleman will yield further, I mean after they receive their planning grants, it will take from 6 to 12 months during which to get the plans completed?

Mr. WYMAN. The gentleman from North Carolina is correct. It will be at least January 1968 before we will have any actual, concrete approved plans for the Department of Housing and Urban Development to act upon.

Mr. Chairman, we have given them $225 million for less than 6 months and this is all they need at this time.

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. WYMAN. I am happy to yield to the distinguished chairman of the subcommittee.

Mr. EVINS of Tennessee. Mr. Chairman, does the gentleman have any doubt that the Department of Housing and Urban Development can make reservations and commitments with the $237 million we are providing? Some 200 applications are now on file. The applications are received. Does the gentleman have any doubt that this amount of money will be committed during this period of time?

Mr. WYMAN. Mr. Chairman, to answer the question of the gentleman from Tennessee, the answer is "No." And, Mr. Chairman, as the subcommittee chairman knows, I have made requests of the Department of Housing and Urban Development, at the request of the gentleman from Tennessee, to see whether they can commit these funds to the extent we have allowed them, without undue haste. And, Mr. Chairman, they are of the opinion that although there will be more applications for planning than have been received that they can get started off safely and wisely and conservatively put these funds, this $250 million, to good use before June 30, 1968.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Chairman, some of my concern is that I differ with some of the questions with respect to when the program can get started.

It is true, as the gentleman from North Carolina [Mr. JONAS] stated, and as the gentleman from New Hampshire [Mr. WYMAN] has reiterated, the testimony indicated before our subcommittee that it would take from 6 to 8 or, perhaps, 10 or 12 months for the plans to be approved and for the Department of Housing and Urban Development to then go ahead and make a supplementary grant, grants to the extent of $150 million.

However, Mr. Chairman, we have restricted them to this amount.

I am concerned, actually, because I believe that they can make supplementary grants to a greater extent.

Mr. Chairman, my other concern is—and I ask the gentleman to correct me if I am wrong—I am concerned over the fact that we have authorized over a 2-year period $900 million for the model cities program, $400 million this year and $500 million next year, representing a total of $900 million. This is true. Yet we appropriate in this bill only $150 million for the program, with the result that we reduce the programs involved and proposed and requested when we cut back

the $1 billion to the extent of $250 million.

Mr. Chairman, I say this because I understand we cannot appropriate the $250 million next year, if they are going to use the $400 million—and they need the $400 million—then it has got to be appropriated this year.

So, Mr. Chairman, my great concern is that we really cut the program back too much so that they are actually losing $250 million of the $900 million that we authorized under the model cities program last year.

Mr. WYMAN. If the gentleman is referring solely to the supplementary grant aspect of the funding request, the gentleman is correct, it is $150 million. But as the gentleman well knows, there was considerable sentiment for eliminating the program in its entirety.

Mr. BOLAND. Indeed there was.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman.

Mr. JONAS. Mr. Chairman, while the gentleman from Massachusetts is on his feet, I would like to have him bear in mind that the record shows that what they have in mind is a 5-year program. Congress last year cut it back to 2 years. The testimony before the committee was that to complete just their program for 70 cities will take $2.9 billion—$2.3 billion plus $600 million for urban renewal. So a previous Congress cut them back to 2 years.

Mr. BOLAND. If we do not give them the $400 million, that means we can only give them $150 million under the terms of this bill, so they lose $250 million in that way.

As indicated in my opening statement the studies indicate that a great deal more than $2.9 billion will be necessary to rehabilitate the cities to the condition we want them to be.

Mr. JONAS. I just meant that it would involve $2.9 billion for the 70 cities initially, and they will have to be back for further authorizations, because we have only a 2-year program authorization.

Mr. BOLAND. Right.

Mr. WYMAN. If I may just state in further reference to the remarks of the gentleman from Massachusetts on the justifications submitted to the subcommittee in the calculation of the first year's grant to the model cities program, in volume IV of the Department of Housing and Urban Development justification for 1968 estimates, there appears the following:

> The Congress has made clear its intention to appropriate for the model cities program annually, and to review the funding of the entire program after its first two years, for which appropriations were authorized in the Demonstration Cities and Metropolitan Development Act of 1966.

So if there is a shortage of the authorization funding there will be more than ample opportunity to have review at the end of the biennial period so that an authorization can again be passed at that time should it appear advisable. And it is conceivable that it may even go beyond the $2.9 billion to which the gentleman from North Carolina had reference, because the gentleman from Massachusetts knows when all these mayors came before us they claimed there should be a quarter of a trillion dollars as the Federal share in this program, not $2.9 billion.

Mr. BOLAND. I am looking at the problem in the light of what this committee has done, and how the Congress feels about it, and not in the years to come.

The CHAIRMAN pro tempore. The time of the gentleman has expired.

Mr. JONAS. I yield 5 additional minutes to the gentleman from New Hampshire, Mr. Chairman.

The CHAIRMAN pro tempore. The gentleman has been recognized for an additional 5 minutes.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman.

Mr. JONAS. Mr. Chairman, I hate to do this on the gentleman's time, because I had intended to make this reference in my own time, but was diverted, and spent too much time on other subjects.

Mr. Chairman, I would ask the gentleman from New Hampshire if he remembers that we were questioning Secretary Weaver and his associates about whether they were ready to go forward, and whether a sufficient amount of planning had been done. We were seeking to explore all aspects of this problem, and I asked the Secretary the question, if he had not already picked out 14 cities, and he said "No."

I then asked him, or stated to him, that the New York Times had quoted an HUD official as saying that 14 cities had been selected to be a dry run for model cities, and I asked, "Is that a fair statement?"

Then, with the gentleman's permission, I would like to read Secretary Weaver's answer to that question into the RECORD at this point, if the gentleman will yield for that purpose.

Mr. WYMAN. I yield to the gentleman for that purpose.

Mr. JONAS [reading]:

> Secretary WEAVER. I think I would have to explain that a little. It happened that this was my idea. The whole problem of getting a coordinated approach and cooperation between Federal agencies is a difficult one. Recognizing that this would be a key factor in the success or failure of the model cities program, I utilized the Executive order in calling together OEO, Labor, HEW, and ourselves and saying, "Let us try out with the neighborhood facilities a coordinated program in x number of cities"—which we decided to be 14—"where we would do the building and they would supply the services and try to find out what the problems of coordination would be."

Later I returned to this subject in another colloquy with the Secretary and suggested that this was a good idea and inquired why, instead of starting off with 70 cities, which has now grown to 140; he did not select one city or five cities or some smaller number of cities to try out this problem of coordination and identify any bugs that are in the program and eliminate them before we embark upon a program which some of the mayors said will take a quarter of a trillion dollars.

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman.

Mr. EVINS of Tennessee. I believe I can clarify this matter for my friend, the gentleman from North Carolina, by pointing out that what Secretary Weaver was referring to when he was testifying was with respect to neighborhood facilities. He selected 14 communities to test the neighborhood facilities program. It was not the model cities program. The model cities program is a separate matter and a separate illustration. This is referred to on page 60, volume 3 of the testimony where they are talking about the neighborhood facilities program.

Mr. JONAS. I am reading from that section and I thought it was very clear from the response that Secretary Weaver gave to me that he recognized there are problems in getting the coordination of a half dozen different Government agencies. He thought it was a good idea to see how far that coordination could go. He called it a dry run. And I think it would be a good idea in the demonstration cities program.

Mr. EVINS of Tennessee. That is being done in the neighborhood facilities program.

Mr. JONAS. It is being done as a preliminary to being used and followed up in the model cities program when it is implemented.

The only reason I asked the gentleman to yield was to read that into the RECORD because I think it supports the position that some of us have taken, that since this is a brandnew program and has never been tried before, and since it involves bringing a dozen or more separate Government agencies together, that it presents some problems. I, for one, think it would be highly desirable for those problems to be identified and resolved before going full speed ahead and later have it said, as they are now saying after spending $5 billion, that public housing and urban renewal are not doing the job they were designed to do and as they were sold to Congress with the same kind of arguments we have heard today.

Mr. WYMAN. I think the gentleman is correct. I think that is what we all want to do. But we just cannot shove the cities aside. One of the most acute problems in America today is the problem of this exodus from the cities to the suburbs. We have to do something to reverse the trend, to encourage the people to stay in the cities and get people who are producers and good citizens to stay in the cities so that we can help through them to make others better and more useful citizens. This cannot be done overnight. We must implement some kind of program to do this. Here is a program which it seems to me is a genesis. This may not be the precisely correct program. As the gentleman knows, I have grave reservations about the supplemental grants aspects of this program in which the justifications indicate on pages B–5 and B–6 of volume 4 of the justifications to be the main thrust of HUD costs.

Costs to financially assist these model cities will be met by supplemental grants and a formula which provides—

First. Grants of 80 percent of the costs of planning and developing local model cities programs.

Second. Grants of 80 percent of the cost of administering approved programs.

Third. And here is the supplementary grant—this is the $400 million request that the gentleman from Massachusetts referred to—supplementary grants of not to exceed 80 percent of the aggregate amount of local contributions required in Federal programs carried out in connection with approved model cities programs. The primary purpose of these grants is to assist new and additional activities within the model cities program. They would also be available, to a limited extent, to make up part or all of the required local contribution to Federal grant-in-aid projects or activities which are part of model cities programs.

And the criteria go on and on and are being pyramided so there is Federal grant on top of Federal grant. There are planned more and more Federal grants with more appropriations to follow. There is a limit to what we can do financially—and a limit to what the Federal Government should do here.

You have the sewerage program, you have the urban renewal program as well as greater supplementary programs.

In the model cities program here, there are vast opportunities for improvements and it is up to us here in Congress to help with these. If we do not like the formula we should change it, but not kill the program.

This is not the most workable formula. This will not bring the people all they need or expect—things like electric heating, modernization, and all that sort of thing. We are not going to have all this. With this kind of a formula, we are going to have more and greater welfare programs.

In the course of the next year or two, I expect HUD and Congress to come up with a sounder model cities program. But we cannot leave this problem unchallenged in the cities, with all the unrest that is there. It should not be pushed aside, even in view of the fact, as the gentleman knows, of the cost of the war in Vietnam. As the chairman of our full committee has said time and again, we must find an answer to additional revenues for the United States or we will become insolvent.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. WYMAN. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Does the gentleman believe—and I am sure that he does, for I believe he understands it pretty well—that this is really the first program of model cities that gives the community more flexibility in this area, that the Department has referred to as "free money," money that goes back to the local community as part of the 80-percent supplementary grant for an ongoing program, that these localities will get 80 percent for an ongoing program, and that they can take the 80 percent and use it in any manner they see fit with respect to the particular neighborhoods of their city? They can attack the problem of juvenile delinquency and crime; they can attack the problem of infestations of roaches and everything else that is attuned to this type of neighborhood? They can do all of that under this program and they are not able to do it under existing programs. That is why I say that the approach is a different and a better approach when it is one proposed by local administrators.

Mr. WYMAN. The gentleman is correct. This is an opportunity to innovate and to attack the local problems that exist in different cities; for example, the problems in St. Louis might be entirely different from those that exist in Boston.

Mr. BOLAND. That is true. St. Louis can take its grant and use the money on its particular problems and Boston can use it on its problems.

Mr. WYMAN. That is what I intended to say.

Finally, I should like to ask the chairman of the subcommittee a question in the slight remaining time that I have. Mr. Chairman, is it not so that we know the Department of Housing and Urban Development faces the fact that many people would like to eliminate this program in its entirety, except for planning funds, and is willing to live with this $150 million for supplementary grants and $75 million for added urban renewal, a first increment of $175 million; in other words, a $225 million total exclusive of planning funds on which we are all agreed?

Mr. EVINS of Tennessee. The gentleman is correct. It is considered a reasonable amount. They were disappointed that the full funding was not provided, but they state that this is a reasonable amount and they are pleased that the committee has taken this action.

Mr. WYMAN. I thank the gentleman.

Mr. EVINS of Tennessee. Mr. Chairman, I yield such time to the gentleman from Connecticut as he desires.

Mr. GIAIMO. Mr. Chairman, I should like to compliment the gentleman from Tennessee, the chairman of the subcommittee, for the fine work which he has done in chairing this subcommittee through the many weeks in which we have deliberated upon this particular appropriation. I should also like to commend my colleagues on the subcommittee, and particularly the gentleman from North Carolina [Mr. JONAS].

If ever there was an appropriation which was the product of compromise, this one before us today is that appropriation. We deliberated at great length upon each and every one of these items and the recommended figures are the product of compromise. There were substantial cuts made in the model cities program and in the rent supplement program and many of the other programs involving HUD and some of the other agencies.

I am not pleased with those cuts. I think additional funds are necessary for our urban areas and for our cities, particularly in the areas of operation in which HUD is concerned. I think that it was a mistake to reduce these figures to the amounts to which they have been reduced today. But the amounts are the products of compromise. There are some who want to reduce them further, and perhaps even eliminate the model cities program or the rent supplement program completely. But the fact is that it was the considered opinion of the subcommittee that these programs are good programs and are effective programs and should not be eliminated and should be funded.

I stress this because I want the Members of the House to understand that the members of the subcommittee were in agreement on a compromise basis that these programs involving the Department of Housing and Urban Development should be funded and should be continued to try to resolve some of these problems affecting our cities.

I would hope that all Members will resist and I urge all Members to resist any attempt to cut these fundings even more, when we get into the reading of the bill.

Other than that, I believe we have made selective cuts in many of the other areas. I believe the agencies can live with them. I stressed earlier in a discussion with the gentleman from New Hampshire [Mr. WYMAN], the funding for the National Science Foundation. We make reference in the report, on page 10, to the fact that it is the sense of the subcommittee—and I hope it will be the sense of the Congress in adopting this bill—that particular emphasis be placed in the field of oceanography and in the field of sea grant colleges. We stress that on page 10 of the report, where we stress the funding for oceanography research and sea grant colleges.

I have just one other item I would like to point out, which I believe is of importance, and that is the appropriation for the Federal Communications Commission, which amounted to $19 million, and which is a cut of $100,000 below the budget estimate. We gave them practically all the money they asked for.

On page 6 of the report we wrote:

> The Committee urges this Commission to recognize the importance of accomplishing the legislative mandates of the Congress in the varied fields of communication and will expect a more effective administration of its responsibilities.

The reason I stress that is because our subcommittee went at great length with the Federal Communications Commission into having a more vigorous approach to its duties and in trying to meet its responsibilities. We feel it has fallen down. We know the Select Committee on Small Business—of which the gentleman from Tennessee [Mr. EVINS] is also the chairman—went into this at great length and gave a mandate to the Federal Communications Commission to be more vigorous in the application of its duties, particularly in the field of spectrum utilization, where there is a very real problem, and in the field of land mobile users, which applies to small business and other people who need land mobile frequencies.

It has been many years since there has been a study of the spectrum. The Commission has been told time and again by Congress to look at this problem. They have come back time and again to say they are studying the problem, but we have not seen any action. They have

been told by the Select Small Business Committee, and they have been told by our subcommittee—and I hope that they will realize that the time for action is now; that they should look at this entire problem of the spectrum and come back with some action, with some recommendations as to how we can get more usage out of the radio spectrum for our business people, and particularly our small business users who are applying in the thousands for licenses and for permission to use this field.

Having stressed this, I believe this bill, in general, deserves the support of all Members of the House. It is a product of compromise. Certainly it should be supported.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I yield to the gentleman from Massachusetts.

Mr. BOLAND. As the gentleman has indicated his concern with the mobile land radios and the problems that the Federal Communications has in this area, that concern was expressed emphatically and dramatically in the hearings. I compliment the gentleman for the part he played in making sure that the Federal Communications Commission will resolve this problem.

As the gentleman has indicated, the problem will get worse before it gets better. They should do something about it. I compliment the gentleman from Connecticut for the leadership he took on this matter in the committee.

Mr. GIAIMO. I thank the gentleman from Massachusetts.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I yield to the gentleman from North Carolina.

Mr. JONAS. Would it not be fair to say it would be quite unusual if we had 10 Members of this body agree on every aspect of every problem? We did not all fall over and play dead. We had a debate in the committee. We discussed these problems up and down. The product of our labor is the result of how the majority of the members felt. The fact that there were no minority reports filed would indicate that it is the product of compromise. I do not know of anybody who fell out in the discussion. We had a friendly amicable discussion in the hearings and full and free debate, and the bill represents the best that we could do in the subcommittee under all the circumstances.

Mr. GIAIMO. The gentleman is correct.

Mr. JONAS. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I thank the gentleman from North Carolina for yielding to me.

I have listened with a great deal of interest this afternoon to the verbal shooting that has been going on over rent subsidies and the so-called demonstration cities aspects of this bill.

I would remind some of my colleagues that this Government has exploded at least $140 billion around the world in foreign aid and that we will be confronted in various ways in this session of the Congress with another $8 billion request for the foreign handout program.

Considering the proposed increase of $29 billion in the debt ceiling, the debt which is piling up, and the annual $14 billion interest charge on the debt, I do do not see how anyone can possibly expect to have it both ways. How can anyone expect to vote year in and year out for billions of dollars to be forked out to foreigners and expect to have money to spend on citizens here at home? How can it be expected to do this without bankrupting the Government?

It seems reasonably simple to me. If we could get the support to cut down and eliminate the foreign handout program we might be able to put our financial house in order and have some money to spend here at home.

Something has been said in defense of the committee because it made a budget cut of $771 million. Of course, that was a cut from the asking price. The bill, as the gentleman from North Carolina [Mr. JONAS], and the gentleman from New Hampshire [Mr. WYMAN] have well pointed out, is nearly a half billion dollars above the spending for the same general purposes of last year. I do not call that any considerable achievement, in view of the debt and deficit situation in which this Government finds itself. I do not think that is very much of an achievement, when it is proposed to dish out $475 million more for the same general purposes than was spent last year. There is not much economy in that.

It seems to me that a year or so ago some Members voted through a bill to provide for a laboratory. I have forgotten where it was to be located—perhaps Houston, Tex.—for the purpose of analyzing 20 or 30 pounds of moon dust, if anybody ever gets to the moon and is able to get back with 20 or 30 pounds of it.

Is there anything in this bill for that so-called laboratory?

Mr. EVINS of Tennessee. No. There is nothing in this bill for that laboratory or for the NASA appropriations. There is nothing for the space program.

Mr. GROSS. If the gentleman will stay on his feet, I should like to ask, what is this "Foundation construction" item I find in the hearings? Where did someone put up a foundation without having money to go ahead with the building?

Mr. EVINS of Tennessee. You may be referring to a building at the South Portal of the inner loop beltway here in the District of Columbia. We can see it at the base of the Capitol. The work on the inner loop highway is going on now. This is the foundation for a new building that ties in with it at the south end of the Mall. We have the outer loop. This is for the inner loop. This will permit a foundation to be constructed at the same time as the roadway.

Mr. GROSS. Is this what is called Kendall Square?

Mr. EVINS of Tennessee. This is the South Portal. This is for the foundation of a building to be erected over the roadway.

Mr. GROSS. This carries the subhead of "Kendall Square construction." Where is that?

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes. I am glad to yield to the gentleman.

Mr. JONAS. That is a NASA item and is not in the bill, but it will be, as has already been brought out, in a separate bill we will bring in later.

Mr. GROSS. Do you mean that James Webb, the administrator of NASA, went ahead and put in the foundation without any money or insufficient money to construct the building?

Mr. JONAS. Yes. They let a contract for the foundation and had it built. Then when they went out for bids on the building the bids were too high. So they will have to reduce the size of the building because it will not fit the foundation. However, that will be the subject of another discussion when we have that bill up before us.

Mr. EVINS of Tennessee. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New Jersey [Mr. JOELSON].

Mr. JOELSON. Mr. Chairman, I heard the gentlemen on the other side of the aisle decry more public spending and our rising national debt. I am sure we are all concerned about it. Anybody has to be.

However, I do not think the point should be allowed to be made that if we cut our spending for social programs that we are going to have a very deep impact. The fact remains out of every tax dollar which we collect, 76 cents goes to the military or to the cost of our prior involvements in prior wars, including veterans benefits and the war debt.

The other 24 cents covers everything, and by "everything" I include foreign aid, agriculture, salaries, and everything.

It has been said that our debt is a waste. Well, our debt was principally caused by our involvement, first of all, in World War II. We could have avoided that debt by the simple expedient of telling Tojo "You take the west coast" and telling Hitler "You take the east coast." We would not have had a debt then and, incidentally, we would not have had a country.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. If I have time, when I am through I will.

Nobody wants to pass a debt on to a grandchild, but I would rather pass a debt on to a grandchild than a tyranny.

Now, about these demonstration cities or model cities. I know some of you never leave your districts on trips and do not travel to see what is going on. Some of us do travel to see what is going on in Timbuktu or Afghanistan. But I urge you, at the risk of your being charged with taking a junket, to spend just 48 hours in a city slum. Sleep there—preferably in July or August—and eat there and use the bathroom facilities if there are bathroom facilities. Then I would ask you to come back to this House and say that this country cannot afford $400 million to try to eradicate this problem.

Now I yield to the gentleman from Iowa.

Mr. GROSS. First of all I am glad to hear of the Joelson plan for dividing up the world.

Mr. JOELSON. The what?

Mr. GROSS. The Joelson plan for dividing up the world.

Mr. JOELSON. I think the gentleman misrepresents me. I said I am very glad we did not allow Tojo and Hitler to divide up the world. That is why I am willing to face my responsibility and meet the debt not only for World War II but for Korea and for Vietnam. But I say also that you should not make sad speeches about the debt and then vote for every military measure, because the fact remains that last year alone we spent $1 billion more for the military than even the Secretary of Defense asked for, and I did not hear any weeping or wailing about that from the right side of the aisle.

Mr. JONAS. Mr. Chairman, I yield myself 1 minute.

I want to say to the gentleman from New Jersey, even though he heard no weeping and wailing over here and even though more money was provided than the Secretary of Defense asked for, it turned out he did not ask for enough. He has not asked for enough for this year, either. We have to support our troops who are fighting. That is what the military appropriations are for.

And, Mr. Chairman, I would also remind the gentleman that we are not talking about a national debt that was run up as the result of World War II.

Mr. Chairman, in 1960 the national debt of the United States was $290 billion. Today it is over $330 billion and the debt climbed almost to that astronomical point before we began the buildup in Vietnam. Therefore, Mr. Chairman, the administration is spending a lot of money upon things other than the military and the war in Vietnam.

The CHAIRMAN. The time of the gentleman from North Carolina has again expired.

Mr. JONAS. Mr. Chairman, I yield myself 1 additional minute so that I may yield to the gentleman from New Jersey [Mr. JOELSON].

Mr. JOELSON. Mr. Chairman, I would like to remind the gentleman from North Carolina that those troops in Vietnam upon whom we are spending the money are coming home into the slums. It is my opinion that we have got to attempt to strike a reasonable balance between our military and our domestic needs.

Mr. JONAS. Mr. Chairman, may I say to the gentleman from New Jersey that we provide in this bill $750 million in new money for urban renewal and $275 million in new money for public housing. Both of those programs were represented on the floor of the House as being designed to do just exactly what the demonstration cities program is supposed to do.

Mr. EVINS of Tennessee. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from West Virginia [Mr. KEE].

Mr. KEE. Mr. Chairman, I thank my very distinguished colleague from Tennessee very much for the courtesy of yielding to me at this time.

Mr. Chairman, I notice in the report by the Independent Offices Subcommittee on the Department of Housing and Urban Development's request for appropriations for fiscal year 1968 an unfortunate omission, which I respectfully bring to the attention of the Members of the Committee.

This omission is the failure to recommend any funding for section 205 of the Demonstration Cities and Metropolitan Development Act of 1966.

At a time when demands for public facilities are clearly outdistancing the ability of local government to pay for them, and the Federal Government is being called upon increasingly to provide financial assistance, it is essential that we do everything we can to insure that money spent on public facilities is spent efficiently after the most careful planning. Section 205 of the Demonstration Cities and Metropolitan Development Act of 1966 is, to my knowledge, the only program designed specifically to encourage efficiency and economy in public spending, and as such should be given the highest priority.

Section 205 of the act provides supplementary grants of up to 20 percent of cost for certain federally assisted projects in those communities in metropolitan areas that demonstrate that their public investments are being effectively planned and coordinated.

I have noted with considerable sympathy the proposed amendment to title II introduced by Senator SPARKMAN—S. 1589—which would provide the same supplementary grant benefits to those nonmetropolitan areas which similarly demonstrate effective coordinated action.

Too much Federal, State, and local money is at stake in public investment programs throughout the country not to devote a small section to encourage deliberately the highest degree of coordination and planning by local governments.

I express the hope that the Senate in its appropriation review would consider the direct value of this program to the Federal taxpayers and that, in conference, these cuts would be fully restored.

Mr. EVINS of Tennessee. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Chairman, I thank the distinguished gentleman from Tennessee for yielding to me at this time.

Mr. Chairman, I just want to commend the distinguished gentleman from Tennessee [Mr. EVINS], chairman of this subcommittee, and the members of the subcommittee, for the excellent job which they have done in relation to the sea grant college program.

Mr. Chairman, it is my opinion that each and every member of the subcommittee should be commended for the fine job which they have performed by supporting this program which is so vitally needed for the future of this country.

Mr. EVINS of Tennessee. Mr. Chairman, I yield 1 minute to the distinguished gentleman from California [Mr. COHELAN].

Mr. COHELAN. Mr. Chairman, I rise in support of this bill.

Mr. Chairman, the future of the model cities program is at stake today. We have before us a recommendation by the Appropriations Committee that is an absolute minimum for continuation of this vital new experiment in urban development.

If we fail to act positively on the small appropriation recommended by the committee we will have destroyed the faith of almost 200 local communities that assumed funds would be available in fiscal 1968 for execution of their model cities plans.

Not only will this be a breach of faith with these local communities who have invested time and money in seeking model cities planning grants, it will be a blow to cities and city dwellers everywhere that looked upon last year's legislation as a start toward realistic Federal assistance for our cities.

I mince no words, Mr. Chairman. Our cities are in deep trouble, and Oakland, in my district, is no exception.

The social and physical problems of urban areas have grown in spite of poverty programs, urban renewal programs, education programs, manpower training programs, and welfare programs. What we need, and what the model cities program offers, is an opportunity for local communities to put together a comprehensive action plan which recognizes the linkages between the problems of unemployment, bad health, inadequate education, and physical deterioration.

Mr. Chairman, Oakland and other troubled communities throughout the Nation need the opportunity to try out such a program. They will not be able to do so if we fail to provide these funds.

In my judgment, it was shortsighted to cut the recommended budget figure for model cities by over 60 percent. I also deplore the reduction of 75 percent in the rent supplement program, which actively engages American private enterprise in the drive to make adequate private housing available to needy and eligible low-income families.

In its report the committee states that—

> The model cities program should play a vital part in meeting the challenges of our Nation's cities.

I find it hard, however, to see how this promise can be realized when we provide less than half of the needed funds. It is a little like expecting an eight-cylinder car to run smoothly when it is hitting on only four of them.

We all recognize the need to economize in time of national crisis. But, let me say, Mr. Chairman, the crisis we face in our urban areas must be given priority attention. We cannot expect the growing discontent that festers in the slums of our big cities to patiently wait its turn in the Federal budgetary process. It will not go away if we ignore it. Rather, it will intensify, it will spread, and it will ultimately contaminate, if not destroy, much that could be saved if we act now. The result of this can only be a greater problem, which will require more funds and a longer time to correct.

Mr. Chairman, as I have indicated, I believe this appropriation which has been

recommended by the committee is much too small and modest. It is clearly, though, the best we can pass at this time. Let us, then, act on it favorably. Let us, too, move as quickly as we can to provide the additional funds which the plight of our cities calls for so urgently.

Mr. EVINS of Tennessee. Mr. Chairman, I have no further requests for time.

Mr. JONAS. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. FINO].

Mr. FINO. Mr. Chairman, I rise in connection with certain Department of Housing and Urban Development program appropriations; namely, rent subsidies and demonstration cities. I think that most of you know that I have been in the forefront of the opposition to these programs. I have analyzed them time and time again. I have tried to demonstrate their trickery and subtlety, and I believe that any Congress but the rubber-stamp 89th would have rejected them out of hand. These two programs are essentially designed to promote social change and upheaval, if I may quote Barron's financial weekly of November 28, 1966. Is this what we want? Make no mistake about these programs—they are radical by design.

Perhaps you will remember that this House tacked an antiracial balance amendment onto the demonstration cities program, yet only 6 weeks afterwards, a HUD official told a New York City educators meeting that no city which did not plan school programs in consultation with civil rights groups should even bother to submit an application. Who does HUD want our cities to consult—Stokely Carmichael?

However, for the moment, I do not intend to further describe the philosophy or mechanics of these two radical and unworthy programs. Instead, I am going to speak on something which I believe should be of importance to the Members of this House—public opinion in these United States of ours.

Even as the 89th Congress passed these programs, it was obvious that all over the country, the people opposed them. In March of 1966, right before rent subsidies won their first appropriation, our colleague BILL BROCK tabulated congressional district questionnaires on rent subsidies. Do you want to know what he found? I will tell you. He found that every district polled had opposed rent subsidies. Every district. The highest pro-rent subsidy vote came in Berkeley, Calif.—presumably from beatniks looking for a Federal "pad" subsidy. But even Berkeley was only 28.5 percent for rent subsidies. At the other end of the spectrum, Columbus, Ohio, and the suburbs of Indianapolis, Ind., saw only 5 percent—only 5 percent—of the people favor rent subsidies. If you have the CONGRESSIONAL RECORD from yesterday, you can read the poll results yourself.

In my own State of New York, rent subsidies were on the ballot twice—in 1962 and 1964. Both times they lost by overwhelming votes. In 1962, they carried only one of New York's 62 counties and in 1964, they carried only three of New York's 62 counties.

I might also add that the few national public opinion surveys taken on rent subsidies have shown that the Nation opposes them by a 2- or 3-to-1 margin.

Turning to the demonstration cities program, public opinion polls last year showed that this program and the poverty program were tied right behind the space program as the programs the people wanted cut to pay for the Vietnamese war. I do not know of any questionnaire results on the demonstration cities program, but I would like to tell this House how New York City feels about the program.

Last year, when I ran for reelection, I ran on my record of 100-percent opposition to rent subsidies and demonstration cities. I received the highest vote share I have every received in my eight terms in Congress and I even carried every public housing election district. I might add that this vote came in a Bronx district 3-to-1 Democratic by registration. As another example of the way New York City feels, on April 11, 1967, the New York City Council, by a vote of 28 to 8—a real bipartisan landslide—cut the city demonstration program budget by 40 percent.

New York City does not want or need this program. Even the ghetto is beginning to see that only social planners and social workers profit from it. Let me quote an April 2, 1967, New York Times story describing growing ghetto disinterest in the program. They quote one young slum worker as follows:

> We're beginning to feel like laboratory animals. We've been surveyed and studied to death. You don't have to draw any more maps. There are maps downtown which say we're supposed to get six garbage collections a week, but you don't see those cats out here.

The ghetto knows that the demonstration cities program is just going to be a gravy train for the HUD social planners and their friends. I believe that this House owes the ghettos action, and not HUD planning programs. I have here in my hand my bill, H.R. 8638, which would require HUD to set up a program for slum garbage collection. How many HUD planners would make good garbage collectors?

I urge this House to listen to the people of this Nation and not the HUD planners with their blueprints for social upheaval. American opinion is 3 to 1 in favor of the defeat of rent subsidies and demonstration cities. Let us heed this voice, refuse these programs their appropriations, and devise new and worthy programs in their stead.

Mr. EVINS of Tennessee. Mr. Chairman, I yield such time as he may require to the distinguished gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Chairman, we are considering a bill, H.R. 9960, which will have an impact on the daily lives of millions of Americans in large and small communities across the country.

It is an appropriation measure. But it can mean decent housing and healthy surroundings for hundreds of thousands of families and children in slums and blighted areas. It can also mean that scores of American cities will be able to bring new life into decaying and decrepit neighborhoods.

Mr. Chairman, it is unfortunate that the House Appropriations Committee did not vote out the full amounts requested for the new Department of Housing and Urban Development for model cities and rent supplements.

By the same token, however, we are fully aware of the grave responsibilities faced by the committee when it apportions funds for a variety of essential domestic programs.

I know that my friends on the committee have carefully considered all of the requests for funds placed before them. They have heard testimony and justifications from sources of able officials, each of whom made a strong case for his particular agency's needs.

Now that the committee has made its reduction in funds, I strongly urge you to approve the amounts voted for HUD so that the work of providing decent homes for low-income families can proceed without interruption or serious curtailment. Let us pass this bill so that the model cities program can become operative without delay.

Just a few words about the rent supplement program, which was authorized by the 89th Congress to enable poor families to live in decent, privately owned housing. Let me remind my colleagues that this is the program that was strongly endorsed by scores of leading national and private organizations, including the National Association of Real Estate Boards and the National Association of Home Builders.

This is the program that reaches down to those families whose incomes are low enough to qualify them for public housing. The median income for public housing is $2,600 a year. Obviously, the rent supplement program serves those Americans who cannot secure decent housing without our help.

I am told that the Federal Housing Administration has received requests for over 455 rent supplement projects in 295 communities. These requests total some $35 million. The funds on hand total $32 million. Additional applications are coming into the FHA at a rate of 5,000 housing units a month.

It requires no deep analysis to conclude that the rent supplement program merits the continued support of this House.

As for the model cities program, just last week the Department of Housing and Urban Development reported that 193 applications had been received for model cities grants.

Contrary to some earlier beliefs, cities of all sizes, from Alviso, Calif., with a population of 1,174 to New York City with more than 8 million people, have submitted applications to HUD.

Of the 193 applications, 75 came from cities with under 50,000 population. Included in this group are six cities with less than 5,000 population: Smithville, Tenn.; Pikeville, Ky.; Alma and Camilla, Ga.; Holly Springs, Miss.; Tuskegee, Ala.; Walsenberg, Colo.; Russellville, Ark.; Crystal City, Tex.; Anacortes and Ellensburg, Wash.; Chandler, Ariz.; and Calexico, Calif.

The model cities program, also enacted last year, is the first Federal proposal for

dealing with full range of physical, economic, social, and human problems of slums and blighted neighborhoods.

The plan requires no new programs to deal with the separate social and physical ills of slums and blight. What it does call for is the full use of measures we now have—measures which have been used in the past, but which would now apply in a frontal attack—in a comprehensive manner to remake entire neighborhoods into social and economic assets.

Finally, this program extends Federal help to make possible a national attack on human and physical blight in our cities, large and small.

We cannot afford to delay. This appropriation bill will help American cities launch the battle.

Mr. EVINS of Tennessee. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. DOW].

Mr. DOW. Mr. Chairman, I cannot speak for all of New York State.

But it was indicated here that some parts of our State are not happy about the demonstration cities. Well, I can tell you that some parts of it are.

The parts that I represent, and notably the city of Newburgh, are happy about it. Up there we like the demonstration program because it is a comprehensive program dealing with all aspects of living in our city.

We like it because it will arrest blight and decay in that famous old American community.

We like it because it has brought forth citizen participation on a wide scale such as we have never had before among those accepting this project.

We like it because it will preserve the natural and historic sites that exist along the Hudson River such as the George Washington headquarters that are located in the middle of the city of Newburgh on those beautiful embankments. We want to keep them and enrich them.

We think of the ancient American houses there in the city of Newburgh, built by that great American architect, Andrew Jackson Downing. We are proud of them. We want to see some of them preserved by this project.

We admire too its requirements for compliance with civil rights.

I would like to add just one word and say that we like the rent supplement program too. We want to see it go forward. The reason we like these programs is that they are experimental.

Very little of the legislation presented in this 90th Congress has been new, experimental legislation. In this Congress, so far, there is little pioneering. And now, Mr. Chairman, the two chief pioneering efforts in the legislation before us is now being cut back. I refer to the demonstration cities program and the rent supplement. Evidently the adventuresome, experimental, progressive pioneering qualities of America are absent in the Congress. I refuse to believe it, Mr. Chairman. Let us go forward generously with these two great innovative programs.

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. DOW. I yield to the gentleman.

Mr. EVINS of Tennessee. The colleague of the gentleman from New York who just preceded him in the well of the House, who is also from New York, stated that the people of New York were not for the model cities program and the rent supplement program.

However, I recall the testimony of Mayor Lindsay of the city of New York. He stated that the city of New York alone needed $50 billion. I recall a telegram that was sent here by the Governor of the State of New York, Governor Rockefeller, urging the Members of the House to support this program.

In other words, the gentleman from New York thinks the people of the State of New York favor this program; is that not correct?

Mr. DOW. I thank the gentleman.

Mr. EVINS of Tennessee. Mr. Chairman, I yield such time as he may require to the gentleman from Texas [Mr. ECKHARDT].

Mr. ECKHARDT. Mr. Chairman, this is a saddening and frustrating occasion.

Frustrating because, first, I must recognize how the able chairman of the subcommittee, the gentleman from Tennessee, and a majority of the committee have worked earnestly and with tact and ability to preserve the principles embodied in two of the most forward-looking and humanitarian programs included in the Great Society, demonstration cities and rent supplements. Then, secondly, I must respectfully oppose the committee's recommendation which cut to about a third and a fourth, respectively, the recommendations of the administration in these two programs.

Saddening, because it appears that the wind has been taken out of the administration's proposal for the reason stated on the second page of the report of the Committee on Appropriations:

> The Committee has carefuly evaluated overall requirements and recommends what it considers to be reasonable amounts, giving due consideration to the Vietnam situation and to the necessity of limiting new obligational authority to reduce the impending budget deficit.

I believe, however, that a very substantial majority of my colleagues recognize, and will recognize by adoption of H.R. 9960, the great importance and innovative character of the demonstration cities program. It is a plan of wide scope which aims directly at curing the sickness of the cities. It provides for funds for demonstration grants to finance proposals made by cities and regions. It recognizes that such plans should be comprehensive, including physical improvement, housing, transportation, education, manpower and economic development, crime reduction, health, social services, and recreation. And it would afford financial aid where tax resources are sparsest. Cities are in dire need of help. The Federal Government should afford it.

The rent supplements program, while not of such wide scope, is also innovative. The cutting of this program to one-fourth of the administration's recommendation would cruelly remove hope of better housing for millions of American families living in poverty. The $10 million recommended by the Appropriations Committee will be just enough to supplement rentals for about 11,800 families—on the basis of $832 supplement per rental unit.

In the 1967 appropriations $27,200,000 had been committed for 32,264 family units. The program will go on but will not grow to meet the tremendous need for decent housing in the United States. In 1964 there were 6,800,000 families in this country living in poverty. Less than a tenth of these live in public housing, and the rent supplements program promised relief. Now, we will fall tragically behind the pace which the President recommended that we set in meeting this problem.

Mr. EVINS of Tennessee. Mr. Chairman, we have one further speaker on this side and I now yield 3 minutes to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Chairman, those of us who come from big cities are not happy about this bill. We would have preferred to see a much larger appropriation for the model cities program. We would have preferred to see a larger appropriation for rent supplements because we consider that both of these programs are necessary in order to provide housing that the large cities so desperately need.

Mr. Chairman, the cities of this country are faced with the most desperate plight. The district which I represent is one of the finest in the city of Chicago, and yet one can see gradual decay setting in in many sections. The cities need help. They need the help that the Federal Government has given to the suburbs over the years. They need a much more sympathetic understanding from the Federal Housing Administration. The Federal Housing Administration programs have done so little for the cities. Most of their funds have gone to build houses in the suburbs. They have gone to build the skyscrapers in many of the cities. But they have not gone to provide family housing in the cities. And FHA's efforts in the field of rehabilitation of urban housing is almost negligible.

I have spoken to so many people in my own district who have tried to find housing at reasonable financing, but in vain. FHA will not provide terms nearly as reasonable as those available to them if they move out to the suburbs. In the suburbs of Chicago a person can find good housing upon payment of a 10-percent downpayment. No such terms are available in the cities. The downpayment must approximate 50 percent or more.

The suburbs of our cities provide beautiful schools for children and make available approximately $1,100 per pupil. In the city of Chicago, and I am sure this is true in many of the other large cities of the country, the average payment per pupil amounts to around $500 or $600. This is another reason for the flight from the cities to the suburbs by our young people.

Mr. Chairman, if we are to retain vitality in our cities, we must keep our younger people. In order to do this, three things are necessary: We must provide housing in decent neighborhoods. We

must provide an adequate amount of funds to build an education system that will permit the young married people of our country to want to live in the cities, as good as that in the suburban communities. Third, we have to provide the type of security in the streets of our cities that will assure protection from crime. These are the essentials. These are the goals to which our housing programs should be directed. These are the goals to which the model cities program is meant to be directed.

This is not the first time that I find myself in disagreement with the remarks made by the gentleman from New York [Mr. FINO]. Mayor Lindsay of New York is in vehement disagreement with him, as would be the mayor of every large city. The model cities program is desired by the mayor of every city in the country, large or small. The conference of mayors, in Dallas last year, found most of the mayors agreed that the Federal Government must provide sufficient funds for the cities to meet the challenge of survival. Some of the mayors even stated that such amount would be equivalent to the vast sums being spent on the Vietnamese war.

Mr. Chairman, I hope that funds will be made available for the programs our cities need so desperately.

Mr. JONAS. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. TALCOTT].

Mr. TALCOTT. Mr. Chairman, I take this time to ask a couple of simple questions. One I would like to direct to the chairman of the Subcommittee on Independent Offices the gentleman from Tennessee [Mr. EVINS]. Referring to the demonstration cities program, do you understand this program to be, in fact, a demonstration program, rather than an enormous new Federal program which will probably be the largest of all time?

Mr. EVINS of Tennessee. The gentleman is a member of the subcommittee. It is a novel and new approach. It is designed to solve some of the problems of our cities.

Mr. TALCOTT. Is it a demonstration program in which only 50 or 70 cities will be involved?

Mr. EVINS of Tennessee. The authorizing committee has authorized funds for 2 years for the program, and they anticipate that it will be extended beyond the 2-year period.

Mr. TALCOTT. Is this contemplated to involve only 70 cities?

Mr. EVINS of Tennessee. No, I think the gentleman recognizes that in the second planning they expect to have another 70; probably 140 or 150, maybe 200 cities.

Mr. TALCOTT. So ultimately every single city, large and small, should be as much entitled to money under this program as the cities that will be initially selected?

Mr. EVINS of Tennessee. That does not necessarily follow I would say to my friend.

The Congress has authorized the program for 2 years, and we are funding it partially at this time.

Mr. TALCOTT. I am wondering how some of the cities we are representing today and some of the papers who have spoken up in favor of this bill would react if their cities are left out of this demonstration program.

Mr. EVINS of Tennessee. I am sure all of them would like to be included.

Mr. TALCOTT. I fear we are deprecating our cities too severely. They are the envy of the world. There are no cities in the world that will compare with ours.

The housing compares favorably with that of other cities of the world. This is because of the individual pride and personal ambition and the private enterprise system without a lot of Federal intervention. People seem to be flocking to our cities—simply because they are a favorable and desirable place to live and work.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. TALCOTT. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, is the gentleman aware of the resolution passed by the Conference of Mayors where they said the cities of the country need so many billions of dollars in order to bring them up to the standard?

Mr. TALCOTT. Yes, I am quite aware of the resolution of the Conference of Mayors and of the League of Cities. Some mayors, also, deprecate their own cities and look to the Federal Government first to solve all of their problems.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. EVINS of Tennessee. Mr. Chairman, we have no further requests for time.

Mr. JONAS. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman from North Carolina has 9 minutes remaining.

Mr. JONAS. Mr. Chairman, I yield such time as he may consume to the gentleman from Wisconsin [Mr. DAVIS].

Mr. DAVIS of Wisconsin. Mr. Chairman, I take this opportunity, in fairness to those who will be concerned with this issue in the discussion in the committee tomorrow, to state that it is my intention, as I attempted to do a year ago, to offer an amendment to strike the new commitments for the rent supplement program in this coming fiscal year. I have found nothing in the experience with this program in the intervening year that has occurred since we did discuss this matter at some length a year ago that changes my opinion that this program is not the kind of thing we ought to become involved in at a time of fiscal crisis within our country.

For the record, I want it to be known that I do intend at the proper time to offer the amendment to strike the funds for new commitments for rent supplement payments.

Mr. JONAS. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, May I have the attention of the gentleman from Illinois, who preceded the gentleman from Wisconsin? I was interested in the statement of the gentleman about what happened last year, or at some time in the past, at some meeting of the National League of Cities. I have heard it said on many occasions that the National League of Cities has endorsed this demonstration cities program, but I have in my hand a publication issued by the league entitled "The National Municipal Policy for 1967." It consists of 89 pages. I have looked carefully through it. They have endorsed every program I ever heard of that relates to urban affairs except model or demonstration cities. I do not find any recommendation in this national statement of policy about either demonstration or model cities. Can the gentleman explain why that would be omitted from their statement of national policy?

Mr. YATES. Mr. Chairman, I am glad the gentleman raised that point. I was speaking about the National Conference of Mayors at their conference in Dallas. The gentleman refers to the National League of Cities. But with respect to that point, on April 7, 1967, Patrick Healy, the executive director of the National League of Cities, addressed a letter to the gentleman from North Carolina [Mr. JONAS], in which he said:

NATIONAL LEAGUE OF CITIES,
Washington, D.C., April 7, 1967.

Hon. CHARLES JONAS,
U.S. House of Representatives,
Washington, D.C.

DEAR CHARLIE: I understand that you have some question in your mind concerning the position of the National League of Cities on the Demonstration Cities Program as enacted by the 89th Congress.

Both the concept and the specific legislation providing for the Demonstration Cities Program have been supported by the National League of Cities.

For some years prior to the President's proposal of the specific legislation, the National League of Cities' National Legislative Policy called for a broadening of the more narrowly oriented urban renewal program to include an approach such as now provided by the Demonstration Cities Legislation. That Policy states:

"Congress should enact legislation which will take cognizance of the fact that urban renewal is moving from a program of "projects" into a continuing process intimately and inextricably connected to the normal life of the city and that the program requires increased flexibility and scope. The Congress should enact legislation permitting cities to treat all blighted areas as part of a large community renewal area in a unified and comprehensive manner without regard to artificial project boundaries; the period for completion in this type of comprehensive program should not be arbitrarily limited, and all public improvements within the area should be eligible for non-cash grants-in-aid."

Pursuant to this section the Demonstration Cities legislation was clearly supported on behalf of the National League of Cities by its President, Mayor Jerome P. Cavanagh of Detroit, when he appeared before the Housing Subcommittee of the House Banking and Currency Committee on March 2, 1966.

The Demonstration Cities and Metropolitan Development Act of 1967 had just been enacted and the program guides had not been released when our Policy Committee met and prepared resolutions for consideration by our annual Congress of Cities early in December, 1966. Since our policy as stated above urges that such a device be available to all cities, it was felt that the Demonstration Program was encompassed by the broad policy and there was no reason to alter the existing policy at that particular conference.

It may be of concern to some that our policy does not contain a specific endorsement of the Demonstration Cities Program. We have urged our Policy Committee to develop positive policy statements and to avoid endorsements of specific programs as such. To

endorse specific acts or specific federal urban-oriented programs would fill our policy book with references to a host of programs ranging from airports to zoos.

A comparison of our 1965 and 1966 National Municipal Policy statement will reveal that previously stated endorsements have been almost entirely eliminated. One specific endorsement dealing with the programs of the Office of Economic Opportunity was approved by the 1966 Congress of Cities but this is an exception. Its approval at that particular conference as an endorsement was the result of some peculiar conference circumstances not applicable to other matters considered by the annual Congress of Cities.

The degree of interest shown in the Demonstration Cities Program by cities all over the country clearly indicates the enthusiasm for this approach to dealing with the critical problems of city development. The program has stimulated a very wholesome activity in many communities and has brought together interests in the communities which had not heretofore sat down to attack urban problems on a comprehensive basis. We are now vitally concerned that the Congress follow through on its legislative commitment by assuring adequate appropriations in order that these very desirable and constructive efforts at the local level will not be frustrated and dashed at this critical point in their development.

I hope that this will clarify any doubt you had regarding our position and that it will be possible for you to support the minimal appropriation requests which we feel are included in the budget of the Department of Housing and Urban Development this year.

Sincerely,

PATRICK HEALY,
Executive Director.

Mr. JONAS. Mr. Chairman, will the gentleman fom Tennessee yield me 2 minutes?

Mr. EVINS of Tennessee. Mr. Chairman, I yield the gentleman 1 minute.

Mr. JONAS. Mr. Chairman, I know Patrick Healy, and I got that letter, but I wrote him back and told him he had not satisfied me, because if his organization, the National League of Cities, is so strongly in favor of the demonstration cities program, I cannot understand why they did not include it in their literature that they issued in January of this year listing the programs the league supports.

This is an 82-page document setting forth their program. If the gentleman can find demonstration cities endorsed or recommended or supported in this, I wish he would point it out.

Mr. EVINS of Tennessee. Mr. Chairman, I yield myself 1 minute, and I yield to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Chairman, I just want to read one other paragraph from the letter, relating to that very point.

Mr. Healy says further:

Pursuant to this section the demonstration cities legislation was clearly supported on behalf of the National League of Cities by its president, Mayor Jerome P. Cavanagh, of Detroit, when he appeared before the Housing Subcommittee of the House Banking and Currency Committee on March 2, 1966.

The fact that it is not contained in that document I do not consider the final word at all.

Mr. EVINS of Tennessee. There are thousands of cities in this country, and apparently the National League of Cities did not want to take a move which might not be agreeable to some of its membership.

Mr. JONAS. Mr. Chairman, I yield myself 30 seconds.

The gentleman from Tennessee put his finger on the trouble spot for sure. They do not want to put in their literature that they favor this program, and they have not done it, although they say on the flyleaf that this is the national policy of the National League of Cities. They do not even mention demonstration cities.

It is a whole lot more important to have it in this book, that announced their policy, than to have some individual go before a committee and testify or to have some director write me a letter trying to convince me that the league is so strongly in favor of a program that it does not even endorse publicly.

Mr. Chairman, I yield the remaining time on this side to the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I take this time because, as I expressed when the demonstration cities or model cities bill was before the House last year, I have reservations and deep concern about title II, and in particular, section 204, which provides for coordination of Federal aids in metropolitan areas.

At the time the bill was on the floor I asked of the proponents whether it was not true that if, by June 1, 1967, communities did not conform to the requirements of section 204 they would lose Federal matching money relating to all of the basic programs spelled out in the act itself.

As the section says:

* * * hospitals, airports, libraries, water supply and distribution facilities, sewerage facilities and waste treatment works, highways, transportation facilities, and water development and land conservation projects within any metropolitan area shall be submitted for review—

by a local planning agency, and when a report is made to the Federal agency it—

shall include information concerning the extent to which the project—

meaning any of these projects under the basic act—

is consistent with comprehensive planning developed—

I read from the act itself—

or in the process of development for the metropolitan area * * * and the extent to which such project contributes to the fulfillment of such planning.

It was suggested to me, "Oh, we are not going to review what the local planning agency proposes." The act itself indicates otherwise as do the regulations just issued.

I suggested that a lot of the States do not have such authority to authorize an areawide planning agency. A lot of the States in their constitutions have no such authority. I suggested further that such an areawide agency, required to be established, usurps local county and municipal elected official responsibility unless they participate in decisions and the establishment of such a planning unit.

These planning areas are defined by the act itself as the areas set out by the Bureau of the Census as statistical metropolitan areas. In this area that includes Washington, D.C., northeastern Virginia, and southern Maryland, all in one area, which must plan all of these programs, including libraries and hospitals, together, and subject to the approval of the Federal Government, by June 1 of this year, or else have these funds cut off by mandate of this act.

I was so concerned about it that I wrote the Secretary of Housing and Urban Development, Mr. Weaver, on February 23. I intend to put these documents in the RECORD, and I will request permission to do so at the proper time.

I wrote to Mr. Weaver on February 23 and I asked him, were these concerns I had valid, and what regulations were they planning to issue? It took him 1 month and 5 days to answer my letter, and he told me he was sorry, he was not drafting the regulations and, that this was being done by the Bureau of the Budget.

So I wrote to the Bureau of the Budget, and some 15 days later I got back a reply saying, in effect, "I am awfully sorry, but these regulations have already been promulgated and must be in effect June 1 of this year. Therefore, you, as a Member of Congress interested in many of these basic programs such as sewage treatment, highways, coming out of the Committee on Public Works of which you are a member, will not have an opportunity to review these programs to see if they do what you suspect they will do." Instead of this, they send me the regulations after they were issued with a list, a compilation of these programs, and they say, "Here they are. It is too late to do anything about it. If you want to comment, you can feel free to do so." This list and regulations confirm completely my concern about the fact that if these comprehensive metropolitan area planning units are not established and in the process of being planned by June 1 of this year, which is just a couple of weeks from now, these funds can arbitarily be cut off by the Secretary of the Department of Housing and Urban Development by himself and, as a matter of fact, he is required to do so pursuant to this act. As a matter of fact, he listed the programs involved. Here is his list. This is his list and not mine. Listen to these. Federal funds can be cut off from these because of lack of comprehensive metropolitan area planning. This is for the Department of Housing and Urban Development. Open space, basic water and sewer, mass transit, public works planning, urban planning assistance, the Department of the Interior, outdoor recreation. I am reading some of them. Here is the list, which is a page and a half long. The Department of Health, Education, and Welfare. The Hill-Burton hospitals, libraries, solid waste disposal; under Agriculture, green space, rural waste disposal, watershed protection, soil and water. Under Commerce. Public works, regional planning, EDA, beach erosion, highways; also Appalachia, and Water Resources Council. On and on it goes. I am asking this committee what is being done to prevent this cutoff of funds and how much money is there, I ask the distinguished chairman of the committee—

how much funds are there in this bill to carry out title II?

Mr. EVINS of Tennessee. In response to the gentleman's question regarding title II of the Demonstration Cities Act, there is no money in the bill for incentive grants as authorized by that title.

Mr. CRAMER. That is the question I wanted to ask, and I am glad to get an answer. I am proud of the committee for doing so as to incentive grants. However, section 204 is a separate section from incentive grants.

Now I have a second question. What is the position of the committee now with respect to the basic law on the books and the requirement that local communities are to proceed but do not have Federal money provided to do so? What happens to that?

The CHAIRMAN. The time of the gentleman has expired.

Mr. EVINS of Tennessee. I yield the gentleman one-half a minute.

Mr. CRAMER. The position the communities are in now the basic law is that they have to conform to section 204, and they do not have money for that or for incentive grant. Is there any authority in the agency to transfer funds to this section 204 function despite the lack of an appropriation for incentive grants? I understand they have been doing that in the past by using present personnel to effectuate section 204. What will prevent them from doing it in the future?

Mr. EVINS of Tennessee. There are no funds in this bill under title II for the incentive grants authorized by that title.

Mr. CRAMER. I intend to offer an amendment at the proper time to make sure that such is the case, also with regards to section 204. I thank the gentleman.

Mr. EVINS of Tennessee. If the gentleman will read the report, he will find incentive grants are not in the bill.

Mr. CRAMER. The gentleman has read the report and it does not prevent implementation of section 204 in my opinion.

FEBRUARY 23, 1967.

Hon. ROBERT C. WEAVER,
Department of Housing and Urban Development, Washington, D.C.

DEAR MR. SECRETARY: You will recall during House consideration of Public Law 89-754, the Demonstration Cities and Metropolitan Development Act of 1966, that a rather heated debate developed over section 204, "Coordination of Federal Aids in Metropolitan Areas".

During both debate on the House bill and on the conference report, it was my contention that the language of section 204(a), if enacted, would cut off all Federal loans or grants for ten Federal-aid programs within any metropolitan area (standard metropolitan statistical area established by the Bureau of the Budget) after June 30, 1967, unless such plans were first submitted for review by a designated area-wide agency or, if the application for such loans or grants was made for a special purpose unit of local government, to the unit or units of general local government with authority to operate in the area in which the project is to be located.

At the recently held Fourth Biennial Government Relations and Planning Policy Conference of the American Institute of Planners, Mr. William E. Spangle, a planning consultant, submitted a paper to that organization which supported my interpretation of section 204(a), Mr. Spangle said:

"More direct and immediate impact on governmental organization in the metropolitan areas will result from the planning and programming requirements in the Demonstration Cities and Metropolitan Development Act of 1966. This act, after June 1967, *requires review by a metropolitan planning agency of applications for federal aids* affecting urban development. Such review will be required of applications for loans or grants to assist in open space land projects or for the planning or construction of hospitals, airports, libraries, water supply, or distribution facilities, sewage facilities and waste treatment works, highways, transportation facilities and water development and land conservation projects." (emphasis added)

You may recall that I advised my colleagues in the House during the debate that section 204(a) could create a chaotic situation in metropolitan areas located in those States where the creation of metropolitanwide or interjurisdictional planning agencies runs counter to the State constitution.

It seems to me, with the June 30 deadline rapidly approaching, that your Department should now be in a position to advise Members of Congress precisely how section 204(a) will be implemented. Is it, for instance, your intention to cut off all Federal aid for the aforementioned programs where prior review by areawide planning agencies does not occur? If, on the other hand, your Department has decided that section 204(a) is completely unworkable, is it your intention to make such an announcement?

Certainly, with billions of Federal aid hanging in the balance, some clarification to our local, regional and State government officials is necessary.

Your comments on these questions will be appreciated.

Sincerely yours,

WILLIAM C. CRAMER,
Member of Congress.

THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT,
Washington, D.C., March 27, 1967.

Hon. WILLIAM C. CRAMER,
House of Representatives
Washington, D.C.

DEAR MR. CRAMER: This is in reply to your recent letter concerning implementation of Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966.

The Bureau of the Budget is currently preparing rules and regulations for the implementation of Section 204. Draft regulations have been circulated by the Bureau for comments to the various Departments affected by Section 204. It is my understanding that such rules and regulations will be issued by the Bureau very shortly.

Members of my staff assure me that the Bureau is conscious of the problems indicated in your letter and procedures are being devised to reduce potential problems.

As soon as the rules and regulations are issued we will be in a position to respond more specifically to your letter and will do so at the earliest possible moment.

Sincerely yours,

ROBERT C. WEAVER.

COMMITTEE ON PUBLIC WORKS,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April 5, 1967.

Hon. CHARLES L. SCHULTZE,
Director, Bureau of the Budget,
Washington, D.C.

DEAR MR. SCHULTZE: By letter dated February 23, 1967, a copy of which is enclosed herewith, I asked the Honorable Robert C. Weaver, Secretary of the Department of Housing and Urban Development, how he intends to implement the provisions of section 204(a) of the Demonstration Cities and Metropolitan Development Act of 1966. In his reply of March 23, 1967, Secretary Weaver advised that the Bureau of the Budget is currently preparing rules and regulations for the implementation of section 204 and that procedures are being devised to reduce potential problems which may be caused by this provision of the law.

During the debate on the House bill and on the conference report I advised my colleagues in the House that section 204(a) could create a chaotic condition in metropolitan areas which do not have metropolitanwide or interjurisdictional planning agencies, and particularly where the creation of such agencies is not authorized by State law, or may even run counter to the State constitution. I am deeply concerned as to how this section may be applied, and it is requested that I be furnished a copy of the draft rules and regulations now under consideration for implementation of section 204. I wish to review such rules and regulations before they are promulgated, in the interest of offering to you my suggestions or comments which may be helpful in overcoming problems that I foresee when this section becomes effective on July 1, 1967. I believe you will agree that I am entitled to have an opportunity to review the draft rules and regulations, in light of the interest that I have in this matter and the concern that I expressed in regard to section 204 in the House debate.

Sincerely yours,

WILLIAM C. CRAMER,
Member of Congress.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., April 12, 1967.

Hon. WILLIAM C. CRAMER,
House of Representatives,
Washington, D.C.

DEAR MR. CRAMER: Your letter of April 5, 1967, requests an opportunity to review the regulations which the Budget Bureau is charged to prepare, under section 204 of the Demonstration Cities and Metropolitan Development Act of 1966.

As you know, section 204 goes into effect on July 1, 1967. For that reason we have been working hard to complete our guidelines, which are only part of the procedures which will have to be developed. When your letter came to my attention, our guidelines had been completed. They have, as a matter of fact, been printed, and will be distributed tomorrow. I am enclosing an advance copy of the Bureau Circular which incorporates the guidelines.

In effect, the guidelines issued by the Bureau designate responsibilities among the various agencies for carrying out the provisions of section 204. Under the guidelines incorporated in the Circular the Department of Housing and Urban Development would survey the Nation's metropolitan areas to identify the area-wide agency which would perform the review functions provided by the Congress in section 204. Based on preliminary findings it appears that there will be only a small percentage of metropolitan areas in which no appropriate agency can be identified. In such case section 204 empowers and the Bureau Circular directs the Secretary of Housing and Urban Development to request the Governor of the State, in consultation with local governments, to designate an agency to perform the review function.

Section 204 provides, as you know, only for an advisory opinion from an area-wide planning agency with respect to the impact of a proposed project (under certain types of Federal programs) on the orderly development of a metropolitan area. The area-wide agency may comment positively, adversely, or not at all. In any event, its comments are advisory only and would have no veto power.

The guidelines incorporated in the attached Bureau Circular were reviewed in draft form not only by the Federal agencies concerned, but also by groups representing

State, city, and county governments, including the Council of State Governments, the National League of Cities, the U.S. Conference of Mayors, the National Association of Counties, and the International City Managers Association.

As I indicated earlier, the primary purpose of the Budget Bureau Circular is to assign various responsibilities under section 204 to the several Federal agencies involved. You will notice in examining the Circular that a number of agencies will now have to develop information and operating procedures prior to July 1. The necessity of completing this work, in time to disseminate its results in advance of that deadline, precluded the possibility of a further delay in the issuance of the Circular. I would, however, welcome your comments and suggestions on the administration of section 204, since additional steps will have to be taken and procedures developed before the July 1 deadline.

Sincerely,

CHARLES L. SCHULTZE,
Director.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET
Washington, D.C.

To the heads of executive departments and establishments.

Subject: Coordination of Federal aids in metropolitan areas under Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966.

1. PURPOSE

Section 204 of the Demonstartion Cities and Metropolitan Development Act of 1966 (P.L. 89–754; 80 Stat. 1263) provide that

"(a) All applications made after June 30, 1967, for Federal loans or grants to assist in carrying out open-space land projects or for the planning or construction of hospitals, airports, libraries, water supply and distribution facilities, sewerage facilities and waste treatment works, highways, transportation facilities, and water development and land conservation projects within any metropolitan area shall be submitted for review—

(1) to any areawide agency which is designated to perform metropolitan or regional planning for the area within which the assistance is to be used, and which is, to the greatest practicable extent, composed of or responsible to the elected officials of a unit of areawide government or of the units of general local government within whose jurisdiction such agency is authorized to engage in such planning, and

(2) if made by a special purpose unit of local government, to the unit or units of general local government with authority to operate in the area within which the project is to be located.

(b)(1) Except as provided in paragraph (2) of this subsection, each application shall be accompanied (A) by the comments and recommendations with respect to the project involved by the areawide agency and governing bodies of the units of general local government to which the application has been submitted for review, and (B) by a statement by the applicant that such comment and recommendations have been considered prior to formal submission of the application. Such comments shall include information concerning the extent to which the project is consistent with comprehensive planning developed or in the process of development for the metropolitan area or the unit of general local government, as the case may be, and the extent to which such project contributes to the fulfillment of such planning. The comments and recommendations and the statement referred to in this paragraph shall, except in the case referred to in paragraph (2) of this subsection, be reviewed by the agency of the Federal Government to which such application is submitted for the sole purpose of assisting it in determining whether the application is in accordance with the provisions of this Federal law which governs the making of the loans and grants.

(2) An application for a Federal loan or grant need not be accompanied by the comments and recommendations and the statements referred to in paragraph (1) of this subsection, if the applicant certifies that a plan or description of the project, meeting the requirements of such rules and regulations as may be prescribed under subsection (c), or such application, has lain before an appropriate areawide agency or instrumentality or unit of general local government for a period of sixty days without comments or recommendations thereon being made by such agency or instrumentality.

(3) The requirements of paragraphs (1) and (2) shall also apply to any amendment of the application which, in light of the purposes of this title, involves a major change in the project covered by the application prior to such amendment.

(c) The Bureau of the Budget, or such other agency as may be designated by the President, is hereby authorized to prescribe such rules and regulations as are deemed appropriate for the effective administration of this section."

This Circular has been prepared pursuant to subsection (c) of Section 204.

2. DEFINITIONS

Terms used in this Circular will have the meaning given them under Section 208 of the Demonstration Cities and Metropolitan Development Act, as follows:

a. "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, or any agency or instrumentality of any of the foregoing.

b. "Metropolitan area" means a standard metropolitan statistical area as established by the Bureau of the Budget, subject however to such modifications and extensions as the Secretary may determine to be appropriate.

c. "Comprehensive planning" includes the following, to the extent directly related to area needs or needs of a unit of general local government: (1) preparation, as a guide for long-range development, of general physical plans with respect to the pattern and intensity of land use and the provision of public facilities, including transportation facilities; (2) programing of capital improvements based on a determination of relative urgency; (3) long-range fiscal plans for implementing such plans and programs; and (4) proposed regulatory and administrative measures which aid in achieving coordination of all related plans of the departments or subdivisions of the governments concerned and intergovernmental coordination of related planned activities among the State and local governmental agencies concerned.

d. "Hospital" means any public health center or general, tuberculosis, mental, chronic disease, or other type of hospital and related facilities, such as laboratories, outpatient departments, nurses' home and training facilities, and central service facilities normally operated in connection with hospitals, but does not include any hospital furnishing primarily domiciliary care.

e. "Areawide agency" means an official State or metropolitan or regional agency empowered under State or local laws or under an interstate compact or agreement to perform comprehensive planning in an area; an organization of the type referred to in Section 701(g) of the Housing Act of 1954; or such other agency or instrumentality as may be designated by the Governor (or, in the case of metropolitan areas crossing State lines, any one or more of such agencies or instrumentalities as may be designated by the Governors of the States involved) to perform such planning.

f. "Special purpose unit of local government" means any special district, public-purpose corporation, or other limited-purpose political subdivision of a State, but shall not include a school district.

g. "Unit of general local government" means any city, county, town, parish, village, or other general-purpose political subdivision of a State.

h. "Secretary" means the Secretary of Housing and Urban Development.

3. COVERAGE OF CIRCULAR

a. This Circular will have applicability to

(1) All applications for assistance to those categories of land acquisition and construction projects and related planning in metropolitan areas, which an agency administering a program listed in Attachment A, in consultation with the Secretary, determines are of the types set forth under subsection (a) of Section 204 of the Act.

(2) Amendments to applications which, in light of the purposes of Section 204 and this Circular, the administering agency determines would involve a major change in a project covered by an application previously submitted and reviewed.

b. The Bureau of the Budget will extend the coverage under the Circular to such new or additional programs as may be appropriate from time to time.

4. PROCEDURES

The heads of departments and agencies administering programs covered by Section 204 and this Circular, in consultation with the Secretary, will develop and put into effect uniform procedures for obtaining the comments of areawide agencies and units of general local government. Such procedures will include arrangements for the handling and disposition of applications and comments as the heads of departments and agencies and the Secretary may agree to be desirable and feasible and may include arrangements for the provision of information to the Department of Housing and Urban Development respecting applications received, comments made, and actions taken thereon.

5. EXISTING REQUIREMENTS FOR APPLICATION REVIEW

The requirements of Section 204 and this Circular do not supplant existing statutory or administrative requirements for review by metropolitan planning agencies and units of general local government of applications or development plans for projects under the above programs. Whenever, and to the extent that the Secretary, in consultation with the head of any department or agency administering a covered program with such existing requirements, determines that they adequately meet the requirements of Section 204, the separate review, certifications and reports required by this Circular and Section 204 will not be required.

6. METROPOLITAN REVIEW AGENCIES

a. The Secretary will determine, prior to June 30, 1967 and on the basis of criteria set forth under Section 204 and such appropriate standards of comprehensive planning as he may from time to time establish, the areawide agency for each Standard Metropolitan Statistical Area then extant to which applications for projects covered by this Circular will be submitted for review and comment; and for each Standard Metropolitan Statistical Area he will determine those geographical parts of or extensions thereto to which the requirements of Section 204 and this Circular will apply. The Secretary will certify to departments and agencies administering programs covered under Section 204 and this Circular the names of such areawide agencies and the geographical boundaries of the metropolitan areas. He will make such determinations and certifications for Stand-

ard Metropolitan Statistical Areas subsequently designated, and periodically he will review and, to the extent he may deem necessary and desirable, change or modify such determinations and certifications.

b. In the case of any metropolitan area where the Secretary determines that there exists no areawide agency, as defined under the first two clauses of Section 2. e. of this Circular, for carrying out the functions contemplated under Section 204, he will request the Governor of the State in which it lies to designate, after consultation with the chief executive officers of the major units of general local government comprising such metropolitan area, an agency or instrumentality having competence in comprehensive planning to perform such functions. Where such metropolitan area extends into more than one State, the Secretary will request the Governors of such States either (1) to designate jointly an interstate agency or instrumentality where an appropriate one exists, or (2) to designate separately appropriate agencies for those portions of the metropolitan area lying within each State. In the latter case, the Secretary will assure himself that adequate arrangements for coordination exist or will be developed.

7. *Bureau review.* Prior to the designation of areawide agencies and the promulgation of procedures for obtaining, handling, and disposition of comments by areawide agencies and by units of general local government, the Secretary will submit such designations and procedures to the Director of the Bureau of the Budget for his review.

8. *Report and evaluation.* On or before September 30, 1968, the Secretary will submit to the Director of the Bureau of the Budget, a report of activities under Section 204 and this Circular during the first year of their application, including an evaluation of their contribution to the improved coordination of planning and development in metropolitan areas.

CHARLES L. SCHULTZE,
Director.

COVERAGE OF CIRCULAR

This Circular will cover those categories of land acquisition and construction projects and related planning in metropolitan areas, under the following programs, which the head of the administering department or agency determines, in consultation with the Secretary, are of the types set forth under subsection (a) of Section 204.

A. OPEN SPACE LAND

(1) Department of Housing and Urban Development (HUD)—Open space program (42 USC 1500–1500e)

(2) Department of the Interior/Bureau of Outdoor Recreation—Outdoor recreation (16 USC 460*l*–460*l*–11)

(3) Department of Transportation/Federal Highway Administration (DOT/FHA)—Landscaping and scenic enhancement (23 USC 319(b))

(4) Department of Agriculture/Soil Conservation Service (USDA/SCS)—"Greenspan" program (7 USC 1838(i)(j))

B. HOSPITALS

(1) Department of Health, Education, and Welfare/Public Health Service (HEW/PHS)—Hill-Burton hospital and health facilities program (42 USC 291–291j)

(2) HEW/PHS—Health research facilities (42 USC 292–292(i) as amended by PL 89–115)

(3) HEW/PHS—Community mental retardation facilities and mental health centers construction (42 USC 291k, 295–295e, 2661–2665, 2671–2677, 2691–2696)

(4) Department of Health, Education, and Welfare/Vocational Rehabilitation Administration—Vocational rehabilitation facilities (PL 89–333)

(5) Appalachian Regional Commission (ARC)—Health facilities construction (multi-county demonstrations) (40 USC App 202)

C. AIRPORTS

(1) Department of Transportation/Federal Aviation Agency—Airport planning and construction (49 USC 1101–1120)

D. LIBRARIES

(1) HEW/PHS—Construction of regional medical libraries (42 USC 280b–3)

(2) Department of Health, Education, and Welfare/Office of Education—Library construction (20 USC 351–358)

E. WATER SUPPLY AND DISTRIBUTION

(1) HUD—Basic water facilities (42 USC 3101–3108)

(2) Department of Agriculture/Farmers Home Administration (USDA/FHA)—Rural water facilities (7 USC 1926(a))

F. SEWERAGE FACILITIES AND WASTE TREATMENT

(1) ARC—Sewage treatment works (40 USC App 212)

(2) HEW/PHS—Solid waste disposal (PL 89–272)

(3) Department of the Interior/Federal Water Pollution Control Administration (Interior/FWPCA)—Waste treatment works construction (33 USC 466c–1)

(4) USDA/FHA—Rural waste disposal (7 USC 1926(a))

(5) HUD—Basic sewer facilities (42 USC 3101–3108)

G. HIGHWAYS

(1) ARC—Appalachian development highway system (40 USC App 201)

(2) DOT/FHA—Highway planning and development (23 USC)

H. OTHER TRANSPORTATION FACILITIES

(1) HUD—Urban mass transportation (49 USC 1601–1604, 1607–1611)

I. WATER DEVELOPMENT AND LAND CONSERVATION

(1) ARC—Mining area restoration (40 USC App 205)

(2) Department of Defense/Army Corps of Engineers—Beach erosion control and flood prevention (33 USC 426–426h)

(3) Department of the Interior/Bureau of Reclamation—Irrigation and reclamation (43 USC 421b, 421c, 422a–k)

(4) Interior/FWPCA—River basin pollution control and abatement planning (PL 89–753; 80 Stat. 1246–1254)

(5) Water Resources Council—State and regional water resources planning (42 USC 1962–1962d–3)

(6) USDA/SCS—Watershed protection and flood prevention (16 USC 1001–1009; 58 Stat. 887), excluding investigations and surveys under the provisions of 16 USC 1006)

(7) USDA/FHA—Loans for soil and water conservation and shifts in land use (7 USC 608c)

J. MISCELLANEOUS

(1) HUD—Public facility loan program (42 USC 1491–1497)

(2) HUD—Public works planning (40 USC 462)

(3) HUD—Urban planning assistance (40 USC 641)

(4) HUD—Advance acquisition of land (42 USC 3101–3108)

(5) Department of Commerce/Economic Development Administration (Commerce/EDA)—Public works and development facilities loans and grants (42 USC 3131–3136, 3141–3143)

(6) Commerce/EDA — Regional action planning (42 USC 3181–3189)

(7) Commerce/EDA—Planning assistance (42 USC 3151–3152)

(8) USDA/FHA and SCS—Rural renewal and resource conservation and development (7 USC 1010, 1011, 1013a)

(9) USDA/FHA—Sewer and water planning (7 USC 1926(a)(6))

(10) HEW/PHS—Comprehensive State and areawide health planning (PL 89–749; 80 Stat. 1180–1190)

PROGRAMS COVERED BY SECTION 204 BY AGENCY

A. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

1. Open space program
2. Basic water and sewer facilities
3. Urban mass transportation
4. Public facility loans
5. Public works planning
6. Urban planning assistance
7. Advance acquisition of land

B. DEPARTMENT OF THE INTERIOR

1. Outdoor recreation
2. Waste treatment facilities
3. Irrigation and reclamation
4. River basin pollution control and abatement

C. DEPARTMENT OF TRANSPORTATION

1. Highway landscaping and scenic enhancement
2. Highway development
3. Airport planning and construction.

D. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

1. Hill-Burton hospital and health facilities
2. Health research facilities
3. Community mental health facilities and centers
4. Vocational rehabilitation facilities
5. Regional medical libraries
6. Solid waste disposal
7. Comprehensive State and areawide health planning
8. Library construction

E. DEPARTMENT OF AGRICULTURE

1. "Greenspan" program
2. Rural water and waste disposal facilities and planning
3. Watershed protection and flood prevention
4. Soil and water conservation loans
5. Rural renewal and resource conservation and development

F. DEPARTMENT OF COMMERCE

1. Public works and economic development facilities
2. Regional action planning
3. Economic development planning

G. DEPARTMENT OF DEFENSE

1. Beach erosion control and flood prevention

H. APPALACHIAN REGIONAL COMMISSION

1. Health facilities construction
2. Sewage treatment works
3. Appalachian development highway system
4. Mining area restoration

I. WATER RESOURCES COUNCIL

1. State and regional water resources planning

Mr. EVINS of Tennessee. Mr. Chairman, I yield such time as he may require to the gentleman from New York [Mr. RYAN], to extend his remarks.

Mr. RYAN. Mr. Chairman, I rise to state the obvious, that is, from the point of view of the cities of America the cutting of funds for the Department of Housing and Urban Development, particularly the cutting of the demonstration cities, now called the model cities, program and the rent supplement program is catastrophic. I hope that in conference or even on this floor tomorrow the appropriation will be increased to meet the authorization for which the administration has asked and which we voted last year. This bill does shortchange our cities at a time when, as the distinguished chairman said earlier this afternoon, we are facing what he called the third great crisis in our history, the crisis of urbanization.

Mr. Chairman, in his opening remarks this afternoon the distinguished chairman of the Subcommittee on Independent Offices, the gentleman from Tennessee [Mr. EVINS], pointed out that the bill before us cut the budget estimates by three quarters of a billion dollars. "We think this is a major achievement," he said.

Indeed it is, Mr. Chairman. But at the expense of the cities of America. It is an achievement which will yield dividends—increased slums, more rat-infested tenements, greater degradation and poverty, and intensification of all of the social problems which afflict urban America.

The budget estimates were reduced by $771.7 million, and $688.6 million came out of the budget for the Department of Housing and Urban Development.

I deplore the action of the committee in shortchanging the cities.

Last year the Congress authorized $662 million for the demonstration cities program—$12 million for planning grants, $400 million for supplementary grants, and $250 million for grants for new urban renewal projects within approved model cities areas.

The administration budget request corresponded to this authorization. That budget request has now been slashed to $237 million—12 million for planning grants, $150 million for the model cities program, and $75 million for new urban renewal projects. This is a total reduction of $425 million in the new demonstration cities program which raised so many hopes last year. The hopes of overcoming the slums and the concomitant social problems are being dashed.

Let us look at what has happened to the program of grants for neighborhood facilities for which Congress has authorized $150 million through fiscal year 1968.

To date only $29 million have been appropriated, and this bill provides for $27 million additional. This makes a total of $56 million out of a total authorization of $150 million. This is an important program which was designed to help provide community and neighborhood facilities on a two-thirds, one-third basis.

Mr. Chairman, the action of the committee in slashing the administration's request for rent supplements from $40 million to $10 million is a serious blow to a program which we enacted amid glowing predictions but which has never been permitted the funds necessary to scratch the surface of the problem.

The total of congressional authorizations for rent supplements is $105 million—$30 million for fiscal year 1966, $35 million for fiscal year 1967, and $40 million for fiscal year 1968. Despite the obvious need and the urgings of the administration, only $12 million was appropriated for fiscal year 1966, and $20 million for fiscal year 1967.

Now the request of $40 million for fiscal year 1968 has been slashed callously to $10 million. This means that, out of a total authorization of $105 million, $42 million will be appropriated.

The $10 million for fiscal year 1968 will provide approximately 11,000 units of rent supplement housing for the entire Nation. It is clear that New York City cannot expect more than about 1,200 of such units. This is totally inadequate.

Mr. Chairman, as I pointed out, the budget request for the model cities program was cut by 64 percent—to less than one-half of what was requested. The rent supplement program fared even less well—75 percent of the requested appropriation for this program was cut out.

These slashes were made in the face of a statement in the committee's own report that:

> The model cities program should play a vital part in meeting the challenges of our Nation's cities.

The administration's modest request for $662 million for the model cities program represented funds to be utilized to plan and carry out comprehensive city demonstration programs in 60 to 70 cities throughout the country in the coming year. On this basis, the requested appropriations would have provided less than an average of $10 million per city—a sum far too small to carry out effectively a comprehensive attack on urban problems.

If Congress approves a total appropriation of only 64 percent of the amount requested, the Department of Housing and Urban Development will have little choice but to cut back the number of cities included in the program.

Mr. Chairman, all of us are well aware of the growing severity of the problems of our great urban areas, and of the benefits the model cities program is designed to yield in helping to overcome them. There is no need to reiterate it again.

There seems likewise little value in pointing out how small is the requested appropriation for model cities, in comparison with military expenditures, for example. But, both these factors should be borne in mind in assessing the committee's action.

The fate of the rent supplement program is an example of irresponsible slashing of a promising plan to abet the housing crisis of our cities. Considering the urgent necessity for providing adequate shelter for low-income families, the initial request for $40 million was exceedingly modest. The completely unjustified 75 percent slash will now permit HUD to aid only 10,000 to 12,000 low-income families—a minute fraction of the total number needing assistance.

The rent supplement program has been termed by President Johnson the most crucial new instrument available to improve the American city. The rent supplement approach offers flexibility. The amount of assistance can be reduced as the incomes of the recipient families increase, eliminating movement of families from their homes when their incomes rise above levels requiring assistance. This will eliminate one of the features of most present programs which work great personal hardship. In addition, one of the most valuable aspects of the rent supplement program is that it will encourage economic and racial integration in housing. It will help to break up the ghettos in our urban centers.

All these factors indicate the importance of the rent supplement program. Given the necessary funds to make a substantial contribution, this program may prove to be a very effective instrument for providing decent housing for low-income families. This is certainly no time to emasculate this program.

I have heard some of my colleagues say that the bare-bones appropriation approved by the committee for the model cities and rent supplement programs represents a victory. At least some funds, regardless of how inadequate, it is said, were approved. However, I say that the increasingly serious problems of providing decent housing for low-income families, and of attempting to find workable solutions to the vast problems confronting our rapidly expanding urban areas, completely justify the relatively modest appropriations that were requested. Any reduction in funds for these vital programs is not only completely unjustified, but represents a totally negative attitude toward the problems of our increasingly urbanized society.

This is no time to cut funds for vital housing and urban development programs, which promise to provide some alleviation of the increasingly severe problems confronting our cities. On the contrary, the problems are sufficiently pressing, and the resources of our cities sufficiently limited, so that programs that offer a means to the solution of some of these problems deserve to be given full financial support.

I decry the blind senseless slashes that have been made in the requested appropriations for the Department of Housing and Urban Development.

Mr. Chairman, I urge that we fully fund these programs.

Mr. HARRISON. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan [Mr. RIEGLE] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. RIEGLE. Mr. Chairman, I speak today in support of the present appropriation bill and particularly for the sums recommended for model cities activity. In my judgment the critical underlying issue in the model cities program idea is that of finding new methods for addressing the crisis conditions facing urban America. It is a Federal program because the Federal Government presently has a stranglehold on 67 percent of all the available tax revenue in this country; it has the money—the financial resources. Certainly it is not a Federal program for any reason that the Federal Government has superior understanding of urban problems.

Hopefully, at some time in the future, we will substantially revise the division of tax revenue between the Federal Government, on the one hand, and State and local government on the other, and give State and local government a larger and more equitable share of the available tax revenue. Only then will State and local governments be able to regain their self-sufficiency. They badly need to reassume the initiative in the area of restoring their urban centers, and that can only be done by reducing their dependence on

an overly large and financially dominant Federal Government. Unfortunately we cannot effect that long needed rebalancing of the various levels of government at this time.

The amount recommended by the Appropriations Committee represents a compromise. There are those who are convinced we should abandon these programs—others who would expand them beyond the recommended size.

The level of recommended funding is the product of an adjustment between these competing points of view—and represents the maximum amount the committee could recommend in the face of the massive and mounting preemptive cost of the war in Vietnam.

While this amount—both planning funds and program funds combined—represents only the tinest fraction of what will be needed ultimately to restore our cities, it does, nevertheless, represent an amount sizable enough—in my judgment—to fully tax the administrative capability of the Department of Housing and Urban Development at this time and allow the Nation to get started in developing some of the technology required to revitalize our major cities.

There are those of us who feel that program must go ahead at the recommended level, and I support the appropriation bill on that basis. I hasten to add that if these programs—in the event they are approved by the Congress—begin to show political manipulation, mismanagement, or typical Federal bureaucratic inefficiency, the compromise that is today allowing these programs to proceed will be destroyed. I urge those who are charged with the administration of these programs to take very careful note of this—because their future next year and the year after will hinge solely on performance and measurable achievement. And that is exactly as it should be.

Mr. BRINKLEY. Mr. Chairman, while it is the duty of people to support the Government, it is not the duty of the Government to support the people. To further subsidize the housing of a free people in the name of compassion is to permit further atrophy of the American people, and our tomorrows would record that mistake. Let us be compassionate enough for the future of the American people to ask of them self-reliance and endurance of temporary hardships today in order that our strength thus gained will keep us free tomorrow, and to require of ourselves fiscal responsibility toward that goal.

Fiscal responsibility demands a dollar's worth of value received for every dollar spent. In 1967, social planning seems to be an obsession with many, but there is increasing evidence that educational emphasis and planning will properly replace it.

Mr. Chairman, I would like to include in my remarks the following writing which is not just an echo, but a present and eternal challenge for the United States of America:

AMERICA

When God made the oyster, he guaranteed his absolute economic and social security. He built the oyster a house, his shell, to shelter and protect him from his enemies. When hungry, the oyster simply opens his shell, and food rushes in for him. He has Freedom from Want. But when God made the Eagle, He declared, "The blue sky is the limit—build your own house!" So the Eagle built on the highest mountain. Storms threaten him every day. For food, he flies through miles of rain and snow and wind. The Eagle, not the oyster, is the emblem of America.

—JOHNSON JOURNAL.

Mr. EVINS of Tennessee. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read, as follows:

TITLE I

EXECUTIVE OFFICE OF THE PRESIDENT

NATIONAL AERONAUTICS AND SPACE COUNCIL

SALARIES AND EXPENSES

For expenses necessary for the National Aeronautics and Space Council, established by section 201 of the National Aeronautics and Space Act of 1958, as amended (42 U.S.C. 2471), including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and services as authorized by 5 U.S.C. 3109, $524,000.

OFFICE OF EMERGENCY PLANNING

SALARIES AND EXPENSES

For expenses necessary for the Office of Emergency Planning, including services as authorized by 5 U.S.C. 3109, reimbursement of the General Services Administration for security guard services, hire of passenger motor vehicles, and expenses of attendance of cooperating officials and individuals at meetings concerned with the work of emergency planning, $4,700,000.

Mr. EVINS of Tennessee. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BOLLING, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 9960) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE TO EXTEND

Mr. JONAS. Mr. Speaker, I ask unanimous consent that all Members who spoke during general debate in the Committee of the Whole House on the State of the Union on the bill H.R. 9960 be permitted to revise and extend their remarks, and that I be permitted to include with my remarks certain tables and extraneous material.

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

There was no objection.

THE BILINGUAL EDUCATION ACT

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

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

There was no objection.

Mr. RYAN. Mr. Speaker, there are over 2 million non-English-speaking schoolchildren in the United States. These children are handicapped before they even get to school. In a study released last August, the National Education Association report on Spanish-speaking children stated:

Many of these young people experience academic failure in school. At best, they have limited success. A large percentage become school drop-outs. . . . And little headway is being made against the problem.

The National Education Association report called for action:

The need is for action—Now! To meet the problem fully, however, further legislation and substantially increased appropriations are needed. A more intensive effort to recruit additional teachers from among the Spanish-speaking is another imperative. Additional research, especially of a demonstration nature, is yet another. An extended series of needs could be listed. But the urgent need is for action and innovation in local school districts almost everywhere.

Significantly, the report was entitled "The Invisible Minority." These schoolchildren are the forgotten children. We have various programs for disadvantaged schoolchildren. Those programs are far from adequate and must be greatly expanded.

Today I have introduced a bill which I believe would establish imaginative and useful programs for the non-English-speaking schoolchild. The bilingual education proposal has been developed by Senator YARBOROUGH, Representative ROYBAL, and Representative SCHEUER. I am happy to join in sponsoring this legislation.

Entitled the "Bilingual Education Act," this bill would give grants to local school districts for bilingual education programs, such as teacher training, special materials, preschool, adult education, guidance and counseling, remedial instruction, as well as summer programs.

The bill authorizes $25 million for fiscal year 1968, $35 million for fiscal year 1969, and $50 million for fiscal year 1970.

These sums are modest when compared with the need. They are also modest when it is realized that the best investment America can make is in the future generation.

As the NEA report says, "the need is for action—now."

CONGRESSMAN HORTON INTRODUCES WASHINGTON AIR POLLUTION CONTROL BILL

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, the revelation, made several weeks ago, that

Washington's air is the fourth dirtiest in the Nation, came as a shock to some of us on Capitol Hill. It has placed the problem of air pollution in a crisis atmosphere. But that crisis, I think, can have some benefit.

Like so many other problems this Nation has faced, the air pollution crisis has stolen up behind us while we busied ourselves with other matters. It has now come to the fore as a deepening problem which threatens the continued health of the city dwellers in our Nation—and 7 out of 10 of our citizens live in urban areas.

Therefore, today I am introducing antipollution legislation which is substantially patterned after plans drafted by the Metropolitan Council of Government in the District of Columbia.

The bill proscribes the burning of fuels with a sulfur content above 1 percent, and sets a date by which all cars driven in the District of Columbia must be equipped with antipollution devices.

The bill is a result of long study by officials in the District of Columbia and surrounding suburban areas—study which must be copied in scores of metropolitan areas throughout the country if they are to meet the threat of polluted air.

It is a model air-pollution ordinance, one which I would recommend as a starting point to any city or State interested in acting for its future betterment.

There were ominous warnings last fall, when a giant air mass stagnated over the eastern seaboard, of what this Nation can expect if air pollution is not combated. Pollution trapped in the still air felled hundreds of people and was responsible for the aggravation of respiratory conditions of elderly citizens in eastern cities.

I am pleased that New York State has again taken the lead among the several States in formalizing an interstate compact with Connecticut, Pennsylvania, Delaware, New Jersey, and the Federal Government which would provide for the setting of the same standards for control of air pollution in these States.

The founding of this "regional airshed" follows the lines of a bill which I introduced on the first day of the 90th Congress. I hope that, in our deliberations, we can pass that bill so that other States can join together for their mutual benefit in combating areawide air pollution.

We have started, but the road to clean air still stretches far out before us. The first steps are usually the hardest, and I think the introduction of this model air-pollution-control ordinance represents a giant step along that road.

DESECRATION OF THE AMERICAN FLAG

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

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

There was no objection.

Mr. YOUNG. Mr. Speaker, this Nation's course down the pages of history has known days of problems and days of blessings, Mr. Speaker, and it has not been without its dangerous days; but, thanks be to God, it has had always plenty of men of patriotic devotion to country and duty, coupled with the resourcefulness and resolution needed to protect it from its enemies, foreign or domestic. Every nation and every civilization has had its dissenters. I am sure they are no more numerous now than of old, but their technique in the use of modern news media seems to have made them much more vociferous. Why the thousands of patriotic young Americans risking their lives for their country's cause do not have the same reader appeal as the wretched misfit burning his draft card or desecrating his country's flag mystifies us all. I say this as one who left an eye in the South China Sea in World War II—and about 16 million others who also served, think likewise.

The recent scourge of indignities and desecrations inflicted on our flag and our country in New York and elsewhere gives us cause for renewed concern—not so much for the unfortunate misguided individuals, but for the damage it could do our cause through misrepresentation of a false hope to the effort of the enemy. General Westmoreland told this House the other day that the enemy considers our "Achilles heel" to be our resolution.

He thus plainly said the vice of the doves is the false hope they cause the enemy to have that if the enemy just holds out long enough our country will give up. What an injustice to our men overseas fighting the enemy. What a horrible price they will pay—for every day that the war is extended is paid for in the lives and blood of our men over there.

The most vicious weapon of the dissenter is the public act of desecrating our flag—the symbol of all that we hold near and dear in this land of the free and the home of the brave. Mr. Speaker, the Bill Roper Country Post No. 364 of the American Legion, Corpus Christi, Tex., like millions of other Americans is keenly concerned about this situation and is calling on Congress to exercise its authority to pass laws with teeth to require even the misfits to refrain from public insults to our flag, our country, and to the men who serve its cause. I ask special permission to include at this point in the record a resolution which the members of the Bill Roper post have adopted unanimously and which I think expresses pointedly the feeling of millions of our countrymen everywhere:

The resolution follows:

BILL ROPER COUNTRY POST NO. 364
RESOLUTION

Whereas Public Law #623, approved June 22, 1942 and from time to time amended by the Congress of the United States concerning flag law and its interpretations, has no provisions for penalties for desecration of the American Flag and

Whereas The American Flag embodies the ideals of our American democracy which has from generation to generation stood for Life, Liberty and the Pursuit of Happiness not only for our own peoples but by association has come to be the aim and ideal of other peoples who seek to follow our example of democracy and

Whereas Thousands of brave Americans have suffered and died in their country's service in this and preceding generations to preserve the freedoms not only for the people of our nation but for peoples of other nations and

Whereas Certain individuals and groups have sought to express their dissent to present government policies by burning or in various ways destroying our National Emblem and

Whereas Legislations is now pending in Congress to provide penalties for any person or persons convicted of acts of desecration to the Flag of Our Country, now

Therefore be it resolved, That the Congress of the United States of America take immediate steps to enact legislation providing for severe penalties to any person or persons convicted of desecrating the American Flag.

Be it further resolved, That this resolution be sent to the Honorable Ralph Yarborough, and the Honorable John Tower, U.S. Senators and the Honorable John Young, Congressman, 14th District, of Texas.

ALCOHOLISM—OUR FOURTH RANKING NATIONAL HEALTH PROBLEM

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

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

There was no objection.

Mr. GUDE. Mr. Speaker, as a cosponsor of legislation—H.R. 8523—which would establish a Bureau of Alcoholism Care and Control within the Office of the Surgeon General of the Public Health Service, Department of Health, Education, and Welfare, along with the gentleman from New York, Congressman KUPFERMAN, and 21 other Members of the House, I had the privilege of appearing last week on television station WTTG's "Panorama" with Peter Hutt, an attorney of Washington, D.C., who is also concerned with the problem of alcoholism. Mr. Hutt was attorney for the defendant in the so-called Easter case, which is a landmark decision in developing a modern approach to the treatment of alcoholism. I should like to commend WTTG for their interest in this grave problem and the public service which they perform by making time available to bring such problems to the attention of the public.

The problem of alcoholism is a grave one in my own State of Maryland, as it is nationally. It ranks among the worst of our public health menaces, behind only heart disease, mental illness, and cancer. This fact is even more shocking when we find that as a nation, we spend some $380 annually for treatment of each tuberculosis patient, while 16 cents is the average spent each year for the treatment and rehabilitation of an alcoholic.

With the recognition of alcoholism as a disease, my own State of Maryland ranks 18 among the States of the Union in funds appropriated for this problem with a little more than $½ million appropriated.

In Maryland for the last 6 years, more patients were admitted to psychiatric hospitals for the treatment of alcoholism than for any other single diagnosis. In actual numbers, alcoholic admissions have more than doubled since 1960.

In addition, an excess of 10 percent of patients with other diagnoses were also

reported to have a major drinking problem. Thus, alcoholism was related to the patient illness in half of all the admissions to Maryland State mental institutions.

The total number of alcoholics in the State is now estimated to number in the neighborhood of 100,000. Better than 14,000 persons are arrested for drunkenness each year in the State of Maryland, and it is estimated that 90 to 95 percent of these offenders are alcoholics. Thus, a considerable amount of police time, which could be used in the pursuit of criminals, is involved in dealing with this problem. Statistics available from the Maryland State police reveal that in 50 percent of fatal accidents on Maryland highways, alcohol was involved as a factor.

These few statistics will demonstrate that alcohol does much more than merely shorten life. It takes a heavy toll on the family of the afflicted individual, a toll incapable of measurement by statistics. The economic cost of this disease also runs high in terms of cost to business and industry from absenteeism, inefficiency, and accidents. Estimates run as high as $2 billion annually.

Mr. Speaker, I hope that the Senate Labor and Public Welfare Committee and the House Committee on Interstate and Foreign Commerce will give prompt attention to this legislation which would set up this Bureau of Alcoholism Care and Control and to provide funds to enable States, localities, and private institutions to move forward in a broad scale attack against this critical problem.

I should also like to bring to the attention of the House a recent court case which is significant to the question of alcoholism and law. This is the case of the District of Columbia against Chatfield S. Phillips, the so-called Murphy decision. In the Murphy decision the question of the guilt of the chronic alcoholic charged with a crime is dealt with. This is very important to the whole problem of dealing with the chronic alcoholic in the United States today. The opinion is as follows:

[In the District of Columbia Court of General Sessions, Criminal Division]

DISTRICT OF COLUMBIA V. CHATFIELD S. PHILLIPS—CRIMINAL NOS. 854, 5–67

MEMORANDUM OF OPINION

This case presents the problem of whether or not a chronic alcoholic, intoxicated at the time of the alleged offense, can be found guilty of disorderly conduct. Because the question is new to this Court and because its implications are somewhat extensive, the Court states its facts and conclusions in some detail.

I. THE FACTS

The defendant, Chatfield S. Phillips, was arrested for public intoxication and disorderly conduct arising out of the following circumstances:

On January 11, 1967, at 4:30 A.M., the arresting officer in response to a radio run observed the defendant on the public sidewalk, unsteady on his feet, smelling of alcohol, and incoherent in his speech. The officer arrested defendant for public intoxication and was escorting him to the squad car when the defendant broke away, ran up to the door of a house on the street, banged on the door and demanded entry. He was reapprehended by the officer, became loud, boisterous, and used profane and indecent language to include [———], [———], and [———]. At this time other witnesses had gathered in the vicinity. Defendant was at this time also placed under arrest for disorderly conduct.[1]

On January 11, the same day, defendant was brought into court for trial on the two charges. Defense counsel requested and received a three-week continuance and defendant was released on his personal recognizance. On January 31, defendant was arraigned and his trial continued to the next day. That night defendant was again arrested for public intoxication. On the following day, February 1, defendant was tried on the two charges of public intoxication and one of disorderly conduct.

The arresting officer testified as above, and stated in addition that he had seen Phillips about four or five times previously in the same location. Each time defendant appeared intoxicated, and each time he was attempting to gain access to a certain house. The officer had arrested Phillips for public intoxication on only one of the occasions when defendant had actually gained such access. The officer had never arrested defendant for disorderly conduct before, nor witnessed conduct of the defendant sufficient to constitute this offense. The officer did not know if defendant had been previously adjudicated a chronic alcoholic. He further testified that he was unfamiliar with defendant's arrest record. On cross-examination he stated he did not believe that the disorderly conduct was a result of defendant's drunkenness.

A social worker, qualified by the court, testified that he had examined Phillips, spoken to his mother who gave him background information, and that in his opinion Phillips was a chronic alcoholic. This conclusion was based on the following facts concerning the defendant: he has had two years of college education and 43 arrests for drunk and/or disorderly conduct; he has lost jobs due to his drinking; he has had gastric upsets and shakes; his drinking has been so heavy over the past ten years that his longest period of sobriety did not exceed one week. On the basis of this testimony, defendant was declared a chronic alcoholic[2] and was ordered committed to the Alcoholic Rehabilitation Clinic under D.C. Code 24–501 et seq., disposing of the charges of public intoxication.

As to the charge of disorderly conduct, the social worker further testified that in his experience there was a connection between chronic alcoholism and disorderly conduct, that generally a chronic alcoholic when intoxicated loses control of his conduct, that it is common but by no means universal for a chronic alcoholic to become disorderly when arrested, that disorderly conduct was not necessarily a symptom of chronic alcoholism, but that it could be with respect to a given individual, and that in this case the disorderly conduct was a "direct consequence" of defendant's chronic alcoholism.

At this point the defense renewed a prior motion for a judgment of acquittal on the grounds that defendant's disorderly conduct was a product of his alcoholic condition and his chronic alcoholism. This matter was taken under advisement.[3]

The question thus becomes, to what extent, if any, is chronic alcoholism a defense to disorderly conduct in the District of Columbia?

II. THE BASES FOR THE DEFENSE CONCEPT OF CHRONIC ALCOHOLISM

Chronic alcoholism was first recognized as a valid defense to public intoxication in *Driver* v. *Hinnant*, 356 F. 2d 761 (4th Cir. 1966), where the Court stated:

"The alcoholic's presence in public is not his act, for he did not will it. It may be likened to the movements of an imbecile or a person in a delirium of a fever. None of them by attendance in the forbidden place defy the forbiddance."[4]

To punish the chronic alcoholic for public appearance would be to punish him for his status, reasoned the Court, and therefore would constitute cruel and unusual punishment under the 8th Amendment of the Constitution, relying on *Robinson* v. *California*, 370 U.S. 660 (1962). While apparently intending to limit its decision, however, the Court used language which could later be expanded to cover a broader range of offenses: ". . . our excusal of the chronic alcoholic from criminal prosecution is confined exclusively to those acts on his part *which are compulsive as characteristic of the disease.*" [Emphasis added][5]

Shortly thereafter, chronic alcoholism was declared a defense to public intoxication in the District of Columbia, *Easter* v. *District of Columbia*, —— U.S. App. D.C. ——, 361 F. 2d 50 (1966). The Court sitting en banc unanimously agreed that by statute,[6] chronic alcoholism was an involuntary act and therefore could be asserted as a defense to the crime of public intoxication. Four of the eight judges went further to agree with *Driver* that punishment of the chronic violated the 8th Amendment.[7]

Most recently this issue has been raised to the U.S. Supreme Court in *Budd* v. *California, cert. denied*, 87 Sup. Ct. 209 (1967). Defendant was convicted for public drunkenness. A writ of habeas corpus was denied by the California Supreme Court and a writ of certiorari was proffered to the U.S. Supreme Court. Dissenting from the denial of the writ, Justice Fortas stated:

"It is time for this Court to decide whether persons suffering from the illness of alcoholism *and exhibiting its symptoms or effects* may be punished criminally therefor." [Emphasis added.][8]

Justice Douglas concurred in even broader language that . . . being an alcohol addict, like being a drug addict, is beyond the reach of the criminal law . . .[9]

Driver, Easter, and *Robinson* were all cited in the dissent.

Further use of *Driver* and *Easter* was made in *Fultz* v. *United States*, 365 F. 2d 404 (6th Cir. 1966) where defendant, a chronic alcoholic and drug addict, after 4½ months incarceration, entered a guilty plea after only 15 minutes consultation with counsel. In voiding the plea, the Court referred to *Driver* and *Easter* as: ". . . the recent leading cases holding that chronic alcoholism may be a defense to a charge of *unlawful conduct*, because of lack of responsibility on the part

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[1] Defense counsel stipulated at trial that defendant's conduct was such as to constitute disorderly conduct. See also *Williams* v. *District of Columbia*, ——— D.C. Ct. App. ———, (Slip opinion #4037, March 7, 1967). This Court has reservations concerning the scope of one disorderly conduct statute, which will be expressed in its opinion, *District of Columbia* v. *Moore, Knight, and Reed*.

[2] There was some doubt as to whether or not defendant had been previously adjudicated a chronic alcoholic. There being no existing record of such adjudication, the above procedure was followed.

[3] The Court expresses its appreciation for the briefs submitted by counsel and amici curiae.

[4] 356 F.2d at 764.

[5] *Ibid.*

[6] D.C. Code, 1961, Title 24, Sec. 501 et seq.

[7] The "majority also relied on *Sweeny* v. *United States*, 353 F.2d 11 (7th Cir. 1965) where court-imposed probation terms that defendant refrain from use of alcoholic beverages were held invalid as unreasonable where the Court knew that defendant was a chronic alcoholic.

[8] 87 Sup. Ct. 209–210.

[9] 87 Sup. Ct. 211.

of one so affected." [Emphasis added.][10] 365 F. 2d at 407.

Still another and possibly even more far-reaching development in the law relating to chronic alcoholism has taken place in New York. In *United States* v. *Freeman*, 357 F. 2d 606 (2nd Cir. 1966), the Court adopted the American Law Institute definition of insanity[11] in a case involving sale of narcotics by a narcotic addict. This definition is closer than any other U.S. insanity test to that of the District of Columbia laid down in *Durham* v. *United States*, 94 U.S. App. D.C. 228, 214 F. 2d 862 (1954) and *McDonald* v. *United States*, 114 U.S. App. D.C. 120, 312 F. 2d 847 (1962). Immediately following *Freeman*, the same court considered a case involving sale of narcotics by a chronic alcoholic, *United States* v. *Malafronte*, 357 F. 2d 629 (2nd Cir. 1966). The Court reversed and remanded the conviction of the alcoholic in light of *Freeman*. Thus, chronic alcoholism was found to raise a *Durham-McDonald*-like issue of insanity.

From this brief survey it can be seen that chronic alcoholism has been found to be exculpatory on various rationales: statutory involuntariness, *Easter;* involuntary status violating 8th Amendment, *Easter* (4 judges), *Driver, Budd* (Douglas and probably Fortas); and irresponsibility/insanity, *Malafronte*.

III. APPLICATION OF RATIONALES TO DISORDERLY CONDUCT

We must now examine the charge at hand, disorderly conduct, in light of the above cases and their logic.

1. First, it should be recognized that we are dealing with a crime of general intent. The language of the applicable statutory provisions dealing with disorderly conduct make it clear that no specific intent is requisite to the crime. Title 22, Sec. 1107, *Unlawful Assembly—Profane and Indecent Language*, states:

". . . it shall not be lawful for any person or persons to curse . . . or engage in any disorderly conduct in any street . . . or in any other public place . . . ."

Title 22, Sec. 1121, *Disorderly Conduct—Generally*, is even more direct in eliminating intent:

"Whoever, with intent to provoke a breach of the peace, *or* under circumstances such that a breach of the peace may be occasioned thereby . . ." [Emphasis added].

The alternative phrasing is clear.

Although definitions are elusive, it has been said that a general intent is one which the law presumes from the commission of the act.[12] This so, the long legal history of intoxication in relationship to specific intent crime[13] is not in point. A recent illustrative case is *State* v. *Sukovaty*, 135 N.W. 2d 467 (Sup. Ct. Neb. 1965), involving a disorderly conduct conviction based upon public cursing disturbing the peace. The trial court instructed the jury on the elements of the offense; no reference at all was made to intent. The Nebraska Supreme Court affirmed the conviction, explaining:

"The ordinance does not provide that a particular intent shall be an element of the offense charged, and the trial court was not required to instruct in reference to intent as an element of that offense."[14]

Another pertinent case is *Parker* v. *United States*, ——— U.S. App. D.C. ———, 359 F. 2d 1009 (U.S. Ct. App. D.C. 1966) involving an assault with a deadly weapon. Although evidence of defendant's intoxication was introduced, the trial court gave no instruction on the intent required for assault or the legal effect of intoxication on this intent. In affirming the conviction, the United States Court of Appeals stated:

"Since the statute does not require that the weapon be used with a conscious purpose to inflict injury, we decline to read this requirement into it . . . The concern of the statute is with assaults that are committed with dangerous weapons . . . Since a specific intent to inflict serious injury is not necessary, drunkenness is no defense. Whatever ambiguities there may be in distinguishing between specific and general intent, to determine whether drunkenness is a defense, an offense of this nature is not one which requires an intent that is susceptible to negation through a showing of voluntary intoxication."[15]

2. Secondly, there is nothing in the D.C. Code which compels the conclusion that chronic alcoholism is a complete defense to disorderly conduct. The effect of Title 24, Sec. 501 et seq. of the Code was specifically limited to public intoxication by the concurring judges in *Easter*.[16] The "majority" opinion is more circumspect in its discussion of the statute, but it too limits itself to the public aspect of drunkenness. There is no mention of additional conduct.[17]

The relevant code provisions in the opinion of this Court are intended to establish a reasonable system for coping with the problem of chronic alcoholism, defined in 24–502. The purpose and effectiveness of this system are dubiously advanced by extending the defense of chronic alcoholism beyond public intoxication.[18]

3. The rationales of *Easter* and *Driver* contain a common underlying philosophy—a man should not be punished for an involuntary act. The chronic alcoholic should not be punished for being drunk in public. *Easter* unanimously finds it statutorily illegal. *Driver* holds it unconstitutional because his *drinking* is uncontrollable. Drinking being uncontrollable, drunkenness is inevitable. Drunkenness is inevitable, public appearance naturally follows.[19] And we have public drunkenness. All of this is legally involuntary. The chronic no matter what he rationally knows about alcohol *must* drink. And because he is a human being, he *must* appear in public from time to time. But this is as far as the involuntariness goes, automatically.[20] There is nothing about being a chronic alcoholic which dictates that he *must* curse the general public, that he *must* expose himself and urinate in public, that he *must* assault[21] These are not symptoms so directly and universally related to alcoholism as to equate to its "status." The point is beyond the inevitable step of appearing in public, this Court is unwilling to find that a chronic's other actions are *per se*, as a matter of law, involuntary. There may well be areas in which his actions *are* involuntary. But he will have to prove it.

In this proof, the chronic will have to show more than that he was a chronic, and more than that he had been drinking. His method of defense will vary with the crime alleged, but generally it can be said that in order to satisfy this Court the chronic must also show he was so drunk he did not know what he was doing. Only then were his actions truly involuntary.[22] To stop short of this point

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[10] We will not dwell on non-criminal ramifications of *Driver-Easter*, but see *Lewis* v. *Celebrezze*, 359 F. 2d 398 (4th Cir. 1966), where chronic alcoholism was held to constitute a valid ground for disability under the Social Security Act. Further, this opinion will not rely on recent decisions from jurisdictions which have not yet accepted the rationales of *Driver* and *Easter; Cook* v. *State*, 151 S.E.2d 155 (Ga. Ct. App. 1966), chronic alcoholic convicted of driving while drunk; *People* v. *Belanger*, 52 Cal. Reporter 660 (1966), drunk in public constitutes disorderly conduct by statute.

[11] A person is not responsible for criminal conduct if at the time of such conduct as a result of mental disease or defect he lacks substantial capacity either to appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of the law. 357 F. 2d at 622 (Model Penal Code, Section 4.01).

[12] *Proctor* v. *United States*, 85 U.S. App. D.C. 341, 177 F. 2d 656 (1949), general intent requisite for unauthorized use of vehicle not negated by voluntary drunkenness. See also *People* v. *Goldman*, 53 Cal. Reporter 810 (D.C. App. Cal. 1966).

[13] For good summary see Traynor, C. J., in *People* v. *Conley*, 49 Cal. Reporter 815, 411 P. 2d 911 (Sup. Ct. Cal. 1966).

[14] 135 N.W. 2d at 469.

[15] 359 F. 2d 1012–3.

[16] I am confident that Congress in its obvious purpose of seeking means for accomplishing the possible rehabilitation of the unfortunate victims of alcoholism had no thought whatever of addressing itself to some revised standards for determining criminal responsibility as to yet other crimes than public drunkenness. I wish to note my complete understanding that we are not now doing so. 351 F. 2d at 61.

[17] The only language which could possibly be construed to cover disorderly conduct as well is the phrase, ". . . the chronic alcoholic floundering in a public place", 351 F. 2d at 53. In light of the other careful language of this opinion, the Court does not interpret this statement as indicating application beyond public intoxication.

[18] The policy aspects of this problem are more legislative than judicial, but certain conflicts in recent studies highlight the problem at hand. "The Challenge of Crime in a Free Society, A Report by the President's Commission on Law Enforcement and Administration of Justice," February 1967, asserts that, in line with eliminating the crime of public intoxication, "The application of disorderly conduct statutes would be sufficient to protect the public against criminal behavior stemming from intoxication." p. 235. On the other hand, in the "Report of the President's Commission on Crime in the District of Columbia", December 1966, the recommendation is made that ". . . for the person who is both intoxicated in public and disorderly . . . if the offender is a chronic alcoholic . . . criminal charges will be dropped." p. 495.

[19] "The lack of power of self-control referred to cannot be limited to absolution of criminality for drinking or being drunk *in a non-public place*." [*Emphasis added*]. 361 F. 2d at 53.

[20] It should be noted that in *Robinson*, upon which both the *Driver* Court and the *Easter* "majority" rely, the Supreme Court used the following limiting language: "The statute, therefore, is not one which punishes a person for the use of narcotics, for their purchase, sale or possession, *or for anti-social or disorderly behavior resulting from their administration* . . . Rather we deal with a statute which makes the 'status' of narcotics addiction a criminal offense . . ." 370 U.S. at 666. Thus, the Supreme Court clearly did not extend the "status" to narcotic-induced disorderly conduct.

[21] The arresting officer testified that although he had observed defendant, intoxicated, in that area on a number of prior occasions and had conversed with defendant each time, this was the only occasion on which defendant became disorderly.

[22] This is not just a test of impairment of motor control or inability to refrain from further drinking. These almost always occur, but they do not constitute the defense. What the Court means here is inability to stop from doing the offense, the largest factor of which, the crux, is awareness. If the defendant knew he was cursing in public, urinating, fighting with his friend, he at least presumptively could refrain from doing it and his act was prima facie voluntary. An example of involuntariness might arise if police observed a man walking down Interstate Highway 95 during rush hour traffic. He becomes disorderly during police efforts

would be to license chronics for all general intent offenses in the city. The Courts would be granting immunity for the kind of conduct, already frequently reported, where the chronic with liberal obscenity informs the police officer, "You can't touch me. I'm a chronic." In short, the drinking of a chronic is not self-controlled. It would be grossly unjust and perhaps unconstitutional to confine him to quarters. But once he is in public, further compulsion, further loss of self-control, becomes a separate consideration. A compulsive drinker is not necessarily a compulsive curser.

A final consideration arises in this connection involving procedure at trial. Drunkenness is classically a defense, to be raised and proven by the defense. Title 24–504 is not determinative here, as it says, "In any criminal case . . . in which the evidence indicates that the defendant is a chronic alcoholic . . . the judge may suspend the proceedings . . ." for a hearing. This section clearly deals with the procedure for judicial determination of chronic alcoholism. It does not concern its use as a defense. Further, many of the chronics in the District have been already so determined, and with daily hearings the percentage will increase. Thus, with most of the chronics in the future hearings will already have been held and Section 504 will not apply. It will be strictly a matter of defense—will chronic alcoholism be asserted; what will be its effect? Burden of proof should rest on the party asserting this defense, not just that he is a chronic but as to his state of inebriation at the time of the offense. He may validly claim, "I was so drunk I didn't know what I was doing" and this may in a given case shift the burden of proceeding to the prosecution, to show he appeared drunk but aware of what he was doing. These are difficult but by no means extraordinary matters of fact and proof.

4. The possibility of chronic alcoholism raising the issue of insanity deserves separate consideration.

As a starting point, the basic test of insanity as a defense in a criminal case was laid out in *Durham* as whether the defendant's ". . . unlawful act was the product of a mental disease or mental defect."[23] This test was further considered in *McDonald*, where the Court stated:

"A mental disease or defect includes any abnormal condition of the mind which substantially affects mental or emotional processes and substantially impairs behavior controls. . . . The question of whether the defendant has a disease or defect is ultimately for the triers of fact. . . ."[24]

Once the defendant has introduced "some evidence" of insanity, the government must come forward to show sanity and/or that the defendant's act was not the product of his insanity. *McDonald, Carter* v. *United States*, 102 U.S. App. D.C. 227, 252 F. 2d 608 (1957).[25] Thus, there are two distinct aspects of the insanity defense: sufficient evidence of mental disease or defect, and productivity.

a. Mental disease or defect

Chronic alcoholism has not yet been found to constitute such a disease or defect in the District of Columbia. Even the "majority" opinion in *Easter* was very careful to distinguish their holding from this conclusion:

"In this case, as we have said, the defense of chronic alcoholism to a charge of public intoxication is not rested upon mental disease as relieving of mental responsibility, but upon the absence of responsibility incident to the nature of this particular sickness as set forth by Congress."[26]

Although the distinction between a "mental disease relieving of responsibility" and an "absence of responsibility" incident to a sickness is rather elusive, it is at least clear that the Court in *Easter* did not and did not want to reach the insanity problem.[27]

Malafronte, the New York case, is the only one this Court found where chronic alcoholism has been held to raise insanity defense.[28] That opinion does not clarify exactly what evidence defendant produced to show chronic alcoholism and mental disease or defect. It is the opinion of this Court that the amount and type of evidence that defendant introduces in this regard is crucial to his raising of the insanity defense. Evidence that he is a chronic alcoholic, that he has lost control of his drinking, will not suffice to show mental disease or defect. Further evidence of mental disease or defect, either independent of or resulting from chronic alcoholism, might well constitute "some evidence" of insanity sufficient to raise this defense.

A strong parallel can be drawn to the cases on narcotics addiction. In *Heard* v. *United States*, 121 U.S. App. D.C. 37, 348 F. 2d 43 (1964), petition for rehearing en banc denied (1965),[29] involving narcotics transactions by an addict, the Court stated that the initial question of "some evidence" was "a question of law for the court"[30] and held:

"A mere showing of narcotics addiction, without more, does not constitute "some evidence" of mental disease or insanity, so as to raise the issue of criminal responsibility."[31]

Of course, when the defendant has gone further to develop the point of mental disease or defect, the insanity question has been raised. *Horton* v. *United States*, 115 U.S. App. D.C. 184, 317 F. 2d 595 (1963); *Hansford* v. *United States*, — U.S. App. D.C. —, 365 F. 2d 920 (1966).

This same logic is applicable to alcohol addiction. Some mentally ill persons are alcoholics, and some alcoholics are mentally ill. But to equate the two is unnecessarily simplistic. Its real danger is that it would admit the cumbersome and highly imprecise machinery of insanity determination into an area it need not belong. We feel the potential abuses of such admission far outweigh the additional requirement that the defendant produce more direct evidence of mental disease or defect.[32] It should be pointed out, analogous to *Brown* v *United States*, 331 F. 2d 822 (D.C. Ct. App. 1964),[33] the defendant should receive the assistance of the court in developing the basis of his insanity defense.

b. Productivity

The second aspect of *Durham* is productivity.

As elaborated in *Carter*, the test is quite broad "The facts concerning the disease and the facts concerning the act are such as to justify reasonably the conclusion that 'But for the disease the act would not have been committed.'"[34]

Here, brief comparison should be made to the ALI test, applied by the New York Courts in *Freeman* and *Malafronte*. The ALI test stressed whether the defendant can ". . . appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of the law."[35] The difference between the ALI and *Durham* tests has been stated as follows:

"The only real difference between the two formulations, then, would seem to be that Durham purports to exclude mental conditions which do not result in substantial incapacity to control behavior and recognizes slight degrees of causation, whereas the ALI formulation utilizes the element of substantial incapacity to control behavior on the causation question, and merely excludes those diseases and defects whose only symptomatology is repeated antisocial conduct. Considering that the question of criminal responsibility is usually resolved by the jury, it would seem that this is not a difference of substance."[36]

In the very area with which we are concerned, disorderly conduct, the difference has considerable substance. We are dealing with a non-jury offense of antisocial conduct. In an ALI jurisdiction the insanity test would be almost indistinguishable from that test developed as an extrapolation from *Easter* in Section 3, voluntariness-awareness and self-control. In the District, however, the court remains faced with a "but-for" productivity determination which is apparently less exclusive than voluntariness.

IV. CONCLUSIONS OF LAW

The Court concludes that chronic alcoholism is not a complete defense to disorderly conduct. Chronic alcoholism may, however, afford two potential lines of defense—involuntariness under *Easter*, and insanity under *Durham-McDonald*.

First, as to involuntariness, if the defendant can show that he is a chronic alcoholic and was intoxicated at the time of the offense, he will still have to show that his conduct at the time of the offense was involuntary. The crux here is his degree of self-control, awareness. If the chronic, intoxicated defendant appeared to have some control over himself, to know what he was about, he can be found guilty of disorderly conduct. On the other hand, if he was so drunk that he had lost control or was not aware of his actions, he should be found not guilty.

Secondly, chronic alcoholism may, with additional evidence of mental disease or de-

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to escort him off the highway, claiming it was a public sidewalk. Defendant turns out to be a chronic alcoholic, so intoxicated at the time of this occurrance he can only recollect "coming to" hours later in the cell block. Such a defendant might well prove such unawareness and loss of self-control as to constitute involuntariness. To be as precise as possible, there are two basic elements in this Court's definition of involuntariness—awareness and self-control. From these two elements, four basic fact patterns derive: an intoxicated chronic who is aware of what he is doing and capable of stopping himself from doing it; one who is unaware and out of control; one who is aware but out of control; and one who is unaware but in control. Of these four combinations, the defendant can, if he carries his burden of proof in a particular case, be found not guilty on the last three.

[23] 214 F. 2d at 874–5.

[24] 312 F. 2d at 851.

[25] Throughout the trial, despite the shifting burdens of going forward, the basic presumption of defendant's sanity remains. *Davis* v. *United States*, 160 U.S. 469 (1895).

[26] 361 F. 2d at 53, footnote 8.

[27] But the problem is inherent; see for example the Circuit Note on *Easter*, in the Georgetown Law Journal: "Whether the court, once admitting lack of mens rea, can contain the defense of chronic alcoholism to public intoxication remains to be seen." 55 Georgetown Law Journal at 65.

[28] It should be noted that the offense charged in *Malafronte* was sale of narcotics, a specific intent crime. Intoxication has always been a potential defense to specific intent.

[29] For criticism of this decision see Bowman, Narcotic Addiction and Criminal Responsibility under Durham, 53 Georgetown Law Journal (Summer 1965) 1017–1048.

[30] 121 U.S. App. D.C. at 38.

[31] *Ibid.*

[32] For application of this rationale in a *McNaughten* jurisdiction, see *Johnson* v. *State*, 187 So. 2d 281 (Ala. Ct. App. 1966).

[33] Narcotics addict held entitled to pretrial mental examination.

[34] 102 U.S. App. D.C. at 236.

[35] See footnote 11.

[36] 53 Georgetown Law Journal at 1028.

fect, raise an issue of insanity. If such evidence is introduced, the usual procedures under *Durham-McDonald* should be adopted in order to determine defendant's responsibility at the time of the act.

Applying these conclusions to the case at hand, the Court finds that although the defendant Phillips adequately proved that he was a chronic alcoholic and that he was intoxicated at the time of the offense, the defendant failed to establish either of the above-stated defenses. As to involuntariness, testimony was conflicting as to "causality", the officer testifying that defendant's conduct was not the "result" of his alcoholic condition, the social worker stating that the conduct was a "direct consequence" of his chronic alcoholism. Even if the social worker's version were fully credited, such a "causality" conclusion is only helpful, not determinative of the crucial issue, was defendant aware of what he was doing—could he have controlled himself? Considering all the evidence in this case, the Court finds that the defendant had such awareness and control. Thus, his actions were not legally involuntary. As to insanity, the defendant failed to introduce any evidence, other than chronic alcoholism, of a mental disease or defect.

Accordingly, the Court finds the defendant guilty of disorderly conduct.[37]

TIM MURPHY,
Judge.

APRIL 26, 1967.

THE RICH GET RICHER

Mr. HARRISON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. QUIE] 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 Wyoming?

There was no objection.

Mr. QUIE. Mr. Speaker, the Boston Herald recently published a series of five editorials on the Elementary and Secondary Education Act of 1965. The theme was "The Rich Get Richer" and therefore the poor get poorer. After a careful survey of how title I funds were being allocated, the writer could only conclude:

This allocation procedure does not make sense.

I wholeheartedly agree that the present formula for distribution of Federal funds does not make sense; not when New Rochelle, N.Y., schools have an average per pupil expenditure of $896 and receive $321,000 a year from the act, while Breathitt County schools in the Kentucky Appalachias, with a per pupil expenditure of only $285, receive only $340,000.

I am attempting to correct these inequities in my amendment to the Elementary and Secondary Education Act, known as the Quie amendment. My amendment adopts the State allocation formula used for 9 years in the National Defense Education Act and other educational legislation. It allots funds on the basis of the number of school-age children and the State personal income per school-age child in each State, thus accounting equitably for the children to be served and the financial ability of States to finance education. This would replace three separate formulas of the Elementary and Secondary Education Act, including the inequitable title I formula which uses outdated census data and bases payments on the actual State expenditure per child for education. This penalizes the poorer States and widens the gulf of expenditure between the poorest and the richest States. Just how wide is this gulf is dramatically illustrated in the following series of editorials, from January 2 through February 10, 1967, in the Boston Herald:

[From the Boston Herald, Jan. 2 1967]

THE RICH GET RICHER—I

Not many Americans understood the historical significance of the Elementary and Secondary Education Act and especially Title I of the Act when it was first proposed. Even fewer Americans were aware of the shameful educational inequalities which the Act was supposed to correct: A child in Breathitt County, Kentucky, for example, attends a one-room schoolhouse with a pot-belly stove and no plumbing, and the average per pupil expenditure is $285. A child in New Rochelle, New York, on the other hand, attends a modern school plant with auditoriums, libraries, and a staff of remedial reading teachers, psychiatrists, and psychologists. The per pupil expenditure is $896.

One of those who did understand was President Lyndon B. Johnson. In his education message to Congress on January 12, 1965, he spoke in uncompromising terms of the part inadequate education plays in the vicious cycle of poverty. Because poor parents cannot afford to support good schools, their children receive an inferior education. Because they receive an inferior education, they are denied good jobs. And because they are denied good jobs, they cannot support good schools and their children receive an inferior education. And so it goes, round and round, generation after generation with poverty breeding ignorance and ignorance breeding poverty.

President Johnson proposed the Elementary and Secondary Education Act to break this cycle. But under his plan, New Rochelle was given about as much money—$321,000—as was Breathitt County, which receives $340,000! Such cases are the rule, not the exception, for among the wealthy suburbs given Title I money for the poor are Wellesley and Newton, Brookline and Lexington, Beverly Hills, Cal. and Scarsdale, N.Y.

We cannot believe the President intended this. In his message transmitting the Act to Congress he said, "The burden on the nation's schools is not evenly distributed. Low-income families are heavily concentrated in particular urban neighborhoods or rural areas. Faced with the largest educational needs, many of these school districts have inadequate financial resources. This imbalance has been created by the movement of high income families from the center of cities to the suburbs—and their replacement by low-income families from rural areas."

Finally, Mr. Johnson proposed a cure. "This is a national problem," he said. "Federal action is needed to assist the states and localities in bringing the full benefits of education to children of low-income families."

Federal action marked a tremendous break with the past. Americans traditionally have accepted elementary and secondary education as a local responsibility, with everyone looking after his own. But President Johnson made it clear that while this was fine in theory, it just didn't work anymore. American communities were reorganizing, with the affluent congregating in the suburbs and the poor becoming increasingly isolated in the rural areas and city ghettos. Many local governments simply didn't have the financial resources to handle the increased problems.

So the President asked us to break with tradition. The implications of his message were clear. Or at least they seemed clear at the time. He was asking affluent Americans to continue paying for their own modern schools, and he was also asking them to help provide quality education for the children of the ghettos and the desolate rural areas.

The American people responded. Through their representatives in Washington they voted $1.34 billion for the first year of the Elementary and Secondary Education Act of 1965. Of that sum, the major share—$1.07 billion—was to be spent under Title I to aid poor school districts.

The money was to be used in a concentrated effort to help the children who need help through extra services such as remedial reading, speech therapy, counseling, social and cultural enrichment, and food programs.

To find out what effect Title I has had on poverty, this newspaper has traveled to 10 school systems throughout the country, studied the Act, interviewed the administrators of the Act in Washington, and talked with teachers and principals who are using Title I funds. The answers we have found are highly disturbing.

Although Title I has enjoyed some successes (one of the most notable being in the Boston schools) the program as a whole has had very little effect on poverty. And when one considers the provisions of the Act, this is not surprising.

While President Johnson talked about taking our billion dollars and firing it into the hard-core areas of poverty in the ghettos and Appalachias where it would do the most good, the U.S. Office of Education distributes it as if through a shotgun. The dollar bills float down in the affluent areas that contributed the money in the first place. Thus we find Wellesley, with a median income of $11,478, receiving $12,000 in Title I funds, Belmont receiving $32,000; Scarsdale, New York, receiving $18,000; Brookline receives $89,000; Newton, which has one of the best school systems in the country, receiving $69,000; and Westchester County—the sixth wealthiest county in the country—being allocated more than $2.8 million. The best schools in the country are getting better, and they are doing it on poverty money.

Because America's wealthy communities are siphoning off so much Title I money, there is naturally not enough left for meaningful programs in the hard-core poverty areas. Fall River, Mass., is an economically

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[37] A defense not related to the thrust of this opinion was raised by counsel after trial. In substance it is that since defendant was previously adjudicated a chronic alcoholic, his arrest for public intoxication was illegal and consequently his reaction to the illegal arrest, which is the basis for the disorderly charge, was justified, *Curtis* v. *United States*, 22 A.2d 840 (D.C. Ct. App. 1966). The Court can sidestep this argument by pointing out that there was no official court record of such prior adjudication, see footnote 2. Further, the police officer testified that he did not know of defendant's extensive prior arrest record or of his possible prior adjudication as a chronic alcoholic. But more forwardly, the Court is of the opinion that even were defendant known to be an adjudicated chronic, his arrest would not be illegal. See *Easter*, 361 F.2d at 360, footnote 1. Apprehension of a chronic intoxicated in public is still reasonable, though prosecution may not follow. If alternative methods such as those recommended by the Crime Commission reports are implemented, they will provide a welcome alternative. Until such time, society *and* the chronic deserve at least this much protection.

depressed town which can afford an average per pupil expenditure of only $400. In fact, it is so economically depressed that it had to use much of the $515,069 it received in Title I funds to feed children suffering from malnutrition. There was not enough money left over to hire remedial reading teachers, even though one-quarter of Fall River's children are not reading at their own grade level.

The food, of course, is important. Children can't be expected to learn if they are constantly hungry. But the hot lunch program will have little permanent effect if the children continue to receive an inferior education. When they finish school, they will merely rejoin the cycle of poverty.

We do not believe this is what President Johnson had in mind when he first proposed the Elementary and Secondary Education Act of 1965. Nor do we believe this is what the American taxpayers had in mind when they contributed a billion dollars to this program.

The idea was to give our poor children "the full benefits of education" and thus break the cycle. Ironically, by giving just a little bit of money to both the rich and poor schools, Title I is not eliminating educational inequalities, it is reinforcing them. And by reinforcing them, it is making the rich richer and the poor poorer. In four subsequent editorials, we will document exactly how this is happening.

[From the Boston Herald, Jan. 3, 1967]

THE RICH GET RICHER—II

As indicated by President Johnson, the original purpose of the Elementary and Secondary Education Act of 1965, and especially Title I of that Act, was to eliminate the educational inequalities existing in America between the wealthy suburbs, on the one hand, and the urban ghettos and desolate rural areas, on the other. Title I is not accomplishing this goal. In fact, as we pointed out in Monday's editorial, it is reinforcing the inequalities—to such an extent that some schools in Newton, where the per pupil expenditure is $760, and New Rochelle, New York, where the expenditure is $896, are receiving Title I aid while some schools in Fall River, where the per pupil expenditure is $400, are not. And all of this is taking place at a cost to the American taxpayer of more than $1 billion.

Title I went astray because of a basic change in philosophy as the Act made its way through the committee rooms of Congress. When he first proposed the idea in his education message to Congress in 1965, President Johnson strongly implied that the wealthy suburban communities would be expected to continue to take care of their own and at the same time help out the urban and rural areas that no longer had the financial resources to support good schools. In other words, the President seemed to be calling for massive injections of federal aid into hardcore poverty districts. Hopefully, this technique would break the vicious cycle wherein poverty breeds ignorance and ignorance, in turn, breeds more poverty.

But Congress did not interpret the President's message in this way. Congress took the President's phrase, "low-income districts," and changed it to "children of low-income families." This change in emphasis from districts to individual children seems innocuous. But not when considered in context with the amazing eligibility formula Congress established. Congress ruled that any county containing 100 or more children aged 7 through 17 from families with an annual income of less than $2,000 is eligible to receive Title I funds. It further ruled that any local school system within that county is also eligible. Because almost every community in the United States, no matter how wealthy, still has a number of poor families, this meant that approximately 25,000 of the 27,000 local school districts in this country immediately became eligible for Title I poverty funds. In effect, Congress substituted a shotgun for a rifle and decided to scatter money all over the place.

This change in emphasis is what enabled Belmont, Brookline, Lexington, Marblehead, Milton, Newton, Wellesley and Winchester to receive a total of roughly $300,000 in Title I funds this year. The eligibility clause completely ignores the fact that the lowest median family income in this group is $8,295. The eligibility clause completely ignores the fact that the small number of poor children in these communities were already attending some of the best schools in the country. The eligibility clause completely ignores the fact that Title I funds enabled these communities to better their already excellent schools and thus widen the educational gap that Title I was theoretically supposed to close.

And the gap is widening. Hard-core poverty areas like Fall River are, to be sure, receiving a larger percentage of Title I funds on a population basis than wealthy communities like Newton and Wellesley. But Title I officials who are quick to point this out neglect to emphasize the disparity that exists among these communities in the all-important area of average per pupil expenditure.

Wellesley spends $700 per pupil, Newton spends $760 and Brookline spends $778, exclusive of federal aid, building construction and debt service. Fall River, which seems to be in the clutches of a permanent depression, can afford to spend only $400 per child. The $515,000 Fall River received in Title I funds seems to be a great deal of money and it is. But in terms of the enormous educational problems that exist in Fall River, it is of relatively little value. Because even with Title I funds Fall River is still spending only $439 per pupil and that is not enough to break the cycle of poverty.

It is certainly not enough for a young, bushy-haired boy in Fall River named Danny. Danny is poor. He is suffering from malnutrition. Thanks to Title I funds, he is now getting one good meal a day. Unfortunately, lack of food is not Danny's only problem. He also has trouble reading.

Although Danny is in the sixth grade, he reads at a third grade achievement level and the only help he receives is several hours a week with a "reading coach" in a class with 13 other children. The "coach" has no degree and no training in remedial reading. She is impatient when Danny falters as he recites, and apparently she does not notice that Danny holds his book a few inches from his face, indicating both a need for glasses and better lighting in the antiquated classroom.

Fall River would like to do more for Danny. The school would at least like to hire trained remedial reading teachers. But as the administrator of Title I funds in Fall River said, "How can we spend money on academics when these kids don't have enough to eat?" So Newton and Brookline continue to improve while Fall River, already far behind, struggles against overwhelming odds to avoid falling further behind.

It is interesting to speculate what Fall River could do with the millions of dollars now being allocated in Newton, Wellesley, and the thousands of communities like them across the country. But it will always be speculation unless Congress changes the distribution clause that governs Title I. That clause, and the restrictions within it that actually discriminate against poor school systems in rural states, will be closely examined in Wednesday's editorial.

Title I.—Allocations and payments in Massachusetts, Jan. 3, 1967

	Allocation	Payment [1] (1966–67)	Median income [2] (1960 census)
Arlington	$72,448	$72,448	$7,538
Belmont	37,888	32,191	8,372
Beverly	101,376	0	6,708
Boston	3,619,840	3,228,673	5,747
Brookline	90,368	89,697	8,380
Cambridge	370,432	210,461	5,923
Chelsea	178,432	168,609	5,298
Chicopee	131,328	71,139	6,170
Everett	100,608	81,326	5,983
Fall River	515,072	515,069	4,970
Fitchburg	140,288	99,495	5,833
Framingham	93,440	54,812	7,495
Greenfield	78,080	75,429	5,579
Holyoke	135,168	42,419	5,755
Lexington	45,824	[3] 21,386	9,043
Lowell	350,720	290,720	5,679
Lynn	481,024	233,304	6,021
Marblehead	28,662	24,511	8,295
Marlboro	36,352	20,136	6,127
Milton	20,736	17,760	8,685
Natick	27,392	11,742	7,550
New Bedford	651,520	355,380	5,019
Newton	147,200	69,478	9,008
Northampton	71,424	60,670	5,856
Quincy	185,856	185,835	6,785
Randolph	19,712	13,000	6,883
Revere	123,126	117,253	5,917
Somerville	343,040	126,386	6,024
Southbridge	40,960	33,100	5,917
Springfield	1,072,128	840,106	5,994
Waltham	89,344	13,601	6,804
Webster	35,840	0	5,792
Wellesley	36,608	12,916	11,478
Weymouth	111,872	96,410	7,003
Winchester	23,522	23,552	9,572
Woburn	51,456	8,663	6,650
Worcester	828,928	[3] 808,893	5,804

[1] Some school systems did not apply for their allocations, and others used only portions of them.

[2] One-half the families in a town have incomes lower than the median and one-half have incomes higher than the median.

[3] Payment indicated was used during 1965–66 school year. Payment for 1966–67 has not yet been approved.

[From the Boston Herald, Jan. 4, 1967]

THE RICH GET RICHER—III

New Rochelle is a New York City suburb where it is not uncommon to live in a mansion. Breathitt County is a Kentucky Appalachian community where it is all too common to live in a shack. But the two communities do have one thing in common. They both received slightly more than $300,000 last year in Title I funds from the Elementary and Secondary Education Act of 1965.

Even before Title I went into effect, New Rochelle had one of the most advanced school systems in the country. It had a staff of remedial reading teachers, social workers, psychologists, psychiatrists. It had special programs for the gifted and special programs for the not-so-gifted. To run these programs, New Rochelle recruited the finest teachers in the country with maximum salaries of $11,750 for an M.A. and $12,800 with a Ph.D.

Before Title I went into effect, Breathitt County had 16 schools, most of them unapproachable except by foot. Inside one of these schools, a one-room wooden building called the Stray Branch School, a woman teacher instructed 16 children in grades one through six. Breathitt County had no remedial reading teachers, no social workers, no psychologists, and no psychiatrists to help this teacher and her schools had no special programs for anyone. In fact, Stray Branch had no bathroom, no history course, and precious few books. After teaching for 40 years, this highly dedicated teacher received a maximum of $5,500.

Why the gap between the two school systems? Simple enough. Money. A small percentage of New Rochelle's citizens are on welfare but most of them earn high salaries as scientists, engineers, lawyers, doctors, and corporate executives. Their median family

income is $8,600 per year and because they want the best schools for their children, they spent $896 per pupil in 1966 (exclusive of building construction and debt service), which is just about $400 above the national average.

Breathitt County doesn't have a small percentage of poor persons in its community. Practically everyone is poor and since the coal mines have closed, 77 per cent of the people are on welfare. Their median family income is $1,324, and much of the $285 they spend to educate a child is already supplied by the federal government, but it is still about $215 below the national average.

This sort of situation is what led to enactment of the Elementary and Secondary Education Act of 1965, and especially Title I of that Act. But instead of starting Breathitt County up the ladder toward the level of New Rochelle, Title I distributed about as much money to New Rochelle ($321,000) as it did to Breathitt County ($340,000). The slight edge Breathitt County enjoys over New Rochelle disappears under close examination. The way in which the two districts spent the money tells the story.

Since New Rochelle had almost everything a modern school system could want before it received Title I funds, the school administrators—well-trained in the art of spending money—developed "communications skills" classes to supplement the normal elementary school program. In the Daniel Webster School, one of the New Rochelle schools receiving Title I aid, all students in the school (rich and poor) watch rented movie strips, paint image pictures on slides illuminated by overhead projectors, and then describe their pictures into tape recorders and hear themselves talk. In another school, children learn to take pictures with a Polaroid purchased with Title I money. And so all of the money went toward improving the academic standards of this already first-rate school system.

Breathitt County officials wanted to improve their curriculum, too. And out of their $340,000, they did manage to hire their first nutritionist, their first art teacher, their first drama instructor, and their first social worker. But the Breathitt County administrators knew where most of the money had to go. They knew that the main diet of most children in the county was potatoes and beans. They knew that 80 per cent of the children had trouble paying attention in school because they were suffering from intestinal parasites. They spent their money wisely. They spent it for food.

Trying to decide which school system has been helped more by Title I is not easy. But one thing is clear. All of New Rochelle's money went into the improvement of its curriculum. Very little of Breathitt County's did. Therefore it is probably safe to assume that in academic terms, the gap between New Rochelle and Breathitt County is wider than ever before. In terms of the original purpose of the Act—which was to give the children of Breathitt County "the full benefits of education" so that they could break the poverty cycle—well, that is simply out of the question.

What in the Title I law accounts for such a poor distribution of funds? In yesterday's editorial, we explained how the Title I eligibility clause scatters the money all over the place, thus discriminating against poor districts in favor of the wealthy suburbs in any given state. But on a broader scale, there is another clause that discriminates even more in terms of state against state.

To determine how much money it will be allocated under Title I, every school district in the country first figures out as best it can how many poor children it has. But then it multiplies this figure times one-half the average per pupil expenditure in that particular state. This sounds reasonable enough but when you stop to consider the great financial gulf that separates the rural states from the industrial states it is not very fair at all.

Kentucky's average per pupil expenditure is only $320. New York's in contrast, is $786. Although Breathitt County has nearly three times as many poor children as New Rochelle, its Title I allocation in 1966 exceeded New Rochelle's by only $19,000 because Kentucky's average per pupil expenditure is so low compared to New York's.

And ironically, another clause in the Title I law prevented Breathitt County from using $100,000 of its meager allocation. This clause says, "The amount of a maximum basic grant may not exceed 30 per cent of the amount budgeted by the local educational agency for current expenditures." Because Breathitt County couldn't afford to spend much money on its schools in the first place, its original $440,000 Title I allocation exceeded 30 per cent of its budget. Congress, to its credit, has raised this restriction to 50 per cent for next year. But desperately poor Breathitt County has already watched $100,000 go off to wealthier school districts with bigger budgets and it might still lose money under the new formula.

A third restrictive clause in the Title I distribution formula requires that the money be used only in schools with a proportion of children on Aid to Families with Dependent Children greater than the average proportion for the entire town. In other words, the money goes to the poorest schools in the town. Once again, this sounds reasonable but it ignores the fact that a poor school in one town may be a wealthy school in another town. Coming back to Massachusetts to illustrate this point, we find that in Newton, the two schools receiving Title I money have only a six per cent AFDC enrollment. Yet three schools in impoverished New Bedford with a 10 per cent AFDC enrollment are denied Title I funds.

There are more questionable clauses in the law but we think the main point is clear. Title I is not achieving its original goal. Instead of giving massive injection of Federal money into hard-core poverty districts, Congress decided to scatter the taxpayers' billion dollars over a wide area. In the one-room schoolhouse of Breathitt County and the drafty classrooms of Fall River, Title I money is used for food. In the wealthy suburbs, Title I funds are used for the latest model projectors, tape recorders, and even $48 of pencils (Belmont), a $200 typewriter (Lexington), and $500 of a custodian's salary (Newton).

As a result of this scattering of funds, the hardcore poverty districts do not have enough money to give their children "the full benefits of education" which President Johnson proposed. They receive only piecemeal benefits, while the educational inequalities which Title I was supposed to correct are reinforced and the poverty cycle is unbroken.

This is a terrible waste, because where Title I money has been concentrated to do the most good, it has shown what can be done to help the children who most need it, the subject of tomorrow's editorial.

TITLE I FUNDS SPENT FOR FOOD: APPALACHIAN SCHOOLS FIGHT HUNGER, FILTH, FUTILITY

(By Ronald Kessler)

BREATHITT COUNTY, KY.—Dusk was setting on this Appalachian community as the visitor drove into the county seat of Jackson and stopped at the best hotel, the Jefferson.

A swarthy man pulled out the key to the most expensive suite in the hotel, a $6 room with no telephone, and, after contracting a stiff neck from the drafty accommodation the visitor set out the next morning to see some schools and homes in this typical Appalachian county.

The nearest elementary school, the Stray Branch, was approachable only over a steep mountain road which proved to be too muddy to be climbed by car. A school department truck finally succeeded in climbing the mountain, and it stopped beside an unpainted wooden structure suspended over the ground on cinder blocks.

An outhouse stood at the rear of the school, since only three of Breathitt's 16 schools have indoor plumbing. Inside, one instructor was teaching 16 children from grades one through six. The two 60-watt bulbs in the ceiling provided only dim illumination, and the children had to bend over their papers to see. A pot-belly stove stood in the center of the room. There were few books in sight. On the wall was a color picture of President Johnson.

The teacher, Mrs. Dertha Watts, asked if the visitor would speak to the class: "They never see anyone from the outside; just a few words from you would mean so much," she said.

How many of you have ever heard of Boston? the students were asked. No one raised his hand.

How many have been outside Breathitt County? Four children raised their hands.

Would you like to hear about airplanes or Washington or how newspapers are made? They all shook their heads up and down.

Many of the children had blank expressions on their faces, and others bore obvious signs of malnutrition. In the back room, a pretty 16-year-old girl Drusie Ann Kinniard, was preparing a lunch of beef stew provided by the government.

She had been in her second year of high school, learning history for the first time, when her father said he didn't want her going to school any more. She never knew why. So Drusie was working mornings at the Stray Branch School, preparing meals for children who only had beans and potatoes at home.

But food is not the only problem at school. Seven-year-old Stephen Cockerhn, a blond-haired boy with a hopeless expression on his face, came to school the week before wearing old women's shoes. A school official finally succeeded in getting him some old men's boots from the precious supply of old clothes donated by people in apartment houses in New York.

Stephen walks a mile every day to school in the old boots, but some Breathitt County children are transported 45 miles by bus every day, and other Breathitt children can not go to school because they are retarded or handicapped and there are no facilities for them at school. The incidence of mental retardation is high in Breathitt County, since the county's 15,000 people—only 10 of them Negro—have been inbreeding for generations, and incest is not uncommon, which is true of many rural areas.

But Stephen Cockerhn is a normal boy with a typical home environment for the Appalachias. He lives in a splintery shack in the middle of the mud with his five brothers and sisters and his mother, Mrs. Delvena Cockerhn. Her husband had gone to Michigan a month before to try to find a job, a common occurrence in Breathitt since 77 per cent of the people are on welfare.

Ever since the coal mining companies closed up before the Depression "the main occupation here is sitting around and breathing the fresh air," according to School Supt. Mrs. Marie R. Turner. And since 95 per cent of the land is mountainous (even the cemeteries are hatcheted out of the hills), farming cannot support the needs of the population.

Inside the Cockerhn shack, a pot-belly stove was burning soft coal, blackening the faces of the children. But there was no way for them to take a bath or shower and no outhouse. The windows were made of dirty rags, and the shack smelled of urine.

Mrs. Cockerhn had not paid her rent of $10 a month since the summer, and she stopped paying her $12-a-month electric bill

a year ago. The refrigerator is now used only to store food, but there is not much need for refrigeration since the children have potatoes and dried beans for breakfast, lunch, and dinner, and only once every two weeks are they lucky enough to have "hog's meat." However, often the family goes for two to three days without any food and the baby sleeping in filth in a corner of the shack is then deprived even of milk.

Like 80 per cent of the Breathitt County children, Stephen Cockerhn has worms and other intestinal parasites. One of his brothers has tuberculosis, a disease with a 50 per cent higher incidence in the Appalachias than throughout the country.

Stephen never has heard of toothpaste, and when he gets a toothache, he suffers until the nerve dies and the tooth falls out, since he has no way of getting to a dentist, and even if he did, his mother has no money. Like most children in Breathitt County, Stephen already has lost many of his teeth.

Stephen has never been to Jackson, the county seat of 2,000 persons. But even if he had, he could not have known what a movie is, since Jackson has no movie theater, and one of the few forms of entertainment open to Breathitt residents is going on wild sprees in the hills with homemade gin.

The school superintendent says, "We need remedial reading teachers terrible bad." But much of the $340,000 allocated to the Breathitt schools last year from Title I of the Elementary and Secondary Education Act went to feed youngsters. There was little left over for remedial reading.

Despite Title I's intention, as stated by President Johnson, to balance educational inequalities, New Rochelle, N.Y., was also given more than $300,000 from Title I. The money was used to buy tape recorders, slide projectors, and Polaroid cameras, since the schools already had remedial reading teachers, psychiatrists, social workers, and psychologists.

But Mrs. Cockerhn and many of the 15.3 million people who live as she does in the Appalachias have never heard of Title I or New Rochelle or even New York City.

But she had heard of President Johnson. "I was hearing him on a radio once," she said through missing teeth.

"He talked about having war. They already killed seven people and they're going to kill some more. He said the people across the water need help."

[From the Boston Herald, Jan. 5, 1967]

THE RICH GET RICHER—IV

The Boston schools are not noted for their excellence. They have been strongly criticized, both in this column and elsewhere, and most of that criticism is deserved.

But in a major program funded by Title I of the Elementary and Secondary Education Act, the Boston schools have created some of the most original and exciting projects we have seen in visits to Title I programs in 10 school systems throughout the country. The Boston program is a good example of what Title I funds can do to help children from hard-core poverty areas. It shows what Title I can do when the money is not scattered around, but is applied in a concentrated effort to bring the full benefits of education to children and thereby give them the opportunity to break the poverty cycle.

The program is called the sub-system, a nearly autonomous experimental unit consisting of four school divisions from preprimary to high school levels within the larger school system. The elementary level is conducted in the Boardman School in Roxbury, a school with a nearly 100 per cent Negro enrollment. Visitors to the Boardman School can feel the excitement and enthusiasm in the air.

In one un-graded class with fourth, fifth, and sixth grade youngsters, a hose-thin boy peering into a microscope suddenly screamed, "I got it! I got it!"

The class had taken a field trip and collected samples of water from ponds, puddles and water faucets in a program developed by Educational Services, Inc., of Cambridge. Each child had been given a 100-power microscope built by Bausch & Lomb. The pupils were left alone to figure out for themselves how to use them.

Now the classmates of the boy who had finally succeeded in focusing his microscope crowded around him. Some of them looked through the eye-piece and saw what he had seen: one-celled protozoa, tiny water beatles flitting through the water, baby snails, and algae. The children rushed back to their microscopes, one by one learned to focus them, and then started asking questions: "Are these things alive?" "Is it good to drink this water?" "How come they can move?" "What are these things called?"

The teacher did not answer them. Instead, he suggested how the answers could be obtained by consulting reference books, and several of the children became so interested in the phenomena they had found that they went to the public library to find out more about them.

"We believe the children learn best by discovery," said School Director Bernard H. Shulman as he described several dozen similar programs instituted by sub-system director Evans Clinchy. Children in the first grade are taught about banking, the stock market, and writing checks even before they can read. They discover relationships between numbers with colored blocks and rods. Children in the upper grades experiment with batteries and light bulbs, ice cubes, seeds, pendulums, balances, and butterflies—all Educational Services, Inc. courses. Fifth and sixth grade children learn about animals from live guinea pigs, rabbits, and gerbils (similar to hamsters) kept caged in the classrooms. Children in kindergarten and classes for slow learners discover musical concepts by taking off their shoes and socks and responding to music through their bodies in a curythmics course.

Afternoon activity programs offer a potpourri of cultural enrichment projects including creative writing, ceramics, field trips to supermarkets and swimming. Parents are kept informed of the latest developments in school through newsletters and monthly meetings with teachers.

Teachers' horizons are constantly broadened with lectures at the school by psychiatrists, educational consultants, and professors.

Even more important, the funds from Title I have provided teachers the flexibility to innovate, to develop the proper attitudes toward culturally deprived children, and to discard the rigid thinking too often prevalent in the rest of the Boston schools. Children in many Boston schools must sit with their hands folded during most of the day, and they are not permitted to talk during cafeteria periods.

In contrast, a fifth grade class at the Boardman School recently brought in popular records from home and when they wanted to dance (and even twist) to release some of their energy, nobody objected.

This, then, is education in the sub-system, paid for by Title I funds. We believe it is what President Johnson meant when he originally proposed to bring "the full benefits of education" to children in poor school districts. It is not just receiving a solid academic background, although that is a great part of it. It involves the child's social and cultural life and his family as well. The child develops imagination, he develops enthusiasm, and if he can get enough of all of this, he will have a good chance to break the poverty cycle.

There is, of course, a catch to the Boston sub-system. Only 700 children are enjoying its benefits and Boston has 23,000 children who need this kind of help. Even if all of Boston's $3.5 million Title I grant were devoted to sub-systems or similar comprehensive programs, the city could accommodate only 4,500 of the 23,000 children.

Boston's Office of Program Development, which directs the sub-system, would like to expand the program into other schools, but it needs more money. Like many large American cities, Boston has almost taxed itself out of existence in recent years but it can still spend only $530 per pupil, exclusive of Title I funds, compared to $760 in Newton and $1,239 in Scarsdale, N.Y. The city cannot be expected to do much more. The Federal government will have to help.

But under the Title I distribution formula enacted into law by Congress, that cannot happen. Under the formula, in fact, Newton receives $96,000, Scarsdale receives $18,000, and Westchester County—the sixth wealthiest county in the country—is allocated $2.8 million, nearly as much as the city of Boston.

[From the Boston Herald, Jan. 6, 1967]

THE RICH GET RICHER—V

The American people and their representatives in Congress must ask themselves just what they want to do with the billion dollars in Title I funds now being scattered all over the country. For Title I of the Elementary and Secondary Education Act of 1965 is not moving towards its original goal as defined by President Johnson.

Title I is not bringing "the full benefits of education" to children in the depressed urban ghettos and rural areas so that they can break the poverty cycle. Instead, our investigation has disclosed that Title I:

Discriminates against poor school systems by allocating more money to states with the highest average per pupil expenditure. School systems in New York state receive three times as much money as school systems in Mississippi for the same number of poor children because New York's average per pupil expenditure is $786 as compared to Mississippi's $259.

Penalizes the most impoverished school systems by restricting grants to no more than 50 per cent (previously 30 per cent) of a school system's budget. The schools of Breathitt County, Ky., where 77 per cent of the people are on welfare, were last year denied more than $100,000 because of this clause, and this year they will still be denied part of their allocation.

Allocates money to wealthy schools with low proportions of poor children while poor schools with higher percentages of poor children are denied money. Two schools in Wellesley with two per cent of the students on Aid to Families with Dependent Children are receiving Title I funds, while three schools in New Bedford with 10 per cent on AFDC are not entitled to receive Title I funds.

Fails to accomplish its goal of providing equal educational opportunities by ignoring the main cause of educational inequalities: the vast differences in per pupil expenditures among America's school systems. A poor child attending the Fall River schools, where the per pupil expenditure is $400, or Breathitt County schools, where the expenditure is $285, will receive an inferior education; while the same poor child attending the Newton schools (expenditure $760), or New Rochelle schools ($896), will get the best education this country can offer.

This does not imply that Title I has been a waste of time. In its one year of existence it has provided valuable intelligence with which to make future plans. For one thing, Title I has proved that the warning cry, "Federal control of education!" is the reddest of red herrings. There are almost as many different programs being developed with Title I funds as there are school districts using the funds and Title I is, in a sense,

the largest laboratory in the world. Wellesley, for example, is experimenting with the use of printing presses and new approaches to teaching while Newton seems to be getting results with its program of special reading and speech therapy training on an individual basis. These programs are good and should be continued. The question is, by whom?

We believe that Wellesley, with its median family income of $11,428, and Newton, with its median family income of $9,080, should not receive poverty funds. We would also like to believe that the citizens of Wellesley, Newton and the thousands of suburbs like them do not really want to receive poverty funds. And finally, we would like to believe that these affluent communities will want to continue their worthwhile Title I programs—using their own financial resources. Only in this way will hard-pressed communities like Fall River and Breathitt County get the money needed to raise their average per pupil expenditure to the productive level of the suburbs.

We realize that the concept of wealthy communities reaching into their pockets to help the schools of poor communities is a radical break with American tradition. But the structural change of American community life during recent years has also been radical. The wealthy are congregating more and more in the suburbs. The poor are becoming increasingly isolated in the ghettos and rural areas. The old concept of each community looking out for the education of its children is a fine thing—if the community is wealthy.

In less fortunate communities, we find children whose families cannot pay for good schools, whose schools cannot give them a good education, whose education cannot get them good jobs so that they can pay for better schools. That, of course, is the poverty cycle and that is what must be broken.

The hard-pressed school districts need an all-out, comprehensive program to break the cycle. Boston's sub-system has shown what can be done. But this type of comprehensive program will not be possible for most poor districts under the present law which scatters Title I money to nearly all school districts in the country.

If Title I is to distribute money to those who really need it, the distribution formula should give primary consideration to the per pupil expenditure of each school system on a district, not a state-wide, basis. The systems with the lowest expenditures should get the most aid. The systems with the highest expenditures should get none.

Equalization of per pupil expenditures—or a start in that direction—would benefit the great majority of America's poor children now living in depressed areas and at the same time cut off aid to children in wealthy suburbs where the school systems are already providing each child with a superior education.

As in the present Act, any school system which reduces its budget would be denied Title I money. And perhaps other provisions could determine whether a school system's present per pupil expenditure bears a reasonable relationship to the median income or tax base of the town. But we believe this is a minor consideration since most communities are already spending as much as they can afford for education.

Figuring out the deaths of the new distribution formula will naturally be the job of Congress, and the Senate and House have the talent to do the job. The important thing is that they act this year. Because with so much money going to Vietnam, we must use what domestic money is available to the greatest possible effect.

We do not underestimate the difficulties involved. Changing Title I so that it benefits those who need it most will be a politically unpopular move for many Congressmen. It will mean taking money that is now going to their own districts and transferring it to others. But we believe Congress will act.

We believe Congress wants to help a little boy named Danny who is three years behind in reading because the Fall River schools cannot afford remedial reading teachers.

We believe Congress wants to help a seven-year-old boy named Stephen in Breathitt County who now gets enough food to concentrate on his reading, but doesn't have the books to read.

We believe Congress agrees with what President Lyndon B. Johnson said in his State of the Union Message of 1965: "Every child must have the best education our nation can provide."

We believe Congress will no longer tolerate spending one billion dollars a year for an act which reinforces the educational inequalities which it was supposed to correct and makes the rich richer at the expense of the poor.

(NOTE.—Comments on the Herald's editorial series, "The Rich Get Richer," were prepared by the U.S. Office of Education at the request of Sen. Wayne Morse, chairman of the Senate education subcommittee, who entered both the editorials and the reply in the Congressional Record of Jan. 25.)

The Boston Herald series, "The Rich Get Richer," raises a number of issues concerning the intent and implementation of Title I of the Elementary and Secondary Education Act of 1965. The central points made are that the current formula for the distribution of funds makes little attempt to equalize expenditures among the States and that within States it distributes funds to school districts regardless of their fiscal capacity to support quality public education for educationally deprived children. The discussion of these issues in these articles reveals confusion about both the intent of the program and its operation and ignores changes made in the law in 1966 which were designed to alleviate many of the problems raised in the articles.

DISTRIBUTION WITHIN STATES

Title I is based on the premise that the children of poverty, wherever they may live, need an enriched educational program if they are to overcome the learning handicaps they bring to school with them. Funds are therefore to be concentrated in school attendance areas having high concentrations of such children, regardless of the fiscal capacity of the district or county as a whole. The law thus distinguishes between poor districts or counties and poor children; it allocates funds on the basis of the numbers of poor children and assures that these funds will be concentrated in those schools which these children attend.

The procedures for allocating funds within a State are complicated and undoubtedly resulted in some inequities during the first hectic year of operation (1966). The 1966 county allocation, made by the Commissioner of Education, was based on the numbers of children, ages 5–17, from families earning less than $2000 per year, according to the 1960 census, plus the numbers of such children from families receiving income from AFDC payments in excess of $2000 per year, according to 1962 data. Because of this time lag, each county's allocation could not reflect a current head count of disadvantaged children. When it came time for the State educational agency to allocate funds to each local district within the county, it ran into the same data time-lag problem, although it had some flexibility to use other poverty indices where they were more accurate.

A section in the Elementary and Secondary Education Amendments of 1966 helps correct this situation by requiring the use of the most recent available data in the Title I formula beginning this year. States are also being encouraged to use the most up-to-date data whenever possible for making subcounty allocations. This data provides the most up-to-date information that is currently available for distributing funds to the disadvantaged areas of our major cities, and will provide a more equitable distribution within these cities. Another amendment gives States greater flexibility in defining eligible "local educational agencies" so that they can more equitably distribute available funds in accordance with local peculiarities within their State.

It should also be noted that Title I does have some equalizing effect within States. There is wide variation in per-pupil expenditures in various districts within each State. By using a uniform per-pupil expenditure figure in each State, however, Title I provides a greater amount per disadvantaged child to local educational agencies with a low per-pupil expenditure than it does to districts above the State average.

In summary, Title I is not intended to compensate school districts for the inadequacy of their resources to meet general educational needs. Rather, its goal is to supplement their resources so that they are able to provide extra educational and related services to the children who need them most.

DISTRIBUTION AMONG STATES

The critical variable for determining how Title I resources will be allocated among States is the State average per-pupil expenditure. There is no doubt that the original Title I formula—which used one-half the State average per-pupil expenditure times the number of children defined at poverty level—provided a proportionally greater amount to those States which already had a higher rate of expenditure. The Congress, recognizing this inequity, amended Title I last year so that, beginning on July 1, 1967, one-half the State average per-pupil expenditure, or one-half the National average per-pupil expenditure (whichever is greater) will be used in computing each State's allocation. In addition, the low-income factor (currently $2000) will be increased to $3000, which will channel more resources into areas with large numbers of poor children not now counted under the formula.

In addition, if we do look at per capita income variations among States, we find that the proportion of Title I funds to State and local resources going into States with the lowest per capita income is more than twice as great as the amount going into the States with the highest incomes. The States of West Virginia, Kentucky, Arkansas, Louisiana, Tennessee, Mississippi, Alabama, Georgia, North Carolina and South Carolina all have per capita incomes below $2,000 per year and the percentage of Title I funds for these States to their expenditures for education is over 9%. On the other hand, wealthy States such as New York, Illinois, California and New Jersey with per capita incomes over $3,000 per year received amounts of money that were under 4% of their expenditures for education.

Finally, a recent article in Educational Administration Quarterly commented on this very issue. The author's conclusions are worth quoting:

"We have attempted to show that Title I of the 1965 Elementary and Secondary Education Act does indeed succeed in channeling federal government funds to the low-income regions of the country to a very substantial degree. Viewed in isolation, it is a highly progressive program with respect to its tendency of yielding more than proportional amounts to low-income areas and less than proportional amounts to high-income areas, thus tending to lessen regional income differentials.

"Furthermore, when this new program of educational grants is compared to some of the older activities of the federal government, it appears to be more oriented to

directing funds to low-income regions, even more effectively than pure income transfer payments such as public assistance. In addition, the first year's allocation of education funds shows up as more "progressive" than the initial projects under the Office of Economic Opportunity.

"If the 1965 Elementary and Secondary Education Act can be considered representative of the rapidly expanding expenditure programs which have become part of the "Great Society" concept, then further reductions in regional income differentials may be anticipated as the income-equalizing programs in the federal budget become an increasingly large component of governmental finance.

"Governmental expenditures on education—with their heavy orientation to investment in human beings—may be considered in an even more favorable light vis-a-vis the more traditional welfare and income maintenance programs. This may become increasingly the case when it is realized that the new type of federal aid to education contributes both to the anti-poverty efforts, by channeling funds into low-income areas, and to raising the economic potential of the nation by increasing the productivity of its present and future labor force."

SPECIFIC COMMENTS

In addition to these general issues, there are other specific points which deserve comment.

(1) There was no change in philosophy between the time of the President's Education Message in January, 1965, and the Elementary and Secondary Education Act's passage in March. While the subheading in the Message refers to aid to "low-income school districts," the meaning of this phrase is spelled out clearly in the subsequent sentence. The President stated: "I recommend that legislation be enacted to authorize a major program of assistance to public elementary and secondary schools serving children of low-income families." The Administration bill reflected this philosophy and embodied the formula finally used in FY 1966.

(2) The 1966 Administration amendments recommended elimination of the clause which stated that a local educational agency's grant may not exceed 30% of its current budget. The Senate agreed to this recommendation, but the House raised the 30% limitation to 40%. The final amendment reflects a limit of 50%. The Office of Education would support any effort to remove this limitation, although it does not believe the amendment exerts a hardship on districts this year.

(3) The "statistics" used to support the author's arguments are misleading, and often fallacious. Take the Fall River example. The articles state that Fall River is using "much" of its allocations for food services. In actuality, the amount so used is about 18%. Fall River's program is quite comprehensive. Preschool programs account for 15% of the funds; reading, math, and music, 11%. Other items include: tutoring (10%), health, psychological, and social services (15%), and related parent services (7%).

A more serious erroneous implication is revealed in the second article, where the author states that Fall River has increased its per-pupil expenditure by only $39 as a result of Title I. But Title I is not aimed at increasing a district's overall per-pupil expenditure; rather its intent is to increase the amounts spent on education in schools serving children below the poverty level. Fall River received $258.91 per child under the formula, not $39. This is a significant amount and one that, added to local expenditures, can assist local educational agencies to meet the most pressing educational needs of these deprived children. The total of $658.91 available from Federal and local funds per disadvantaged child in Fall River is well over the national average and compares favorably with the amounts available in our richest suburbs.

CONCLUSIONS

Finally, we cannot leave this discussion without commenting on the sweeping allegation that Title I "as a whole has had very little effect on poverty." This is simply not true. State evaluation reports of the first year's operation, now being analyzed by the Office of Education, reveal that a significant beginning has been made throughout the country in overcoming educational deprivation. The National Advisory Council on the Education of Disadvantaged Children confirms this finding. Their report dated November 25, 1966, points out:

"The single most widespread achievement of the Title I program is that it is causing teachers and administrators to focus new thinking on ways to overcome educational deprivation. In addition to this most significant accomplishment, Title I has produced important tangible change by enabling purchase of books and teaching materials where they had been sadly lacking; by enabling employment of new personnel, sometimes in specialized categories, where they were sorely needed; and by providing especially needy children with such basic prerequisites to learning as food, clothing, and medical care."

The process of improvement will be a long one; it requires not only financial resources but also a reorientation of both people and institutions to the special needs of deprived children. This is true for our central cities and rural pockets of poverty; it is also true for many suburban areas whose primary responsibility is felt by them to be to the middle-class child. Title I has forced nation-wide consideration of the problems of the disadvantaged child.

[From the Boston Herald, Feb. 10, 1967]

THE RICH GET RICHER: A REPLY

The U.S. Office of Education has issued a rebuttal to a series of editorials published in this newspaper Jan. 2 through 6 on Title I of the Elementary and Secondary Education Act of 1965. The series, "The Rich Get Richer," contended that the Act reinforces the educational inequalities which it was supposed to correct—at a cost of one billion dollars a year—by distributing money to wealthy school systems at the expense of poorer school systems which need far more money than they are now receiving. The Office of Education's comments, published on this page today, question the validity of several of our facts and figures while ignoring our central point.

The rebuttal states that Title I is based on the premise that "the children of poverty, wherever they may live, need an enriched educational program if they are to overcome the learning handicaps they bring to school with them," and that funds are therefore allocated "regardless of the fiscal capacity or county as a whole." Title I allocates money, in other words, according to the number of poor children in a town and not on the basis of the quality of the education those children are receiving.

This allocation procedure does not make sense, and that was the point of our editorials, but the Office of Education does not answer these criticisms. Neither does the rebuttal refer to the specific examples cited to support the criticisms:

That the New Rochelle, N.Y., schools have an average per pupil expenditure of $896 and already had a full staff of remedial reading teachers, psychiatrists, psychologists, and social workers before Title I was enacted, yet the schools receive $321,000 a year from the Act, and the money is used for Polaroid cameras and slide projectors.

That the Breathitt County schools in the Kentucky Appalachias can spend only $285 per pupil and have primarily one-room schoolhouses without indoor plumbing, yet the schools received only $340,000 and since they were so far behind, the money is used for free breakfasts for the large proportion of children who are suffering from malnutrition and to hire several high school teachers, but there was no money left over for anything else.

That Title I money is distributed to wealthy school systems such as Wellesley, which has an average per pupil expenditure of $700; Brookline, with an expenditure of $778; Newton, with an expenditure of $760; and Scarsdale, N.Y., with an expenditure of $1,239. After the Title I money is distributed to these towns very little is left over for Fall River, for example, which has a per pupil expenditure of $400 and needs far more money than it is getting if it is to be able to hire remedial reading teachers and other personnel which New Rochelle and Newton had 10 years ago.

A child could come from a wealthy family and he would still receive an inferior education in Fall River; while a poor child would receive a superior education in New Rochelle. These are the educational inequalities which Title I reinforces by giving even more money to the wealthy school systems and by not giving enough to the poor systems. Other provisions in the Act discriminate still further against the school systems which need the money most, as we pointed out in our editorial series; and the Office of Education has questioned specific points in this evaluation. Our answers to these points are as follows:

The amendment which will become effective in 1968 to permit allocation of funds based on the national average per pupil expenditure rather than the average for each state will be an improvement but will still mean that a rich state such as New York will receive more money for the same number of poor children than a poor state such as Kentucky or Mississippi. And the beneficial effects of the amendment will be offset by another amendment which will permit greater use of Aid to Families with Dependent Children statistics in determining eligibility and will raise the minimum eligibility level from $2,000 to $3,000 favoring in both instances the wealthy Northern states over the poor Southern states.

Title I as finally enacted represents a change in philosophy from President Johnson's description of the legislation in his Education Message which referred to the proposal as "a major program of assistance to public elementary and secondary schools serving children of low-income families."

"Much" of Fall River's Title I allocation is being used for food, and this is supported by the statistics cited in the Office of Education's rebuttal.

The increase in Fall River's per pupil expenditure from Title I funds is much closer to $39 than to the Office of Education's claim of $259. The claim is based on the presumption that only children eligible to receive Title I funds are receiving them. This is not true. Thirty-one of Fall River's 34 schools receive Title I money, and because many Title I projects such as teacher aides and visual aids benefit the entire school, nearly all children in Fall River are receiving the funds.

Title I as a whole has had very little effect on poverty despite the Office of Education's citation of a November, 1966, report of the National Advisory Council on the Education of Disadvantaged Children stating that the program "is causing teachers and administrators to focus new thinking on ways to overcome educational deprivation." The Office of Education neglected to quote the subsequent sentences in the same report: "For the most part, however, projects are piece-

meal fragmented efforts at remediation or vaguely directed enrichment. It is extremely rare to find strategically planned, comprehensive programs for change . . . One of the most disappointing findings was the failure of most schools to identify and attract the most seriously disadvantaged children."

The last sentence is crucial, for it contradicts the Office of Education's statement that the goal of Title I is to provide extra educational services "to the children who need them most." The children in Newton who attend remedial reading classes in carpeted rooms with walls of books are not the ones who need the funds the most. Neither are the children in New Rochelle who learn to use Polaroid cameras or the children in Scardale or Beverly Hills, Calif.; Wellesley or White Plains, N.Y.

The children in Breathitt County and Fall River, New Bedford and Tunica County, Miss., are the ones who need the funds the most.

These are the children who will continue in the cycle of poverty because they will not have the education to get good jobs and they will not have the jobs to get a good education. They will continue in that cycle so long as Congress allows the one billion dollar appropriation for Title I to be scattered to the wealthy suburbs, making the rich richer at the expense of the poor.

TERROR IS SIMPLY A TACTIC

Mr. HARRISON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] 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 Wyoming?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the National Observer of May 15, 1967, features a very thorough and enlightening article by Wesley Pruden, Jr., on the use of terror by the Vietcong in South Vietnam. Author Pruden sums it up very aptly when he states:

> Terrorism is simply a tactic of this war; as such, it is never nationalized nor is an apology ever entered for it. Terror, or violence, makes the political struggle possible. Terror is, in the words of one observer here, "the hardener in the formula, the steel in the superstructure." Without it, the Communists willingly concede, the war for the "national liberation" of South Vietnam would not succeed.

The use of terror in South Vietnam is, of course, but the latest example in communism's long history of brutality against man. As far back as 1901 V. I. Lenin stated that—

> We have never rejected terror on principle, nor can we do so.

Now, 50 years after the 1917 October revolution inaugurated the greatest bloodbath in history, the use of the official policy of terror is being employed every day in South Vietnam. Ho Chi Minh, a follower of Lenin and trained in Moscow in 1920's, displays for the world this inhuman policy, and still there are those in high places who will not understand.

I insert the article, "Terrorism Is Simply a Tactic of This War," by Wesley Pruden, Jr., in the National Observer of May 15, 1967, in the RECORD at this point:

"TERRORISM IS SIMPLY A TACTIC OF THIS WAR"—A LOOK AT THE VIETCONG'S TIGHTLY ORGANIZED EFFORT TO INTIMIDATE OPPOSITION

(By Wesley Pruden, Jr.)

SAIGON.—Scooting through the stench and tangle of Saigon's rush hour, two men were obviously having a hard time pedaling what looked to be an empty three-wheel cart. The cop on the corner thought so too.

He waved a white-gloved hand at them, and 36-year-old Nguyen Anh Tuan and his pal braked to a stop at the curb. When the cop lifted the false floor in the cart, he found a 264-pound homemade bomb of *plastique*—nitroglycerin in a putty-like base—hidden between the wheels.

It was enough nitro to blow up a hotel. And that, precisely, is what Tuan and his terrorist pal had intended to do with it. Tuan and his assistant, who was 19, were members of a Communist Viet Cong "Special Activities Cell" in Saigon. Their special activities included systematic murder, arson, theft, and blackmail.

NO TIME FOR SENTIMENT

They were hard and tough when they were arrested; they did not break down at all under the pressure of the Saigon police. Two days later, when they appeared before the Saigon press, a Vietnamese reporter observed that their target, a hotel for U.S. naval officers, was next door to a Vietnamese school.

"Wouldn't you have felt remorse if a hundred children had been killed or maimed?"

Tuan looked him in the eye and replied coldly: "No, I wouldn't feel any remorse at all. This we cannot help."

Tuan and his luckless accomplice are typical—except that they were caught; many Viet Cong terrorists are not. But they, like other "technicians" in "special activities," are taught to deaden their emotions as they learn the morbid skills of their job.

"We must never look back," Tuan said. "To do so is to avert your eyes from the goal."

NOT FOR TERROR'S SAKE

Cold-blooded, ruthless, and unemotional as Tuan may be, he is not indiscriminate. He is a prize pupil, and there are others like him. If the brutal murders of thousands of Vietnamese civilians have proved anything, it is that the Communists never use terror merely for terror's sake.

Terrorism is simply a tactic of this war; as such, it is never rationalized nor is an apology ever entered for it. Terror, or violence, makes the political struggle possible. Terror is, in the words of one observer here, "the hardener in the formula, the steel in the superstructure." Without it, the Communists willingly concede, the war for the "national liberation" of South Vietnam would not succeed.

"The U.S. clique uses collaborators, villains, spies, and secret-police agents," says one Viet Cong indoctrination booklet, "and thus it is necessary to counterattack the enemy's military units, to destroy collaborators, villains, secret-police agents, and spies. Violence is required because (1) the enemy's political weaknesses have forced him to resort to force of arms to impose his will and this must be countered; (2) because it will enhance the political struggle, and (3) because it prevents the enemy from mingling freely among the village masses, and helps isolate him and thins out his ranks."

"Thinning out" is a modest way of putting it.

Since 1958, the guerrillas have killed 11,200 civilians and captured 40,000 more. This is the statistical equivalent, if applied to the United States, of 143,000 and 520,000—enough people to fill cities the size of Hartford, Conn., and Atlanta.

These are murders in the still of the night, often in the Vietnamese back country where sudden death is a gruesome fact of life; these murders, carefully plotted and spaced across the face of the land, rarely make the pages of the Saigon newspapers and never are screamed from the world's headlines.

Yet it's a campaign that grinds on, even as the war grinds on, and there are signs that terror is to be emphasized again.

In one recent week, the Viet Cong terrorists killed 56 civilians. These included a hamlet chief, a deputy hamlet chief, a public-action team member and two other Vietnamese pacification workers, three national policemen, five guerrilla defectors, a village-council candidate, a deputy village chairman, and an interpreter-translator for the U.S. psychological-war office.

"Fifty-six civilians a week is an appalling bloodbath," says an American pacification worker, "but when you consider who these 56 civilians are, that they are 56 civilians who make the government run, you can begin to see just how discriminate and precise the use of terror is."

CAREFULLY ORGANIZED

To control the use of terror, the terrorists must, of course, be tightly organized, and the Communist terrorists are organized as carefully and disciplined as regularly as the guerrilla soldiers in the field.

The basic unit is the three-man cell. In areas controlled by the government, there are two kinds of secret cells: The Special Activities Cell (like the one Tuan belonged to) and the Urban Sapper Cell. Both are assigned to clandestine terror.

From the rosters of these cells, the National Liberation Front (NLF) draws the assassination teams, the grenade throwers, the suicide squads who often drive explosive-laden motorbikes or cars into targets in heavily congested areas or targets that are so heavily guarded that escape is impossible.

Usually these cells are devoid of competent technical ability; Tuan, for all his determination to blow up the U.S. military hotel, was, after all, a drayman. He didn't know how to manufacture the explosives; the charge was loaded for him and he was told when and where to go.

A GUN FROM CHICAGO

When the provincial or zone headquarters of the NLF draws up a special job it nearly always has to bring in special outside help. "When it's too big for the boys in Peoria," say an American here, "they call in a bigger and more expensive gun from Chicago."

One such job was the blasting of the U.S.S. Card, a small aircraft transport, in the Saigon harbor in 1964. This was an exacting job for a skilled frogman, who might, as a matter of fact, have been a navy frogman brought down from the north for just this job. The Card was damaged heavily, though the Communists apparently considered the job partly bungled because the blast went off after the cargo had been unloaded.

Most of the local, unskilled terrorists are, unlike Tuan, quite young. Some are teenagers. From captured documents and interviews with captured cadre and defectors, it is clear that the Communists find these youngsters more willing to take the risky, daring jobs—and that the chiefs prefer them because they are much easier to influence and indoctrinate and therefore not as likely as an older man to question a dangerous order or to become a double agent.

The best age for the terrorist is 18, so the Communists contend, but a 13-year-old is good enough to toss a grenade into a crowded marketplace. Young boys can also mingle more easily with crowds because they attract much less suspicion. This enables them to walk right up to a difficult target, and occasionally makes escape possible, though there is little evidence that this latter matters much so long as there are other 13-year-olds to fill the gaps of those who are caught or killed.

ACTING UNDER ORDERS

The simple terrorist does not, of course, have anything to do with picking his target, nor of saying when the target will be hit. This is a policy and tactics matter to be decided at a higher level. The terrorist merely waits for his order, much like the solider in the field waits for his order to advance.

When the guerrillas enter an unfriendly village, terror is rarely the first weapon used. They often try to persuade first. But resistance, if it appears, is put down quickly. The head of a village chief, mounted on a bamboo pole in the center of town, is a tremendous pacifier of balky villagers. Says a Vietnamese pacification cadre: "The head of a respected village elder or chief may not 'pacify' a village as permanently as a new well or a new school, but it does it much quicker." Pacify is not, to be sure, quite the word; the word is "intimidate," but the cadre makes his point.

This kind of terror does two things. It intimidates, and it destroys the faith of the villagers in the Saigon government (if they had any to begin with) to protect them. That's why the village and hamlet chiefs have been such prime targets; they are the village and hamlet symbol of Saigon, and since 1958, more than 10,000 of them have been dealt with.

They aren't always killed. Nguyen Van Tram was chief of a village in Kien Phong province, in the Mekong Delta west of Saigon. Tram was kidnaped and returned when the village cleaned out its meager treasury to pay a 42,000-piaster ransom, the equivalent of less than $400. But before they released him the Viet Cong casually chopped off one finger from each hand. "Next time," they said, "we'll get some of the rest of you."

Even Tram was fortunate. Huynh Huu Be was the chief of Phuong Dinh village in a province in the central highlands, far north of Saigon. The guerrillas pranced into his village one day at dusk a few months ago and went straight to Be's house. Without knocking they barged in, grabbed Be from his supper table and dragged him into the yard.

His wife ran after him, screaming, and finally she threw herself onto the ground between her husband and the guerrillas. They shot her, careful only to wound, while her husband watched in horror. Then they shot him, then her, then him, until both were dead.

Their 6-year-old daughter, who had been taking her bath inside, ran into the garden to try to hide among rows of lettuce. A guerrilla saw her, and fired two quick bursts from his sub-machine gun. The next morning, the villagers counted more than a dozen wounds in the little girl's body. Weeks later, U.S. troops captured documents that included a detailed plan of the assassination of Huynh Huu Be and his family. The murders had been planned two weeks before the night of the massacre.

The Communists profess not to see these as murders, and, in fact, Huynh Huu Be's killers probably had a death warrant for him in their pockets. The warrant, which has no standing in any nation's law, is often issued after a "trial," but the outcome of these "trials" is never in doubt. The bogus warrants are printed in the thousands and terror squads often fill them out on the spot. Sometimes the warrant is written beforehand, and posted on the gate of the intended victim hours or even days before he is finally killed.

REASONS FOR TERROR

Brutal and inhuman as these tactics may seem to non-Communists, the Viet Cong offers careful (if chilling) reasoning behind the use of terror as a legitimate weapon in political agitation. Viet Cong leaders have cited five reasons, in messages to their followers, for the use of terror in promoting the war:

Terror builds morale among the guerrillas and the North Vietnamese troops. A Communist document captured in War Zone D, north of Saigon, declares that terrorism in the capital "aroused enthusiasm among the people." The NLF's "Liberation Radio" is always quick to take credit for successful acts of terror, which in the Viet Cong's view creates an aura of invulnerability around the revolution.

Terror advertises the Communist movement. The slaying of a village chief is a cheap way to let the countryside know the guerrillas are ready to do business with others. Terrorists often leave notes pinned to the bodies of victims, to make sure no one misses the point. On other occasions, as when a murder is not a Viet Cong deed, the NFL puts out handbills saying it is. They want no vagueness on this.

Terror destroys security and isolates the individual. Even if the individual villager is not physically harmed, terror in his hamlet convinces him that he has only himself to depend on; the government, whether in Saigon or in his own place, has no help to give him.

Terror can eliminate the leaders of the government. Eventually, the Communists must surely believe, they can kill or maim so many of the hamlet and village chiefs that Saigon cannot find replacements for them all. When this happens, Viet Cong control of the countryside will be secure and the fight can move finally into the big cities.

Terror provokes the Saigon government to use excessive force to put down terror. This, in turn, often persuades the villagers to believe that the Saigon government is as cruel and insensitive to peasant feelings as the Viet Cong has all along contended.

OCCASIONAL FAILURES

Terror, as a polished Communist tactic, often fails, though this is small consolation to the orphaned children wailing at the side of dead parents, or to maimed villagers trying to crawl out of a bus that has struck a mine in the road.

Perhaps the most spectacular failure of terror to achieve what it was expected to achieve was the failure of the campaign among the Montagnards, the primitive, dark-skinned natives in the central highlands. For a long time the Communists tried to win the allegiance of the montagnards, but U.S. Special Forces units apparently tried harder. By the end of 1962, it was clear to the Viet Cong that the montagnards had gone over to the side of the Americans—who were, often as not, the first outsiders who had ever treated the backward tribesmen as fellow members of the human race.

The Viet Cong cracked down hard. Food is always scarce in the montagnard territory, and many of the natives ate only when the U.S. dropped food to them. Viet Cong cadres began systematically taking food away from the montagnards; the goal was to starve as many as possible.

But the campaign of terror failed when whole montagnard villages moved, literally overnight, to government refugee camps in secure areas. Perhaps as many as 300,000 montagnards have deserted their old villages in Viet Cong-held territory; this is 35 per cent of the entire montagnard population of South Vietnam.

Other groups have been special targets of the terrorrists. Beginning in mid-1964, the Americans were favorite targets. This campaign was probably a morale-building campaign; so was a similar campaign a year later, when the U.S. embassy was bombed.

For a few weeks last fall, Vietnamese politicians, particularly members of the Constituent Assembly, who wrote the new constitution, were special targets. It was during this campaign that a Viet Cong bomb blew apart the car of a prominent assemblyman, shattered both his legs, and killed a passerby.

Lately, terrorism has increased in Saigon, this time against civilians and occasional Americans. The National Liberation Front likes to turn its terror on and off, like a water faucet, for no *apparent* reason. But there is a very good reason for it.

"When a reign of terror is relaxed," says a U.S. psy-war specialist, "there is a tendency for the whole community to relax and enjoy an exaggerated sense of relief, a feeling that maybe the guerrillas aren't so bad after all."

If the Communists continue to find the going rugged against U.S. troops, as there is every reason to believe they will, new and more vigorous terror campaigns are almost sure to come. It is a cheap way to advertise and build morale, and more and more it looks as if it is the only way left to the Communists to build morale. As the pacification program is pushed still harder, terror will surely stalk the countryside with new determination.

But even the Communist theoreticians concede that terror is a tactic that is useless against a determined foe. One such foe is the Saigon newspaper Chinh Luan (Political Discussion), which is sternly anti-Communist. Its editor, Tu Chung, was put on the assassination list as long ago as 1965, when he was denounced for "serving American bosses" and threatened with death. Tu Chung boldly printed the letter in full and turned the original over to the police.

"We love the life that God has breathed into our bodies, as all men love life," Tu Chung wrote in an accompanying editorial. "But we will look straight into the gun barrel held by the murderer who comes against us and we will say: 'You can kill us but our spirit will live on.'" A few nights later, Tu Chung stepped from his car on the driveway of his home, into the glare of the headlights of an approaching motorbike. Four shots rang out, and Tu Chung fell dead. But his newspaper and his spirit live on.

PATENT REFORM

Mr. HARRISON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. BUSH] 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 Wyoming?

There was no objection.

Mr. BUSH. Mr. Speaker, today I am introducing a bill to amend the patent laws, title 35 of the United States Code. I do this for two reasons: First, to eliminate delay in the issue of patent applications; and second, to offer a more positive solution to existing inadequacies in the patent law.

The administration has recommended a bill to this Congress, H.R. 5924, labeled the Patent Reform Act of 1967. In my opinion, this bill does little to reform the patent system; rather it changes the philosophy of the patent laws of the United States and in the process stands the chance of adversely affecting the rights of every inventor and manufacturer in our country.

The purpose of any patent reform should be to provide earlier issue of patents; earlier publication of new technology; greater uniformity of decisions by the Patent Office; and reduction of this office's workload. My bill would accomplish just this. It differs in its approach from H.R. 5924 in that instead of changing the philosophy of the patent system by adopting the first-to-file rule in lieu of the first-inventor rule and abolishing the existing 1-year grace period to allow an inventor to perfect his invention, this legislation retains the

historic advantages to a U.S. patent applicant and patentee and only changes the existing rules to minimize delays. In other words, my bill improves the present system rather than installs a new, unwanted system with a different philosophical concept.

I sincerely hope that those presently laboring, sometimes at great sacrifice to themselves, their families and their country, to improve the technology of this great country, will be allowed to benefit from this new legislation, just as you and I have benefited from their stirring discoveries in the past.

REPORT DOCUMENTS ADVANTAGES THAT LABOR AND MANAGEMENT ENJOY IN THE RIGHT-TO-WORK STATES

Mr. HARRISON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. UTT] 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 Wyoming?

There was no objection.

Mr. UTT. Mr. Speaker, a great deal of misinformation has been circulated by the vast propaganda machine of organized labor in an attempt to sell the idea that right-to-work laws are detrimental to organized labor and that they cause the labor force to work for substandard wages and to endure excessive periods of unemployment.

Mr. Speaker, the following report by the National Right to Work Committee is fully documented and shows the advantages that both labor and management enjoy in right-to-work States. The only ones who suffer are the types of labor leaders who do not want to or cannot earn the freely given support of the workingman and therefore must resort to compulsion to hold their jobs.

Mr. Speaker, under unanimous consent I include the following report with my comments in the RECORD:

In an extension of remarks on April 20th a New York Representative attempted to prove that those States that have Right to Work laws—laws making compulsory unionism illegal—lag behind non-Right to Work States in terms of economic growth.

Such an argument has absolutely no basis in fact and was publicly denied by no less an administration spokesman than W. Willard Wirtz, Secretary of Labor.

On May 24, 1965, he stated to the Special Subcommittee on Labor of the Committee on Education and Labor, then holding hearings on the bill to repeal Section 14(b) of the Labor Management Relations Act of 1947—and thus legalize compulsory unionism in all 50 states: "Mr. Scott, I could give the committee, if I felt confidence in it, a whole stack of studies which purport to show, translated into economic results, the effect of having Right to Work laws or not having Right to Work laws. I have no confidence in them."

Not only does Mr. Wirtz have no confidence in them but, as he well knows, his own figures show that Right to Work has a stimulating effect on the economy in every state where it has been enacted.

Opponents contend that Right to Work laws depress the economies of states that have enacted them and that Right to Work states use their low wage structure to "pirate" industry away from such fine progressive states as New York.

But just a minute. The statement when closely analyzed turns out to be little more than a classic exhibition of economic slight-of-hand.

Let's take a look at some other interesting economic results of Right to Work laws:

Nineteen states where Right to Work laws guarantee individual freedom for wage earners lead the nation in rate of economic growth: in the creation of new jobs in business and industry, in wage rate improvement in industrial jobs, and in producing new wealth and personal income.

Among the top 15 states in actual wages paid industrial workers, six were Right to Work states.

The top six states in rate of new manufacturing jobs created by industry are all Right to Work states.

Unemployment in Right to Work states is substantially below non-Right to Work states.

Gentlemen, if opponents' contention was true then industry should be pouring out of the Right to Work states of Arizona, Iowa, South Dakota, Utah, Kansas, Nebraska and Nevada and Wyoming and into New York. Because, by Mr. Wirtz's own statistics (Employment and Earnings, March, 1966, U.S. Department of Labor), the average hourly earnings in actual dollars—not percentage increase, but actual dollars—for production workers was *higher* in those Right to Work states than in New York.

Gentlemen, the lowest paid factory workers in the United States are in Fall River, Massachusetts! The average weekly earnings of production workers in Fall River—again in actual dollars, not percentage increase—according to the U.S. Department of Labor is only $69.54. This is more than $17 a week *lower* than the hourly weekly earnings of production workers in Jackson, Mississippi.

The great state of New York lags seriously behind a great many Right to Work states in economic growth. And far behind the nation as a whole.

New York has one of the lowest personal income increases of any state in the country during the past five years. Only nine states—none of them Right to Work states—have lower income increases. For this information one can check the Survey of Current Business put out by the Department of Commerce, Office of Business Economics.

On top of all this New York has a higher unemployment rate than all of the 19 Right to Work states and a record of industrial strife that has shattered the confidence of industrial leaders in the state and might well be the major factor in causing industry to leave New York. In New York a Johnny Carson can refer to the latest newspaper strike as the "strike of the week" and not even draw a smile!

Reports of the Bureau of Labor Statistics confirm the fact that states like New York that allow compulsory union membership are plagued with industrial strife. The figures show that the percentage of time lost due to labor disputes in Right to Work states is about half as great as in compulsory union states. The experience of Right to Work states provides startling and conclusive evidence that industry thrives most where unionism is voluntary.

George Meany, the President of the AFL-CIO, himself confirmed this when he told the Special Subcommittee on Labor in the 1965 14(b) Hearings, "Disputes over union security (that is the polite term for compulsory unionism) have been a frequent cause of industrial strife."

The figures on time lost through work stoppages can literally be translated into job opportunities. These figures—again provided by Secretary Wirtz—reveal that industrial job opportunities are mushrooming in Right to Work states while they are stagnating or even disappearing in many of the compulsory unionism states.

A few months after his testimony to the House Special Subcommittee on Labor, Secretary Wirtz submitted a supplementary statement to Congressman Frank Thompson, Chairman of the Special Subcommittee containing data on employment, average hourly earnings and so on.

One of the revealing statistical tables is the one that lists the change in manufacturing employment from 1948 to 1964. Industry is not only *not* staying in New York it is pouring out at an unprecedented rate. During this 16-year period the state of New York lost 178,200 manufacturing jobs—more than any other state in the country.

During this same period a total of 1,690,300 new manufacturing jobs were created in the United States and more than 1,000,000 of them were created in the 19 Right to Work states.

The Right to Work state of Arizona, which pays its manufacturing employees at an average hourly rate of $2.72—Secretary Wirtz's own figures—which is considerably more than New York's average—gained 43,000 new manufacturing jobs during this period.

But, how? According to Right to Work opponents, industry is leaving compulsory unionism states for low-wage Right to Work states. But Arizona has a higher wage rate and is gaining manufacturing jobs.

What New York should do is to enact a Right to Work law! Its citizens might then find out that a pleasant by-product of restoring the basic right of free choice to the citizens of New York would be the beneficial effect on the state's economy.

This would, however, come as no surprise to those Americans in Right to Work states who have retained their individual freedom and a high standard of living.

Listen to what some prominent people have to say:

Senator Karl Mundt of South Dakota said, "Since the adoption of our Right to Work constitutional amendment, organized labor has experience a continuing and healthy growth. Statistics also establish that wages have increased and the general economy of the state has improved at a higher rate of acceleration than in surrounding non-Right to Work states."

George Smathers, U.S. Senator, Florida—"Nearly every elected and appointed official of Florida, nearly every close observer of the state's economy believes that our Right to Work law has helped to create the climate of industrial peace which has been a factor in pushing our economy steadily upward."

Wallace Bennett, U.S. Senator, Utah—"Under our Right to Work Utah's economy has prospered as never before; there are more jobs at higher wages than ever before."

J. W. Fulbright, U.S. Senator, Arkansas—"I am proud of the economic progress made in Arkansas over the last 20 years. I am equally proud of the orderly and peaceful growth of labor unions in the State, and the increase of job and personal income which has been the result of economic progress and labor-management harmony."

Paul J. Fannin, U.S. Senator and former Governor of Arizona—"In the postwar era Arizona has been among the national leaders in just about every major economic index of growth. We now have more people working at more jobs producing more goods and earning more income than at any previous time in Arizona's history."

Milward L. Simpson, former U.S. Senator from Wyoming—"After the Right to Work law came into existence in Wyoming the number of union members increased substantially. And we have the least number of unemployed now that we have had in the last 12 years."

Burke B. Hickenlooper, U.S. Senator, Iowa—"As surely as the sun comes up in the morning freedom of choice for a worker to

join—or not to join—a labor union, has meant increased economic activity, increased growth, faster job creation, greater wage improvement, higher personal income increases, and less unemployment."

John B. Connally, Governor of Texas 1963–1965/1965–1967—"Texas has had a Right to Work law for 18 years. It guarantees and protects the right to join unions as well as the right to refuse to join a union. Unions have expanded their membership and influence under this law."

And former Virginia Governor, A. S. Harrison, Jr.—"Our Right to Work law has proven a boon to the economy of the state. It has lessened strife between labor and management and helped increase industry."

What these respected Senators and Governors are saying is that Right to Work has actually proven a boon to workers, employers, investors—indeed to the economic health and well being of entire states. And it surely proves that free men, whether management or labor, prosper in an atmosphere of freedom and wither under the heel of compulsion.

But while it is clear that the economy of a state benefits from the existence of a Right to Work law, there is a more fundamental reason for a state to enact a Right to Work law. Senator Len Jordan of Idaho put it this way, "Freedom is a two-way street or it is a dead end and a dead issue. Freedom is the right to decide—freedom is not the decision itself . . . Freedom does not say that there is only one right choice. Freedom simply says there is a right to choose."

The National Right to Work Committee rightly states that Right to Work laws are not anti-union but pro-worker laws.

The Committee also points out that the fundamental issue of Right to Work is compulsory vs. voluntary unionism.

In those states which have preserved the Right to Work, an employee enjoys his freedom to work at his occupation whether he is or is not a labor union member.

Right to Work means that an employee cannot be forced to join or pay money to a labor union—or any other private organization—in order to get a job, or hold a job.

Right to Work protects the basic right of individuals to choose either membership or non-membership in a labor organization.

Right to Work *does not* interfere in any way with legitimate union activity. It does not restrict the right of employees to organize and bargain collectively with their employers.

Right to Work relates to only one issue: Compulsory Unionism.

Is there a greater right than the Right to Work? Is there a more important right? Is there a more challenging right? Is there a more fundamental right than the right to make a living for one's self and for one's family without being compelled to join a labor organization?

The answer is unequivocally no.

What most Americans favor is not action dealing with Section 14(b). But Congressional action to eliminate compulsory unionism and thus guarantee all Americans the Right to Work. Not just the Americans living in the 19 Right to Work states but all Americans in all 50 states.

A REVISED QUOTA CONTROL SYSTEM ON THE IMPORTATION OF CERTAIN MEAT AND MEAT PRODUCTS

Mr. HARRISON. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. BROTZMAN] 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 Wyoming?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, I recall during my service in the 88th Congress, the enactment of Public Law 88–482, the Meat Import Act of 1964. I was among the many Members of this body who introduced meat import quota revision legislation in the 88th Congress. When Congress did finally pass the Meat Import Act of 1964, it was in response to the administration's blatant refusal to act even in the face of near disaster for domestic meat producers. I voted for that act, and viewed it as a step in the right direction. Many of us had grave misgivings about the workability of the new law, but we were willing to try it and hoped that it would work.

Now, after 3 years, it is evident that Public Law 88–482 has not worked. Basically, Public Law 88–482 has failed because of the formula established under the law. The import quota was rolled back to a 5-year average, 1959–63, which included 1963—the highest year of imports on record. This resulted in a base quota of 725.4 million pounds. Since average domestic production during the years 1965 through 1967 is estimated at 24.7 percent above the 5-year average of the base period, the quota for the current years is 904.6 million pounds. But imports must reach 110 percent of that figure. This would require 995 million pounds of imports before the quota could be imposed.

The bill which I am introducing today leaves out the disastrous year of 1963 in figuring the permitted quotas. Quotas would be based on actual meat imports—not the Secretary of Agriculture's estimates. The bill also abolishes the 10-percent-overflow figure that triggers the quotas.

Mr. Speaker, imports are probably the single greatest threat to the welfare of the American farmer. We have seen what is happening in the dairy industry. Total imports of dairy products are 12 times as great as the amount authorized under U.S. import quotas. Beef and veal imports were up 27 percent in 1966, pork was up 14 percent and mutton was up 102 percent.

Certainly the Colorado farmer is feeling the effects of the continued rise in imports of dairy and meat products. Just recently Mr. James L. Henry, president of the Colorado Cattle Feeders Association, wrote to me expressing the concern of Colorado cattlemen. He wrote:

> I know that you are aware that the cattle industry in Colorado is struggling for its very survival because of the unfavorable price situation . . . problems over which we as an industry have little control have contributed to the unprofitable character of the industry. Among these is the problem of imported meat. We are not so naive as to think that we should shut our doors to imported products, but we are in favor of greater control of imports.

And from the Elbert County, Colo., Livestock Association, Mr. Jack F. Fletcher, president, I hear:

> As ranchers and livestock men, we feel the amount of beef that is being imported into this country is far in excess of what is actually needed, and is therefore keeping the price of our own beef down.

Mr. Speaker, the bill which I am introducing today will answer the pleas of these and many other cattlemen and farmers not only from Colorado but in the entire United States. I urge its early passage.

COST ESTIMATE RESOLUTION WOULD SLOW DOUBTFUL LEGISLATION

Mr. HARRISON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] 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 Wyoming?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I have today introduced a companion resolution to one recently introduced by my distinguished colleague from New Hampshire [Mr. WYMAN] which would require cost estimates to be attached to bills introduced in the House.

If this resolution is adopted, every Member introducing a bill, other than private bills and resolutions and appropriations bills, would be required to state at the end of the bill what it would cost.

Presently, when bills are introduced or recommended for introduction, much research is required to establish the cost factor involved. This situation would be helped if House rules required this research be done by the Member who introduces the bill in the first place.

My colleague [Mr. WYMAN], whose experience on the Committee on Appropriations has shown him the necessity for such legislation, made a good point when he introduced this resolution.

He said:

> I believe a required estimate of cost will be a useful deterrent to waste in a time of fiscal crisis. Members will hesitate to introduce "pot-of-gold" proposals if they show multi-billion dollar costs. Cost estimates are often good evidence of irresponsible legislation.

THE MOST UNFAIR SCHOOL-AID BILL IN HISTORY

Mr. HARRISON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. AYRES] 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 Wyoming?

There was no objection.

Mr. AYRES. Mr. Speaker, the proposed administration school-aid formula is the most unfair in the history of such legislation. I will point out the gross inequalities which defeat the primary objectives of the bill—a fair distribution of Federal aid throughout the Nation.

I cannot believe that the facts I present represent a deliberate effort by Commissioner of Education Howe to present an unfair bill. Otherwise, he would not have completely overlooked the needs of 249,000 poor children in President Johnson's State of Texas and 88,000 poor children in Kentucky, represented by the dis-

tinguished chairman of the House Education and Labor Committee. Yet the administration bill does just that.

I am a firm believer in Federal aid to education, along with many of my Republican colleagues who recall that the first serious attempt to create a broad Federal-aid program was sponsored by the late Senator Robert A. Taft.

The facts I am putting on the record have no political motivation; we need the most effective legislation possible so that our schools may meet the educational needs of every child. This, and this alone, is the object of all proposed Republican amendments. If this legislation is unfair in its distribution of aid, there cannot be a victory for anyone when one poor child loses educational advantages.

BASIS OF ANALYSIS

My analysis is based upon official figures supplied by the U.S. Office of Education. Under the administration bill, the amount of money allocated within each State is determined by three factors: First, the number of school age children in families having an income of less than $2,000; second, the number of school age children in families on welfare who have an income of more than $2,000 from aid for dependent children—AFDC; and third, the number of children thus counted is multiplied by one-half of the State average per pupil cost of elementary and secondary education to get the amount allotted.

The first factor is applied evenly among all the States from 1960 census estimates, even though the third factor causes an enormous variation in payments per child—ranging from $129.64 in Mississippi to $259 in California and $393.14 in New York. I pointed this out 2 years ago in a comparison of allotments for the 10 wealthiest and the 10 poorest counties in the Nation, in which the wealthiest counties get the most aid.

But the real "hooker" in this formula—which accounts for such a gross inequity that it is almost unbelievable—is the second factor which adds AFDC children to the basic count. The States support AFDC at different levels, so that in a few States most or all of the children in families with an income of between $2,000 and $3,000 are counted, while in most States only a fraction are counted and in 10 Southern and Border States not a single AFDC child is counted for aid under the committee bill. The resulting distribution is an astonishing thing.

SUMMARY ANALYSIS

There are 3,077,735 poor school age children in families having an income of $2,000 to $3,000, but this year only 857,651 AFDC children in families with an income above $2,000 are counted.

Two States—New York and California—with only 10.6 percent of the poor children in this income bracket, count 40.2 percent of the AFDC children and get 46.6 percent of the added funds.

Nine other large States—Illinois, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Jersey, Ohio, and Pennsylvania—together have 23.4 percent of the poor children, count 40.6 percent of the AFDC, and get 37.1 percent of the AFDC funds under the committee bill.

The remaining 39 States and the District of Columbia, with 65 percent of the poor children, count only 19.2 percent of the AFDC's and get only 16.3 percent of the funds.

Ten Southern and Border States—Alabama, Arkansas, Florida, Georgia, Kentucky, Mississippi, South Carolina, Tennessee, Texas, and West Virginia—have a whopping 35.6 percent of the children in the $2,000–$3,000 income bracket—1,096,543—but are allotted not one red cent under this unfair bill because not one of these children is in a family getting AFDC welfare aid.

NORTHERN AND WESTERN STATES ALSO HURT

Even most of the Northern and Western States—including most of those listed among the nine States above—would do better under any fair distribution formula than under the administration bill, which distributes a hungry lion's share to two States. Here are some examples:

Pennsylvania has 148,000 poor children in this income bracket—nearly as many as New York—but only 64,000 are counted—and then paid for at a rate per child $142.66 below the New York rate. Pennsylvania has all the school problems of inner city slums and depressed Appalachian areas, but it gets less than one-fourth the amount allotted to New York on the count of AFDC children.

Michigan has 88,000 children in this income range, but can count only 37,000 and is paid at a rate $144.66 below New York; so although Michigan has half as many poor children, New York gets over seven times the Michigan allotment.

Washington and Oregon together have one-third as many poor children as California but can count only one-eighth as many, and California gets over eight times the combined allotment of Washington and Oregon for AFDC.

My State of Ohio has all the school problems of large urban centers and depressed rural areas, but we can count only 30,000 of 107,000 poor children and are paid at a rate $169.96 below New York, ending up with less than one-tenth the New York allotment.

Indiana—the home of Congressman BRADEMAS, sponsor of the bill—is a prize example of unfair treatment. It can count only 6,868 of 56,672 poor children—nearly one-third the New York total—gets paid at a rate $155.95 below New York, and ends up with less than one-fortieth of New York's allotment.

Anyone reading these results of the administration formula can see the justification for my attack. The Congress must act to provide an equitable distribution of school-aid funds. As things stand, 48 States suffer absolutely indefensible discrimination under Commissioner Howe's administration bill.

After studying these results, I can only believe that the Congress—Republicans and Democrats alike—will turn back this ill-conceived and unfair proposal. Our committee has never had laid before it an analysis of the results of this formula, and I cannot believe we would support it.

The State-by-State figures, and a statistical analysis, follows:

Allotment of funds under H.R. 7819 on account of AFDC children, 5 to 17 population

	In families with $2,000 to $3,000 income	Number counted under AFDC	Payment per child	Amount
50 States and District of Columbia	3,077,735	857,651	Variable	$241,875,193
Alabama	106,386	0	$146.49	0
Alaska	3,180	1,194	371.58	443,667
Arizona	25,920	6,289	241.48	1,518,668
Arkansas	68,274	0	140.60	0
California	151,675	169,509	259.00	43,902,831
Colorado	26,131	10,816	243.47	2,633,372
Connecticut	16,040	15,462	288.36	4,458,622
Delaware	5,269	1,956	268.32	524,834
Florida	111,631	0	212.20	0
Georgia	139,273	0	163.63	0
Hawaii	7,676	3,318	214.44	711,512
Idaho	11,463	2,372	178.22	422,738
Illinois	108,747	93,911	261.10	24,520,162
Indiana	56,672	6,868	237.19	1,629,021
Iowa	50,517	12,228	233.23	2,851,936
Kansas	32,751	8,265	240.98	1,991,700
Kentucky	88,386	0	160.14	
Louisiana	108,155	261	199.60	51,148
Maine	19,246	2,442	188.19	459,560
Maryland	43,512	20,932	250.83	5,250,374
Massachusetts	41,257	27,098	260.57	7,060,926
Michigan	88,547	36,908	248.48	9,170,900
Minnesota	56,831	17,429	265.12	4,620,776
Mississippi	82,700	0	129.64	0
Missouri	80,888	16,489	$222.59	$3,670,287
Montana	10,989	1,978	246.20	486,984
Nebraska	28,219	1,211	203.50	246,438
Nevada	2,392	1,014	269.40	273,172
New Hampshire	6,367	1,162	217.01	252,166
New Jersey	46,424	42,106	301.76	12,705,907
New Mexico	25,159	6,826	236.03	1,611,141
New York	174,475	174,840	393.14	68,736,598
North Carolina	164,579	6,163	160.14	986,943
North Dakota	16,621	2,425	212.22	514,633
Ohio	106,511	29,950	223.18	6,684,241
Oklahoma	56,200	14,286	188.88	2,698,340
Oregon	18,666	7,006	275.18	1,927,911
Pennsylvania	147,676	64,066	250.48	16,047,252
Rhode Island	9,651	5,820	264.60	1,539,972
South Carolina	89,918	0	142.30	0
South Dakota	16,729	2,144	219.27	470,115
Tennessee	114,541	0	150.24	0
Texas	248,802	0	197.80	0
Utah	9,781	2,872	212.75	611,018
Vermont	8,088	700	231.84	162,288
Virginia	100,691	4,373	189.28	827,721
Washington	29,010	12,317	252.49	3,109,919
West Virginia	46,632	0	161.06	0
Wisconsin	51,883	14,614	262.22	3,832,083
Wyoming	4,238	966	269.56	260,395
District of Columbia	12,366	7,065	282.65	1,996,922

Statistical analysis of distribution of school aid on account of AFDC children

[Dollar amounts in millions]

States	Percentage of children in $2,000 to $3,000 family income	Percentage of children counted under AFDC	Percentage of allotment on account of AFDC children	Amount of allotments
New York, California	10.6	40.2	46.6	$112.6
Illinois, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Jersey, Ohio, Pennsylvania	23.4	40.6	37.1	89.7
Alabama, Arkansas, Florida, Georgia, Kentucky, Mississippi, South Carolina, Tennessee, Texas, West Virginia	35.6	0	0	0
Remaining 29 States and the District of Columbia	30.4	19.2	16.3	39.5
Total	100.0	100.0	100.0	241.8

WHERE ARE THOSE SPENDING PRIORITIES?

Mr. HARRISON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] 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 Wyoming?

There was no objection.

Mr. LANGEN. Mr. Speaker, the truth is out. This administration has absolutely no intention of holding down spending or even of setting professed priorities on spending, judging from the request yesterday by the Secretary of the Treasury to boost the national debt ceiling by $29 billion and making the new ceiling permanent at $365 billion. Apparently the $6 billion increase voted in the debt limit just 3 months ago was but a ripple compared to the avalanche now plummeting toward us.

The Treasury Secretary was followed to the stand by the Director of the Budget at the Ways and Means Committee hearings, and both blamed the Vietnam war costs for the $29 billion request. But, Mr. Speaker, that is only part of the story. Naturally the war is costly, and we must equip our fighting men with the best. But where are those priorities in spending so heralded by the administration earlier this year? This latest request is a complete admission that no such priorities exist and that there is no intention to cut domestic spending. Apparently the Nation is to be pushed more rapidly into debt while blaming it on the war. Unless Congress, through authorizing legislation and appropriations, decides to hold the line, the situation will worsen at a great rate.

I also noted that the Treasury Secretary now estimates that the deficit for the current fiscal year ending June 30 will be about $11 billion instead of the $9.7 billion estimated earlier this year—and that the fiscal 1968 budget starting July first will be $11 billion instead of the $8.1 billion estimated in January. He even admits the 1968 deficit may rise to as much as $24 billion, which is probably much closer to the truth. These estimates are undoubtedly conservative, because they depend on Congress enacting a 6-percent increase in personal and corporate income taxes, which was again confirmed by the Treasury Secretary. Add to this another round of requests for gimmicky bookkeeping authority, and the true financial picture is dark indeed.

It was interesting to note that the Treasury Secretary sidestepped any concrete budget estimates by saying that the deficit is vulnerable to greater than usual uncertainties. Mr. Speaker, the main vulnerability of the deficit, as with the budget, is the uncertainty of this administration.

GUIDELINES FOR DEBATE ON VIETNAM

Mr. HARRISON. Mr. Speaker, I ask unanimous consent that the gentlewoman from Washington [Mrs. MAY] may extend her remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mrs. MAY. Mr. Speaker, this past weekend an excerpt from a talk by McGeorge Bundy, president of the Ford Foundation and a former White House aid, before the Cosmos Club appeared in the Washington Post.

I thought the article was unusually objective on the important viewpoints being expressed in the current public dialog on Vietnam.

Under unanimous consent, Mr. Speaker, I place this article at this point in the RECORD:

GUIDELINES FOR DEBATE ON VIETNAM

(By McGeorge Bundy)

(NOTE.—The following is excerpted from a talk to the Cosmos Club last week by the president of the Ford Foundation, a former White House aid, in which he discussed the roles of politicians, professors and communicators in the Vietnam debate. (As printed in the Washington Post, Washington, D.C., May 14, 1967.))

I would like to talk with you about the great debate over Vietnam, which will clearly continue among us as long as the struggle itself. We have come two years from Pleiku and Baltimore. Indeed, it seems much more likely than not that there will be no effective truce and not even any real negotiations in the 18 months that remain before our own next national election. It is hard not to share the view that their own past experience and their present assessment of the American scene must combine to persuade the men in Hanoi that they should keep going, at all costs, until they see what the American Government is like in 1969.

As we gird ourselves for another 18 months at least, we have reason to consider the quality and the shape of the national debate. There are hard months ahead at best, but they may be somewhat less difficult and destructive for all of us if there can be some agreement on some ground rules.

I recognize that no one has appointed me field judge in these matters, and I have my own well-developed beliefs about the war, but still it may help us to have a look at some possible guidelines.

RIGHT OF DISSENT

First (and most obviously), the rights of all must be respected. The right of dissent is fundamental. It includes the right to dissent even at the cost of misunderstanding and ill feeling. It emphatically includes the right of a man who is a leader in one field to express his views in another.

Dr. King, for example, has every right to a public view on the war, and if he had roundly endorsed it I doubt if anyone would have raised the question against him.

(Some of his arguments seem to me greatly overstated, and for myself I wholly reject the contention that the war is now a major block to the progress of Negroes; but we are talking here about rights, and Dr. King's right to state his own strong views seems to me beyond discussion.)

There is a parallel right of reply, and there are also other rights of citizens which dissenters are bound to respect. It is one thing to speak one's mind and quite another to prevent the speech of others. I have the impression that these rules are better understood in the press and among politicians than they are in some of our academies. It is therefore a special service when these reciprocal requirements of freedom are emphasized—as they often have been in these recent months—by those who align themselves, on the merits, among the dissenters.

UNDERSTAND THE YOUNG

My second rule is less obvious but almost equally important over the long run. It is that the old owe understanding to the young. When feelings become intense—as they often must in war and debates on war—a special requirement of sympathy and forbearance falls on the older generation.

This rule first came home to me at a time when I was young and the debate was between the advocates of isolation and intervention. By and large, the most intelligent and articulate of my friends and contemporaries were isolationists. I thought they were wrong. But I also thought they met with little human sympathy from older men who disagreed.

For reasons that are as powerful as they are sensitive, young men and women feel an almost pre-emptive concern with the privacy and the independence of their judgments on matters of war and peace. Their lives and futures are more open and more immediately vulnerable; their sense of distance from those who seem to decide is wider; their sense of outrage at all destruction less tempered by the hard experience of the daily necessity to settle for the lesser evil.

We do not have to agree with them, but we do need to try to understand. I must add that a parallel obligation of understanding from old to young exists also from older dissenters among us to the younger men whose courage serves us all in South Vietnam today. The frustration and anger of these young men, as and when it appears, may well be felt far over on the side of more and greater force. If they in turn are to understand and to accept a course that is slower and more restrained, they will need the kind of understanding and respect for their efforts that the young dissenters on the other side can claim for their most honorable doubts.

The proper home of understanding between young and old should be the university. And even in this time of campus turmoil, I think we can rightly assign this task to the universities first of all.

Yet the forbearance of politicians is a great force for civic peace in its own right, and one may plead a little with communicators too for understanding here. The young are not to be judged by their most violent

representatives, and those who control the access to the headline and the screen have much to answer for if they appear to reward wildness in the young as they once appeared to reward the wildness of McCarthy.

THE TRUTH IS GRAY

My third rule may be the hardest of all. It is that gray is the color of truth. If one word more than another is fitting to Vietnam, it is "complex." The origins of the struggle, its current shape, the implications of alternative courses, the relation of one act to another, the influence of time and space—not one of these is simple.

And yet the pressures for simplification are overwhelming. This is always the case when a political campaign is in the making. The pressures are heaviest on those who have or seek political responsibility. The politician may recognize complexity well enough—and perhaps better than the next man; but he is under insistent public pressure to take a stand.

In recent months, this pressure has fallen most cruelly on those who may become candidates. In other times in recent years, it has pressed with particular force upon those already holding office. It will bear down upon both groups as the months go by.

In this situation one may ask for special attention to the grayness of truth from scholars and from commentators. Their feelings may be deeply engaged on one side or the other, but unlike the politician, it is not their calling to fight for life and death in a contest for votes. It is their calling to get things straight and to state them just as clearly and as fairly as they can.

It is evident from the record of recent months that there is a pressure toward polarization among men of good will both in the world of communications and in the world of the professors. Those who are most worthy of their calling will be most wary of such pressure.

THE PRESENT IS PARAMOUNT

My fourth rule is a practical counsel as well as a test for use on the arguments of others. We must start from where we are. The choices before our nation are not what they were at any earlier point. We are not now in 1954 or 1956 or 1961 or even 1964. There is much to be learned from those earlier years but there is no return to them. The real center of debate must be on the present and on the future, and this rule applies to all three groups—but I think with a special force to politicians.

EXAMINE THE CONSEQUENCES

The fifth rule grows from the fourth. Choices have consequences, and a man must examine the consequences of what he favors as well as those of what he is against. This rule, again, should apply primarily to politicians, but I would suggest a watchful role for communicators and professors as well. In all really hard situations—and Vietnam is surely one of them—no choice of action will seem easy or pleasant; all will have painful consequences.

In such cases there is a heavy temptation to focus attention upon the painful results of what the other man is doing or proposing to do, and to glide past the difficulties in the option one prefers. We have all seen this happen in the years behind us. We shall do well to be watchful against it in the months ahead.

The danger, in my judgment, can be found in all schools of thought. Among those who would use much more force, there is a most dangerous tendency to neglect the risks of wider conflict. Among those who believe in a considerable reduction of our current levels of effort, there is a similar disposition to be blind to the encouragement that such a course might give the enemy.

I have always thought, for example, that the advocates of the enclave gave only the most fragmentary attention to the real consequences of their proposal. I believe they have hit on a sure-fire way to lose first the countryside and then the country, and if I am unfair to them it is only because they themselves have never taken the trouble to tell just how they would apply their notion on the ground.

POINTS OF AGREEMENT

My sixth rule runs against our whole concept of debating, and so much the worse for debating. The points of agreement are worth attention too. For most of us, however strong our feelings, there is a lot more common ground on Vietnam than the tone of the debate suggests.

At the extremes, of course, there are men who could not agree with each other on anything. But in the arena of general public discussion—where perhaps 80 per cent of us would find ourselves—the case is different.

I think, for example, that the margin of difference between the public positions of Sen. Robert Kennedy and of the Administration may not be more than 10 per cent of all that matters on Vietnam. It is an important 10 per cent, of course, but it is not the whole of the matter.

I have friends among the dissenters whose statements of our necessary objectives in Vietnam do not differ at all from my own. Differences among means and differences of diplomatic timing, I deeply believe, are often smaller than they seem in the heat of immediate argument. I for one accept the view of the most prominent dissenters that they intend no hasty pullout from Vietnam and that they will accept no settlement that gives that country to the Communists by force.

I think they are sometimes overoptimistic about the value of particular diplomatic proposals and I have no doubt they suppose me to be rigid in such skepticism. There is another difference on the value and danger and the cost of different levels of bombing in the North. But this difference, too, important as it is, is not at the very center of the meaning of Vietnam.

If the efforts to establish areas of agreement were half as intense among all parties as the intention to find differences, we should understand each other better and the day of success would be brought closer.

WE DON'T SPEAK FOR HANOI

My seventh rule takes us to the question of the real prospect of negotiation and settlement. It is simply that no one of us speaks for Hanoi. This reminder I offer with evenhandedness to doves and hawks alike.

Those who tell us that certain kinds of pressure will bring the enemy to the table too easily assume that the men in Hanoi think just like them—and the same is true of those who propose their own terms for reasonable settlement. Their tacit assumption is that what seems reasonable to them will be reasonable also to Ho Chi Minh.

The leaders in North Vietnam are not Western professional military men and they are not distinguished Senators either. They are guerrilla fighters and dedicated Communists who believe that they can overcome the weapons of strategic bombardment and who have no interest in the peaceful accommodations of liberal democracy.

So nothing could be more futile than to play games with ourselves by offering either the stick or the carrot which is shaped to our own preferences and not theirs.

BOTH VIETNAMS LISTEN

The eighth rule is painful to those who believe in debate, but I do not see how we can forget it. Hanoi and Saigon are both listening. It does no good to pretend that our arguments do not affect the decisions of others beyond our shores. They do. That is no reason for the end of the debate, and the right of free comment should not be confined by this concern. Yet those who exercise this right are fooling themselves if they suppose that what they say has no consequences abroad.

I was astonished to find my friend Arthur Schlesinger has so low an opinion of his own importance as to think that his words are not weighed in Hanoi by decision makers. And in different ways on different wavelengths attention is turned to our words in the South as well.

It is therefore helpful if those who support our policy can consistently emphasize the need for parallel action in the South, while those who criticize it can help a lot by reminding the listeners in the North of the fact, if they think it is a fact, as I do, that there is just no prospect of success for Communists by force in South Vietnam, whatever is said and done in American debates and elections.

ONLY ONE PRESIDENT

My ninth rule I will assert without proof, because I am too close to it. It is that we can have only one President at a time. If you accept this rule, it applies to questions of diplomatic negotiations, or command decision and of national political leadership. It confers no immunity from criticism and no requirement of support. Yet it does set the President apart—in our interest, not his own.

WE NEED EACH OTHER

My tenth and final rule grows from the fact that all great debates come to an end, while the United States of America goes on: We shall all need each other again. The passions of political commitment can run strong in the most placid of seasons. They have a special heat in time of war, and a special ferocity when the value and meaning of that war are under question. But they are only partial passions.

Wars end and the passions fade. And the work of the Nation goes on again both inside our border and around the world. Indeed, in this strange contest, this work goes forward even while the war is at its height.

Does it not follow that our war of words should have its limits too? It is not the American tradition that dissent, dispute, debate and defiance are ends in themselves. Human sympathy across political difference, magnanimity in the face of division and temperance in assessment and calmness in conviction—these moderating qualities can help us in our necessary battles and beyond them.

NO TAX ON REIMBURSED MOVING EXPENSES

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

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

There was no objection.

Mr. GURNEY. Mr. Speaker, today I would like to join my colleagues on both sides of the aisles in introducing legislation concerning the taxation of reimbursed moving expenses.

There has been much confusion in the past few years concerning the taxation of these moving expenses reimbursed to employees who are asked to relocate.

The standard practice in the past has been to exclude reimbursed moving expenses from the taxable income of the employee. The discrepancy arises in the definition of "moving expenses." To the employer this term encompasses all out-of-pocket expenses incurred by the employee in the process of moving. This includes such costs as a house-hunting

trip, temporary living expenses at the new location, settlement of unexpired leases, and other miscellaneous expenses.

The IRS, on the other hand, allows only the cost of the direct transportation of a person, his family, and personal property from one location to another. This definition is rather unrealistic in view of the fact that these reimbursed moving expenses other than transportation costs are not income. It would seem therefore, that the Treasury has no right to tax them.

This practice is also unfair in light of the fact that civil service employees, who were previously allowed only transportation costs as nontaxable, are now granted, under Public Law 89-516, moving costs over and above this basic cost.

Mr. Speaker, mobility is an essential feature of our American way of life. It is important to our defense and space efforts, and it is essential to business and our economy in general. I hope my colleagues will join with me in support of this legislation to end the present unfair treatment of those whose jobs require them to relocate.

HON. JOHN G. ADAMS, MEMBER, CIVIL AERONAUTICS BOARD, ADDRESSES THE INTERNATIONAL EXPOSITION OF FLIGHT

Mr. HARRISON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. DON H. CLAUSEN] 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 Wyoming?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Speaker, the first annual International Exposition of Flight and General Aviation Conference was held in Las Vegas, Nev., on April 27 through 30. I had the honor of serving as cochairman of that event with Arthur Godfrey, who is certainly well known to all Americans for his prominence in the entertainment field, but is also well known for his great interest and enthusiasm in the field of aviation.

The exposition was a great success, as many of my colleagues in Congress who were present will agree.

A luncheon was held on April 28, at which the Honorable John G. Adams, a member of the Civil Aeronautics Board, made a most interesting and stimulating address. His remarks were so thought-provoking that I would like all of my colleagues to have an opportunity to share his wisdom.

I particularly invite attention to Mr. Adams' comments regarding the serious problem of airport congestion. This problem is one which concerns many of us, and should be of concern to us all.

I ask permission that Mr. Adams' address be included at this point in the RECORD.

REMARKS OF JOHN G. ADAMS, MEMBER, CIVIL AERONAUTICS BOARD, BEFORE THE INTERNATIONAL EXPOSITION OF FLIGHT, LAS VEGAS, NEV., APRIL 28, 1967

While it may be that there are many of you who know exactly what the functions of the Civil Aeronautics Board are, and why it exists, it may be also that there are an equal or larger number of you who have little or no idea of its reason for being. It is to that latter group that I will make a few explanatory words, and I will try to keep them simple.

The Civil Aeronautics Board has existed since 1938, when the Congress created it with the mission of regulating and promoting air transportation.

As regulator of the air transport industry, and by that I mean that segment of aviation which we generally call the commercial airlines, the Board grants licenses to air carriers to operate. These licensing proceedings, which are culminated in the issuance of operating certificates to successful applicants, are rather complicated affairs in which the aspirations and needs of communities for air service are considered along with the aspirations and capabilities of the applying carriers. When a decision is reached, hopefully, the Civil Aeronautics Board has granted authorities which are, or will be profitable to the airline, and which convenience the public and fill a public need.

In the last three decades since this method of development of our airline system has been in existence, there has been a steady expansion of commercial airlines services, until today there are 57 active certificated United States airlines.

These airlines comprise the following groupings:

Eleven domestic trunkline carriers. Included here are such carriers as American, United, TWA, Western, Continental, Delta, and so forth; and among these eleven they serve every major city in the United States, more usually than not on routes over which they compete with at least one other carrier of their own type.

Two carriers operating only international and territorial routes. Pan American is the best known in this category. Some of our eleven trunks also have some international routes, and between them and the exclusive international carriers, just about any major traffic center in the globe can be reached on an American flag carrier.

Thirteen local service carriers (formerly referred to as "feeders"). Their systems are located in different regions of the country. They themselves sometimes refer to themselves as "regional carriers. Out here in the Las Vegas area those you see the most are Bonanza, based at Phoenix; Frontier, based at Denver; and Pacific, based at San Francisco. Among these thirteen carriers just about every city and town in the United States with a population of 20,000 or over is served, as well as many cities of less population than that if they happen to be in an isolated area.

Thirteen supplemental carriers who are basically charter operators within and outside the United States. These are the successors to the post war "non-skeds". Among the best known of them are Trans International, based for a long time here at Las Vegas, but now headquartering in Oakland; World, based at Oakland; and Capitol, based at Nashville. These carriers do a tremendous amount of contract charter work for the Defense Department, carry a large number of charters for groups and organizations, and just this year are entering a new field of inclusive tour charters under a newly created line of authority just recently granted by the Civil Aeronautics Board.

Three active all cargo route carriers. Flying Tigers of Los Angeles is one you would know well in this part of the United States. These carriers are what their definition says, "cargo carriers"; but they too do a large amount of charter carriage for the Defense Department, both of cargo and of passengers.

Two certificated Hawaiian carriers—Aloha and Hawaiian, both Honolulu based and serving all of the islands of the Hawaiian chain on multiple daily frequencies on route patterns commencing and ending in Honolulu.

Seven intra-Alaska carriers (Reeve, Wien, Cordova, and so on) and two carriers—Alaska and Pacific Northern—serving between Alaska and the lower 48 states. The seven intra-Alaska carriers bring air service on a daily basis to all the far distant points of Alaska such as Nome and Point Barrow, and are doing much to make the State of Alaska into a cohesive whole.

One Caribbean carrier—Caribair, which operates generally intra-Puerto Rico and to some islands of the Caribbean, and finally:

Three certificated helicopter operators—at Los Angeles, Chicago, and New York. Basically, these carriers are seeking to establish themselves as service organizations capable of moving the commuter from the suburbs to the airport, thus bypassing all ground movements within the city proper.

In the most recent 12-month period the operating revenues of this industry amounted to almost $6 billion, with an overall operating profit of about $450 million after taxes, which is not bad for an industry which less than twenty years ago was almost in its entirety dependent on federal subsidy.

Of particular interest to you in this meeting may be the following. This industry—these 57 carriers I have just referred to—have in their employ today over 20,000 pilots and co-pilots. These highly trained professionals are now operating for the airlines about 2100 airplanes. Included in this group are nearly 1400 turbine powered aircraft, 1,000 of which are pure jet, with a program for equipment purchases which will inflate that jet figure remarkably by the end of the year.

These 20,000 pilots are moving these 2100 airplanes on approximately 12,000 departures every day from 525 airports within the United States, and to an enormous number of foreign points. On these 12,000 departures, 320,000 persons move every day, paying about $17 million daily, or between $40 and $50 per person for a ride which averages about 700 miles in distance.

If we could be assured of only this size aircraft fleet, only this many passengers, and only this many aircraft departures from only this many airports for the years ahead, it wouldn't be many months before the entire U.S. aviation picture would be stable; every airport would be just the right size, with the right number of runways and precisely the highway approaches and exactly the tower facilities that were needed; every terminal could be remodeled to suit constant and positive requirements of use; every fixed base operator could establish his shops with permanence; every private pilot could cease his endless studying to keep up with the changing state of the art; he could lose his guilty feeling that maybe he wasn't "up" every time he saw one of those new and ominous looking black boxes for sale in his general aviation terminal; he would know with certainty from month to month where the difficult traffic problems were, and which were the high density areas to avoid; and best of all, the Federal Air Regulations would become sufficiently static that he could learn them by heart today, and be reasonably certain that they were still valid next week.

Unfortunately, however, we are not to be blessed at any time in the foreseeable future with this sort of contentment. What we see happening today in the commercial airline industry portends a tremendous amount of study, planning, working, spending and building for everybody who makes his career in any phase of aviation.

We are told, and I think correctly, that air cargo is in a phase of explosive development—that more cargo will be shipped from more cities, by more shippers than ever before. We hear growth figures running from 5% to 30% per year, and we are both excited

and fearful that the latter and not the former figure may be correct. The best estimates suggest a growth of over 15% per year for the next 15 years. This excites us because of what it means not only to air transportation, but to our commerce generally. At the same time it frightens us to think that terminal and distribution facilities may not be keeping pace.

We are told that the remarkable growth of passenger traffic in the past few years is not a temporary phenomenon, but that these increases will continue in the neighborhood of 10–15% per year for the next decade, so that in ten years the 320,000 daily passenger enplanements and 12,000 daily aircraft departures I just referred to may seem like figures from the previous century rather than the previous decade.

We see emerging a whole new class of carriers—a group defined, perhaps for the lack of a better definition, by the Civil Aeronautics Board as air taxi operators. Approximately 2,000 of them are authorized to operate. Some of them have become quite active, quite successful, rather profitable, and they fill a definite public need. There are indications that they too are in a period of growth, in size, in number of aircraft, numbers of employees, and also in the numbers of services they render to the public.

And finally, there is steady growth in the field of general aviation. We know that more and more people learn to fly every year, and more and more people own their own airplanes every year. In the past five years the number of private planes in use has increased from 80,000 to 104,000. The estimate is for at least 144,000 such planes in use by 1972, and we know that by them there will be in the neighborhood of 300,000 new student pilots each year.

In the past four decades since aviation has begun to flourish and communities have been building their own airfields, there has been a general acceptance of the fact that airfields built with public funds are available equally to commercial airlines and to general aviation users. From time to time in recent years as more and more aircraft appear on the scene, we have heard suggestions that changes may become necessary in the practice of mixed use of airfields. And these suggestions stem largely from those who are concerned with airport congestion.

Let me read to you a thought provoking excerpt from the 1966 annual report of Mohawk Airlines:

"On Friday afternoon, August 26, 1966, between 4:00 and 7:00 p.m., 236 aircraft landed and took off at LaGuardia Airport. 91 of these, or 39%, were scheduled airliners. 145, or 61%, were privately owned, including corporate aircraft, or air taxis. These 236 aircraft accommodated 6,681 people: 6,252 by airliners, 429 by air taxis and private aircraft. Each of the 236 aircraft movements used the same amount of air space, the same investment in runway, taxiway, ramp and navigational facilities.

"More than 50% of the airline flights during this period were destined to or from a point less than 250 miles from LaGuardia so that more than 3,340 passengers were buying less than an hour's scheduled air transportation; yet 100% of the investment in the airport, more than 90% in related navigational facilities and more than 90% in the terminal facilities were tied up for the convenience of less than 7% of the aircraft passengers.

"Mohawk is the sixth largest airline serving New York City in terms of passengers carried and aircraft movements. It has the shortest trip length of any of the major carriers serving New York City. Therefore, these delays are more critical to its economy and to the dependability of its passenger service than to any other airline. Mohawk has long urged that private aviation not be restricted in any sense, but instead that separate and equally attractive facilities be built and maintained for the vast majority of private aircraft which are not, in fact, connecting their passengers to or from the airlines.

"This can be done at airports like LaGuardia, Kennedy and Newark through the use of short parallel runways, separate approach procedures and better terminal facilities. It can be done at separate airports such as Teterboro, Staten Island, Flushing, and others, provided attractive supporting airport features are made available such as first-class navigational facilities, ground transportation and the like. If this problem is faced squarely by the airlines and by airport management, the existing major airports can and will accommodate scheduled airline traffic through the 1970's, by which time an additional jet port can be built in the New York City area. If the problem is not faced squarely, both private aviation and the scheduled airlines, together with their customers, will suffer increasingly aggravated delays.

"This is the most serious situation facing airline management within the next decade."

After reading those paragraphs, I called Mohawk's president to ask his permission to quote them to you. He agreed, and asked that I point out that what he and many others in the air transport industry are seeking is a way to co-exist with general aviation, with each industry having equal access to the cities and the skies above them, but with a means developed to unshuffle the cards somehow, so that both may fly, both may land, and both may park, without the time and money costs which now seem so much on the increase.

Today New York City is seeking a supplement to Kennedy Field since both LaGuardia and JFK are at near capacity. At the moment there is considerable disagreement within the community as to where such a new field should be located. We know that Chicago's O'Hare is overcrowded and is operating at near capacity and that there is a movement back to Chicago Midway of part of the traffic now using O'Hare. What the solution will be in Chicago is not yet known.

Dallas and Fort Worth are now seeking to build a new field midway between these two cities and to be operated jointly by a new county airport authority.

The City of New Orleans is feeling the pinch, and many other of our larger cities in the United States are suddenly aware of the fact that their airports may not be adequate for the additional air traffic which will be coming in in the next decade.

This is not an American dilemma alone. Japan today is engrossed in finding a place larger than its present Tokyo International Airport, and is rushing an expansion of its jet field at Osaka; France has begun plans for a new field which will cover 7,000 acres, will take 10 years to complete, will employ 20,000 people, and will have runways designed to handle aircraft of 350 tons (our largest aircraft now approximate 150 tons); London is hard at work on its airport problems as is Copenhagen, and as are countless other cities of the world.

For many of these countries, when the problem at their single international airport is solved, their entire problem largely is solved, because the geographical confines of their countries are small, and their general aviation activity is relatively minimal. That, however, is not so in the United States. We have concerns not only with our airport problems in the great cities, but in our intermediate cities also.

In the last three months I read of a city with a population in excess of 25,000 whose airport was constructed to handle the post World War II type airplanes, that is the DC–3, the DC–4, and the Constellation, and who now finds itself faced with the necessity of constructing a jet runway to handle 727-type airplanes or lose the service it now gets from a trunk carrier, and the city is seriously considering giving up its service rather than to make the heavy expenditure for runway construction. Nearly every day we hear of another city of size below 100,000 in population which is facing a similar problem.

In the larger communities, not only are there urgent needs for airport expansion, but cities everywhere are discovering that access to airports is not keeping pace. The airport is poorly situated, the roads approaching it may have been designed for the needs of a quarter century ago, or more. Public transportation to the airport is often unsatisfactory, erratic and expensive. Thousands of passengers complain that excessive ground time between city and airport is more of an irritant, and more in need of improvement, than any other problem.

In addition to our problems with airports, and the access thereto, the problem of the traffic in our skies is another which is going to become much more serious in the years ahead. Consider this figure. We know that daily aircraft movements in the U.S. in 1966 were about 40,000. Forecasts suggest that by 1975 this figure will be 160,000 individual movements per day. Aircraft of all types and sizes in the same skies and over the same terminals—SST's, 747's, DC–9's, single engine props—everything!

Consider the New York area alone where it is calculated that by 1975 there will be 250 landings and 250 departures by 747-type airplanes. And how many others? How many will be SST's? Ten? Fifty? And what of the DC–8's, 707's, DC–9's, 737's, all trying to serve that one urban area in the same rush hours!! I have seen estimates of from four to ten times the traffic over that terminal area in the next ten years. A tripling of traffic handled in the next decade certainly is a conservative expectation.

And contemplate in that one urban center the terminal needs, the need for more airport parking (both for planes and autos), the need for new flight kitchens, and the need for busses, taxis, and new access roads. And then visualize that the problem is largely the same at all of the other great air traffic centers of the country—and of the world. Do you know that today the Lufthansa flight kitchen in far-off Frankfurt prepares 12,000 meals a day? How much need that kitchen be enlarged for the requirements of 1975?

The acute problems of crowding of access roads to airports, the crowding of terminals, the crowding of airports, and the antiquity of them all, are soon to have added to the list, at least over this country and in the airlanes approaching it, a crowding of the skies which calls for the best ingenuity of our engineers and specialists.

Just two days ago I was conducted through the latest Boeing mock-up of their SST and their 747. What a shock those airplanes are to look at! Their mammoth size and weight, and the fantastic costs of keeping them airborne for unnecessary minutes, make us aware that an even more regimented and orderly use of the airways than we now know will be necessary to move them into and out of the great traffic centers without undue cost, and at the same time to keep other traffic, both commercial and general aviation, which has an equal right to the sky, moving in an orderly manner. Imagine what a burden it would be to the economy of an airline if their 747's (with four engines, each with 44,000 pounds of thrust in place of the 17,000 pounds we see in the 707) were to be rather generally required to circle in the traffic pattern for 30 or 45 minutes before landing. And how about an SST circling for an hour with engines of 63,000 pounds thrust each. How much would that cost?

The problems facing us are tremendous ones. They face us all, the federal regulators and rule makers, the state aviation bodies, the airplane and equipment manufacturers, the airline and private users of the skies, the airport administrators, the community

planners who must arrange for access to the terminals and the exits therefrom, those agencies which must appropriate the funds to keep all of these things alive. And the prime problem seems to me to be one of cooperative effort.

At President Johnson's urgent recommendation last winter, the Congress early this year created a new Department of Transportation, which is charged with the development of a coordinated national transportation policy. Problems of coordination and cooperation such as those I have just referred to exist in many fields of transportation, but in probably none are they as pressing as in aviation. Some of them will be before the new Department. Others may already be receiving careful scrutiny elsewhere. Others, some just emerging, will have to be faced and solved without many guidelines or leadership by some of you here in this room.

It will take tremendous energy, and tremendous effort plus cooperation at every level by those who are the actual workers in aviation to develop and produce an integrated program of movement of persons on the ground, in the terminals, and through the air. Only in this way can there be assurance that the country can digest the air transport banquet being placed before it.

THE KENNEDY ROUND: A BEGINNING

Mr. HARRISON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. WHALEN] 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 Wyoming?

There was no objection.

Mr. WHALEN. Mr. Speaker, a historic step was taken yesterday with the successful conclusion of the Kennedy round of tariff negotiations in Geneva. There is no doubt that yesterday's agreement represents the most significant and far-reaching world trade development to date. Its impact will exceed that of any previous effort to ease international trade restrictions.

The effect of reduced tariff barriers will be a more effective utilization of international productive resources and, hence, an improved living standard throughout the world. Yet, the conclusion of GATT negotiations must not signal the end, but rather the beginning, of an even broader effort, with true free trade as the ultimate goal. This will not happen overnight. The Kennedy round, which lasted over 4 years, is, itself, proof that time is needed.

I detailed my views on free trade in a speech presented to the Traffic Association of Youngstown, Ohio, on March 20, 1967. In that address, I proposed the creation of a World Free Trade Association, and outlined the steps that would be required to make this a reality.

For the information of my colleagues, I am submitting the text of that speech in the RECORD:

A PROPOSAL FOR A WORLD FREE TRADE ASSOCIATION

I. INTRODUCTION—THE KENNEDY ROUND AND THE TRADE EXPANSION ACT OF 1962

The Kennedy Round of tariff negotiations is now in its most critical stage. These discussions, deriving their name from President Kennedy who initiated them, are an outgrowth of the Trade Expansion Act approved by Congress in 1962. It was hoped that they would lead to an across-the-board tariff cut of 50 per cent, applicable both to industrial and agricultural commodities.

American negotiators, led by the late Christian Herter, soon experienced difficulties, especially in their discussions with the French. First, the French raised the question of tariff "disparities." Later, our negotiators were hampered by the disagreement which occurred among the six members of the European Economic Community regarding the adoption of a common agricultural policy.

Although average tariffs of the EEC and the United States both approximate 14 per cent, the French were quick to point out that those of the EEC deviate much less from the mean than do those of the United States. Thus, a 50 per cent across-the-board reduction would result in a number of U.S. tariffs remaining at much higher levels than those of the EEC. According to the French negotiators this was inequitable.

The reduction of trade barriers on agricultural products is difficult at best, because of domestic political considerations. It has been a particular problem in the case of the EEC because of the wide variations in production costs in the countries comprising the Community. French farmers can produce wheat at lower cost than can the Germans. Both French and German farm costs, however, are considerably higher than those in the United States. Before the EEC can be expected to negotiate with outside countries with respect to grains and numerous other agricultural products, it is necessary that they first agree among themselves relative to a common agricultural policy.

Notwithstanding these difficulties, the strenuous efforts that have been exerted during the Kennedy Round appear likely to bring some results. It is practically certain, however, that the outcome of the current GATT negotiations will fall considerably short of the original high expectations.

The Trade Expansion Act expires June 30 of this year. Thus, the United States Congress and Administration must face up to the problem of whether to allow the Trade Expansion Act to lapse, to extend it in its present form, or to modify it.

Whether the Kennedy Round is successful, whether it fails completely, or whether it results in an acceptable compromise, many trade policy issues will remain unresolved after June, 1967.

First, coordination of national agricultural policies and programs will not be attained. Second, only limited trading opportunities exist for the less-developed countries. Third, East-West trade restrictions will continue. Fourth, there will remain many trade barriers against mass produced, low cost goods manufactured by multi-national firms operating highly sophisticated capital equipment. It would be tragic if the United States, representing the largest and most powerful economy in the world, were to fail to provide the machinery to make it possible to negotiate with other countries for a more rational trading world.

II. THE ISSUE—FREE TRADE VERSUS PROTECTIONISM

"Free trade" versus "protectionism" was a pertinent issue in the very first Congress of the United States in 1789. This dispute between those who advocate protection and those who espouse free trade is as alive today as it ever was.

My education and experience happen to be in the field of economics. As an economist, I have been trained to examine economic problems from the point of view of the *national* interest, as opposed to the interests of any individual producer, or group of producers. If I were employed by an industry which finds it difficult to stand up against import competition, I suppose that I might be a protectionist. Or, if I were a professional labor leader, it is conceivable that I might advocate restrictions against the importation of goods that compete with the products made by the group with which I was associated. Possible, also, would be a protectionist attitude if I came from a section of the country where there is considerable production of goods under conditions that are not well-adapted to American production resources—notably lines of production in which the proportion of labor cost is high and where modern machine techniques have not been applied.

It so happens, however, that I reside in an area which is able to compete effectively against foreign firms in markets both at home and abroad. Perhaps I am fortunate in this respect.

However, as I contemplate the Nation as a whole, I cannot help but be convinced that the vast bulk of American industrial and agricultural producers are able to compete in foreign markets—and compete profitably. The United States is blessed with a plethora of natural resources, an abundant supply of competent workers, skilled scientists, and technicians, and possesses unlimited promotional and executive genius. Thus, our companies are much more to be feared as a competitive rival abroad than are foreign firms to be feared in the United States. This was vividly demonstrated to me in Paris in 1962 when I interviewed officers of the French Automobile Association. At a time when foreign models were making an impact in the American market, these representatives of French automobile manufacturers were fearful that United States car producers "could capture the French market any time they pleased."

Statistics, too, confirm this. According to official figures of the United States Department of Commerce, between 1958 and 1965 exports increased approximately 65 per cent (while imports were increasing by less than 62 per cent). During the same period our shipments to the EEC expanded by 103 per cent (versus a 98 per cent rise in our imports from the Common Market).

If objections are raised that the 1968 figures include certain special category items that were excluded in previous years, the period 1958–64 can be substituted. During these seven years total U.S. exports increased 54 per cent (compared with a 41 per cent import increase). At the same time, exports to the EEC grew by 87 per cent (contrasted with a 68 per cent growth of EEC imports).

This is not to say that there are not producers in our country that would be harmed, at least in the short run, by a too rapid movement toward free trade. There are a few establishments and labor groups whose fears of import competition are not entirely imaginary. No one wishes to be hurt. Further, there is an ingrained belief that, because a person is in a given occupation, he somehow or other has a "right" to remain in that occupation. Status-quo-ism dies hard, but it must be overcome if the Nation is to continue to prosper.

As one who is trained in economics—and leaving aside, for the moment, economic frictions and political difficulties—I believe in the philosophy of free trade. The pure logic of free trade is so simple that it is a truism.

III. THE RATIONALE OF FREE TRADE

The national product of a country consists of an assortment of goods and services produced at different efficiencies. What a country exports and imports, in the absence of international trade barriers, is determined by the relative efficiencies with which it can produce, and sell, various products, *compared with the relative efficiencies with which the same products can be produced and sold in other countries.* This is what economists call the "theory of comparative advantage."

If all the items that can be produced in a nation are listed in order of descending comparative advantage, the products heading the list are those that are normally exported—those that can be produced most efficiently, relative to the production efficiency ratios in other countries. In the United States, where natural resources and capital are relatively abundant, but where labor is relatively scarce, the list would be headed by such goods as office machinery, road-building and other construction equipment, automobiles, aircraft, agricultural machinery, and certain agricultural products. The comparative advantage of the United States lies mostly in those goods which can be produced in quantity by automatic, or semi-automatic, machinery. The production of such items requires substantial capital investment and is subject to the principle of decreasing unit cost. In these industries large size is an advantage.

Further down the scale are products that are exported, but which encounter some import competition. These include certain paper products, watches, and a variety of textiles. At the lower end of the scale are commodities whose production requires considerable labor, relative to capital. Examples are china tableware, hand-blown glassware, certain electronic products, and leather gloves, products, incidentally, which account for a relatively small proportion of the country's total national product.

In countries where, because of low productivity, low wages prevail, the scale of comparative advantage would tend to be reverse that of the United States, where most production is capital-intensive. In southern Italy, for example, goods produced with a high proportion of labor would head the list. If such countries were to attempt to hand-produce goods, which in the United States are produced semi-automatically, their unit costs would be prohibitive.

The exports of each country, therefore, consist of goods produced at the greatest comparative advantage, relative to the rest of the world. Consequently, the generalization can be made that, *in the absence of restrictive trade barriers, each country specializes in, and exports, goods in the production of which its relative efficiency is greatest, and imports goods in which its relative efficiency is slightest.*

Goods produced at a comparative disadvantage in any country cannot compete with similar goods made in foreign countries in the absence of some form of subsidy. If there were no import restrictions, for example, very little of the production of the lower-priced grades of hand-blown glassware in the United States could survive. Certain producers of low-priced pen knives, fur-felt hats, musical instruments, and wool wearing apparel would be in a similar predicament.

Export industries can afford to pay higher wages than those which are vulnerable to import competition, thereby exerting an upward pull on the wage structure as a whole. Producers who do not enjoy a comparative advantage compete against domestic export industries for their labor supply—not against foreign workers. Unless these firms pay going rates of wages, they will lose workers to the export industries. In the absence of interferences, the gradual shift of productive resources (labor and capital) from low-efficiency industries to high-efficiency industries has the effect of raising production per capita. This, in turn, raises the general level of living.

This logic of free trade is predicated on a substantial degree of competition, and on the mobility of capital and labor, *within* the national economy. As it is, however, the frictions of economic adjustments are so great that labor and capital resist. As a consequence, instead of facilitating the transition of labor and capital from less efficient, into more efficient, lines of activity, governments are prone to impose tariffs, import quotas, and other forms of subsidy.

These restrictions keep in business certain producers who otherwise would be forced to transfer to other lines of activity. This not only inhibits international specialization of effort, but also imposes higher prices upon domestic buyers. In essence, the tariff (or other forms of import restrictions) is a subsidy paid for by the consumer.

Further, import duties tend to widen the spread between marginal cost (i.e., cost of producing the last item) and selling price. This makes possible the reaping of abnormally high profits by more efficient firms which, in the absence of tariffs, still would be able to operate profitably at lower prices.

In the early days of this century a well-known industrialist said that "the tariff is the mother of the trusts." Whether or not tariffs encouraged monopoly at that time, they are not a major monopoly factor today. Presently most large businesses are "liberal" trade-minded. Many of their operations are worldwide and most of them oppose interference by government. The tariff, therefore, is now of greater significance as an instrument for protecting certain small, relatively inefficient, establishments.

There can be little doubt that, if the United States were to adopt a policy of free trade, a number of smaller firms would be hard hit by import competition. Certain marginal firms would be unable to withstand the resulting low-cost foreign competition. This is one of the troublesome facts that must be faced.

Determination of foreign trade policy involves the weighing of group interests against each other. When a country moves toward free trade, the economic benefits are likely to be diffused, almost imperceptibly, over a large number of people. The burdens of economic adjustment, on the other hand, are borne by a relatively small number of people, some of whom are threatened by injury in the process.

IV. ANSWERS TO PROTECTIONIST ARGUMENTS

A. Disruption of the domestic economy

Those who favor protection generally contend that restriction of imports is necessary to prevent the domestic economy from being disrupted by import competition. As producing units have become larger, overhead costs have increased. Protectionists contend, therefore, that it is increasingly difficult to transfer from one line of production to another, particularly in those instances where there is a high degree of specialization.

Yet, adaptation to import competition is only one of the many adjustments which occur constantly in all industrialized economies. The adjustments which are caused by increased imports resulting from trade liberalization are no greater than those that are necessitated by technological changes in industry and agriculture. Adjustment to change is the very essence of the free enterprise system.

B. Low-wage import competition

The most frequently heard argument against a policy of free trade is that labor in a high-wage country cannot compete against imports from countries where wages are considerably lower and where working conditions are poorer. It is not difficult to understand the fears of American workers who are directly affected by such competition. One observes, for example, that Japanese textile workers receive less than 80 cents an hour, including wages and fringe benefits. Workers in the United States performing similar tasks average $1.85 per hour. Or, it is pointed out that labor engaged in the manufacture of machinery in Japan is paid less than one-third that received by comparable workers in the United States.

The immediate reply, in terms of economic theory, is that *wages should be considered in conjunction with productivity.* As far as *aggregates* are concerned, this is a tenable argument. Although the return to labor is more than three times as great in the United States as in Japan, average productivity in the United States is many times higher.

Aggregates and averages fail to disclose *individual* situations, however. Thus, *in some lines of production* actual unit costs, taking both wages and productivity into account, are lower abroad than in the United States. These, usually, are labor-intensive items.

Examples of American commodities produced at a comparative disadvantage are china tableware, certain cotton textiles, stainless steel flatware, and spring clothespins.

As long at the United States seeks to protect *individual* domestic producers against foreign competition on the basis of monetary cost differences, there will be demands for continued and intensified barriers against imports. Failure, however, to permit capital and labor to move freely out of lines of production in which there is a comparative disadvantage into lines in which a comparative advantage exists, reduces the effectiveness of these economic resources. Living standards suffer likewise.

C. Discrimination against American agricultural products

Concern has been expressed in many quarters regarding the effect of current trade negotiations upon the American farmer. Senator Russell B. Long (D-La.), on February 3, 1967 stated: "Nothing that has happened in the five years since the enactment of the Trade Expansion Act, is a cause for any optimism or rejoicing about the possibility of this nation preserving reasonable access for its agricultural products to the Common Market." (Congressional Record, February 3, 1967). In an address before the annual meeting of the Trade Relations Council of the United States, in New York City on December 3, 1966, Senate Minority Leader Everett M. Dirksen (R-Ill.) proclaimed: "Our Agricultural exports to the EEC, of vital importance to our farm economy, have been sharply limited by the variable import levy system established by the EEC." (Congressional Record, February 3, 1967).

It may be true that exports of farm products to the EEC are smaller than they would have been in the absence of such levies. However, the impression that U.S. agricultural exports have suffered greatly is not borne out by the statistics.

According to the U.S. Department of Agriculture, only about 30 per cent of all U.S. agricultural exports to the EEC are affected by the variable levy system. Official trade figures of the U.S. Department of Commerce show the following for the period 1959–1963:

Exports of food and live animals to the EEC increased from $483 million to $667 million.

Exports of grains and grain preparations (included in the above totals) increased from $329 million to $379 million.

Exports of wheat increased from $45 million to $63 million.

Exports of corn increased from $90 million to $198 million.

Exports of raw cotton increased from $105 million to $132 million.

Exports of grain sorghums decreased from $60 million to $51 million.

Exports of fruit and vegetables increased from $60 million to $102 million.

Exports of animal feeds increased from $28 million to $86 million.

Exports of tobacco and tobacco manufactures increased from $98 million to $125 million.

Comparable figures for the first nine months of 1965 and the first nine months of 1966 indicate:

Exports to the EEC of food and live animals increased from $621 million to $727 million (within this total, exports of grains and grain preparations increased from $367 million to $476 million).

Exports of animal feeds increased from $89 million to $123 million.

Exports of tobacco and tobacco manufactures increased from $92 million to $110 million.

The only decreases in agricultural exports to the EEC were:

Meats and meat preparations, from $46 million to $42 million; dairy products and eggs, from $27 million to $3 million; fruits, nuts, and vegetables, from $76 million to $66 million; raw cotton, from $57 million to $47 million.

V. TRADE RELATIONS AND FOREIGN POLICY

The creation of strong, stable economies in under-developed countries is one of the best safeguards of American security. In some cases these states may best be helped by technical assistance, developmental loans and grants, and/or private investments. In other instances the opportunity to trade can have an equal, or even greater, effect on long-run economic growth. If the United States makes clear its international trade objectives and moves toward these goals with deeds, we can impress the peoples of less developed countries that their aspirations are consistent with our own economic policies.

Unfortunately, in dealing with the world's underdeveloped countries, the United States has not made the most effective use of foreign trade as an instrument of policy. Import restrictions on cotton, meat, and wool, imposed in connection with domestic agricultural programs, have served to reduce the potential export earnings of many emerging nations.

Equally unfortunate are the import restrictions established by the United States to avoid injury to certain domestic industrial producers. Most manufactured goods that the newly-emergent countries either now have, or soon will have, for export are items which, in the United States, are both protected and produced at a comparative disadvantage. These include certain cotton textiles, pottery products, and other high labor content commodities.

It is not only inconsistent but dangerous for the United States to encourage in the politically volatile emerging states the development of new industries through foreign aid programs while, concurrently, restricting imports of the products of those same industries. Without export markets, the developing countries will be unable to earn the foreign exchange needed to import the capital goods (often obtained from the United States) required for further economic growth.

About a third of the world's population lives in the underdeveloped countries. With many of these nations in the midst of political revolution, it is to our interest that they achieve economic progress peacefully and within the framework of political democracy. It is important to us that these new states not conclude that the dramatic progress of the Soviet Union since the Revolution of 1917 offers a better pattern for their economic development than our own. Our best defense against Communist economic penetration of the world's underdeveloped countries is to accept them as equal trading partners.

VI. FREE TRADE—THEORY VERSUS PRACTICE

Seemingly, the case for free trade is so logical, and the international political realities are so compelling, that trade liberalization becomes an essential policy goal. Yet, despite the deep cuts in certain tariffs that have been made over the past three decades, most countries of the western world still remain protectionist.

This is evidenced by the many kinds of agricultural support programs which exist today. Quotas limit imports of wheat, sugar, cotton, petroleum, beef, and veal. Another example is the long-term International Cotton Textile Agreement, initiated, incidentally, by President Kennedy himself. When there is such a wide discrepancy between theory and practice, it can only be concluded that the theory, by itself, fails to explain actual political and economic behavior.

The greatest weakness of the free trade concept is that it does not go far enough in its analysis. Essentially the principle of free trade assumes that capital and labor can move freely within a country. This overlooks, however, three factors. First, capital, in the form of costly and highly specialized physical plant and equipment, usually cannot be transferred easily or quickly from one line of production to another. Second, skilled labor finds it difficult to move from one occupation to another. Third, there is the overriding consideration that people prefer to remain in the line of work in which they are engaged and resist moving from one part of the country to another.

It is only natural, therefore, for labor, as well as the owners of capital, to try to protect themselves against competition which, they believe, threatens their livelihood.

Herein lies one of the most important difficulties of the social sciences. The whole is seldom equal to the arithmetic sum of its parts. If Government intervenes to protect each and every producing interest against competition (the same logic applies to domestic, as well as foreign, competition), the result is to perpetuate inefficient production, thereby weakening the nation. It is necessary for the strength of the nation, as a whole, that capital and labor be utilized to their maximum. The national interest may be compared to a fruit orchard. The yield of an orchard will be bountiful only to the extent that its owner prunes the dead wood from the trees, allowing the healthier branches to develop and to bear fruit. If the orchard owner shows solicitude for each and every dying branch by taping them each spring instead of pruning them, he will have a sorry crop of fruit, indeed.

Free trade is the device whereby the national economy prunes away the dead and dying branches of the economy so that, in the longer run, its members will be stronger than they otherwise would be.

Pity, however, the political leaders who have to face their constituents who happen to be the dead and dying branches of the economy! It is not their fault that they are engaged in lines of work that cannot withstand foreign competition because of an unfavorable environment. It is not the fault of the producers of china tableware in Appalachia, for example, that they cannot stand up against imports from low-wage countries. It is little solace to them to be told that to lose their jobs and their capital is a patriotic duty. Patriots though they are, it is expecting too much for them to see why they should be the unfortunate, innocent victims of the forces of economic change.

VII. WHAT, THEN, IS THE ANSWER?

Theory must be blended with practical considerations. Tariff barriers ultimately must be erased so that labor and capital may move freely into lines of most efficient use. At the same time, however, this concept, in its implementation, should create a minimum of social and economic friction.

In this light, I recommend a two-stage plan by which the goal of combining desirable economic theory, through the medium of tariff reductions, with acceptable practice, in the form of "adjustment to change", can best be accomplished.

First, the Trade Expansion Act should be amended and, in its modified form, extended for three years.

(A) Additional bargaining power should be granted to American trade negotiators by incorporating in the law the Douglas provision which was a feature of the original Senate-approved Trade Expansion Act. Adoption of this amendment (it was rejected by the House of Representatives and the Conference Committee in 1962) will extend the power of the President to reduce tariffs to zero on certain eligible items. These would include products whose exports by the United States, the EEC, and any member, or members, of the European Free Trade Association account for at least 80 per cent of the total free world trade.

(B) Easier access of governmental adjustment assistance must be granted to firms and groups of workers whose existence is threatened by increased imports resulting from tariff reductions. The present law, consequently, should be revised to incorporate the philosophy contained in the recent Act implementing the Canadian-American Automotive Agreement. The provisions of this Agreement already have been invoked in several cases where American producers of automotive parts (firms or labor) have been able to prove to the Government's satisfaction that they were seriously injured by imports entering the country free of duty under the Agreement. Retraining allowances, stepped-up unemployment insurance benefits, and a number of other actions can be invoked to facilitate the adjustment.

Adjustment assistance is necessary when a tariff cut has resulted in a sudden intensification of import competition. An alternative is to make the tariff cuts so gradual in their application that there will be sufficient time to enable adjustments to take place painlessly. American businessmen are noted for ingenuity and for their ability to adapt themselves to new environmental conditions—given time in which to make the adjustments. If those engaged in certain lines of production that are vulnerable to import competition know that the protection they presently enjoy will be removed gradually—say over a period as long as 25 years—they will adapt themselves to the changing circumstances with little difficulty. If, for instance, the owner of a plant making a certain product at a competitive disadvantage knows that the protection he now enjoys will be diminished by 4 percent a year over the next 25 years, he certainly will try to move into some other line of production. The important consideration is that the future policy of government be definite. A substantial reduction in protection, spread over a long period of time, is less harmful to the producers affected than a much slighter reduction that becomes effective suddenly. Certainty and time are the keys to economic adjustment.

For this reason, I am impressed by some of the suggestions that have been made that the United States assume leadership in a world-wide movement toward eventual free trade.

Therefore, in addition to revising and extending the Trade Expansion Act for another three years, Congress should take a second, longer-range step. The President should be authorized to undertake negotiations leading to a 25-year Treaty or Agreement. This Treaty or Agreement, once invoked, would provide for the gradual attainment of free trade both with respect to tariff as well as non-tariff barriers. Hopefully, by June, 1970, it could replace the amended Trade Expansion Act.

The Treaty or Agreement should call for the creation of a "World Free Trade Association." Initially, it would seem logical for the United States, Canada, and the United Kingdom to provide the nucleus for such a move. There would be no attempt to restrict national sovereignty with respect to the tariffs which might be applied by member nations, individually, against non-members. Instead, the Treaty or Agreement would provide only that over a twenty-five year period member countries would gradually reduce their barriers with respect to each others' goods until, finally, all tariffs, quotas, and customs formalities will have disappeared.

The Association should be open-ended, so that other countries, or groups of countries—including the EEC, EFTA, LAFTA, CACM, and other free trade blocs—might join at a later date.

In the life of a nation 25 years is but an instant. If, by setting the target date for completely free trade a quarter of a century away we can ensure that economic adjustments can be made with little difficulty, we would be foolish to attempt to eliminate all trade barriers over a short span of years. In this area patience is a virtue, but patience must be accompanied by the momentum provided by commitment to a clearly-defined objective.

MINIMUM WAGE REDUCES JOB OPPORTUNITIES

Mr. HARRISON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] 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 Wyoming?

There was no objection.

Mr. CURTIS. Mr. Speaker, in recent years, many economists have come to recognize that minimum wage laws can reduce job opportunities for the person of little or no skills. One area where this may be happening now is in agriculture.

An article from the Wall Street Journal of April 19, entitled "Minimum Wage Can Mean Minimum Jobs," indicates that the wage law may force thousands of remaining marginal farm families out of work. According to the Journal, the welfare and unemployment problems that will accompany the transition of the marginal workers off the farm have State and Federal officials worried.

Under unanimous consent, I include the Journal article referred to in the RECORD at this point:

MINIMUM WAGE CAN MEAN MINIMUM JOBS

(By Jim Hyatt)

DENWOOD PLANTATION, ARK.—Richard Bogen, a 62-year-old Negro farm worker, sits in the plantation store with cap in hand and tears filling his eyes. "Right now I've got just two pennies in my pocket," he says.

He and his family made $1,778.97 last year, chopping and picking cotton and performing odd jobs on this farm in the delta area of eastern Arkansas. But this year, thanks ironically to the new Federal minimum wage aimed at boosting farm workers' income, Mr. Bogen and his family face unemployment along with thousands of others in the delta.

Mr. Bogen is worried that his employer won't be willing to pay him the $1 an hour wage required as of Feb. 1, and he's almost certain that his wife, Annie Mae, 58, and the couple's two children won't be employed any longer.

C. L. Denton Jr., owner of this 4,000-acre farm, says he hopes to keep Mr. Bogen on the payroll, but probably not his family. "He's been here almost all my life," Mr. Denton, 50, says. "I can't turn this poor fellow out just because they passed a law."

For Mr. Bogen, whose second-grade education severely limits his job choice, the future is bleak. He says he can't sleep nights, worrying about the $337.70 he's already borrowed from his employer to buy food and other necessities, much of it from the plantation store. "That's the most money I've ever owed him in my life," he adds.

ONE-THIRD OUT OF WORK

Whatever happens to Mr. Bogen, other families on the plantation face certain unemployment. Mr. Denton estimates that a third of the 25 families living here will have to seek other work. The income of the remaining families, too, will be sharply cut: The labor of many women and children, he maintains, simply isn't worth $1 an hour.

The new law may spell the end of sharecropping and tenant farming, already dying practices in the south. Federal officials insist that all farm laborers, including those who agree to share their crop with a landowner or pay rent to him, must earn the minimum $1 an hour.

Officials in the delta, in turn, are worried over the problem of providing food and work for the untrained, jobless workers. Fumes one Arkansas economist: "Federal Government agencies have known this was coming for months, but right now they don't even know where to start helping these people."

In a letter to Secretary of Agriculture Orville Freeman, Arkansas Gov. Winthrop Rockefeller has called the situation "urgent." His state welfare director estimates that at least 1,000 farm families in 12 eastern Arkansas counties will be out of work by the end of the year. "The food problem is most critical, and requires immediate action," adds a poverty war official.

Some delta farmers think the impact is even wider. "At least 6,000 or 7,000 Arkansas families" will be hurt by the minimum wage, which covers many farm workers for the first time, says Harold F. Ohlendorf, president of the Arkansas Farm Bureau Federation. "In my opinion, thousands of Mississippi families won't have any income at all, except what the Government gives them," adds Boswell Stevens, the Mississippi Farm Bureau president. Other pockets of unemployment are developing in parts of Louisiana and in southeastern Missouri.

Not all farm workers are upset over the minimum wage, naturally. Such farm coverage has been a goal of labor unions for years, and workers in the Rio Grande Valley of Texas have been striking for several months seeking $1.25 an hour for their harvest efforts.

But in the delta on both sides of the Mississippi River, says B. F. Smith, executive vice president of the Delta Council, an area economic development organization, the minimum wage raises these questions:

"Can you eliminate poverty by eliminating jobs? And can the unskilled be benefited by laws that discourage employers from hiring them?"

The affected workers see the problem in more direct terms. "I ain't hit a lick since November," says Hibbler Adams, 64, who has lived on Mr. Ohlendorf's 6,000-acre farm since 1933. And his prospects for a job in nearby Osceola, Ark., are slim indeed: "They wouldn't have me uptown," Mr. Adams admits. "There ain't nothing I could do except rake the grass."

John Porter, 56, a worker on Denwood Plantation, complains that the ruling will keep his five youngsters and wife from working. "They actually earn about as much as I do," he says. "But if they don't work, I won't be able to clothe my kids proper. And they won't learn to do a good day's work."

Dwindling farm labor isn't new. Here in Mississippi County, Ark., for example, the farm population has dropped from more than 60,000 about 2 years ago to 33,000 today. Farmers have been turning to fertilizers and more powerful machinery for years. Faber White, 61, a John Deere Co. dealer in Osceola, estimates that the county's implement business volume has increased 33% to 40% in four years: The county has 30 implement dealers now, three times the number 10 years ago.

But the minimum wage, say the farmers, will be the final catalyst to force the thousands of remaining marginal farm families out of work. "We knew five years ago we could mechanize," says Larry Woodard, 29, a Lepanto, Ark., farmer. "But we attempted to keep these people working. We had moral obligations. Now with the minimum wage . . ." And his voice trails off at the prospect of telling workers they're now unemployed.

Mr. Woodard's operation, perhaps, is typical of the trend in mechanization. Last year he used 33 tractors to farm the 6,000 acres he rents. This season he'll use only 12 tractors, all eight-row equipment. His capital investment has doubled in the last two or three years to $400,000, he says. Half of the 37 families on his place won't be working this summer, he adds.

The welfare and unemployment problems that will accompany the transition of the marginal workers off the farm have state and Federal officials worried.

"We're just causing problems with the minimum wage," observes one Louisiana farm expert. "These people will be off the farmer's payroll, but in another way, they'll be put on the taxpayer's payroll, through welfare."

EMERGENCY FOOD

A. J. Moss, the Arkansas state welfare director, says he's been asking Department of Agriculture officials for months to arrange emergency food supplies for delta workers.

Eight Arkansas Delta counties, he notes, use the food stamp program instead of raw commodity distribution. Workers must purchase some stamps to qualify for additional coupons. Mr. Bogen, for example, pays $42 a month to get stamps worth $60. The stamps are used like cash at participating grocery stores.

But regulations, Mr. Moss says, don't permit the counties to give away food stamps. He wants permission to establish commodity distribution for these stranded workers in food stamp counties, or a new regulation permitting issuance of free food stamps.

An Agriculture Department official, however, says, "We can't see any sense in running the two programs in the same county." And minimum food stamp purchases, he believes, are so low that any family could afford the fee.

Families with extremely low income must pay only $2 a person a month, up to $12, to receive food stamps. "Presumably, a couple of odd jobs could supply that minimum purchase requirement," he adds.

One 44-year-old farm hand on Mr. Woodard's place, with a wife and eight children, pays $12 a month for stamps worth $90. He has to borrow the food stamp money from his boss, and at the moment owes him $481.

Mississippi witnesses shocked a U.S. Senate subcommittee holding hearings in Jackson April 10 by reporting of "people going around begging" in the delta because they couldn't afford money to purchase food stamps.

AN INVESTIGATION

One of the committee members, Sen. George Murphy of California, said the group should ask President Johnson to "declare an emergency exists in these areas" and to send investigators and emergency aid.

At the subcommittee's request, the Secretary of Agriculture has sent a team "to look into the hunger problem. They're following up on some of the things we saw, and trying to determine whether an emergency situation exists," says a staff member.

In any event, the food shortage is only an immediate consideration. "It represents only a small bite of the whole cake," Mr. Moss observes, for many of the workers are too old for retraining. And others are able to perform only simply tasks.

State employment experts at this point have no exact information on the numbers or needs for potentially unemployed workers. "Before Feb. 1 there was no way to know how the farmers would react to the minimum wage," says Fred D. McKinney, administrator of the Arkansas employment security division.

He has surveyed one delta county, and found that 400 hand laborers wouldn't be em-

ployed this year. He is seeking additional funds to conduct a comprehensive survey of the whole region, to pinpoint how many people are involved, and what they require.

"Most of the farmers say the workers can live on the farms for an indefinite period," says Lane Hart, Mississippi employment service director, "so the minimum wage doesn't mean there'll be an immediate exodus to the cities. We're going to try to reach these people where they're now living, and get down to what the needs are."

Adds a farm labor service official in Dallas: "It seems like there's not much you can do about the old folks. But what about the kids of school age on those farms? Will they stay in school?"

In the meantime, the workers will be out of jobs "and will have to do something beside the things they've been doing," says Mr. Stevens, the Mississippi Farm Bureau president. "I think they'll go on Government relief."

THE CASE AGAINST DEEMPHASIZING GOLD

Mr. HARRISON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] 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 Wyoming?

There was no objection.

Mr. CURTIS. Mr. Speaker, the value of the American dollar is a matter which is of primary importance to all of us. There are those who argue for a deemphasis of gold backing for our dollars.

The attempt to make a credit dollar without gold is unsound economics. In a cogent article in the Wall Street Journal on Monday, May 22, 1967, Mr. Elgin Groseclose, a partner in a Washington-based economic consulting firm, presents his case against deemphasizing gold. I commend this article and want to bring it to the attention of my colleagues as food for thought. The article follows:

THE CASE AGAINST DEEMPHASIZING GOLD

(NOTE.—*This article is a reply to an earlier essay on this page by John Parke Young advocating that the U.S. alter its gold policy. What Mr. Young suggested, briefly, is that the U.S. work toward the point where it would redeem foreigners' dollars for gold only at its own option. Mr. Groseclose is a partner in Groseclose, William & Associates, a Washington-based economic consulting firm.*)

(By Elgin Groseclose)

That the value of the dollar is determined by the strength of the U.S. economy is an assumption yet to be proved, and to date the money managers are fearful of putting it to the proof. The proper truth is that value of the dollar depends upon the liquidity of the U.S. economy.

An analogy with business will illustrate. It is a maxim of financial management that businesses go bankrupt not from want of trade but from want of working capital. The strength of a business enterprise is its power to produce. The liquidity of a business depends upon its ability to produce and sell at a profit, that is, to generate a flow of dollars sufficient at all times to meet its dollar costs. The immediate cause of all business failures is thus not lack of business (i.e. volume), but lack of cash to meet bills presented for payment.

The recent misfortune of the Douglas aircraft enterprise, which forced it to merge with McDonnell, did not arise from lack of customers or orders—perhaps from the opposite, from a volume of business beyond the capacity of its working capital. The Krupp interests of Germany have recently experienced the same pinch of an insufficiency of cash to support the business being done, compelling a financial reorganization.

This simplest principle of financial management is seemingly unfamiliar to exponents of a credit dollar.

ONLY GOLD IS UNIVERSAL

What cash is to a business enterprise, gold is to sovereignties. However willing foreigners may be to take dollars (and they take them today not so much because the dollar is strong but because it is the least weak among many weak currencies), when they accept dollars they receive nothing more than a due bill. Dollar due bills remain at par only because and only so long as the U.S. Treasury continues to redeem them on demand with the only cash that has universal validity, that is, gold.

That the dollar today is not as "good as gold," despite our enormous economic power and productivity, is plainly evidenced by the fact that foreigners have for some years been drawing down gold for dollars. Why should they prefer gold for dollars, which bear an attractive interest yield, while gold does not?

The bald fact is that today the U.S. Government is insolvent. Insolvency is the condition before bankruptcy. National bankruptcy occurs when the sovereignty ceases to pay out gold to meet obligations due, when currency convertibility is suspended. The U.S. Government has been insolvent for 34 years.

Bankruptcy was successfully avoided so long as the principal creditors were domestic. By its sovereign power and by legal fiat, the Government prevented domestic creditors from demanding redemption of their currency by the expedient of declaring the possession of monetary gold a crime.

Since the Federal fiat ends at the frontier, the Treasury continued to meet foreign claims for redemption, by gold payments at the statutory rate. Until 1949, mainly as a result of the war, foreigners were debtors on balance, and not in position to press redemption. Beginning in 1949, primarily as a result of the foreign aid program and the Administration slogan "get the dollars out," the balance turned, and with the exception of 1957, the U.S. economy has been in chronic deficit since. Since 1949, gold has been flowing out until the reserve is now down to nearly half the 1949 figure.

The diminished outflow of the past two years is not the result of rising confidence in the dollar, but of pressures put upon foreign central banks not to convert their dollar holdings. These pressures have recently been officially confirmed in Germany. Without these pressures and other expediencies there can be little doubt that the Treasury would be compelled to suspend gold convertibility, that is, officially to declare bankruptcy.

Can these pressures be maintained? Can gold in fact be disestablished, and can the stability of the dollar be maintained under such disestablishment? No doubt the policy framers in Washington, confident in the political, economic and military power of the country, believe it can. To date they have been able, except in the case of France, to persuade the principal central banks to refrain from further conversion of dollars.

Regrettably for their hopes, however, counter-pressures are arising that are not so easily restrained. These pressures are becoming increasingly insistent. They arise from the inchoate and unorganized demand for gold not from banks and institutions, but from a public that is free to express itself in almost every part of the world except the Communist and other totalitarian countries, the U.S. and Great Britain. In these countries, individuals are forbidden by powerful governments to hold monetary gold.

Elsewhere governments are unable to coerce the people so easily. Last year, it appears that for the first time since the rise of the powerful network of central banks, these individual buyers took more gold than the mines could supply from new production. The difference was met from the London Gold Pool, which the U.S. Treasury is committed to replenish as need arises.

The question then arises: Assuming U.S. economic, political and military power is able to restrain foreign central banks from converting their dollar holdings into gold, is it powerful enough to compel them to satisfy the popular demand for gold at the cost of their own reserves, or conversely, compel them to refrain from satisfying such demand?

In short, the practical object of a credit dollar without gold can be achieved only if all countries that use dollars as monetary reserves adopt the same inconvertibility.

Would dollar stability be achieved by universal inconvertibility, with all currencies linked to the dollar, and the dollar maintained at parity with such other currencies by regulating (if that were possible) our balance of payments and by keeping a constant surplus of trade and services?

Let us assume that sufficient power could be so exerted. What would be the practical consequences?

WHERE WOULD GOLD COME FROM?

Since none of the principal sovereignties whose currencies dominate world trade (Canada perhaps excepted) produce sufficient gold to satisfy their own industrial demand for the metal, from where would they replenish their supplies? South Africa, the principal supplier of gold today, can sell all the gold it produces at $35 an ounce. Should the U.S. Treasury declare it was no longer interested in buying gold (and supposing it could persuade the other central banks to adopt the same course) what would be the effect, say, upon South African gold producers?

Traditionally, and to the present time, despite political alienation from Britain, South African mine production is sold through London agencies. Would it continue to be so sold? Some inconvenience might result from setting up other market mechanisms, but the effects can hardly be doubted. The enormous private demand for gold would be satisfied by sales from South Africa direct. What would be the consequences of U.S. Treasury aloofness to this market? None, for the U.S. has not been a buyer of gold on balance since 1949.

What would buyers pay for this gold? To put the question in reverse, what would sellers ask for their gold? Would they accept 35 inconvertible dollars per ounce when they have been used to getting 35 convertible dollars per ounce? This is hardly likely. And certainly bidders would arise who would prefer an ounce of gold to 35 inconvertible dollars.

A better grasp of the monetary problem would be gained by more reading of historical experience, more familiarity with actual business and less with monetary theory, particularly current monetary theory.

Throughout history the value of money has been a compound of intrinsic worth of the medium and the authority or confidence enjoyed by the issuing agency. Remove the latter and barter results; remove the former and monetary chaos follows. Historically, precious metals became the principal medium of barter by reason of their intrinsic utility and convenience for trade, second by the certification of the weight and fineness of the bar or ingot by an accepted authority.

At first this authority was a respected trader of Babylonia or adjacent countries. Later it was the temple—in Rome, the

temple of Juno Moneta, the "Warner" (from which we obtain the word "money"). Eventually the function of striking metal into coinage was absorbed by the state. The power of the state to declare it legal tender for debt, and its willingness to accept it in payment of taxes, gave the official standard a value beyond—but not to the exclusion of—its intrinsic (metal) content. Since, however, the fiat of the state is coterminous only with the power of its arms, the legal tender or fiat value of money ends at the frontier, and beyond that its worth is measured by the intrinsic content. (Even within the frontier the fiat of the state is not always supreme.)

PAPER TREASURE

Marco Polo brought back from his China travels a rosy description of the "means whereby the Great Khan may have, in fact has, more treasure than all the Kings of the world." The means was the issuance of pieces of paper (papermaking being a Chinese invention) bearing the imperial seal, which were declared exchangeable everywhere in payment of taxes or dues, and for which the emperor's subjects were compelled to turn in their gold.

"This paper currency," Marco Polo wrote, "is circulated in every part of the Great Khan's dominions; nor dares any person, at the peril of his life, refuse to accept it. . . . All his majesty's armies are paid with this currency. . . . Upon these grounds it may certainly be affirmed that the Great Khan has a greater command of treasure than any other sovereign in the universe."

As a substitute for gold, however, the device was a failure, for the Mongols, though powerful enough to conquer all of Asia and half of Europe, were not powerful enough to compel everywhere acceptance of their paper money. In his enthusiasm Marco Polo neglected to mention that the paper was at a discount of 50% to gold, and he did not remain in China long enough to observe the economic havoc caused by the use of paper money.

Later instances could be multiplied, for the history of Europe from Roman times on is that of currency debasement and monetary inflation, in the earliest years by coin clipping and alloying, and after the introduction of paper money in the 13th century, by imitation of the Chinese example.

While it is ultimately true that the soundness of the money of a sovereignty depends upon the vigor and productive power of its economy, the reverse is also true that the vigor and productivity of the economy depends upon a sound and stable money. Historians have generally agreed that a chief source of Byzantine influence and power, sustaining the sovereignty through eight centuries of political and military impotence, was the bezant, which down to the Latin conquest of the 13th century was the accepted standard of account and exchange from the Baltic to Ceylon. This was due to the fact, unparalleled in history, that since its first issuance by Constantine the Great the bezant continued to be minted by the Byzantine authorities at its original weight and fineness.

Today the dollar is the unchallened standard of the world. Probably two thirds of the world's trade, whether in U.S. commodities and services or not, is quoted, transacted or paid for in dollars. It would be a universal tragedy if the views of theoreticians and jingoists were to prevail, that the economic might of the U.S. is sufficient to protect the dollar and enforce its acceptance throughout the globe at its nominal equivalence of gold.

A final question can only be dealt with briefly. Given the state of monetary decay, what is the viable solution? An inconvertible dollar we reject, for the reasons just described. A return to full convertibility—the object of the Economists' National Committee on Monetary Policy—is a theoretical ideal, but unrealistic in today's condition of thinned and inadequate gold reserves.

The only practical solution is the historical procedure for insolvency: a declaration of bankruptcy and a writing down of creditors' claims to the measure of the liquifiable assets. With sovereignties this is done by a revaluation of the currency. Undoubtedly such a procedure here would have the same effects as elsewhere—it would merely set the stage for a new spiral of inflation, and is therefore abhorred by conservatives. For this reason, a further step is required, to preserve the discipline of gold upon the money managers: A Constitutional provision limiting the power of the Federal Government to regulate the money.

A precedent is found in the oaths that in ancient Greece, following the Solonian debasement of the drachma, the *diakasts* were required to take on assuming office, that they would not tamper with the currency. It is a paradox of history that it was the influence of this oath, coupled with the Greek tradition, that preserved the integrity of the bezant for so many centuries and maintained the influence of Byzantium far more effectively than the armies of its emperors.

BEECH AIRCRAFT DESIGNS NEW PLANES TO SERVE COMMUTERS, SMALLER COMMUNITIES

Mr. HARRISON. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SHRIVER] 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 Wyoming?

There was no objection.

Mr. SHRIVER. Mr. Speaker, the Beech Aircraft Corp. of Wichita, Kans., which is in my congressional district, recently announced its entry into the airline industry by introducing the Beechcraft 99—a 17-place propjet. This new aircraft is planned for the spring of 1968.

We in Kansas are extremely proud of the many contributions made by the important aviation industry of our State. It is a privilege for me to represent a congressional district in which a number of the Nation's leading aircraft manufacturers are located. Indeed, the city of Wichita long has been known as the air capital of the world.

I believe that many Members of the Congress will be interested in knowing that the turbine-powered Beechcraft 99 is the first aircraft to be designed and built to meet or exceed standards described by the Federal Aviation Agency's latest notice of proposed rule change for design of large aircraft used in scheduled air-taxi operations.

This new Beech model is the result of almost a year of meetings between industry and the Federal Aviation Agency during which efforts were made to define a commuter or local service carrier aircraft. It could very well represent the long-sought successor to the DC-3.

We are all aware that in the past 10 years many cities across the United States have lost airline service because they could not meet the Government's passenger frequency directive. Ninety-four U.S. cities have lost airline service due to this directive and another 54 communities face loss of service.

We are living in the age of aerospace. No community should be denied air transportation. Today's medium and large jet airliners have caused the airlines to concentrate service at higher yield airports. Local service must be provided to serve the smaller communities.

Perhaps it would be uneconomical to provide these communities with pure jet service, but they are entitled to modern air transportation in modern equipment on a scheduled basis.

Beechcraft has a record of building fine aircraft for over 35 years. Walter H. Beech, founder of the company, was one of America's distinguished aviation pioneers. His Travel Air 5000 of 1930 was designed for National Air Transport which eventually merged to form United Airlines.

Today this company, under the leadership of Mrs. O. A. Beech, wife of the late Walter Beech, is prepared to take another giant step forward in serving the aviation needs of our Nation with introduction of the Beech 99.

Under leave to extend my remarks in the RECORD, I include the news report from the Wichita, Kans., Eagle, written by Arnold Lewis, Eagle aviation writer, announcing the new Beech model. The article follows:

BEECH'S NEW 15-SEATER COMMUTER SERVICE BOON

(By Arnold Lewis)

WASHINGTON.—Beech Aircraft Corp. plunged into the new third-level commuter airline market, here Wednesday, announcing production of the 15-passenger Model 99 to begin in April 1968.

Company officials called the 250-mile-per-hour twin prop jet "successor" to the venerable Douglas DC-3.

Wyman Henry, Beech vice president-marketing, told the nation's aviation press that 51 orders have been received for the new model—24 "cash in fist" and 27 letters of intent.

Price of the Model 99 will range from $350,000 to $400,000 each.

An initial production schedule of six to eight 99s per month at the firm's Wichita plant could boost Beechcraft employment by as many as 400 to 500 persons, Henry added.

He placed the available market for the 99 at about 250 airplanes, however, "We like to be conservative, we always are."

A prototype model of the 99 has been flying for approximately a year.

The Wichita aircraft manufacturer simultaneously announced Wednesday creation of a new airline marketing department to support the scheduled airlines and air taxi fleets operating the 99 on their routes.

Program managers in the new department are Allen K. Pepin, domestic airliner sales manager, and R. G. Oestreicher, export sales manager for the airliner.

The Model 99 will be the first third-level airliner in its class to go into production and the largest aircraft ever produced by Beech.

Pepin said it also is the first turbine-powered aircraft designed to meet proposed government safety and reliability standards relating to scheduled commuter airlines.

Featuring all-passenger, all-cargo, or mixed cargo-passenger configurations with "quick change" capabilities, the 99 will have a maximum take-off weight of 10,200 pounds, including approximately two tons of payload.

As a measure of the 99's capabilities, Pepin said it will have 24 per cent greater capacity in ton miles than the DC-3 and operate at less than half the cost.

It is designed to provide over 3.3 million

passenger miles per year at an average load factor of 62 per cent for as little as 32 to 45 cents per mile, or 2 cents per seat mile, he added.

Originally conceived as a "stretched out" model of the successful 11-place Beech Queen Airliner, the 99 has emerged as an all-new airplane.

It boasts dual wheel main landing gear, and all-new tail section with greater elevator area and a high lift inner wing section for optimum single-engine and reduced stall speeds.

At gross weight, the 99 will climb at 450 feet per minute on one engine.

Powered by the same Pratt & Whitney turbo prop engines that power the Beech Craft King Air executive transport, the 99 has reserve-thrust, propellers and complete communication and navigation aids for all-weather operation.

Calling it "the flying limousine to the jet terminal," Pepin said the 99 specifically was designed to supplement major air carrier jet traffic, to connect smaller cities with one another and with the large metropolitan airport.

"The once proud and renowned DC-3 has all but passed from view. It has become too expensive and too slow to provide the service demanded of it," Pepin said.

"Simultaneously, the implementation of such jet aircraft as the DC-9's, 727s and other sophisticated airplanes, has caused the airlines to concentrate service at higher yield airports.

"Thus, local service must be provided to serve the smaller communities. Perhaps these smaller communities do not provide sufficient passengers to warrant modern pure jet service, but they are entitled to modern air transportation and modern equipment on a modern basis," Pepin said.

Reaction to the 99 here was enthusiastic among government and commuter airline officials.

"I've been preaching the virtues of scheduled air taxi service around the country for years, but we didn't have an airplane that would do this," said Robert Reynolds, assistant administrator for general aviation affairs of the Federal Aviation Administration.

Sen. Mike Monroney, (D-Okla.) called it "the missing link in local airline service.

"We've been crying for years up on the (Capitol) Hill for a replacement for the DC-3 before it comes unglued," he added.

Monroney also hinted that such aircraft as the 99 would "perhaps eliminate the need for subsidizing the large airlines."

"From the Hill, we're not going to allow towns that need (airline) service to be skipped. I think you've found the missing link," he added.

Paul Delman, president of Commuter Air Lines, Sioux City, Iowa, called his firm "one of the most enthusiastic endorsers of the 99".

Commuter Air Lines helped pioneer the use of Beech products among local service airlines and there has been "marvelous public acceptance of the fleet," he said.

Delman's firm now operates eight Beech Queen Airliners and has ordered five 99's with an option for an additional five. Beech's new airline marketing department will use computers to assist development of routes and supporting operating practices, it was explained.

U.S. FARMER SOLD OUT IN GENEVA TRADE TALKS

Mr. HARRISON. Mr. Speaker, I ask unanimous consent that the gentleman from South Dakota [Mr. BERRY] 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 Wyoming?

There was no objection.

Mr. BERRY. Mr. Speaker, the American farmer has again been sold out in the Kennedy round of trade talks in Geneva. The sad results of these negotiations prove my contention when Congress was debating the Trade Expansion Act in 1962; namely, that the American farmer would be sold down the river.

Despite the optimistic propaganda which our negotiators are issuing from Geneva, American farmers have not been guaranteed access to European markets. There is every indication, however, that we have given up valuable protection of our own markets.

The Europeans, for example, will determine the amount of U.S. exports that it will permit to enter its member countries and the exact terms. The U.S. negotiating team made no similar demands.

We cannot hope to effectively regulate beef and dairy imports with a tariff or levy system if we continue to bargain away badly needed protection without getting any concessions in return.

So-called "free trade" looks more like a one-way street to U.S. markets in these final days of negotiations than ever before, particularly for the American farmer who has been completely sold out.

WARM SUPPORT FOR PRESIDENT JOHNSON'S PROMISING NATIONAL TEACHER CORPS PROGRAM

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] 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 Arkansas?

There was no objection.

Mr. SCHEUER. Mr. Speaker, for reasons known only to themselves, the Republicans are out to destroy one of the most promising new programs that President Johnson has introduced to upgrade American education.

I am referring, of course, to the National Teacher Corps. This program is desperately needed to produce new and better teachers in communities and neighborhoods where there is a shortage of such trained personnel.

Education requires good teachers. And without good education many youngsters who are growing up without economic security or the opportunity to develop their talents and skills will have little or no chance to make a place for themselves in our society.

Teacher Corps programs prove that there are many young college graduates who deeply care about this problem. They are proving their eagerness to serve those who need their help. We in Congress should do more to commend them. We must insure that they are given an opportunity to put their great intentions to work.

I urge my colleagues to join with me in supporting the National Teacher Corps program. By so doing, we shall support one of President Johnson's most inspired and creative ideas for enriching the educational level of our people.

Under unanimous consent I insert into the RECORD an excellent editorial supporting the Teacher Corps from the St. Louis Post-Dispatch of April 15, 1967, and an excellent article from the Wichita Eagle of April 20, 1967:

[From the St. Louis (Mo.) Post-Dispatch, Apr. 15, 1967]

TEACHERS WE NEED

Like the Peace Corps abroad, the Teacher Corps at home is an inspired but pragmatic response to John F. Kennedy's challenge to "think what you can do for your country." Yet it also is a sign of congressional callousness. It still is in the Washington oxygen tent, barely alive and with scant hope of survival unless adequate aid is administered soon.

President Johnson recommended on Feb. 28 that it be expanded to 5500 volunteers for the school year beginning in September, 1968. More vital, however, is his supplemental request for $12,500,000 to carry the corps through the school year beginning next September. Desultory hearings have been started, but the corps should have known long ago just what plans may be made for the year ahead. It is all too probable that Congress will wait until the very last minute to vote inadequate funds and to impose new restrictions.

This is tragic. President Kennedy launched the corps to provide competent teachers for the neglected schools of the city slums and the rural back country. If their pupils are to be redeemed from a poverty which extends from generation to generation, an extraordinary effort must be made in schools that are shunned by many teachers because of risks and difficulties. Congress ought to be eager instead of reluctant to welcome recruits in this struggle against ignorance, poverty and injustice.

While supported by the National Education Association, the corps is resisted by some in the educational establishment because it seeks volunteers who are not graduates of the old-line teachers' colleges. In co-operation with outstanding universities, it seeks young people who know their subjects, rather than pedagogical methodology. That is drilled into them in a summer of intensive study. Then, as interns under experienced leaders, they teach four days a week and study further on the fifth day.

The two-year volunteers receive the salary of first-year teachers. An attempt is being made currently to limit them to $75 a week and an allowance for dependents, unless the regular salary is lower. This probably would be less troublesome than a plan to put the corps under both the Bureau of Higher Education and the Bureau of Elementary and Secondary Education. This smacks of the divided authority which made administrative problems inevitable in the war on poverty.

As for the trite charge of "federal domination," the recruits are virtually under local control. Arrangements are made between specific co-operating universities and school boards rather than by Washington. Thus the pioneers of the corps have been highly successful where they were embraced with enthusiasm, but did not "set the world on fire" under a school board such as Boston's.

Its success is a minor miracle, however, because of hesitant and niggardly congressional support. If instead of being enlarged, the corps is placed under further handicaps, talk about equality of opportunity will become more hypocritical than ever.

[From the Wichita (Kans.) Eagle, Apr. 20, 1967]

TEACHER CORPS SUPPORTED

(By Robert S. Allen and Paul Scott)

WASHINGTON.—The controversial National Teachers Corps is gaining surprising support in Congress less than a year after its stormy beginning.

Launched in 1966 as an experimental program to improve education in city slums and depressed rural areas, this Great Society project appears to be on the way to winning permanent approval.

Surveys by Democratic leaders indicate that a majority of the House and Senate favor expanding the corps and keeping it operating until 1970.

A significant sign of this was the administration's success in removing the program from the experimental stage.

The House Education and Labor Committee, which had evinced many misgivings in launching the corps, overwhelmingly voted $46 million to continue it through 1969. Of this amount $21 million can be spent during the coming fiscal year starting July 1.

While authorizing these additional funds, the committee did cut the amount proposed for the coming fiscal year. The President had recommended $36 million. The committee reduced that to $21 million, but left the door open to authorize the other $15 million later in the session.

The committee's report on the corps states that these additional funds will be considered when hearings are conducted on higher education proposals. It is explained this was deemed desirable as the $15 million would go to universities to pay for training corps members.

The Teachers Corps was voted $9.5 million late in the last Congress after a stormy battle. A supplemental request for $12.5 million is now pending before the House Appropriations Committee.

Democratic leaders are confident that all funds will be approved by the full House, although admitting privately the amounts may be pared.

If this prediction is borne out, the corps will be able to more than double its size—now 1,213 teachers and teacher-interns.

Organized in teams, the teachers are working in 275 schools in 111 districts. The interns, who make up two-thirds of the corps, work under the guidance of the experienced teachers.

The interns spend part of a week in an elementary or secondary school which has requested their services, and the remaining time studying in a university for a master's degree.

The teachers are paid the same as other teachers, while the interns receive a beginner's scale. Under an amendment approved by the House Education Committee, interns could receive either this pay or $75 a week, plus $15 for each dependent.

Schools become eligible for corps teams if a "significant number" of children are from families with less than $3,000 income, or if 50 per cent of the enrollment receives aid to dependent children.

In its report the House Committee states the teachers corps is producing a number of "desirable side effects."

By placing teachers in slums, the program is attracting numerous young people who want to work with the poor but would not have gone into teaching. Many were planning to join the Peace Corps.

The committee also found that "the teachers corps program is generating new insights into what constitutes an effective teacher preparation program. University training centers have developed special programs, courses and curriculums geared to the needs of neglected schools in their areas."

Deans of educational schools and presidents of universities told the committee they view the corps as a means of testing new teaching concepts.

As an "experimental program," the committee recommended that corps teams be assigned to migrant groups to conduct classes as they move about.

John Gardner, secretary of health, education, and welfare, expressed an almost unheard of view to a Senate Appropriations subcommittee. He declared that Congress had authorized more money than could be soundly used for education in impoverished areas. Last year Congress authorized $2.4 billion for educational help to disadvantaged children. Gardner maintained that $1.2 billion is sufficient. . . . He also disclosed that the Office of Economic Opportunity, which administers the anti-poverty program, will allocate $100 million for this in the next fiscal year. . . . HEW officials have decided against putting the national teachers corps into uniform. Instead, its participants are being encouraged to buy special pins or tie-clips with the letters NTC. . . . A HEW report to the House Labor Committee estimates that by the end of 1967, $400 million in loans will have been made to 480,000 college students. By 1972 loans are expected to total $6.5 billion. . . . Office of Education authorities are estimating that 170,000 new teachers will be needed in 1967 to replace uncertified teachers, fill vacancies and to meet rising student enrollments throughout the country. The officials say severe shortages exist in English, mathematics, science and elementary school teachers. By 1975 the nation's schools will need nearly 2 million more teachers.

PANAMA CANAL: FOCAL POINT IN WORLD STRATEGY

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] 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 Arkansas?

There was no objection.

Mr. FLOOD. Mr. Speaker, in various addresses in the Congress, I have emphasized the Panama Canal as the key target for Red conquest of the Caribbean. The canal, however, cannot be isolated from other crucial spots in the global struggle for the control of strategic waterways and areas. These include Vietnam in Southeast Asia, the Suez Canal-Red Sea route in the Near East, and southern Africa with shipping lanes around the Cape of Good Hope.

In a recent address before the American Society in Panama, Republic of Panama, by Gen. R. W. Porter, Jr., commander in chief of the U.S. Southern Command, on the subject of Vietnam, he discussed the impact of the war there on Latin America. As to its effect on the lives of Panamanians, he stated:

> You live in a strategic part of the world that the communists have marked for future conquest in their power drive for world domination. Your economic and political well-being are intimately related to the fortunes of the Panama Canal, as are those of the nations of South and Central America.

Describing Cuba as a base for continued subversive activities, he stressed that—

> The defense of the Canal is the reason for having U.S. military forces stationed in the Canal Zone . . . the United States . . . stands as a shield for the Free World against the threat of encroachment by Communist aggressors.

And that the "primary mission" assigned his command is "defense of the Panama Canal."

A recent editorial in a Florida periodical supplements the address of General Porter by bringing into clearer perspective the four strategic spots in the current crisis in world strategy and thus forms a fitting sequence.

In order that General Porter's able address and the perceptive editorial may be readily available to all Members of the Congress, responsible officials of the executive branch of our Government, and the Nation at large, I quote both as parts of my remarks and I would commend a careful reading and study of both by the U.S. negotiators dealing with the question of the proposed new treaties:

SPEECH BY GEN. ROBERT W. PORTER, JR., COMMANDER IN CHIEF, U.S. SOUTHERN COMMAND, QUARRY HEIGHTS, CANAL ZONE, AT LUNCH SPONSORED BY THE AMERICAN SOCIETY OF PANAMA, APRIL 4, 1967, HOTEL EL PANAMA HILTON, PANAMA CITY, REPUBLIC OF PANAMA

When I was asked to speak to you today, I had no difficulty selecting a topic. Unquestionably the war in Vietnam is uppermost in the minds of thinking people everywhere—people anxious to know the "whys" of the conflict, and the latest developments in the elusive search for peace in that troubled land.

Much publicity is being given to recent proposals that the road to peace might be for the U.S. to suspend bombing of North Vietnam and then offer to negotiate with the Communist rulers in Hanoi. I think that it is particularly important that everyone be aware of the dangers of following such a course of action. In my judgment such a decision would only serve to strengthen Communist forces in South Vietnam, and in fact lessen instead of increase the possibility of a negotiated peace.

President Johnson has consistently said that the United States is prepared at any time to go more than halfway to meet and negotiate with the other side, without any preconditions, and that the door to peace is and will remain open.

But, the President has also made it clear that the bombing is both vital and effective, and that the air raids would stop when the other side is willing to take some equivalent action as part of a serious effort to end the war in Vietnam.

The facts are that efforts to bring about a mutual reduction in intensity of the war have been continuously explored by the United States. There were bombing pauses of North Vietnam for five days in 1965; 37 days in December and January of 1965-1966, and the recent six-day pause over the Lunar—or Oriental New Year—all with continuing hostile actions by the enemy in response. Secretary of State Dean Rusk points out that there is no reason to believe that Hanoi has any interest in proposals for mutual de-escalation at this time.

What Hanoi would have us do is to stop our bombing of North Vietnam, and then presumably they would be willing to talk to us. But, they haven't shown the slightest sign of willingness to agree to stop their infiltration of North Vietnamese forces and war supplies into the South. Nor has there ever been a Viet Cong offer to stop the assassination of key South Vietnamese officials.

As President Johnson pointed out in a March 9 news conference, for us to stop our actions unilaterally in North Vietnam would make our forces fight at a disadvantage, since we would be giving the Communists free license to increase their combat capa-

bility in the South—with subsequent increase in casualties for our side.

Militarily the war is going well. This is the first war which has been fought under the keen scrutiny of a large corps of war correspondents who have been at liberty to report just one side of the war. There are only three correspondents accredited to the world press, but not from the Communist world reporting from Hanoi in North Vietnam. There are over four hundred working from Saigon in South Vietnam. The horrors which accompany small unit actions are part of the breakfast table routine of every American family.

Still, there are those who insist that South Vietnam is not our business—that we are intruders into an area that is of no concern to us in the Western Hemisphere. In other words—they say, "it's the wrong war, at the wrong place, at the wrong time."

How wrong they are! Vietnam is the business of every world citizen and nation aspiring for freedom without fear of Communist domination.

The war in Vietnam is guided by North Vietnam and spurred on by the Chinese Communists and her allies, as well as the U.S.S.R. What they hope to do is defeat South Vietnam, and then expand their domination in other countries of Asia, non-Communist nations which are unable by themselves to resist the power of the Communist powers in Asia.

The United States serves as a bulwark and a shield. Why us? Because though we did not choose the role, we have the strength and the means and the will to oppose Communist aspirations to conquer Asia, which would also imperil the security of the whole free world. In addition, we are fulfilling a pledge of the American nation. This pledge was made some twelve years ago and endorsed by not only President Johnson, but also his two predecessors, Kennedy and Eisenhower, to help South Vietnam in their gallant resistance to a Communist take-over employing assassination, terror and war.

Really, none of us here can escape—or hide—from what is going on in Vietnam. Nor can we claim that since it is a war that is far on the other side of the world, it will have little impact on our lives here on the Isthmus of Panama.

This is not true for me. I have ultimate responsibility for the defense of the Panama Canal and protection of U.S. property and the safety of U.S. citizens in the Canal Zone. Further, I am the senior Department of Defense official in Latin America, and thus supervise U.S. military matters in Latin America. The course and the outcome of the Vietnam war have a direct bearing upon my responsibilities.

Nor is it true for you American citizens who see your country involved in a struggle to assure that Communism's hunger for conquest is not fulfilled in Vietnam.

Neither is it true for you citizens of Panama. You live in a strategic part of the world that the Communists long have marked for future conquest in their power drive for world domination. Your economic and political well-being are intimately related to the fortunes of the Panama Canal, as are those of the nations of South and Central America whose products travel through the Canal to compete in world markets.

Make no mistake. A neutralist or passive stance will not avert the struggle. Venezuela, Colombia, and Guatemala are already experiencing what Castro terms "wars of liberation." Latin America cannot be insulated from the repercussions of the Russian-Chinese-Castro Communist efforts to achieve world domination.

Communist China has published its own blueprint for world conquest. In an article published in September 1965, Marshal Lin Piao emphasized that Vietnam is only one example of a "people's war." He revealed that the Chinese Revolution was won by encirclement of the cities of that giant nation from the rural areas, and finally by capturing the cities. The primary point of the "manifesto" was made when Marshal Lin Piao identified Latin America as one of the three rural areas of today's world. The cities of the world he considered as North America and Western Europe.

Even though Red China is today seething from an internal struggle for power, there is no evidence to indicate that they have relinquished their long-range goals for world Communist domination.

Further, there is also no evidence that Castro-Cuban Communism has slackened its efforts to overthrow legitimate governments in Latin America. Only a year ago, Castro sponsored in Havana the first "Afro-Asian-Latin American Peoples' Solidarity Conference" which had delegations from 86 nations. At this conclave, usually referred to as the Tri-Continental Congress, the Communists committed themselves to promote and support violent revolution in Latin America.

While it is true that Communism has during the past year had a number of reverses in our hemisphere, from their base in Cuba they continue with their subversive activities abroad. As recently as 13 March, Castro told Latin America that he admired and supported Douglas Bravo and his Venezuelan hard line guerrillas rather than the decadent old line Communist party leaders.

If they are unable to win Latin America any other way, they have openly stated they will sponsor and support active aggression following the pattern of Vietnam.

The Panama Canal looms large in Communist plans. The Canal is of great strategic importance to the Free World. It serves as a vital transportation link in world commerce. Though surveys are presently being conducted for a possible sea level canal, the present Panama Canal will remain essential and will support world commerce for many more years to come.

Defense of the Canal is the reason for having U.S. military forces stationed in the Canal Zone. The primary mission assigned to my command, the United States Southern Command, is the defense of the Panama Canal.

Today, the military commander of an important strategic area cannot rely on a localized ring of steel and men surrounding the area he is to protect as he could in the past. The static defense based upon gun emplacements, fences, and troop concentrations is no longer adequate to counter the existing threat.

In order to properly defend the Canal today, the Canada-U.S. Distant Early Warning Line in the Northern Arctic . . . the NATO radar screen or early warning system, and facilities in many other parts of the Free World all are involved. The sea approaches to the Canal as far to the east as Cuba and the Antilles, and the Galapagos to the west must be included in the close-in defense area. Nuclear powered submarines capable of launching guided missiles from distances of one thousand miles or more are but one of many threats.

The world today cannot be compartmented with one geographic area isolated from another. The events in Europe and Asia, as well as in Southeast Asia have a direct effect on the Western Hemisphere. Events in the hemisphere can and do have effect on the security and well-being of the Panama Canal and its operation.

The United States of America stands today as a shield for the Free World against the threat of encroachment by Communist aggressors. However, no free nation can afford to mobilize or deploy sufficient strength in all the strategic parts of the world at the same time to provide an adequate global defense against this Communist threat.

This brings us to the basic U.S. strategic concept of how we can carry out our commitments in the world of today. We must maintain a highly trained reserve of military forces in the U.S. and possess the capability to shift our strategic reserve strength rapidly and effectively to counter any threat that might arise. United States Southern Command is but one of seven unified commands which provide the command and planning infra-structure necessary to provide this capability. We maintain, therefore, the minimum strength in the Canal Zone necessary to deal with limited threats to the Canal until airlifted strategic reserve forces from the United States could arrive. To make this concept workable, in addition to continuing evaluation of events all over the world, reliable command communications to the adjacent unified commands and the Joint Chiefs of Staffs are required. An alert staff with fine communications to key areas is vital. This is the reason why our military units here in the Canal Zone seem to have a preponderance of high ranking officers, large staffs and headquarters elements. The strategic reserve forces do not have these. They are the muscle. The brains must be already in place controlling all of the necessary support, planning and administration incident to the use of such muscle, if it is ever needed.

The military forces on duty in the Canal Zone maintain a high state of training and readiness at all times as they remain prepared to provide the necessary security at key facilities. They must conduct an energetic field training program so they will be ready for any emergency. The Republic of Panama is thus a direct beneficiary of our strategic defense concept and local defense complex.

The Republic of Panama benefits in many additional ways from having U.S. Armed Forces on duty in the Canal Zone. Among these is the fact that Panama is spared the necessity for maintaining an elaborate and expensive defense establishment. The American Armed Forces provide gainful employment to over 3,000 Panamanian citizens. Armed Forces dependents provide another substantial stimulus to the local economy through the purchase with dollars of goods and services in Panama.

The Southern Command has, is, and will always be available to give aid to Panamanians in distress in the adjacent waters of the Pacific or the Caribbean. We join with the National Guard and the Ministry of Labor, Social Welfare and Public Health in support of a number of projects in the civic action and public health fields. Many of these are in isolated, virtually inaccessible regions which can only be reached by airplane or helicopter. We frequently transport seriously ill or injured persons from the interior of Panama to the capital or other sites where they might receive proper medical treatment.

We have also been able to give aid in cases of natural disaster. The recent floods in the Chepo region saw many missions flown by our aircraft in support of Panama's relief efforts. Major assistance was provided after the devastating fires which struck Panama City two years ago.

The future holds great promise for the Western Hemisphere, including of course the Republic of Panama. The outcome of the struggle to maintain the flame of freedom and democracy alive in Southeast Asia will have a direct impact upon this future. In order for Panama, or any other nation, to develop economically and socially, there must be reasonable political stability and tranquility. Should the United States and her allies lose the fight in Vietnam, the theories of Mao Tse Tung and Lin Piao will have been vindicated.

[From Task Force, February 1967]

CRISIS IN WORLD STRATEGY: AN APPRAISAL

The ending of World War II did not bring peace as was universally hoped but resulted in a wider struggle by predatory communist nations for world power through the process of gaining domination of key coastal areas and strategic water routes. What are some of the key geopolitical problems involved?

I. First, consider Soviet aims in the Suez-Red Sea area. In this, communist control of the Suez Canal through Nasser, largely induced by United States intervention, and the recent announcement of the British Labor Government of its intention to withdraw in 1968 from Aden, are of prime importance. As communist penetration in nearby nations convenient for taking over Aden is increasing, its conquest by Red power will complete the existing Soviet domination over the Suez Canal-Red Sea route to the Middle and Far Easts. Moreover, it will present Europe with the same situation it faced in 1453 when the Eastern Roman Empire fell to the Turks, thereby leading the Portuguese to seek a new route to India by the Cape of Good Hope.

II. Consider next the Soviet stake in Viet Nam. There, Red power, following the 1941 Japanese war plan for securing control of Southeast Asia and, ultimately, of the Malay Barrier, for oil, manganese, tungsten, tin, rice and other vital materials, has been engaged in an aggressive guerrilla war of conquest with Chinese and Soviet support. Though Viet Nam is far more strategic than Korea, the present war is being handled by our Government in the same ineffectual and timid manner under a phoney no-win policy called limited warfare as was the Korean War. Unfortunately, there is no MacArthur with keen strategic insight and power of expression to show our people the way out of the quagmire, with its mounting tolls of American lives and treasure.

III. Now, consider Soviet aims in Rhodesia and South Africa. The recent proclamation by the President of the United States directing mandatory economic sanctions against Rhodesia is, in effect, opening the back door to war with all of Southern Africa, the countries of which are strongly anti-communist and friendly to the West. Southern Africa sea and airports, occupied by Red naval and air forces, could well dominate the sea routes around the Cape of Good Hope, and close the alternate passage between the Atlantic and Indian oceans.

Recently, in line with Administration and UN policies, the tax-exempt Carnegie Endowment for International Peace, formerly fronted by Alger Hiss, has issued a general staff type of war plan for a UN land-sea-air assault on South Africa. This plan, prepared with the shameful assistance of United States citizens, including a member of the faculty of the U.S. Military Academy, estimates that military casualties among the assaulting forces would be between 19,000 and 38,000. Such a plan could not serve Red objectives better if prepared by Alger Hiss himself. The casualties no doubt would be Americans, for the United States would be the main tool used by the UN to attack Southern Africa for Soviet gains.

If successful, the operation outlined in this notorious war plan issued by the once great peace foundation would inevitably place Red power in position to control the ocean routes adjacent to Southern Africa by submarines and aircraft, thereby strategically isolating the sea transport of Western Europe and the United States from countries bordering the Indian Ocean.

IV. Lastly, consider Soviet aims at Panama. In that strategic crossroads, as the result of a series of ill-advised surrenders by our government to the mob dictated government of Panama, United States control over the Canal Zone and Panama Canal has been placed in the gravest danger, with successive U.S. Administrations having officially displayed the Panama flag over the Zone territory equally with that of the United States. Moreover, the present Administration has publicly announced its intention to cede sovereignty over the Canal Zone back to Panama. Meanwhile, Panamanian revolutionaries, many of them trained in Cuba, and other radicals, are standing by for the projected cession as the signal for over-throwing constitutional government in Panama.

Such overthrow would make Panama another Cuba, place Red power in control of the Canal Zone, and swiftly lead to the Free World's loss of the Panama Canal. This loss would undoubtedly encourage like communist revolutionary takeovers in other Latin American countries. Yet not one member of the United States Senate, which is the treaty ratifying agency of our government, has taken any significant step to prevent the long planned giveaway of the Panama Canal to the Reds or even studied the subject to the point of reasonable understanding.

The resulting world situation is one of unprecedented peril. The above enumerated focal points pose great issues requiring clarification and exposure, which can be accomplished only by Committees of the Congress. Those at the watch towers of freedom, especially members of the Congress, should not and cannot evade their responsibilities in making or avoiding, as our safety requires, critically important treaties, especially those of such far-reaching consequences as agreements affecting the Panama Canal. What can we do?

The following program for the Congress is suggested:

1. Study the immortal 1951 address by General MacArthur to the Congress, which is available in recordings as well as in the Congressional Record. If "Viet Nam" is substituted for "Korea", that address fits the present Viet Nam situation precisely and with even greater emphasis.

2. Investigate the tax-exempt Carnegie Endowment for International Peace for its role in preparing the general staff type war plan to attack South Africa and the parts played by officials or officers of our government.

3. Demand of the Executive Department that it exercises the power to veto in the UN Security Council the projected move to apply mandatory sanctions against Rhodesia.

4. Adopt joint resolution cancelling Executive Order No. 11,322 of January 5, 1967, and instructing the Executive to notify the UN that the United States will not honor UN sanctions against Rhodesia.

5. Investigate the flying of the Panama flag in the Canal Zone territory, the Administration's announced intent to cede United States sovereignty over the Zone back to Panama, and the grave implications of the loss of the Panama Canal on world strategy.

Be not deceived; the world is on fire and the future is dark. Today is timely; tomorrow may be too late. It is the solemn duty of our citizens to act immediately and effectively. Let all patriots write their members of the Senate and House to exercise their full strength and power in preventing the success of Red terror and dominance through out the world. Send your Senators and Congressmen a marked copy of this issue of Task Force, and ask them to read it!

NEED TO REVISE SELECTIVE SERVICE LAW—LXIV

Mr. PRYOR. 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 Arkansas?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, Prof. Milton Friedman has written an article that appeared in the New York Times magazine of May 14, 1967, that urges the abolition of the draft. Professor Friedman of the University of Chicago is a distinguished economist and served, in 1964, as one of Senator Goldwater's key advisors in the presidential campaign. Milton Friedman has long advocated the ending of the draft. In this article he has presented an overwhelming argument for the elimination of conscription and I call it to the attention of my colleagues, as follows:

THE CASE FOR ABOLISHING THE DRAFT—AND SUBSTITUTING FOR IT AN ALL-VOLUNTEER ARMY

(By Milton Friedman)

The present legal authority for conscripting men into the armed services expires June 30. It is no accident that it expires in an odd-numbered year. That was deliberately contrived to make sure that renewal of the draft would come up when neither Congressional nor Presidential elections were pending. Hitherto this stratagem has worked like a charm—the draft was renewed in 1955, 1959 and 1963 with hardly a ripple of public concern or opposition and with only perfunctory Congressional hearings.

This year, the committees with primary responsibility—the armed services committees headed in the Senate by Senator Richard Russell and in the House by Representative Mendel Rivers—have been, as always, holding hearings, but this time their hearings have been more than a pro forma endorsement of Gen. Lewis B. Hershey and the Selective Service System. President Johnson has suggested major changes in the operation of the draft—that we take the youngest men first, cut student deferments and introduce a lottery selection system. But everyone seems to want to get in on the draft act.

Senator Edward Kennedy has chaired a Labor and Public Welfare subcommittee that has held hearings on the effect of the draft on manpower problems. The Joint Economic Committee, headed by Senator William Proxmire, has touched on the same subject in its hearings on the effect of Vietnam on the economy. Senator Mark O. Hatfield has introduced a bill that provides for the early transition to a fully voluntary system of manning the armed forces. Representatives Donald Rumsfeld and Thomas Curtis have introduced a bill calling for a Congressional study of the feasibility of terminating the draft soon. A Council for a Volunteer Military, sponsored by individuals covering the political spectrum from right to left, has just been formed. And so on and on.

The passions engendered by Vietnam clearly explain why the renewal of the draft is not a routine matter in this odd year of 1967. But the interesting thing is that a man's position about the draft cannot be inferred from his position about the war. Both men who favor stronger military action and men who favor a bombing pause in the North or even complete withdrawal have come out in favor of terminating the draft and relying on volunteers to man the armed forces. In the past several months Barry Goldwater has devoted three of the columns he writes to urging that conscription be ended and that it be ended now. Norman Thomas and James Farmer have both taken the same position. John Kenneth Galbraith, new head of Americans for Democratic Action, has long been an articulate and effective opponent of the draft. Fortunately, be-

lief in personal freedom is a monopoly of neither Republicans nor Democrats, of neither conservatives nor liberals.

There is by now wide agreement that the present system of conscription is defective and must be changed—even General Hershey has given in. Highly placed voices—including those of Sargent Shriver and Willard Wirtz; more ambiguously, Robert McNamara, and most surprisingly, anthropologist Margaret Mead—have urged a system of universal national service, in which all young men (and, if Miss Mead has her way, all young women as well) would be conscripted and assigned to a variety of tasks, one being to serve in the military.

There is far less recognition that while the President's proposals would improve the operation of conscription, *no system relying on compulsion can remove the basic defects of the present draft*. In current circumstances only a minority of young men are needed to man the armed forces. Short of letting men decide for themselves, there is no equitable way of determining which young man should serve and which two or three should not. Short of making the armed forces offer conditions that attract the men it needs, there is no way of avoiding waste and misuse of men in the armed forces, or the use of men in the military who would contribute far more in civilian activities.

And, of course, any system involving compulsion is basically inconsistent with a free society. A lottery would only make the arbitrary element in the present system overt. Universal national service would compound the evil—regimenting all youth to camouflage the regimentation of some.

The continued use of compulsion is undesirable and unnecessary. We can and should man our armed forces with volunteers. This is the method the United States has traditionally used except in major wars. The past two decades are the only exception. It is time that we brought that exception to an end.

THE ADVANTAGES OF A VOLUNTARY ARMY

Even in strictly military terms, a voluntary force would be more effective. It would be manned by people who had chosen a military career, rather than partly by reluctant conscripts anxious only to serve out their term. It would have much lower turnover, freeing men for military service who are now spending their time training others or being trained. Intensive training, a higher average level of skill, the use of more and better equipment, would permit military strength to be raised while the number of men in the services was reduced. Not least of the advantages of a volunteer force is its effect on morale. Military service is now demeaned, treated as a necessary but degrading duty that men have to be dragooned into performing. A voluntary army would restore a proper sense of pride, of respect for the important, dangerous and difficult task that the armed forces perform.

The elimination of compulsion would enhance the freedom of all of us. The young would be free to decide whether to serve or not to serve. Members of draft boards would be relieved of the awful task of arbitrarily deciding how a young man shall spend several of the most important years of his life—let alone whether his life shall be risked in warfare. The tormenting and insoluble problem now posed by the conscientious objector would disappear. We could immediately dispense with investigating the innermost values and beliefs of those who claim to be conscientious objectors—a process entirely repugnant to a society of free men.

Conscription has been used as a weapon—or thought by young men to have been so used—to discourage freedom of speech, assembly and protest. The freedom of young men to emigrate or to travel abroad has been limited by the need to get permission of a draft board (if they are not to put themselves inadvertently in the position of being a lawbreaker). Uncertainty about the draft has affected the freedom of young men to plan their schooling, their careers, their marriages and their families in accordance with their own long-run interests.

Manning the armed forces with volunteers would have other real advantages for the country at large. Colleges and universities could pursue their proper educational function, freed alike from the incubus of young men—probably numbering in the hundreds of thousands—who would prefer to be at work rather than at school, but who now continue their schooling in the hope of avoiding the draft; and from controversy about issues strictly irrelevant to their educational function. We certainly need controversy in the universities—but about intellectual and educational issues, not whether to rank students or not to rank.

The community would benefit from a reduction in unwise early marriages contracted at least partly under the whip of the draft, as well as from the associated decline in the birth rate. Industry and government would benefit from being able to hire young men on their merits, not their deferments. Not least, the level and tone of public discussion might be raised—though this is perhaps simply an expression of my innate optimism.

Some of these advantages would also result from substituting a lottery for present methods of selection—but only in part, and only for those who are clearly selected out.

IS A VOLUNTARY ARMY FEASIBLE?

Is it not simply wishful thinking to suppose that we can abandon conscription when a hot war is raging in Vietnam, when we must **maintain armed forces exceeding 3 million** men in total? Men are now free to volunteer, yet the number who do so is clearly inadequate and, moreover, many volunteer only because they expect to be drafted. The number of "true" volunteers is clearly much too small to man armed forces of our present size. This undoubted fact is repeatedly cited as evidence that a voluntary army is unfeasible.

It is evidence of no such thing. It is evidence rather that we are now grossly underpaying our armed forces. The starting pay for young men who enter the armed forces is less than $45 a week—and that sum includes not only cash pay and allotments, but also the value of clothing, food, housing and other items furnished in kind. The starting pay is virtually the same now as in 1950—but prices are higher, so in terms of goods and services the man who enlists gets considerably less now than he did then. All of the pay raises since then have gone to officers and to enlisted men with longer terms of service. They have to be induced to stay in service. Fresh recruits can be conscripted—so why raise the pay?

Little wonder that volunteers are so few. Most young men can earn twice as much in civilian jobs.

To attract more volunteers, we would have to improve conditions of service. This means higher entering salaries. But it also means better housing facilities and improved amenities in other respects. The existence of conscription means that the military need pay little attention to the wants of the enlisted men—if not enough volunteer, press the button and General Hershey will raise draft calls. Indeed, it is a tribute to the humanitarianism of the military—and the effectiveness of indirect pressures via the political process—that service in the armed forces is not made even less attractive than it now is. But ask any ex-G.I. how attractive that is.

Money is not the only, or even the major, factor young men consider in choosing their careers. Military service has many nonmonetary attractions to young men—the chance to serve one's country, adventure, travel, opportunities for training, and so on. Today, these attractions are offset not only by low pay but also by the very existence of compulsion. Military service is now synonymous with enforced incarceration. And the presence of young men who are in the armed forces only because they are forced to serve hardly contributes to a spirit of pride within the service.

Improved pay, better conditions of service, and imaginative personnel policies, both in attracting men and using them, could change drastically the whole image which the armed services present to young men. The Air Force, because it has relied so heavily on "real" volunteers, perhaps comes closest to demonstrating what could be done.

The coming of age of the young man born in the postwar baby boom has provided a steadily increasing number of persons eligible for military service. The best estimates are that, to man voluntary armed services of our present effectiveness, only about one-quarter or less of all young men would have to see some military service. This percentage is much lower than the corresponding percentage at the time of Korea, when low birth rates of the Depression years were making themselves felt. It is also much lower than the percentage who must see service under conscription, because volunteers serve longer terms on the average.

A recent poll of college students—brought to my attention by Senator Edward Kennedy when I was testifying before his committee earlier this spring—showed a large majority who favored a voluntary army, but an even larger majority who said they would not themselves volunteer. Is this not, the Senator in effect asked, evidence that a volunteer army is not feasible?

The answer is no. The young men are answering in terms of conditions as they now are. And, of course, at present terms and conditions, their answer is correct—and who can blame them? They do not know how they would behave if conditions were different, if service in the armed forces were made much more attractive.

The question of how much more we would have to pay to attract sufficient volunteers has been scrutinized intensively in a Department of Defense study of military recruitment. Based on a variety of evidence collected in that study, Prof. Walter Oi of the University of Washington, who worked on the study, has estimated that a starting pay (again including pay in kind as well as in cash) of something like $4,000 a year—about $80 a week—would suffice. This is surely not an unreasonable level of pay. Oi estimates that the total extra payroll costs (after allowing for the savings in turnover and men employed in training) would be about $3 billion to $4 billion a year for armed forces equivalent to 2.7 million men under present methods of recruitment, and not more than $8 billion a year for armed forces equivalent to the present higher number of men (3.1 to 3.2 million).

Using the same evidence, the Defense Department has come up with estimates as high as $17.5 billion. This is an incredible figure—it would mean that the pay of every man in the armed service from the newly enlisted man to the top general could be raised by $6,000 a year. But even that absurd estimate is not unfeasible in the context of total Federal Government expenditures of more than $170 billion a year, and military expenditures of over $70 billion.

In any event, we do not need precise estimates of what it will take to attract enough men. Out of simple justice, we should raise the pay and improve the living conditions of enlisted men. If we did so, the number of "real" volunteers would increase, even while conscription continued. Experience could then show how responsive volunteers are to the terms offered, and by how much the

terms would have to be improved to end conscription.

A VOLUNTEER ARMY WOULD COST LESS

The need to raise pay to attract volunteers leads many to believe that a volunteer army would cost more. The fact is that it would cost less to man the armed forces by volunteers than it now costs to man them by compulsion—*if cost is properly calculated.* The cost listed in the Federal budget might be higher—though even that is not certain. But the real cost to the community would be far lower.

The real cost of conscripting a soldier who would not voluntarily serve on present terms is not his pay and the cost of his keep. It is the amount of money for which he would be willing to serve. Compare, for example, the real cost to a star professional football player and to an unemployed worker. Both might have the same attitudes toward the army and like—or dislike—a military career equally. But because the one has so much better alternatives than the other, it would take a much higher sum to attract him. When he is forced to serve, we are in effect imposing on him a tax in kind equal in value to the difference between what it would take to attract him and the military pay he actually receives. This implicit tax in kind must be added to the explicit taxes imposed on the rest of us to get the real cost of our armed forces.

If this is done, it will be seen at once that abandoning conscription would almost surely reduce the real cost—because the armed forces would then be manned by men for whom soldiering was the best available career, and hence who would require the lowest sums of money to induce them to serve. It might raise the apparent money cost to the Government but only because it would substitute taxes in money for taxes in kind.

The implicit tax in kind is not a light one. If it were proposed that we impose a special income tax of 50 per cent on enlisted men in the armed services, there would be cries of outrage. Yet that is what we are now doing in concealed form. Abolishing conscription would have the great merit of imposing those taxes on the rest of us, where they belong, not on the young men in uniform.

There are some important offsets even on the level of budgetary costs. Volunteers would serve longer terms, a higher fraction would reenlist, and they would have a higher average level of skill. The armed services would waste fewer manhours in training and being trained. Because manpower is cheap to the military, it now tends to waste it, using enlisted men for tasks badly suited to their capacities or for tasks that could be performed by civilians or machines, or eliminated entirely. Again, ask any ex-G.I. for evidence.

Better pay at the time to volunteers also might lessen the political appeal of veterans' benefits that we now grant after the event. These now cost $6 billion a year or one-third as much as current annual payroll costs for the active armed forces—and they will doubtless continue to rise under present conditions.

THE RACIAL COMPOSITION OF VOLUNTEER FORCES

One objection that has been voiced against volunteer forces is that they would be staffed predominantly by Negroes because a military career would be so much more attractive than the other alternatives open to them.

There is first a question of fact. This tendency is present today in exaggerated form—the present levels of pay are *comparatively* more attractive to Negroes than the higher levels of pay for voluntary forces would be. And this shows up in a much higher rate of re-enlistment by Negroes than by whites. Yet the fraction of persons in the armed forces who are Negro is roughly the same as in the population at large. It has been estimated that even if every qualified Negro who does not now serve were to serve, whites would still constitute a substantial majority of the armed forces. And this is a wholly unrealistic possibility. The military services require a wide variety of skills and offer varied opportunities. They have always appealed to people of different classes and backgrounds and they will continue to do so. Particularly if pay and amenities were made more attractive, there is every reason to expect that they would draw from all segments of the community.

The Negroes in the forces tend to have lower skills than the whites. As a result, they constitute a larger fraction of the combat units than of the armed forces in general. The fraction of men in combat in Vietnam who are Negro is decidedly higher than their proportion in the population. Yet even there, they are a small minority of the fighting men. More important, most of them are there by choice: because they voluntarily chose to enlist or re-enlist.

This raises the basic question of principle. Clearly, it is a good thing not a bad thing to offer better alternatives to the currently disadvantaged. The argument to the contrary rests on a political judgment: that a high ratio of Negroes in the armed services would exacerbate racial tensions at home and provide in the form of ex-soldiers a militarily trained group to foment violence. Perhaps there is something to this. My own inclination is to regard it as the reddest of red herrings. Our Government should discriminate neither in the civil nor in the military services. We must handle our domestic problems as best we can and not use them as an excuse for denying Negroes opportunities in the military services. We should be proud of the armed forces for the fine job they have done in providing opportunities to the disadvantaged and for eliminating racial discrimination—not discriminate against the Negroes in manning the armed forces because we have done so much less well in civilian life.

THE FLEXIBILITY OF VOLUNTARY FORCES

Another argument that has been made against voluntary forces is that they lack flexibility—and that world conditions may change and call for larger or smaller armed forces. With conscription, draft calls can be rapidly stepped up, and conversely.

This is a real problem—but can easily be overrated. Emergencies must be met with forces in being, however they are recruited. Many months now elapse between an increase in draft calls, and the availability of additional trained men.

The key question is how much flexibility is required. Recruitment by voluntary means can provide considerable flexibility—at a cost. The way to do so is to make pay and conditions of service more attractive than necessary. There will then be an excess of volunteers—queues. If the number of men required increases, the queues can be shortened, and conversely.

The change in scale involved in total war is a very different matter. If the military judgment is that, in such a contingency, there would be time and reason to expand the armed forces manifold, either universal military training to provide a trained reserve force, or stand-by provisions for conscription could be justified. Both are very different from the use of conscription to man the standing army in time of peace or brush-fire wars like that in Vietnam which require recruiting only a minority of young men.

The flexibility provided by conscription has another side. It means that, at least for a time, the Administration and the military services can proceed fairly arbitrarily in committing U.S. forces. The voluntary method provides a continuing referendum of the public at large. The popularity or unpopularity of the activities for which the armed forces are used will clearly affect the ease of recruiting men. This is a consideration that will be regarded by some, including myself, as an advantage of the voluntary method, by others as a disadvantage.

ARE VOLUNTARY FORCES A POLITICAL DANGER?

A final objection that has been raised against a volunteer army is that it would endanger political freedom. There is a real danger, but it arises from the existence of large armed forces plus the industrial complex required to support them, not from the method of recruiting enlisted men. Our free institutions would certainly be safer if the conditions of the world permitted us to maintain smaller armed forces. But they are not made safer by using compulsion rather than free choice to fill the ranks.

The military coup just engineered in Greece was by an army manned by conscripts. So was the recent military takeover in Argentina. Napoleon and Franco rose to power at the head of conscripts. Britain and the U.S. have maintained freedom while relying primarily on volunteers; Switzerland and Sweden, while using conscription. It is hard to find any relation historically between the method of recruiting enlisted men and the political threat from the armed forces.

The danger to liberty comes from the officers, who are now and always have been a professional corps of volunteers. However we recruit enlisted men, it is essential that we adopt practices that will guard against the political danger of creating a military officers corps with loyalties of its own and out of contact with the broader body politic. Fortunately, we have so far largely avoided this danger. The broad basis of recruitment to the military academies, by geography as well as social and economic factors, the R.O.T.C. programs in the colleges, the recruitment of officers from enlisted ranks, and similar measures, have all contributed to this result.

For the future, we need to continue such a broad recruitment policy. We need also to foster lateral recruitment into the officers corps from civilian activities—rather than rely primarily on promotion from within. The military services no less than the civil service need and will benefit from in-and-outers. For the political gain, we should willingly pay the higher financial costs involved in fairly high turnover and rather short average terms of service for officers. We should follow personnel policies that will continue to make at least a period of military service as an officer attractive to young men from many walks of life.

There is no way of avoiding the political danger altogether. But it can be minimized as readily with a volunteer as with a conscripted army.

The case for abolishing conscription and recruiting our armed forces by voluntary methods seems to me overwhelming.

We should at once raise the pay of enlisted men, improve conditions of service and stimulate more efficient use of manpower by the services. We should continue to raise the pay until the number of "true" volunteers is large enough so that the lash of compulsion can be eliminated. And to avoid procrastination by the military, who will be tempted to continue to rely on the crutch of conscription, we should set a definite termination date for conscription.

SUPERINTENDENT OF SCHOOLS OF MINNEAPOLIS, MINN., OPPOSES QUIE SUBSTITUTE EDUCATION BILL

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] 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 Arkansas?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, one of the most telling criticisms I have yet seen of H.R. 8983, the substitute bill proposed by the gentleman from Minnesota [Mr. QUIE] comes from the superintendent of schools of Minneapolis, Minn., Dr. John B. Davis, Jr.

Dr. Davis' statement sets forth with great clarity a number of the grave shortcomings of the Quie substitute—in particular, the danger that the school systems of our cities would be short-changed under the Quie bill. Dr. Davis notes that he does not feel the Quie bill "has sufficient provisions to meet the intensive needs of urban education."

The superintendent of schools of Minneapolis also shows how Minnesota schools have benefited under categorical Federal aid programs, such as the Vocational Education Act, the National Defense Education Act, and the Elementary and Secondary Education Act.

Mr. Speaker, I urge all Members of the House to read Dr. Davis' thoughtful statement. It is further evidence of the importance of favorable action next week on H.R. 7819, the Elementary and Secondary Education Act Amendments of 1967. Under unanimous consent I insert Dr. Davis' statement at this point in the RECORD:

STATEMENT OF DR. JOHN B. DAVIS, JR., SUPERINTENDENT OF SCHOOLS, MINNEAPOLIS

As superintendent of schools in Minneapolis, I do not feel comfortable with the provisions of H.R. 8983 (Quie bill). The cities of America have unique and peculiar problems and Minneapolis is no exception. The flow of dollars to public schools is insufficient generally, and in my judgment, particularly so in the case of cities.

Fortunately, federal aid programs have been effective under N.D.E.A., Vocational Education, and the E.S.E.A. These categorical aids have permitted us to concentrate on specific curriculum areas or on the specific health and education needs of students. The gradual expansion of these programs has broadened the base of involvement without violating the important principle of pumping enough money in to make an educational difference. Certainly our science programs are superior to what they would have been had there been no N.D.E.A. and it goes without saying that vocational education is strong because of the categorical aid designed for it.

One can also point to Title II of the E.S.E.A. to identify funds for modernization and reinforcement in the rapidly changing categorical areas of audio visual and library materials.

The indicated categorical aids have come to the Minneapolis public schools through a state plan submitted by our State Department of Education. In the N.D.E.A. and E.S.E.A., Title II, Minneapolis has received the minimum amount that the State Department of Education could allocate to a school district. In the case of N.D.E.A., the reimbursement within the state ranged from 40% to 60%. Minneapolis was allowed 40% reimbursement. In the case of E.S.E.A., Title II, the reimbursement within the state ranged from $1.25 per pupil to $2.25 per pupil. Minneapolis was allowed $1.25 per pupil.

The allocation of funds under Title I, E.S.E.A., was determined by regulations formulated at the United States Office of Education. Minneapolis was allocated a per pupil amount based on the number of qualified, disadvantaged children. There is no criteria indicated in H.R. 8983 that would give an equitable distribution—indeed, one is fearful that our allocation might be reduced and the city of Minneapolis cannot afford any loss.

While our State Commissioner has indicated his support of the newly recognized intensive educational needs of our city schools, H.R. 8983 does not contain sufficient language to insure support for him with regard to this matter. Further, with the exception of the 50% clause, there is no direction for the State Legislature or the State Board of Education regarding the plight of the city.

Section 708 of the Bill indicated, "It is the intent of Congress in enacting this Title that the States shall have utmost freedom, consistent with certain basic requirements, to use the appropriated funds for the improvement and strengthening of elementary and secondary education within each state by meeting educational needs which the state determines are most urgent."

I do not feel this Bill has sufficient provisions to meet the intensive needs of urban education. Nor do I feel that the total amount of money proposed under this Bill is sufficient to meet the general needs of education.

General aid is desirable when the level of aid is sufficiently high to have impact on the total educational program (many times the proposed amount). Until considerably larger appropriations are available, categorical aid for specific purposes makes much more sense."

MORE SCHOOL SUPERINTENDENTS SPEAK OUT AGAINST QUIE SUBSTITUTE: PORTLAND, OREG.; SAN FRANCISCO, CALIF.; BOSTON, MASS.; BUFFALO, N.Y.; KANSAS CITY, MO.; INDIANAPOLIS, IND.

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] 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 Arkansas?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, yesterday I placed in the Congressional RECORD a number of statements from school superintendents from some of the major cities in the United States expressing their strong opposition to the substitute bill being proposed by the gentleman from Minnesota, Representative QUIE. These statements, coming as they do from the school administrators who must be responsible at the local, grassroots level, for providing adequate education in their communities, constitute further reason for the passage of H.R. 7819, the Elementary and Secondary Education Act Amendments of 1967, favorably reported by the Committee on Education and Labor.

Mr. Speaker, to these statements have been added those of other school superintendents in some of America's leading cities: Portland, Oreg.; San Francisco, Calif.; Boston, Mass.; Buffalo, N.Y.; Kansas City, Mo.; and Indianapolis, Ind. These voices come from many different cities and different parts of the country but they speak as one in opposition to the Quie substitute and in support of H.R. 7819.

Mr. Speaker, under unanimous consent I insert the statements to which I have referred at this point in the RECORD:

MORE SCHOOL SUPERINTENDENTS SPEAK OUT AGAINST THE QUIE SUBSTITUTE AND IN FAVOR OF H.R. 7819

Dr. Melvin W. Barnes, Superintendent of Schools, Portland, Oregon, May 1, 1967:

"I oppose the Quie amendment because educational affairs in Oregon are not yet ready to accommodate such changes in the Elementary and Secondary Education Act. For the present I believe we should stay with the legislation as it stands."

Dr. Harold Spears, Superintendent of Schools, San Francisco, May 2, 1967:

"Urge opposition to the Quie amendment to ESEA and other Federal education programs in order to avoid disruption or delay in operating Fall 1967 projects. Early authorization needed to insure efficient planning and conduct. Suggest any proposed changes be studied for possible future legislation but schools need immediate approval to proceed with Fall term programs."

Dr. William H. Ohrenberger, Superintendent of Public Schools, Boston, May 5, 1967:

"The Boston School Committee and the Superintendent are deeply concerned about the passage of an Education Bill.

"We sincerely hope that you will support H.R. 7819 as this is best suited for the education of the disadvantaged children in Boston.

"We hope you will oppose any substitute proposals as such proposals will not put the money where it is most sorely needed."

Dr. Joseph Manch, Superintendent of Schools, Buffalo, New York, May 8, 1967:

"We wish to record unalterable opposition to H.R. 7477. Quie proposal would imperil all present and projected ESEA services for educationally disadvantaged children in Buffalo. Passage would reduce estimated allotment for fiscal year 1968 by $1.3 million crippling total program. Urge personal efforts to insure passage of ESEA extension as proposed by H.R. 7819 and its companion bill in the Senate."

Dr. James A. Hazlett, Superintendent of Schools, Kansas City, Missouri, May 5, 1967:

"Kansas City, Missouri, Schools have benefited greatly under the ESEA Act. We urge you vote for the extension of ESEA without any cuts in appropriations and permit programs just getting started to move ahead. Any substitute proposals at this time would jeopardize what has been started."

Harmon D. Baldwin, Superintendent of Schools, Metropolitan School District of Wayne Township, Marion County, Indianapolis, Indiana, May 11, 1967:

"May I urge your support of HR 7819, and ask that you resist every effort to reduce the current appropriation or to change the method of control. It is functioning smoothly as it is presently, it is still in its infancy and little if any change should take place at the present time.

"The problem that could exist in Church/State relations is seemingly functioning smoothly under the present provisions of 89-10. I feel that to disturb this would do great harm to the local communities as well as to the National problem."

WALTER LIPPMANN SAYS QUIE SUBSTITUTE WOULD "BRING DOWN IN A CRASH" ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] 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 Arkansas?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, one of the most distinguished observers of American life for many years has been Walter Lippmann.

Mr. Lippmann's deep commitment to improving American education generally and to strengthening our elementary and secondary schools in particular is a long-standing one. I believe, therefore, that Members of the House and Senate will read with considerable interest Walter Lippmann's column of today, May 16, 1967, concerning the Elementary and Secondary Education Act Amendments on which the House is scheduled to vote next week.

Mr. Lippmann notes especially that the substitute bill offered by the gentleman from Minnesota [Mr. QUIE] would, in Mr. Lippmann's words, "bring down in a crash the structure of the 1965 settlement of the church and state school issue."

Mr. Speaker, under unanimous consent I insert in the RECORD the text of Mr. Lippmann's article on the Quie bill, entitled "Destructive Reaction":

DESTRUCTIVE REACTION
(By Walter Lippmann)

There is under serious attack the measure which may well come to be thought of as the greatest single peacetime achievement of the Kennedy-Johnson Administration. This is the Education Act which was passed in 1965. This act opened the way through the conflict between the Catholics and the anti-Catholics, the conflict which has been so stubborn and perplexing an irritant in the life of the American people.

The 1965 Act which was worked up in the Kennedy Administration and improved and enacted in the Johnson Administration settled, or at least quieted down, the controversy over whether Federal money may be used for the education of children in Catholic schools. The whole arrangement is in great jeopardy today owing to a bill introduced by Representative Quie which would destroy the financial structure of the 1965 settlement.

The principle of the 1965 settlement is that Federal money may be used for educational projects which are wholly unrelated to religious teachings, and that Catholic children in parochial schools may participate in them. Federal funds are used to improve education in districts with many poor families. The monies are spent by public school authorities, but they devise programs in which Catholic students participate.

Since 1965 the old controversy has subsided. The anti-Catholics have accepted the Act which provides Catholic children with educational advantages. The Catholic hierarchy and the Catholic community have been satisfied although the parochial schools receive no direct aid. The National Education Association, which ardently proposed a quite different measure of Federal aid, had supported the 1965 Act since it was enacted.

Mr. Quie proposes to unsettle all this. Not that he wishes to spend less money. He is asking for a total authorization of three billions while Rep. Brademas' bill, which is the Administration bill, would come to about 3.3 billions. Mr. Quie has fixed his attention upon the control of the funds to be allocated for aid to education. As against the principle of the Act of 1965, the Quie bill is based on the plausible slogan that the states should themselves distribute education funds. But the constitutions of some 20 states bar the use of state funds for parochial schools. If the funds presently administered by HEW were to be given over to the states, the whole church-state question would be reopened. The Quie bill would bring down in a crash the structure of the 1965 settlement of the church and state school issue.

Furthermore the Quie bill would spread education funds much more evenly over the Nation's school districts. This would mean that poor schools, mainly in the rural South and in the big cities, would lose support. If the Quie bill were passed, sixteen southern and border states would lose 371 million dollars, and California, Illinois, and New York, with their large urban populations would lose about 130 million in 1969. For the country as a whole these are not big amounts, and distributed "equally" they would make almost no difference to the quality of American education. But the backward districts would suffer severely from the loss of these funds.

CITIZENS FOR EDUCATIONAL FREEDOM OPPOSE QUIE SUBSTITUTE AND URGE PASSAGE OF H.R. 7819, ELEMENTARY AND SECONDARY EDUCATION ACT AMENDMENTS OF 1967

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] 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 Arkansas?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, with every day that passes another group dedicated to the continuation of effective programs of Federal support of State and local efforts in elementary and secondary education speaks out against the so-called Quie substitute and in favor of the passage of H.R. 7819, the Elementary and Secondary Education Act Amendments of 1967 reported to this House by the Committee on Education and Labor.

For example, the Citizens for Educational Freedom, an organization with a particular interest in programs affecting children attending private schools, has just issued a statement strongly endorsing H.R. 7819 and strongly opposing the Quie substitute.

Mr. Speaker, because of the importance of this legislation to the education of the young people of our country and also because of the importance of continuing programs in which both public and private school children are participating, I believe the statement of the Citizens for Educational Freedom is most significant, and under unanimous consent I include the following letter from Jeremiah D. Buckley, executive director of the CEF, at this point in the RECORD:

CITIZENS FOR EDUCATIONAL FREEDOM,
Washington, D.C., May 10, 1967.

DEAR CONGRESSMAN: Because of a deep concern over the implications which the proposed Republican amendments to the Elementary and Secondary Education Act hold for children attending private schools, Citizens for Educational Freedom wishes to make its position perfectly clear. We are supporting H.R. 7819 without amendments. We are convinced that the proposed Quie substitute does not provide for equitable treatment for private school children.

Our position was taken after thorough study of all ramifications, including careful consideration of the amended version of the proposals. Our conclusion was based on three principal factors:

(1) The proposed amendments do not adequately protect the rights of private school children.

(2) The legislative procedure in this case is open to serious question and has resulted in a great deal of doubt and uncertainty. This defect could result in a substantial deprivation of benefits to children in all schools.

(3) The amendments would allocate a substantial portion of the funds in "block grants" to the states to provide programs, which, in total effect, would amount to general aid to public schools, while the educational needs of private school children would not be proportionately met. Programs designed for them would be restricted to special projects such as shared time, educational television, etc.

Additionally, we have strong reservations relative to the extent private school children would participate under a system which vested so much authority in state educational agencies. Our experience indicates that these children would be at a distinct disadvantage.

CEF recognizes and appreciates the efforts of the sponsors of the proposed amendments to resolve these complex problems. The changes which have been made since the original version of the Quie substitute was made known demonstrate good faith and a concern for progress in education. These changes, however, do not go to the heart of the matter. They do not meet our fundamental objections.

Because of some confusion surrounding the provisions of the Quie substitute, CEF feels obligated to make its views known directly to the Congress.

Respectfully,

JEREMIAH D. BUCKLEY.

A BILL TO ELIMINATE SOCIAL SECURITY LAW DISCRIMINATION AGAINST WORKING WIVES, WIDOWS, AND WIDOWERS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] 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 Arkansas?

There was no objection.

Mr. MULTER. Mr. Speaker, I have today introduced a bill to amend title II of the Social Security Act to correct the injustices worked by that Act against working wives, widows, and widowers.

The law now requires a retired wife or widow who had worked to draw social security benefits either as a wife—or widow—or as a worker, whichever is greater. What this often means is that a husband and wife who have worked draw lower benefits than those couples where only the husband has worked.

The present social security law provides that a widow with two minor children who draws the highest benefit loses $1,296 yearly, if she works and earns an average $3,600. Nor does the present law cover widowers with minor children. They would, under my bill, be entitled to benefits if their deceased wife was covered. In the case of widows, when this $1,296 is added to the social security and income taxes they must pay, they wind up with a yearly income of less than $2,000. This can hardly be called a living wage—especially when there are chil-

dren to be cared for. Similarly, the widower with growing children should be entitled to whatever benefits his late wife may have accrued during her working lifetime.

Finally, one of the most flagrant cases of discrimination in the social security law is that section which denies to the families of working women the same benefits received by the families of working men, even though the working woman must pay the same social security tax.

My bill will amend the Social Security Act to end each of these cases of discrimination against the fair sex who presently are treated so unfairly, and against widowers who must cope with the problem of being both father and mother to their minor children. I am happy to follow the lead in this respect of our distinguished colleague, the gentlewoman from Michigan [Mrs. GRIFFITHS], who introduced the same bill on May 8, 1967.

A TIME TO TALK—OR A TIME TO ACT?

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. HOLLAND] 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 Arkansas?

There was no objection.

Mr. HOLLAND. Mr. Speaker, if there is an issue regarding the conditions existing today in our western uranium mines it is debate that seeks to measure economic considerations against human life.

Conscience questions debate where the record is so graphic—nearly 100 miners dead and 10 times that number doomed—and dying.

While we talk men are working—at that pursuit and under those conditions that brought their brother miners and their families to the pitiable situation that now confronts them, and confronts us all.

The Secretary's action is also supported by Mr. I. W. Abel, president of the United Steelworkers of America whose letter, which I include at the conclusion of these remarks, outlines an impatience with debate to match his concern for the lives of his member miners.

The letter follows:

UNITED STEELWORKERS OF AMERICA,
Pittsburgh, Pa., May 10, 1967.

Hon. WILLARD W. WIRTZ,
Secretary of Labor,
U.S. Department of Labor,
Washington, D.C.

DEAR MR. SECRETARY: Recent disclosures of the terrific death toll to be expected among uranium miners leaves little doubt that a strict standard to control the concentration of radon daughters and to lessen the miners' exposure to the gas must be established in order to protect our miners against further death sentences.

The various agencies of the government have already studied the situation—perhaps, even too long from a scientific point of view. However, when we think about the lives of the miners, far too much time has been consumed in scientific controversy. Enough data has already been accumulated upon which to promulgate a standard.

In view of the fact that the Federal Radiation Council was unable to come to an agreement in establishing the .3 Working Level standard, your decision, under authorities vested in you as Secretary of Labor, to debate the issue no longer has the complete support of the United Steelworkers of America. The failure of the government to act in the past may be explained by many factors. Its failure to act now cannot be justified.

I have already indicated our endorsement of the .3WL standard in a letter dated March 29, 1967, to Dr. Paul Tompkins, Executive Director of the Federal Radiation Council. Our primary concern is that the concentration of the dangerous gas be brought to safe levels. Debates as to what degree individual miners have been exposed become more academic when the degree of concentration has been reduced to a level consistent with health and safety standards.

In arriving at the formulation of the .3WL standard, we recognize that economic values must take a second place when human values are at stake. It is inconceivable to us that any economic consideration should enter into the formulation of a standard on safety and health. Furthermore, we are convinced that there are adequate methods for the enforcement of the standard endorsed by the Department of Labor. *Concentration of radon daughters above .3WL can be measured.* Mines which are unable to control the concentration below such levels should be closed until such time as the operators can install the proper ventilating equipment.

We hope that your positive action will be duplicated by other agencies having jurisdiction over uranium mines. Your order on radiation standards for uranium mines should be a guideline for the Department of Interior in enforcing the Federal Metal and Non-metallic Mine Safety Act, which our Union vigorously supported for many years before its enactment last year.

The life and death of many miners is dependent upon the issuing of vigorous safety standards. We endorse your position on the uranium standards because it means protection from lung cancer for miners, many of whom are members of the United Steelworkers of America.

Sincerely yours,

I. W. ABEL, *President.*

THE PRESIDENT'S MANPOWER REPORT, 1967

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. HOLLAND] 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 Arkansas?

There was no objection.

Mr. HOLLAND. Mr. Speaker, when the Congress first enacted the Manpower Development and Training Act, the then Secretary of Labor, Arthur Goldberg, appointed Dr. Seymour Wolfbein as head of the Office of Manpower, Automation, and Training. Dr. Wolfbein earned the respect and high regard of all of us who had been involved in the birth of MDTA.

After a quarter of a century with the Department of Labor, Dr. Wolfbein has left the Department to assume the responsibilities of dean of the School of Business Administration at Temple University in Philadelphia. The academic world's gain has not, I think, been the public service's loss, because in whatever post he holds, Dr. Wolfbein's talents and ability will continue to make themselves felt in shaping the Nation's manpower policies.

The May 1 Philadelphia Inquirer carried an article by Dr. Wolfbein, commenting on the President's 1967 Manpower Report to the Congress, I ask unanimous consent that this article be printed in the RECORD:

MANPOWER REPORT GIVES BOOST TO WAR ON UNEMPLOYMENT

(By Dr. S. L. Wolfbein, Dean of Temple University's School of Business Administration)

"We will do our best. We will try and try again. We will never lose sight of our goal—to guarantee every man an opportunity to unlock his own potential; to earn the satisfaction of standing on his own two feet."

With these words from the President's Manpower Report for 1967 the campaign against unemployment and the war on poverty took an important new turn this week.

Among the prime targets are the "intractables," those who haven't shared in the economic gains of the last six years of prosperity and affluence in America.

The results of the new strategy, which deliberately zeroes in a package of programs at the urban ghettoes, are still to be seen, of course.

NEW PROPOSALS CLEAR

But the facts which gave birth to those proposals are hard, clear and unassailable. And Philadelphia, it turns out, represents a hard, clear, unassailable case in point.

Ironically, the more employment rises and the more unemployment falls for the population as a whole, the clearer become the problems and the stresses among the remaining hard core.

"The paradox of prosperity" is how the Manpower Report puts it.

In recent months, while unemployment was running below 4 percent overall, and below 2 percent for white collar workers and married family breadwinners, it was more than 20 percent for Negro teenage boys and more than 30 percent for Negro teenage girls.

HIGHEST IN PHILADELPHIA

In a recent study the Government looked at joblessness among young people in metropolitan areas and Philadelphia turned out to have the highest rate for its Negro youth.

This kind of side-by-side wall of inequality turns out to be even higher than our standard measurements show.

Unemployment, as officially defined, includes people who are "actively seeking work" and can't find any. With the new Manpower Report for 1967 we have a new concept.

It includes not only those who meet the official definition of unemployment, but also those who are working only part time even though they are looking for full-time work; those who are working full time but are still earning less than the poverty line; those who have given up entirely in the search for a job after constant rebuffs, and the men and women who never get counted at all.

LACK OF EDUCATION

A recent survey among 10 urban slum areas shows that just about one out of every three urban slum residents has a serious, tension-producing job problem.

Philadelphia, represented in the survey by the North Philadelphia area, turns out to be right up there also with a one-third rate.

Significantly, almost exactly half of urban slum residents, by their own statements, traced their problems to lack of education, training, skill and experience.

The 1967 Manpower Report announces a program of concentrated services at what Secretary of Labor W. Willard Wirtz has called the jugular of the problem of unemployment and poverty—the urban ghetto.

FRONT OF ACTION

The urban slum neighborhood becomes the front where the action is. The heart of the matter lies in the concentrated package of programs which uses training, job counseling, remedial education, help in transportation, health care, child care services, "coach" support for the slum worker, second and third chances for those who fail at first, job development with employers for those with records of arrest, etc.

In his Manpower Report, the President specifically calls for a minimum goal of 100,000 jobs for the residents of these target slums during the next year, and asks for $135 million more funds under the war-on-poverty legislation to achieve that goal.

What makes the education-training route a promising one is another side-by-side phenomenon: the existence of substantial shortages of labor at the same time and same place with substantial unemployment.

Here again, the Government emphasized this point by calling attention to the recent situation in Philadelphia where 63 percent of the job vacancies were for white collar and skilled people, but only 18 percent of the unemployed were able to fill those kinds of jobs. On the other hand, 26 percent of Philadelphia's jobless were unskilled, yet only 5 percent of the job openings were in that category.

The Manpower Report for 1967 makes a point of particular interest to the business community in its recognition of the fact that most of the effort depends on the availability of jobs in the private sector.

In fact, one of the major triumphs of manpower training last year was the more than 60,000 on-the-job training slots generated by various business and trade associations acting as prime contractors for the Government.

The Manpower Report acknowledges these gains, asks for more and recommends another $5.5 million to help private industry in mounting a variety of experimental projects to train the disadvantaged worker.

UNITED STATES WAS LAST

This year's Manpower Report celebrates the fifth anniversary of the Manpower Development and Training Act which, in fact, requires the report to begin with. The United States was the last country of the Western World to embark on a publicly supported manpower training program. But having taken the step, it has gone far beyond the performances of other nations.

By this time, about half a million people have been engaged in institutional training and about three out of every four who finish get jobs. On-the-job training, where learning goes on in the places of business, has mushroomed to the point where an additional 120,000 people are involved, and where nine out of every ten who finish get jobs.

Twenty percent of the trainees are youth, critically in need of employment to make a start in their work careers; 30 percent are nonwhite, those who bear the brunt of discrimination; and 40 percent (more than double the corresponding proportion in the job market) are long-term jobless who have run out of the regular supports such as unemployment insurance.

RESOLUTION OF RHODE ISLAND GENERAL ASSEMBLY

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. TIERNAN] 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 Arkansas?

There was no objection.

Mr. TIERNAN. Mr. Speaker, I would like to include in the RECORD a resolution of the Rhode Island General Assembly petitioning Congress to provide authority to the States for the right of disbursal of Federal funds in the area of air pollution control program. As an introductory to this resolution I would like to include as part of my remarks a communication from Secretary of State August P. LaFrance, of the State of Rhode Island and Providence Plantations.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS, DEPARTMENT OF STATE, OFFICE OF THE SECRETARY OF STATE,

Providence, May 1, 1967.

Hon. ROBERT O. TIERNAN,
Longworth House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE TIERNAN: I am directed by the General Assembly to transmit to you the enclosed certified copy of resolution (S 271), introduced by Senator Calvin C. Dykeman, entitled Resolution Memorializing Congress to Provide Greater State Sanction and Disbursement of Federal Funds for Air Pollution Purposes, passed by the General Assembly at the January Session, A.D. 1967 and became effective April 29, 1967.

Very truly yours,

AUGUST P. LAFRANCE,
Secretary of State.

S. 271

Resolution memorializing Congress to provide greater state sanction and disbursement of Federal funds for air pollution purposes

Whereas, the nation recently has become aware of the inherent dangers which air pollution produces; and

Whereas, In accordance with this hazardous situation the federal government has embarked on a progressive program; and

Whereas, Such federal funds should not be earmarked for specific uses by the states prior to appropriation; and

Whereas, The individual states are better equipped and more aware of the specific problems which may be encountered in their own states; and

Whereas, The aims of an air pollution program are indeed applaudable but should not be limited by over-definitive laws; now, therefore, be it

Resolved, That the State of Rhode Island and Providence Plantations through its general assembly now requests the Congress of the United States to give consideration to this resolution in limiting air pollution legislation whose ends can better be served by state disbursement; and be it further

Resolved, That the senators and representatives from Rhode Island in said congress be and they are hereby earnestly requested to use concerted effort to assist the states in their plea for disbursal of federal funds for air pollution control; and the secretary of state is hereby authorized and directed to transmit duly certified copies of this resolution to the senators and representatives from Rhode Island in said Congress.

AUGUST P. LAFRANCE,
Secretary of State.

THE RIGHT TO SELL INSURANCE ON CREDIT CARDS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BROWN] 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 Arkansas?

There was no objection.

Mr. BROWN of California. Mr. Speaker, I recently introduced House Resolution 429 in an effort to determine what action might be necessary to halt what seems to be a trend toward suppressing competition in the insurance industry.

I believe that the resolution, itself, and a news release issued by my office give a clear picture of the problem. If there are no objections, I would like to have the text of these two items printed at this point in the RECORD:

H. RES. 429

Whereas modern marketing services, including the use of computers, electronic data processing systems, and credit card billing and collecting of insurance premiums, appear to create increasing capabilities for making available insurance coverage at substantially more economical rates in specialized instances; and

Whereas it is charged that efforts are being made to deny the people of the United States the freedom to take advantage of savings which may be offered as a result of said marketing improvements, and that these efforts are for the express purpose of restraining the sale of certain insurance coverages marketed through the use of credit card facilities in order to force the consumer to purchase coverage through commissioned agents; and

Whereas these efforts are alleged to include legislation which is pending or has been enacted in certain States designed to restrict or prohibit, directly or indirectly, the sale or purchase of this insurance coverage: Now, therefore, be it

Resolved, That there is hereby created a select committee to be composed of ten Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

The committee is authorized and directed to conduct a full and complete investigation of attempts to interfere, directly or indirectly, with free competition in providing more economical insurance coverage, with the particular view of determining and making recommendations to the House of Representatives in respect to efforts to restrain the sale of certain insurance coverages which are marketed through the use of credit card facilities.

For the purpose of carrying out this resolution the committee, or any subcommittee thereof authorized by the committee to hold hearings, is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

INVESTIGATION OF "UNFAIR RESTRAINT" OF CREDIT CARD INSURANCE SALES SOUGHT

Congressman George E. Brown, Jr. (Dem.-Calif.) this week introduced a resolution in Congress calling for an investigation of charges that efforts are being made to prevent the public from purchasing certain insurance policies that are now being made available through credit card facilities.

Brown's proposal is to establish a 10-member select committee that would investigate "attempts to interfere, directly or indirectly, with free competition in providing more economical insurance coverage." The committee would investigate and report back to Congress before the end of the 1968 Congressional session.

The resolution indicated a need for Federal intervention because of the possible involvement of State legislatures, pointing out that the efforts to prevent credit card insurance sales are alleged to "include legislation which is pending or has been enacted in certain States designed to restrict or prohibit" the sale of this insurance coverage.

"It is difficult to determine what committee in either the House of Representatives or the Senate would have jurisdiction over this matter," Congressman Brown stated, in explaining his reason for asking that a special committee go into the matter. "Congress has left the regulation of the insurance industry to the states for many years but now, with sales and people crossing state lines so quickly and easily it may be that the Federal government will have to get back into this field."

Brown pointed out that, as the resolution states, "Modern marketing services, including the use of computers, electronic data processing systems, and credit card billing and collecting of insurance premiums, appear to create increasing capabilities for making available insurance coverage at substantially more economical rates in specialized instances."

"If the charges that, for instance, insurance agents and agents' associations are using undue influence over state legislatures in order to get restrictive legislation passed to prevent this type of sale," the Congressman explained, "and if it is, indeed, a legitimate saving on insurance that would fully protect the customer, then I see a parallel situation to the civil rights or voting rights laws wherein the Congress was forced to step in to protect individuals from unfair state laws."

Brown was supported by a California colleague, Rep. Richard Hanna, who also introduced the resolution, which was referred to the House Committee on Rules.

FORESTRY OUTLOOK IN 1967

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. JOHNSON] 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 Arkansas?

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, the ever-increasing demands upon the Nation's forest lands make it necessary for the Congress, the executive branch, States, forest industries, and others to keep a close watch on trends which may affect the long-range timber supply situation. For that reason, I would like to insert into the record the following speech by Chief Edward P. Cliff, of the Department of Agriculture's Forest Service, to the Forest Industries Committee on Timber Valuation and Taxation here in Washington on May 5.

As Mr. Cliff rightly points out, there is a time element to be concerned with in our efforts to increase timber supplies. There is no such thing as an "instant" forest as far as the production of timber is concerned. He stresses the vital importance of forestry research as a basic factor in preparing to meet future demands, in addition to action programs designed to improve and better utilize forest resources. He also notes the sharp upward trend in pulpwood requirements and in nonconsumptive uses of the forest as he urges more intensive multiple use management of forest lands. I commend this thought-provoking speech as worthy of the attention of every Member of Congress:

THE FORESTRY OUTLOOK IN 1967

(By Edward P. Cliff, Chief, Forest Service, U.S. Department of Agriculture; to Forest Industries Committee on Timber Valuation and Taxation, May 5, 1967, Washington, D.C.)

I am delighted to be able to meet with you here today. The roster of members of your Committee is most impressive—it is an honor and a privilege to participate in this session.

We have much in common with the work of your committee. Forest Service units all over the country are involved in timber valuation on a day-by-day basis as they appraise and put up for sale more than 12 billion board feet of stumpage each year. As for taxation, although the Forest Service does not actually pay taxes as such, we do have a continuing interest in the subject. Shared revenues from National Forests, land exchanges, and the encouragement of better forest management practices on small private holdings all relate directly to local taxing authorities. Our relationships with forest industries such as the ones represented here today also make the work of your Committee extremely important and pertinent to the Forest Service.

I am well enough acquainted with many of you to be sure that you do not expect me to attempt a profound dissertation on the intricacies of taxation problems and their solution. Instead, I would like to comment in rather general terms on some of the background matters that give perspective to the more detailed and technical work of your Committee.

Recent years have clearly demonstrated that the United States can sustain rapid economic growth over substantial periods. This is one of the most important economic facts of our time. Hopefully both the dramatic boom and bust sequence, and the troublesome periods of recession, can be relegated to history. Looking back to 1960, we can see that a steadily increasing Gross National Product has been reflected in an unprecedented expansion of timber industries. In 1960 GNP was 504 billion dollars. In 1966 it reached 740 billion dollars. At constant prices, the change per year averaged 5.4 percent increased during the 1961–1966 period.

Consumption of industrial round wood in 1966 reached an all-time high of 12.3 billion cubic feet—23 percent above the 1950 level. In the past 5 years the output of pulp and paper in the United States has grown by nearly 6 percent annually. Production of softwood plywood has continued to increase 8 percent annually—an unusually high rate of growth in any industrial sector. The pallet industry continues to set new production records. The 2.6 billion board feet of lumber consumed in making pallets now makes this the second largest user of hardwood lumber.

Even the demand for construction timber may be on the verge of a sharp rise. William H. Hunt was quoted recently in *The Southern Lumberman* as reporting that a Georgia Pacific Corporation survey of the Nation's builders indicates "a terrific period of residential construction starting right now." He forecasts a boom period of 2 million family units a year starting in 1968.

What all of this means is that the demand for timber is growing more rapidly than what was considered likely as recently as 1962.

We are attempting to keep tabs on this changing situation. For example, we are nearing completion in a new study of potential demands for pulp and paper in the United States. This new analysis indicates that by 1985 demands for pulpwood may substantially exceed our "Timber Trend" estimate for that year. In fact, these new projections indicate that we will have to *double* the pulpwood cut between now and 1985 to keep pace with expanding markets. Right now, the average family of four uses more than a ton of paper and paper board products each year. By the end of the century the average American household may require about 1.5 cords of pulpwood per year just to meet these requirements—and there may be 100 million households. This pulpwood requirement per household is equivalent to the net annual growth on about 4 acres of typical commercial forest land in the East today. It is plain to see that this one aspect of the rapidly changing demand outlook has far-reaching implications for every segment of the wood-using industry.

Let's assume for the moment that our 1962 assumptions regarding the volume of timber cut that will be required to meet the other non-pulp requirements for wood remain unchanged. Even with that assumption it now seems likely that total demands for wood will exceed available supplies by about 1980—less than 15 years from now. As you know, this would be some 10 years earlier than was projected in the Timber Trend study. If the national economy continues its record performance of the past 5 years we may very well see other demands for wood mushroom in the near future.

These are big "ifs" of course. But as leaders of industries dependent upon the forest for raw material I am sure that you must share our interest in taking another long, hard look at the changing long range prospects for timber demands.

There are also some big "ifs" with regard to estimates of the prospective timber supply situation. The unprecedented rise in GNP is also being reflected in more disposable income, increased mobility, and more leisure time. People need and demand much more from the forest than simply increased quantities of paper, plywood, lumber, or other forest products.

On all sides we see more and more people advocating preservation of forests to safeguard esthetic values and to provide for outdoor recreation. Other actions or viewpoints directly or indirectly oppose logging. The growing demands for nonconsumptive timber uses are much more difficult to quantify and project than demand figures or timber growth data—yet these may be no less significant. The symptoms are everywhere. From the Redwoods and North Cascades of the West to the green space programs and recreation pressures of the East, many Americans are making it plain that logging does not rate very high among their choices of forest resource uses. For example, in West Virginia we are getting rather intense opposition to the clear-cutting being used in even-aged management of some stands on the Monongahela National Forest.

I really think that we are on the threshold of a new era, a new climate of public opinion that simply will not tolerate wholesale pollution of air, water, or soil, or damage to esthetic values. The pendulum is swinging rather fast, I think, toward more stringent controls and safeguards designed to halt further reductions in the quality of our environment. You have noted, I am sure,

that loggers in particular and the forest products industry in general are seldom referred to as the guys that wear the "white hats" in the reams of words that are written and spoken about the current wave of conservation. This is especially the case with regard to natural beauty, air and water pollution, and scenic or esthetic values. There seems to be relatively little awareness of the importance of timber harvesting to sustain industry and to help meet the needs of a growing population.

There are logical reasons for this. First of all, the character of the population is changing. Almost half of the people living in the United States were born in the past 25 years. Most of them live within or near cities. Today some 70 percent of our people live on one percent of the land. More and more of them are getting a good education and earning higher incomes.

For the young, "citified," articulate part of our citizenry, it is especially easy and natural to get stirred up about outdoor beauty, recreation, wilderness, endangered wildlife species, and environmental pollution. It is not likely that very many know much or even particularly care much about how timber is grown, harvested, and used to meet their needs. The stumps and slash in the forests, and the noise and smoke at the mill, are more apt to catch and hold their attention and their emotions. Matters such as payrolls, wood utilization, and community stability tend to go unnoticed.

They see values in forests for recreation and a change from urban living. Many families become emotionally attached to a favorite spot in the forest and often develop a fierce determination to preserve it or protect it from harm.

They ask—why can't "their" particular areas be set aside to preserve the wonderful recreation opportunities and scenic values that are so apparent? Why can't loggers go somewhere else to find the timber they need?

At this point in time we can only wonder what the impact of this situation will have on timber supplies. How restrictive *will* this force become in 10 to 20 more years? The answer of course depends to a large extent upon how promptly and effectively the story of multiple use and scientific management of renewable resources is told—and more importantly—demonstrated.

To me, an outlook which includes (1) an accelerating demand for wood—beyond even recent projections, (2) a growing body of public opinion that is lukewarm or even hostile to logging, and (3) an increasing shortage of timber of desirable species and sizes—is an outlook that calls for a strong response—a response that perhaps should go well beyond the current level of forestry activities.

Now before going further, let me pause to state categorically that I am not dusting off the old "timber famine" pitch. What I am trying to point out is that the timber demand and supply situation presents a dynamic shifting picture that we need to watch constantly. Right now, signals are flying which should alert all of us to the possibility that more effort will be needed to increase the productivity of commercial forest land—productivity that must be measured by increased use of the forests for other purposes as well as in terms of increased harvests of wood products.

And, I think we need to remind ourselves and others rather forcefully that there is no such thing as "instant" productivity. It still takes many years to produce a timber crop. It takes time and money to convert an unmanaged forest into an efficient user of sunlight and soil and growing space. It takes time and money to persuade millions of land owners to increase the outputs from their forest properties.

Today public forests and large industrial holdings supply about half of the total harvest. It will take some real doing to maintain that share as the total demand for wood doubles. For example, it will take much more intensive management and greater investments if the National Forest output of timber is to be sustained at a much higher rate than is the case today. But the real question, perhaps, is—what can and should be done to make sure that it will be possible by the end of the century to be getting twice as much wood from the nonindustrial private holdings? The great increase in the output of usable timber products that will be needed from small private holdings it not likely to come in time unless we all work hard now to make it happen.

There are some of the reasons why I think that your Committee should be concerned now with the extent and pattern of the response that is called for by this changing situation.

A major part of the response, in my opinion, should be to encourage greater production of sawlogs and pulpwood and more intensive multiple use management on the private lands that are not owned and managed by timber industries. This may sound familiar to you. I have been advocating the same thing for the past 5 years!

Another part of the response should be an increase in research efforts. Research is like growing trees—there are no "instant" solutions to problems. An idea needs time to take root, to grow and mature. But the results can have a profound influence; for example, of the 55 million cords of domestic pulpwood production last year, more than 11 million came form hardwood species. During the past decade the rate of increase of hardwood pulpwood production has been 3½ times the rate of increase for softwoods. This dramatic shift is largely the result of the new pulping techniques developed through research. Similar advances in forest nursery practice; in protection of forests from fire, insects, and disease; in regeneration techniques; and in logging and milling practices have all helped to reduce costs and increase output. They are all highly significant. But in almost every case, the research process is necessarily slow and deliberate. And let's not forget that even with research results in hand there can be a slow, difficult job ahead in getting them applied on a large scale.

Let me make it clear at this point that I do no discount the progress that is being made. Nor am I pessimistic about the outlook. The Tree Farm movement, increasingly skillful management of most industry and public lands, better utilization of timber resources, research-based advances such as genetic improvement of the Southern pines, strengthened cooperative forestry programs which combine State, private, and Federal efforts—all of these and more are noteworthy and illustrate what can be done.

But we have hardly scratched the surface as far as the nonindustrial private lands are concerned. And it is these 300 million acres or so—three-fifths of the total commercial forest-land area—that we must increasingly rely on in the years ahead. The disastrous fire season in the Southeast a year ago, the continuing decline in hardwood quality, continuing displacement of softwood growing stock by less desirable hardwood species, our inability to stimulate sound forestry practices on most small holdings, chronic staffing problems in many State forestry organizations—these are some elements of the background which should be reflected in shaping an appropriate response.

Tax problems which inhibit forestry practices are another.

The work of your Committee is an illustration of the kind of specific and detailed attention that each factor affecting timber production must receive. Surely one of the most troublesome questions facing the private forestry sector today is the rising trend of land values induced by increasing pressures on the land to meet non-timber needs. As land values rise they pull property tax assessment along with them. And as the needs of local governments multiply, the tax rate also takes on an upward trend.

On the fringes of metropolitan areas this situation effectively precludes timber production as a primary reason for holding or managing forest land. But even remote forest areas are not immune from this squeeze. The twin forces of increasing mobility and affluence can bring "people pressures" to bear on any piece of forest land that is attractive for recreational or "second home" purposes.

There is a basic need to find a rational accommodation between the obvious revenue needs of local governments and the legitimate rights of landowners. Without reasonable opportunity for profit, there is small chance of encouraging better management and protection of privately owned forest resources. Yet it is surely in the public interest to maintain green areas in the path of expanding cities—as well as to maintain the productivity of privately owned forest lands.

I know that a lot of effort and thought is centered on this problem—I sincerely hope that your Committee can help point the way to a solution.

Perhaps tax credits in return for preservation of open spaces within the urban fringe could help make timber production feasible in those areas. Perhaps more intensive protection and management of all forest lands could enable productivity increases to help keep pace with the increasing tax burden. Perhaps more imaginative and skillful application of the multiple use concept could ease conflicting pressures on the land. You may know of other approaches that could help improve the incentives for management and use of forest lands in private ownership.

As foresters—as professionals dealing with one of the most fascinating of all of the renewable resources—I am sure that we all share a deep faith and confidence in the land and its productivity. In looking ahead to the next century we can gain great strength from what has gone before. We can be sure that sooner or later this Nation will need all of the timber, water, wildlife, and outdoor recreation opportunities that can be produced. We can also be sure that the ingenuity of man and the potential of our forest lands will combine to meet the tremendous demands that lie ahead.

I wish your Committee every success in your mission.

KELLY AIR FORCE BASE—FIFTY YEARS OF SERVICE

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

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

There was no objection.

Mr. GONZALEZ. Mr. Speaker, 50 years ago today, the United States was newly engaged in the First World War. It was not only the First World War, it was the first war that involved the large-scale use of automatic weapons, of trucks and tanks and other motorized vehicles. It was the first war that required us to assemble and ship abroad a great Army. It was, moreover, the first war involving the use of airplanes.

One year before the United States entered that fateful conflict, we had only a very small Army, and an Air Force that could not field a single airplane in combat. It was a time when, after all, we could still assume that the United

States could stay out of international wars and be safe and secure behind our oceans. We could afford to have a small Army then because we were the only great power in this part of the world, and the rest of the world was too far away to make any difference. An army in peacetime to us was merely an instrument to maintain order. In case of war we would, as we always had, build a whole new army, not of professional soldiers, but of citizen volunteers, for we had always been mistrustful of the man in uniform.

When the world went to war in August of 1914, the United States felt safe from threat, and no need to get involved. But in the 20th century the world would not permit us to remain alone, and as time passed we found it harder and harder to maintain neutrality, and harder to remain aloof from it all. By 1916, it was clear that we should prepare, and look to our defenses.

When we did examine our armory, we discovered that it contained very little. The Army was tiny, as it had always been in peacetime. As for air power, we had none at all, even though Army pilots had been flying since 1909. The aviation detachment of the U.S. Army Signal Corps had a few airplanes, a few pilots and, as far as I can determine, not a single plane that was devoted entirely to military aviation. There was no military airfield in Texas, and there was no airplane in the United States that could participate in armed combat. Congress saw that when the Army expanded, part of the program would have to involve the building of some kind of air arm.

In 1916, military aviation in Texas took place at Fort Sam Houston, which is close to the heart of the city of San Antonio. There is a parade ground at Fort Sam Houston, and it was used at that time, as it had been since 1909, as a military flying field.

It was obvious that you could not have any real military airpower if you only had a parade ground for a flying field.

For one thing, when the Army expanded, the parade ground would become a campground. Troops would live and train on the flying field. You could not fly a plane if there was no place to land it. That much had become obvious in 1911, but still, Congress had not provided money for an airfield in 1916.

Mr. Speaker, in 1911, Fort Sam Houston became the home to half the U.S. Army, and the Army camped on the parade ground. Now it happened that the aviation detachment was also flying from that parade ground. The tents and people on the ground reduced the flying field to a space about 1,000 yards long and maybe 500 yards wide. The aviation detachment, which consisted of one or two airplanes, could still fly onto and from that postage stamp because a Wright model B airplane could not fly any faster than 50 or 60 miles an hour, and if you were skillful, it did not take much ground to land on. It happened inevitably that the ground troops one fine day started using the airfield for a rifle range, and the little airplane that was to land there had to use even less ground than before. The pilot, Benjamin Foilois, managed to get his airplane over the guns and land it, but he found himself headed straight for a line of tents.

The airplane had no brakes, so all the pilot could do was look for a way to avoid the tents. He decided to hit a nearby horse, because it was not human and might survive the impact. The horse, according to the historical archives of the Air Force, was knocked down on his haunches and reacted with, in the words of the archives "the most astonished expression" and ran off, I quote, "hell bent for election." The occupant of the nearest tent, one Lt. Douglas MacArthur, went over to the airplane and said to the pilot, "Benny, what in hell is going on here?" To which the senior pilot of the Air Corps said he almost hit the tents, but decided on the horse instead, because horses were expendable, and he would have had to pay for damage to the tents or anything else, and he could not afford that.

The Army, in its wisdom, knew that the war expansion would once again make Fort Sam Houston too crowded to permit flying, at least safely. In order to prevent the repetition of incidents like the one I have just recited, plans were laid for military airfields, where a plane could land and take off without danger of hitting people, cattle, or cars.

Congress appropriated $16 million in the Defense Act of 1916 for the purpose of creating and equipping an Air Corps. With this money, the Army was to acquire airfields, get necessary facilities built on them, recruit officers, men, and aviation cadets, and last but not least, purchase 366 airplanes.

The aviation detachment was so small that it was not able to spend all the money appropriated so suddenly. And our manufacturers were so small that they could not deliver anything like 366 airplanes in 1 year—they delivered less than 60.

But the act of 1916 did begin our preparations for possible war. Among other things, it enabled the Army to carry out plans for construction of military airfields. One of those airfields was at San Antonio.

Early in 1917, Maj. Benjamin Foilois toured the San Antonio area, looking for possible sites for a military airfield. He picked a place several miles from Fort Sam Houston. It was an old field, and it was less than a mile square—not quite as big as the parade ground at Fort Sam Houston. But it was isolated, and there was plenty of room to grow, so it became the site of the first airfield in Texas to be used for military training. Just a few days before Congress declared war in 1917, the first buildings started going up at the nameless field in Texas. By May, a month after the beginning of the war, the first few troops arrived, and then the first airplanes. Within a year there were more than 30,000 men at Kelly Field. The place had been named for Lt. George E. M. Kelly, who had been killed in a crash at Fort Sam Houston, the first Army pilot to die in an accident.

Despite the fact that Kelly Field and the Army itself produced results instantly, it was a year after the United States entered the war before our Army was in Europe in any significant numbers. And the fact is that we never did produce an American-made combat airplane, because there are some things that cannot be done instantly, even in wartime.

But despite our shortcomings, we did create an Air Corps. Kelly Field played a key role in doing this, by receiving and testing recruits, giving trade tests to 250,000 men, organizing them into squadrons, giving both primary training and instructor flying training, training 2,000 airplane and aircraft motor mechanics a month and creating the first ground schools. Every pilot who flew an airplane in World War I went through school at Kelly Field. And after it was all over, these men went into civil aviation, and a few stayed in the Army.

The time between the wars saw the sudden disbanding of our Army, and the country was bent on returning to "normalcy." The war had not made the world safe for democracy, and the great crusade ended in a tide of bitterness. The 1920's were a time of bitter reappraisal for America; prohibition, another crusade and what some called a noble experiment, was leading only to corruption and crime. People were discovering the automobile, and big business was booming. Farmers were going broke, but the rest of the country did not seem to care much. You could see an air show, if some ex-Army pilots were in town, and you could get a plane ride for $2.50. In 1924, Kelly Field was somnolent. A good will tour left from there, and pilots trained in the advanced flying school, and the 1924 national balloon races started from Kelly Field.

Military pay was bad, and promotions nil. There was little incentive for a man to lead a life in the Army, but some did, and a few were fliers.

One flier, Curtis LeMay, graduated at Kelly Field in 1929; he was in the Army because he had flown with a barnstormer for $2, and wanted to fly. Other men, like Twining and any number of others, served at Kelly either as pilots, as cadets or administrative officers. It was an age when any one man could and did master every type of aircraft. It was an age when you could fly only in good weather, and hardly ever at night. If you flew at night, the field had always to be in your sight, and the landing lights were just a set of floodlights at the end of the runway. But still, in 1929, Doolittle proved that a man could fly blind, and these men were learning new things fast.

Between the wars, Kelly quietly maintained itself as the advanced flying school, and as an aviation supply and repair depot. Between 1922 and 1940, 3,945 pilots trained at Kelly—virtually all pilots who trained between the wars.

In 1936, Kelly was home to 250 civilian employees, 36 cadets, perhaps a thousand enlisted men, and a hundred or so officers. Today, 30 years later, 23,000 civilians work there, together with several thousand officers and enlisted men. In 1936, Kelly was such a quiet place that men could and did drive cattle across the field. Today, it is the biggest industrial complex in the Southwest. In 1936, the whole base, with all its buildings, was

not worth the price of a B–52. Today, the installation has untold value in its thousands of acres of land, its hundreds of millions in building improvements, and its multibillion-dollar inventory of equipment.

During the 1930's, the clouds of war began once more to gather across Europe. The United States, bitterly disillusioned by the results of World War I, preoccupied with the economic ills of depression, once more was determined to avoid getting into a big war. The Army, such as it was, had much of its manpower directing the camps and works of the Civilian Conservation Corps. Congress, convinced by isolationist minds that the war had all been a disaster brought about by the munitions makers for their profit, passed a series of laws—the neutrality acts—designed to so fetter and bind the President in his conduct of foreign policy that no new war would be possible. We were in fact trying to withdraw from the world, still assuming that our oceans would safely remove us from all dangers.

In 1939, the world went to war again, and this time the threat was against all free government. For in the 1930's, totalitarian governments had been invented and grown powerful, and they were determined to take over the world. Yet, in the face of this threat to human liberty everywhere, we still assumed that it was no concern of ours.

The Army began once again to expand for possible war. At Kelly Field, much of the training mission was transferred to new bases around San Antonio—Randolph, which became the West Point of the air, Brooks and Lackland took these on. Some training would still go on at Kelly until 1943, but the base primarily became a supply and repair depot, an industrial organization instead of a school.

In 1939, the United States possessed fewer than 20 heavy bombers, and very few aircraft of any type that would be able to participate with any success in combat. Beginning in 1939, the United States once more faced the possibility that a great military force would have to be built overnight. But we were reluctant to do it. On the very eve of war, the House extended the military draft by the margin of one vote. Men serving in the Army in those days had a slogan—Over the Hill in October. Remembering that, it is hard to believe that we could have been so naive at so late a date. But we were, and 1941 brought Pearl Harbor.

The United States had turned swords into plowshares after World War I. Hitler, and the military leaders of Japan wrongly assumed that it would take too long for the United States to build an army for it to make any difference. They knew that we would have to start almost from nothing, and they knew that it would take time to build an armed force capable of destroying them; they thought it would take too long, in fact. But if the United States must make swords from plowshares, and do it reluctantly, we can make more than anyone else, and we can do it faster, and that is where our enemies have so often been mistaken.

During World War II, most of the Air Force was forged in San Antonio. Men learned to fly there, they learned to march, they learned how to repair an airplane, and they learned how to do all of these things very well and very quickly. During the war, Kelly had an aircraft engine overhaul shop that reconditioned 1,400 engines every month. Its warehouses moved mountains of supplies—thousands of items, and millions of each.

Nineteen hundred and forty-eight brought the Berlin blockade, and Kelly was one of the key bases that kept our Air Force planes flying through the months, and the airplanes kept Berlin alive. During Korea, Kelly shops made planes ready for war, and kept them flying.

Since 1949, Kelly has become more and more important as a repair and logistics center. San Antonio Air Material Area, as the base is officially designated, gives worldwide logistics support to the F–102, F–106, B–58, and RS–70 weapons systems. SAAMA also manages 67 percent of the aircraft engine types in the Air Force. SAAMA has the biggest aircraft hangar in the world, and there B–52 bombers are maintained and repaired. In all, SAAMA maintains the inventory on 251,469 items for the Air Force, including 16,528 items related to nuclear weapons. The installation has assets of about $2 billion, and procures every year hundreds of millions of dollars worth of material to aircraft and the Air Force.

Today, this base is 50 years old. It has seen the world change, and it has seen the Air Force grow from nothing into the most powerful force of its kind in the world, or the history of the world. It has trained most of the men who lead this force, and it has either built, repaired, or buys the parts for it as well.

In the beginning of Kelly's service, you could have bought the whole Air Force for the price of one modern airplane. You could have had a squadron of those early airplanes stowed away in the cargo section of the soon-to-be-flying C–5 cargo plane, which will be repaired and modified at Kelly's shops. The chances are that the price of one of the early Kelly aircraft would not even buy the radios for a B–52 today. The first military aircraft carried an engine that generated less than a hundred horsepower, but the jets of today generate 30 and 40 thousand pounds of thrust, and missiles generate 10 and 20 times that amount.

As technology has changed, so have we. Kelly has changed vastly, from a place that boomed in war and then lay somnolent into a place that always has worldwide activity and worldwide responsibilities. Thirty years ago, no one in San Antonio thought very much about the airfield called Kelly, because it really was not very important, and it was far away from everything. Today, Kelly is the keystone and heart of San Antonio's economy, and a mainspring in the whole support system of the Air Force. Today, you cannot ignore Kelly.

Mr. Speaker, 50 years is a long span of time. Much has happened since Kelly first opened its gates. Technology has created revoltuions many times over, and men everywhere now know of that field. This base is one of the oldest in the Air Force, and it is without any doubt one of the finest. Its people are dedicated and hard working. They have seen the world change about them, and have changed with it. They have witnessed aircraft change from cloth to metal, and engines from gasoline, propeller plants into great jets. Aircraft once could fly only in good weather, and never at night, but now can leave the Kelly runways and go straight through to Vietnam, as they do every day and every night.

Much has happened in the world of the 20th century to cause the building of Kelly. Much will happen in the future that will require it to stay open and alive. We all owe thanks to the men who have served there in times when a man in service was no man at all except to his colleagues, and to men who served willingly and well, for no compensation other than the satisfaction of doing a job well. Our gratitude is owed to the thousands of nameless mechanics, the cadets who have long since ceased flying, the generals who were lieutenants at Kelly and who now are retired, the pilots who learned to fly there and the instructors who learned to teach there.

I am confident, Mr. Speaker, that Kelly will survive another 50 years, and know that technology will pass through as many revolutions in the next 50 years as in the last. I am confident, too, that Kelly will always have dedicated and skilled people in its service and that they will, as they always have, lead the way in maintaining our airpower, which is now essential to our very survival.

Very few men, and very few places can claim a part in history that will be remembered. Kelly is one of the places that must be remembered by any man who would know how the United States developed an Air Force second to none, beginning from one that was not even worthy of sending into combat; it is one of the places where we learned how to fly and how to keep flying. Kelly is, more than any other place, entitled to claim first place in the building and keeping of our airpower.

Mr. Speaker, I invite you and my colleagues to come and see Kelly this year on its golden anniversary. What you will see there will give you cause to know that this is a place filled with the pride that comes from long service well rendered, and it is a place where everything you see will make you proud.

MILITARY APPROPRIATIONS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. EDWARDS] 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 Arkansas?

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, last Tuesday, the House of Representatives, while engaged in debating the request for $21 billion in defense procurement, research, and development, spent a great deal of time considering the treatment of the American flag, the draft

status of Stokely Carmichael and Cassius Clay, the limits of dissent, the beatniks, the Pentagon live-in. But there was all too little attention paid to the question at hand—the expenditure of $21 billion and the meaning of this expenditure. There was all too little examination of what we are doing and where we are going by authorizing these funds. I voted "No" on this appropriation bill—not in opposition to the entire bill, nor out of lack of respect for our young men in the Armed Forces.

I deeply protest the manner in which this bill was passed: without the painstaking study given other requests for such substantial amounts of public money. I am firmly opposed to the inclusion of funds for deployment of the Nike X and for the development of fast-deployment logistics ships. And, I am gravely concerned about the increasing military influence in our society and on our foreign policy.

The request for $377 million for preproduction activities for deployment of the Nike represents the most recent step in the Congress continuing desire to have the Defense Department move ahead with an anti-ballistic-missile system. It is argued that we must make this beginning—looking toward the deployment of an "austere" ABM system. It does not stop here—the next step argued for by Nike supporters is the deployment of a full-scale system costing at least $40 billion and requiring an extended fallout shelter program.

The House Armed Services Committee also put back in the bill, funds for two FDL ships, in addition to the two authorized last year, which the Senate wisely refused to authorize. These ships will cost $30 million apiece for construction and $30 to $40 million apiece for maintenance—a program eventually totaling $2.1 billion for the planned fleet of 30 ships.

We are reminded that no cost is too great for the security of the Nation. Who can argue against defense expenditures—thus we see overwhelming acceptance of this $21 billion appropriation, part of a total military budget of close to $80 billion, more than the entire Federal budget of just a few years ago.

There is considerable question, however, as to whether these huge expenditures will buy us increased security or, in fact, increased insecurity.

For years, the Department of Defense has resisted full-scale development of the ABM as unnecessary and hazardous, as leading to further instability and to an intensified arms race. Clearly, a premium would be placed on offensive capability and there would be no reduction in the risk of a Soviet nuclear attack—only a higher level of "overkill."

President Johnson's great courage in his decision not to pursue this system, subject to bilateral negotiations with the U.S.S.R., is worthy of support. The appropriation of these funds drastically undercuts this decision.

In this regard, I endorse the views of my esteemed colleagues, Representative OTIS PIKE and Representative LUCIEN NEDZI, members of the Committee on Armed Services, who wrote in their minority report:

> At the present time, the United States and the Soviet Union are engaged in extremely complicated and sensitive negotiations seeking to limit in some meaningful and responsible manner a major new round in the continuing cycle of increased armaments and increased spending for armaments.
>
> We believe that if we as a nation are serious about trying to prevent a new arms race with the Soviets, the Armed Services Committee has a responsibility beyond that of advocating just such a new arms race.

In a similar vein, the FDLS represents a potentially dangerous system which is more offensive than defensive in nature. Our tendency to take on the posture of policing the entire world will be made all the more tempting with a fleet of fully equipped, ready-to-go, quickly movable ships capable of placing American power at the point of any conflict which might crop up. This prospect becomes all the more ominous as we realize that there is going to continue to be trouble throughout the world—more crises and coups, more revolutionary ferment.

The question we must thrash out is our national role in this kind of world. I do not believe our role is to move into every conflict—or any conflict—with our military power. To borrow the appropriate and wise words of my good friend and colleague, Representative BOB LEGGETT:

> I am satisfied that the United States needs more of a capability to get out of encounters easily rather than to get in.

In lieu of devoting ourselves to expensive and questionable enterprises such as the Nike and the FDLS, I suggest that we renew our longstanding and truly worthwhile commitment to the United Nations and support the peaceful, collective settlement of international crises.

I am concerned, too, about title III of H.R. 9240. A defense procurement bill is hardly the place for this title which could have serious consequences for the foreign policy of the United States and which, thereby, should receive a careful and full airing by the Committee on Foreign Affairs.

Title III transfers military assistance program funds originally intended for Vietnam to the Department of Defense in case they want to use this money in Laos or in Thailand. The justification for this is vague and not adequately explained—leaving open the suspicion that we are getting involved in a situation in much the same way we got into Vietnam, and that this might represent a broadening of the war in Asia. Such suspicion is fed by Secretary McNamara's contention that the Lao and Thai conflicts "are part of the broader struggle against Communist armed aggression in Southeast Asia."

Finally, I question what has become an overwhelming and thoroughgoing military influence in American society. The warning of President Eisenhower regarding the power of a military-industrial complex comes quickly to mind with an $80 billion budget for the Armed Forces. The war in Vietnam has passed beyond political and social considerations to the pressing of an exclusively military solution. The self-generating momentum of the arms race represented by this appropriations bill—especially the Nike and the FDLS—is a very disturbing and perilous trend—which we must halt.

There is a definite risk under these conditions of the military gaining more weight than is desirable in a nation which has a tradition of civilian supremacy over its Armed Forces. Unfortunately, title IV of this legislation will encourage this very development by instituting a 4-year term for the Joint Chiefs of Staff and by strengthening the military when they disagree with civilian authority.

It is up to us to determine where we are headed. We must not allow the future to be determined by forces which may seem compelling and beyond our control. I have serious reservations regarding the quality and contribution of this bill. These are my objections and the reasons I voted against H.R. 9240.

A JUDGE SPEAKS AGAINST JUDICIAL EXTREMISM

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. RARICK] 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 Arkansas?

There was no objection.

Mr. RARICK. Mr. Speaker, yesterday at page 12660 of the CONGRESSIONAL RECORD I inserted the full text of the infamous "Jefferson case" as delivered by the U.S. Fifth Circuit Court of Appeals.

U.S. District Judge E. Gordon West of the Eastern District of Louisiana, Baton Rouge Division, has now joined the swelling membership of Federal judges who still believe in a government of law in place of a tyranny of men.

Judge West's reasons, logic, and impartiality make his per curiam of worthwhile study to all who are concerned with the runaway Federal judges and the social changes being forced in the name of progress upon our people.

His apprehensions are not peculiar to the South nor even to America in 1967.

Our first President, George Washington, raised the need for preservation of the separation of powers in his "Farewell Address." Abraham Lincoln many times expressed fear that the present direction might be taken.

The former Justice Frankfurter once declared:

> As a Member of this Court, I am not justified in writing my private notions of policy into the Constitution, no matter how deeply I may cherish them or how mischievous I may deem their disregard.

Justice Black has asserted that it is not for the Supreme Court to roam at large in the broad expanses of policy and morals, and to trespass on the legislative domains of the States. And, even the Justice Douglas has warned that instability is created when a judiciary with life tenure seeks to write its social and economic creed into the law of the land.

Justices Holmes, Hughes, Sutherland, Harlan, Laney, among a host of great jurists out of our Nation's past, have insisted through the years on strict adherence to the rule in Hughes' phrase that—

It is not for the Court to amend the Constitution by judicial decrees.

Judge West's analysis finds ample support for the words of the late Elihu Root, which is perhaps even yet sound doctrine by the elected judges of our State courts:

If the people of our Country yield to impatience which would destroy the system that alone makes effective these great impersonal rules and preserves our Constitutional government, rather than to endure the temporary inconvenience of pursuing regulated methods of changing the law, we shall not be reforming. We shall not be making progress, but shall be exhilarating . . . the lack of that self-control which enables great bodies of men to abide the slow process of orderly government rather than the break down of barriers of order when they are struck by the impulse of the moment.

To those of our unelected judiciary who have bowed to political expediency, minority pressures, and personal whims and self-desires to attack and destroy for their own countrymen the constitutional government of their Nation, even turning little children into pawns and "guinea pigs," the shock troops of a forced social revolution—for shame.

To my fellow freemen, whose reason and concerted effort must regain control of our governmental processes to restore justice to law, I can but covenant unto you the slightly changed expression of one of our great American leaders, "America expects every man to do his duty."

Someday the intellect of future generations will rediscover the precious truths of this philosophy. With the return of government to the American people, this dictum and argument will again be the basis of a peaceful society under law and order.

Mr. Speaker, under unanimous consent, I place the remarks of Judge E. Gordan West in civil action No. 1662, before his court, in full context in the RECORD:

CLIFFORD EUGENE DAVIS, JR., A MINOR, BY HIS FATHER AND NEXT FRIEND CLIFFORD EUGENE DAVIS, SR., ET AL. *v.* EAST BATON ROUGE PARISH SCHOOL BOARD, ET AL.—CIVIL ACTION NO. 1662

(In the U.S. District Court, Eastern District of Louisiana, Baton Rouge Division)

Once again this case concerning the desegregation of the public schools in the Parish of East Baton Rouge, Louisiana, is before the Court. On December 29, 1966, the United States Fifth Circuit Court of Appeals, by a two to one decision, handed down a most unusual decision—unusual because of its glaring inconsistencies, ambiguity, and sheer unconstitutionality. I refer to the case of *United States of America and Linda Stout, by her father and next friend, Blevin Stout v. Jefferson County Board of Education, et al,* — F. 2d. —, with which six other cases were consolidated for hearing, and hereinafter referred to as the Jefferson case. The East Baton Rouge Parish School case was not involved in that decision. But by some stroke of magic, with no motion ever having been filed for consolidation, the Baton Rouge case suddenly appeared consolidated with the other seven cases when the matter came up for "rehearing" before the Court sitting en banc. The en banc Court, by an eight to four decision, for all practical purposes upheld the original opinion. The dissenting opinions filed by Judges Gewin, Bell and Coleman clearly and meticulously point out the sheer absurdity and absolute unconstitutionality of the majority opinion. The majority opinion held that "The clock has ticked the last tick for tokenism and delay in the name of 'deliberate speed'." But what it fails to state is that the same clock by which that Court is apparently working may well have "ticked the last tick" for true constitutional government in these United States. As Judge Gewin so aptly stated in his dissent, the opinion of the majority "has no substantial legal ancestors." There can, of course, be no such thing as true constitutional government in the United States if the Court is legally permitted, as that Court has done, to declare that the Constitution means one thing in seventeen states, and something else in the remaining thirty-three states. There are judges who have publicly stated their belief that the United States Supreme Court should, in fact, function as a "super legislative body" rather than as a court in the usual sense of the word. The majority opinion in the Jefferson case strongly indicates that there are those who believe that this should also be the function of the Courts of Appeals. When, in his dissent, Judge Gewin states that this decision "bends and twists the Constitution" he exercises remarkable restraint. The fact is that the decision not only "bends and twists" the Constitution, it breaks and destroys it. It also defies and ignores the very Acts of Congress which it professes to be interpreting and enforcing. It completely ignores the constitutional requirement of separation of powers between the Executive Legislative, and Judicial branches of the Government when it undertakes to legislate as it has done in this case. And when it decrees that school boards (in the Southern and Border states only) must take affirmative action to *"integrate* students, faculties, facilities and activities" it either attempts to repeal, or it ignores completely the provisions of the Civil Rights Act of 1964 which specifically state:

" 'Desegregation' means the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but 'desegregation' shall not mean the assignment of students to public schools in order to overcome racial imbalance." 42 U.S.C.A. 2000c(b).

"* * * provided that nothing herein shall empower any official or court of the United States to issue any order seeking to achieve a racial balance in any school by requiring the transportation of pupils or students from one school to another or one school district to another in order to achieve such racial balance, or otherwise enlarge the existing power of the court to insure compliance with constitutional standards." 42 U.S.C.A. 2000c-6(a)(2).

The Court neatly sidesteps these specific impediments to the legality of its decision by simply stating:

"* * * the equitable powers of the courts exist independently of the Civil Rights Act of 1964."

The utter ridiculousness of the opinion as it attempts to distinguish between the law as it applies to de jure segregation and the law as it applies to de facto segregation is readily apparent. The Court concludes that its opinion states the law only as it applies to the seventeen Southern and Border states—the states in which it says segregation is of the "de jure" type rather than of the "de facto" kind. It states that its opinion does not attempt to state the law as to the remaining thirty-three states where, it says, segregation is of the "de facto" type. It then proceeds to attempt to legislate an end to *all* segregation in the schools of these seventeen states, without regard to whether or not the segregation remaining after the implementation of desegregation orders is really de facto segregation. It even goes to the extent of ordering the local school boards to close certain schools under certain conditions, and instructing them how to choose locations for new schools. It is hard to reconcile their assertion that their opinion only applies to certain states, and not to others, when they say in another part of their opinion that "What was true of an earlier Athens and an earlier Rome is true today: In Georgia, for example, there should not be one law for Athens and another law for Rome." Should there be one law for Louisiana and another for New York, and one law for Mississippi and another for Illinois?

But assuming by the use of legal doubletalk we could somehow conclude that under the law as it presently stands it is only de jure segregation that is unconstitutional, the question arises as to what is the status of the law in these seventeen states with regard to areas where segregation is maintained by *choice* on a de facto basis? Is the majority of the Court so oblivious of the facts as to believe that de facto segregation does not exist in areas of the South as well as in the North? Indeed, are they so oblivious of the facts as to believe that de facto segregation, that is, segregation *by choice,* does not exist in this very City of Baton Rouge? The majority opinion states that "The only school desegregation plan that meets constitutional standards is one that works." Suppose the school desegregation plan already in operation in a given area *is* working to the extent that all students do, in fact, have a free and unfettered choice of the school which he will attend, and suppose the situation arises where it cannot be fairly said that there any longer exists "de jure" segregation but that segregation *does* continue to exist on a neighborhood, de facto, free choice basis. In such an event, does such an area then join the Northern states against whom this decision is not intended to operate, or does the operation of the statute then become enlarged to cover such de facto segregation simply because the area involved is located in one of the seventeen Southern or Border states? By what criteria is it to be decided when de jure segregation ends and de facto segregation begins? Are these questions to be determined by the method used by the Department of Health, Education and Welfare in applying their so-called guidelines, or will the school boards be given an evidentiary hearing in a court of law to determine such an issue? It must be remembered that the school boards were not given such an evidentiary hearing in the present case on the question of whether or not the H.E.W. guidelines should be applied to the schools involved. That issue was never presented to the District Courts in which these cases originated, the Courts in which, according to law, litigation is supposed to originate. The Court of Appeals, sua sponte, injected this issue into the cases for the first time while they were supposedly "on appeal" before it. In view of this procedure, it would seem logical to conclude that it is now the intention of the Court of Appeals to take over the function of the District Courts insofar as these school desegregation matters are concerned. Apparently insofar, at least, as cases involving desegregation of schools are concerned, litigation may now start at the appellate level. I respectfully express my doubt of the wisdom of this procedure and agree with Judge Gewin when he says "* * * due process and sound judicial administration require, at the very least, an evidentiary hearing * * *. It is unthinkable that matters that so vitally affect this phase of the national welfare should be decided in such summary fashion." Judge Bell put it another way in his dissent when he said that this decision of the majority

amounts to an "adjudication without any semblance of due process of law. It is an unprecedented procedure and a shocking departure from even rudimentary due process."

The Jefferson decision is apparently the final step in the Fifth Circuit Court of Appeals' determination to bring about not, as the law clearly requires, an end to forced segregation in public schools, but instead a complete, forced, total integration of the races in every school. It seems to matter not that the Congress has specifically decreed otherwise, and it seems to matter not that such a result has never been required or suggested under the Constitution or laws of the United States as interpreted by the highest court of the land. As Judge Gewin says "* * * All things must yield to speed, uniformity, percentages, and proportional representation. * * *" The decree of the majority shows an obvious "determination * * * to achieve percentage enrollments which will reflect the kind of racial balance the [*court*] seeks to achieve."

But this racial balance was never contemplated by Congress when it passed the Civil Rights Act of 1964. In explaining the Bill to Congress, the then Senator Humphrey said:

"The Bill does not attempt to integrate the schools * * *. The fact that there is a racial imbalance per se is not something which is unconstitutional."

But in the Jefferson case the majority of the Court said:

"* * * the 'personal and present' right of the individual plaintiffs must yield to the overriding right of Negroes as a class to a completely integrated public education."

This statement is difficult to understand in view of the fact that prior to the Jefferson case, this same Court, on at least nine different occasions, specifically approved the holding in the case of Briggs, et al v. Elliott, et al, 132 F. Supp. 776 (E.D.S.C.—1955) wherein it was specifically stated that:

"The Constitution, in other words, does not require integration. It merely forbids segregation."

Now, for some strange and obscure reason, without any change in the law having been made by either the Congress or the United States Supreme Court, the holding in Briggs suddenly becomes "dictum" by which the Court of Appeals says it is not bound, at least insofar as the seventeen Southern and Border states are concerned. It is apparently the law elsewhere, but not here. In explanation of this "switch" the Court said:

"However, as this Court's experience in handling school cases increased, the Court became aware of the frustrating effects of Briggs."

And then, in order to avoid the frustration involved in following the law as clearly stated by both the Congress and the Supreme Court, the majority of the Court in the en banc hearing neatly sidestepped the whole affair by simply stating, without any legal justification whatsoever, that:

"The Court holds that boards and officials administering public schools in this Circuit have the affirmative duty under the Fourteenth Amendment to bring about an integrated, unitary school system in which there are no Negro schools and no white schools—just schools. Expressions in or earlier opinion distinguishing between integration and desegration must yield to this affirmative duty we now recognize. * * * To the extent that earlier decisions of this Court * * * conflict with this view, the decisions are overruled."

The conclusion now reached by the Court of Appeals that the statement contained in the Briggs case that "The Constitution, in other words, does not require integration. It merely forbids segregation" is merely dictum by which it is not bound is interesting indeed. I assume that if the statement in Briggs had been to the effect that the Constitution *did* require integration, it would also have been considered to be mere dictum. If so, it could, of course, have no precedential value. And if such a statement in Briggs is dictum and not binding, then of course it must necessarily follow that a similar statement of another court, such as the Fifth Circuit Court of Appeals is mere dictum and not binding upon other courts in future cases.

When judicial precedent and specific enactments of Congress can be so lightly and summarily cast aside, and when in their place can be substituted a decree whose obvious purpose, as noted by Judge Gewin in his dissent, is a "determination * * * to achieve percentage enrollment which will reflect the kind of racial balance the [*court*] seeks to achieve," I can only say that I wholeheartedly agree with Judge Hutchinson when he said in *Denzel Milton Lee v. United States of America*, 322 F. 2d 770 (CA 5–1963):

"* * * I emphatically condemn and reject the majority view as simply personal decreeing and, as such, alien to this Circuit and to the law generally and as completely unauthorized."

It is far too late for anyone to take issue with the fact that the established law of the land now requires that there be no *forced segregation* in public schools. But it is equally well established in law that neither the Constitution nor the laws of the United States of America require forced integration of the races in public schools. The law is clear. It requires that public schools be maintained and operated, not as Negro schools and not as white schools, but as public schools. It requires nothing more nor less than that within the bounds of proper school administration all students have a free and unfettered choice of the school he wishes to attend, and that he has the right to be assigned to the school of his choice without regard to his race, color, religion, or national origin. If the plan adopted by a school system employs this criteria, and if the freely exercised choice of students or parents results in de facto segregation, that is merely an example of freedom of choice in operation. It is just as important that one's freedom to choose a school that does not happen to suit the fancy of the Court be protected and respected as it is to protect the rights of those who elect to attend the schools which the Court, in its infinite wisdom, thinks they should attend. The majority opinion handed down in this case gives one the impression that the Courts are the guardians of the educational processes employed in this country. Search as I may, I have been unable to find authority for the assumption by the Court of such a duty. The primary function of the Courts is to decide cases and controversies—not to administer the local school systems. Regardless of how "frustrated" the Court of Appeals may become as its experience in handling school cases increases, such frustration is, in my humble opinion, no justification for its taking over, "lock, stock and barrel," the operation of the public school systems. It is one thing to adjudicate disputes between litigants, and it is quite another to carry the modern day theory of judicial activism to the extent demonstrated in this case.

No one will dispute the fact that, in the past, Negro children have been short changed when it comes to educational opportunity, especially in the South. Congress has attempted to alleviate this situation by the passage of various pieces of Civil Rights legislation. It is up to the Courts to interpret those Acts, along with the Constitution of the United States, and demand compliance therewith. If the legislation passed by Congress is inadequate then it is, of course, the prerogative of Congress to change it. If the Constitution is inadequate, then it should be amended by proper constitutional process. But in neither case should this Court, or any other Court, take it unto themselves to usurp the powers and functions of Congress and to change the law to make it conform to the way *they* think the law ought to be. That is what has happened in this case. If the law providing for an end to forced segregation in public schools does not work in such a fashion as to give every child, white and Negro alike, an honest opportunity to freely choose the school he wishes to attend, then the law should be changed by proper legislative procedures. It should not be changed by the bending and twisting process indulged in by the Court in this case.

When, as stated by Judge Gewin, the Constitution and laws of the United States can be so easily "bent and twisted," it is difficult to disagree with Judge Bell when he says that the type of standards set by the Court in this case "places school systems under men and not laws."

But since the District Courts in the Fifth Circuit seem now to have been completely stripped of all discretion insofar at least as the cases directly involved in the Jefferson decision are concerned, and since, even though never consolidated by proper legal procedure the East Baton Rouge Parish school case has somehow been included within the ambit of that decision, this Court now has no alternative but to comply with the mandate issued therein. That mandate says:

"The Court reaffirms the reversal of the judgments below and the remand of each case *for entry of the decree attached to this opinion.*"

I agree with Judge Gewin when he says the effect of this mandate is that:

"The effectiveness of the District Courts has been seriously impaired * * *. Now his (the District Judge's) only functions are to order the enforcement of the detailed, uniform, stereotyped formal decree * * * and to receive periodic reports much in the same fashion as reports are received by an ordinary clerk in a large business establishment."

So, functioning in that capacity, I herewith enter the "detailed, uniform, stereotyped formal decree" that is attached to the majority opinion.

I concur with Judge Bell when he notes that because of the detailed character of this decree formulated by the Court of Appeals it is doubtful "that sufficient latitude is left to the District Courts to adjust such practical difficulties as may arise under the details of the decree." I can only assume that the Court of Appeals, whose decree I enter this day, has also assumed the duty of interpreting, applying, and enforcing compliance therewith as the need arises. While the decree does not specifically so state, I would nevertheless assume that the Court of Appeals does intend to retain jurisdiction over this matter for the issuance of such future orders and decrees as it may in its judgment deem necessary and advisable.

Decree will be entered accordingly.

BATON ROUGE, LA., *May 8, 1967.*

E. GORDON WEST,
U.S. District Judge.

CLIFFORD EUGENE DAVIS, JR., A MINOR, BY HIS FATHER AND NEXT FRIEND CLIFFORD EUGENE DAVIS, SR., ET AL. *v.* EAST BATON ROUGE PARISH SCHOOL BOARD, ET AL.—CIVIL ACTION NO. 1662

(In the U.S. District Court, Eastern District of Louisiana, Baton Rouge Division)

For the written reasons this day assigned, and in compliance with the mandate of the United States Fifth Circuit Court of Appeals, the following decree is hereby entered and issued:

CORRECTED DECREE

It is ordered, adjudged and decreed that the defendants, their agents, officers, employees and successors and all those in active concert and participation with them, be and they are permanently enjoined from discriminating on the basis of race or color in

the operation of the school system. As set out more particularly in the body of the decree, they shall take affirmative action to disestablish all school segregation and to eliminate the effects of the dual school system:

I. SPEED OF DESEGREGATION

Commencing with the 1967-68 school year, in accordance with this decree, all grades, including kindergarten grades, shall be desegregated and pupils assigned to schools in these grades without regard to race or color.

II. EXERCISE OF CHOICE

The following provisions shall apply to all grades:

(a) *Who May Exercise Choice.*—A choice of schools may be exercised by a parent or other adult person serving as the student's parent. A student may exercise his own choice if he (1) is exercising a choice for the ninth or higher grade, or (2) has reached the age of fifteen at the time of the exercise of choice. Such a choice by a student is controlling unless a different choice is exercised for him by his parent or other adult person serving as his parent during the choice period or at such later time as the student exercises a choice. Each reference in this decree to a student's exercising a choice means the exercise of the choice, as appropriate, by a parent or such other adult, or by the student himself.

(b) *Annual Exercise of Choice.*—All students, both white and Negro, shall be required to exercise a free choice of schools annually.

(c) *Choice Period.*—The period for exercising choice shall commence May 1, 1967 and end June 1, 1967, and in subsequent years shall commence March 1 and end March 31 preceding the school year for which the choice is to be exercised. No student or prospective student who exercises his choice within the choice period shall be given any preference because of the time within the period when such choice was exercised.

(d) *Mandatory Exercise of Choice.*—A failure to exercise a choice within the choice period shall not preclude any student from exercising a choice at any time before he commences school for the year with respect to which the choice applies, but such choice may be subordinated to the choices of students who exercised choice before the expiration of the choice period. Any student who has not exercised his choice of school within a week after school opens shall be assigned to the school nearest his home where space is available under standards for determining available space which shall be applied uniformly throughout the system.

(e) *Public Notice.*—On or within a week before the date the choice period opens, the defendants shall arrange for the conspicuous publication of a notice describing the provisions of this decree in the newspaper most generally circulated in the community. The text of the notice shall be substantially similar to the text of the explanatory letter sent home to parents. Publication as a legal notice will not be sufficient. Copies of this notice must also be given at that time to all radio and television stations located in the community. Copies of this decree shall be posted in each school in the school system and at the office of the Superintendent of Education.

(f) *Mailing of Explanatory Letters and Choice Forms.*—On the first day of the choice period there shall be distributed by first-class mail an explanatory letter and a choice form to the parent (or other adult person acting as parent, if known to the defendants) of each student, together with a return envelope addressed to the Superintendent. Should the defendants satisfactorily demonstrate to the court that they are unable to comply with the requirement of distributing the explanatory letter and choice form by first-class mail, they shall propose an alternative method which will maximize individual notice, i.e., personal notice to parents by delivery to the pupil with adequate procedures to insure the delivery of the notice. The text for the explanatory letter and choice form shall essentially conform to the sample letter and choice form appended to this decree.

(g) *Extra Copies of the Explanatory Letter and Choice Form.*—Extra copies of the explanatory letter and choice form shall be freely available to parents, students, prospective students, and the general public at each school in the system and at the office of the Superintendent of Education during the times of the year when such schools are usually open.

(h) *Content of Choice Form.*—Each choice form shall set forth the name and location and the grades offered at each school and may require of the person exercising the choice the name, address, age of student, school and grade currently or most recently attended by the student, the school chosen, the signature of *one* parent or other adult person serving as parent, or where appropriate the signature of the student, and the identity of the person signing. No statement of reasons for a particular choice, or any other information, or any witness or other authentication, may be required or requested, without approval of the court.

(i) *Return of Choice Form.*—At the option of the person completing the choice form, the choice may be returned by mail, in person, or by messenger to any school in the school system or to the office of the Superintendent.

(j) *Choices not on Official Form.*—The exercise of choice may also be made by the submission in like manner of any other writing which contains information sufficient to identify the student and indicates that he has made a choice of school.

(k) *Choice Forms Binding.*—When a choice form has once been submitted and the choice period has expired, the choice is binding for the entire school year and may not be changed except in cases of parents making different choices from their children under the conditions set forth in paragraph II(a) of this decree and in exceptional cases where, absent the consideration of race, a change is educationally called for or where compelling hardship is shown by the student. A change in family residence from one neighborhood to another shall be considered an exceptional case for purposes of this paragraph.

(l) *Preference in Assignment.*—In assigning students to schools, no preferences shall be given to any student for prior attendance at a school and, except with the approval of court in extraordinary circumstances, no choice shall be denied for any reason other than overcrowding. In case of overcrowding at any schol, preference shall be given on the basis of the proximity of the school to the homes of the students choosing it, without regard to race or color. Standards for determining overcrowding shall be applied uniformly throughout the system.

(m) *Second Choice where First Choice is Denied.*—Any student whose choice is denied must be promptly notified in writing and given his choice of any school in the school system serving his grade level where space is available. The student shall have seven days from the receipt of notice of a denial of first choice in which to exercise a second choice.

(n) *Transportation.*—Where transportation is generally provided, buses must be routed to the maximum extent feasible in light of the geographic distribution of students, so as to serve each student choosing any school in the system. Every student choosing either the formerly white or the formerly Negro school nearest his residence must be transported to the school to which he is assigned under those provisions, whether or not it is his first choice, if that school is sufficiently distant from his home to make him eligible for transportation under generally applicable transportation rules.

(o) *Officials not to Influence Choice.*—At no time shall any official, teacher, or employee of the school system influence any parent, or other adult person serving as a parent, or any student, in the exercise of a choice or favor or penalize any person because of a choice made. If the defendant school board employs professional guidance counselors, such persons shall base their guidance and counselling on the individual students particular personal academic, and vocational needs. Such guidance and counselling by teachers as well as professional guidance counselors shall be available to all students without regard to race or color.

(p) *Protection of Persons Exercising Choice.*—Within their authority school officials are responsible for the protection of persons exercising rights under or otherwise affected by this decree. They shall, without delay, take appropriate action with regard to any student or staff member who interferes with the successful operation of the plan. Such interference shall include harassment, intimidation, threats, hostile words or acts, and similar behavior. The school board shall not publish, allow, or cause to be published, the names or addresses of pupils exercising rights or otherwise affected by this decree. If officials of the school system are not able to provide sufficient protection, they shall seek whatever assistance is necessary from other appropriate officials.

III. PROSPECTIVE STUDENTS

Each prospective new student shall be required to exercise a choice of schools before or at the time of enrollment. All such students known to defendants shall be furnished a copy of the prescribed letter to parents, and choice form, by mail or in person, on the date the choice period opens or as soon thereafter as the school system learns that he plans to enroll. Where there is no preregistration procedure for newly entering students, copies of the choice forms shall be available at the Office of the Superintendent and at each school during the time the school is usually open.

IV. TRANSFERS

(a) *Transfers for Students.*—Any student shall have the right at the beginning of a new term, to transfer to any school from which he was excluded or would otherwise be excluded on account of his race or color.

(b) *Transfers for Special Needs.*—Any student who requires a course of study not offered at the school to which he has been assigned may be permitted, upon his written application, at the beginning of any school term or semester, to transfer to another school which offers courses for his special needs.

(c) *Transfers to Special Classes or Schools.*—If the defendants operate and maintain special classes or schools for physically handicapped, mentally retarded, or gifted children, the defendants may assign children to such schools or classes on a basis related to the function of the special class or school that is other than freedom of choice. In no event shall such assignments be made on the basis of race or color or in a manner which tends to perpetuate a dual school system based on race or color.

V. SERVICES, FACILITIES, ACTIVITIES AND PROGRAMS

No student shall be segregated or discriminated against on account of race or color in any service, facility, activity, or program (including transportation, athletics, or other extracurricular activity) that may be conducted or sponsored by the school in which he is enrolled. A student attending school for the first time on a desegregated basis may not

be subject to any disqualification or waiting period for participation in activities and programs, including athletics, which might otherwise apply because he is a transfer or newly assigned student except that such transferees shall be subject to longstanding, non-racially based rules of city, county, or state athletic associations dealing with the eligibility of transfer students for athletic contests. All school use or school sponsored use of athletic fields, meeting rooms, and all other school related services, facilities, activities, and programs such as commencement exercises and parent-teacher meetings which are open to persons other than enrolled students, shall be open to all persons without regard to race or color. All special educational programs conducted by the defendants shall be conducted without regard to race or color.

VI. SCHOOL EQUALIZATION

(a) *Inferior Schools.*—In schools heretofore maintained for Negro students, the defendants shall take prompt steps necessary to provide physical facilities, equipment, courses of instruction, and instructional materials of quality equal to that provided in schools previously maintained for white students. Conditions of overcrowding, as determined by pupil-teacher ratios and pupil-classroom ratios shall, to the extent feasible, be distributed evenly between schools formerly maintained for Negro students and those formerly maintained for white students. If for any reason it is not feasible to improve sufficiently any school formerly maintained for Negro students, where such improvement would otherwise be required by this paragraph, such school shall be closed as soon as possible, and students enrolled in the school shall be reassigned on the basis of freedom of choice. By October of each year, defendants shall report to the Clerk of the Court pupil-teacher ratios, pupil-classroom ratios, and per-pupil expenditures both as to operating and capital improvement costs, and shall outline the steps to be taken and the time within which they shall accomplish the equalization of such schools.

(b) *Remedial Programs.*—The defendants shall provide remedial education programs which permit students attending or who have previously attended segregated schools to overcome past inadequacies in their education.

VII. NEW CONSTRUCTION

The defendants, to the extent consistent with the proper operation of the school system as a whole, shall locate any new school and substantially expand any existing schools with the objective of eradicating the vestiges of the dual system.

VIII. FACULTY AND STAFF

(a) *Faculty Employment.*—Race or color shall not be a factor in the hiring, assignment, reassignment, promotion, demotion, or dismissal of teachers and other professional staff members, including student teachers, except that race may be taken into account for the purpose of counteracting or correcting the effect of the segregated assignment of faculty and staff in the dual system. Teachers, principals, and staff members shall be assigned to schools so that the faculty and staff is not composed exclusively of members of one race. Wherever possible, teachers shall be assigned so that more than one teacher of the minority race (white or Negro) shall be on a desegregated faculty. Defendants shall take positive and affirmative steps to accomplish the desegregation of their school faculties and to achieve substantial desegregation of faculties in as many of the schools as possible for the 1967–68 school year notwithstanding that teacher contracts for the 1967–68 or 1968–69 school years may have already been signed and approved. The tenure of teachers in the system shall not be used as an excuse for failure to comply with this provision. The defendants shall establish as an objective that the pattern of teacher assignment to any particular school not be identifiable as tailored for a heavy concentration of either Negro or white pupils in the school.

(b) *Dismissals.*—Teachers and other professional staff members may not be discriminatorily assigned, dismissed, demoted, or passed over for retention, promotion, or rehiring, on the ground of race or color. In any instance where one or more teachers or other professional staff membes are to be displaced as a result of desegregation, no staff vacancy in the school system shall be filled through recruitment from outside the system unless no such displaced staff member is qualified to fill the vacancy. If, as a result of desegregation, there is to be a reduction in the total professional staff of the school system, the qualifications of all staff members in the system shall be evaluated in selecting the staff member to be released without consideration of race or color. A report containing any such proposed dismissals, and the reasons therefor, shall be filed with the Clerk of the Court, serving copies upon opposing counsel, within five (5) days after such dismissal, demotion, etc., as proposed.

(c) *Past Assignments.*—The defendants shall take steps to assign and reassign teachers and other professional staff members to eliminate the effects of the dual school system.

IX. REPORTS TO THE COURT

(1) *Report on Choice Period.*—The defendants shall serve upon the opposing parties and file with the Clerk of the Court on or before April 15, 1967, and on or before June 15, 1967, and in each subsequent year on or before June 1, a report tabulating by race the number of choice applications and transfer applications received for enrollment in each grade in each school in the system, and the number of choices and transfers granted and the number of denials in each grade of each school. The report shall also state any reasons relied upon in denying choice and shall tabulate, by school and by race of student, the number of choices and transfers denied for each such reason.

In addition, the report shall show the percentage of pupils actually transferred or assigned from segregated grades or to schools attended predominantly by pupils of a race other than the race of the applicant, for attendance during the 1966–67 school year, with comparable date for the 1965–66 school year. Such additional information shall be included in the report served upon opposing counsel and filed with the Clerk of the Court.

(2) *Report After School Opening.*—The defendants shall, in addition to reports elsewhere described, serve upon opposing counsel and file with the Clerk of the Court within 15 days after the opening of schools for the fall semester of each year, a report setting forth the following information:

(i) The name, address, grade, school of choice and school of present attendance of each student who has withdrawn or requested withdrawal of his choice of school or who has transferred after the start of the school year, together with a description of any action taken by the defendants on his request and the reasons therefor.

(ii) The number of faculty vacancies, by school, that have occurred or been filled by the defendants since the order of this Court or the latest report submitted pursuant to this sub-paragraph. This report shall state the race of the teacher employed to fill each such vacancy and indicate whether such teacher is newly employed or was transferred from within the system. The tabulation of the number of transfers within the system shall indicate the schools from which and to which the transfers were made. The report shall also set forth the number of faculty members of each race assigned to each school for the current year.

(iii) The number of students by race, in each grade of each school.

EXPLANATORY LETTER

(School System Name and
Office Address),
(Date Sent).

DEAR PARENT: All grades in our school system will be desegregated next year. Any student who will be entering one of these grades next year may choose to attend any school in our system, regardless of whether that school was formerly all-white or all Negro. It does not matter which school your child is attending this year. You and your child may select any school you wish.

Every student, white and Negro, must make a choice of schools. If a child is entering the ninth or higher grade, or if the child is fifteen years old or older, he may make the choice himself. Otherwise a parent or other adult serving as parent must sign the choice form. A child enrolling in the school system for the first time must make a choice of schools before or at the time of his enrollment.

The form on which the choice should be made is attached to this letter. It should be completed and returned by June 1, 1967. You may mail it in the enclosed envelope, or deliver it by messenger or by hand to any school principal or to the Office of the Superintendent at any time between May 1 and June 1. No one may require you to return your choice form before June 1 and no preference is given for returning the choice form early.

No principal, teacher or other school official is permitted to influence anyone in making a choice or to require early return of the choice form. No one is permitted to favor or penalize any student or other person because of a choice made. A choice once made cannot be changed except for serious hardship.

No child will be denied his choice unless for reasons of overcrowding at the school chosen, in which case children living nearest the school will have preference.

Transportation will be provided, if reasonably possible, no matter what school is chosen. [Delete if the school system does not provide transportation.]

Your School Board and the school staff will do everything we can to see to it that the rights of all students are protected and that desegregation of our schools is carried out successfully.

Sincerely yours,

Superintendent.

CHOICE FORM

This form is provided for you to choose a school for your child to attend next year. You have 30 days to make your choice. It does not matter which school your child attended last year, and does not matter whether the school you choose was formerly a white or Negro school. This form must be mailed or brought to the principal of any school in the system or to the office of the Superintendent, [address], by June 1, 1967. A choice is required for each child.

Name of child _____
(Last) (First) (Middle)
Address _____
Name of Parent or other adult serving as parent _____
If child is entering first grade, date of birth:
_____
(Month) (Day) (Year)
Grade child is entering _____
School attended last year _____
Choose one of the following schools by marking an X beside the name.

Name of School	Grade	Location
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Signature _____
Date _____
_____
_____

To be filled in by Superintendent:
School Assigned----------

BATON ROUGE, LA., *this 8th day of May, 1967.*
E. GORDON WEST,
U.S. District Judge.

BETTER PAY FOR U.S. MARSHAL AND DEPUTY

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. OLSEN] 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 Arkansas?

There was no objection.

Mr. OLSEN. Mr. Speaker, I am becoming increasingly concerned over a situation that exists in the oldest law enforcement agency in the country. I refer to the U.S. Marshal Service and, specifically, to the deputy marshals who make up a large percentage of the U.S. marshal force.

The fact is that the deputy U.S. marshal is underpaid. When one considers the wide diversity of his duties, the special skills he must have to obtain his position and the fine physical specimen he must be to hold his job, it can easily be seen that a GS-6 starting salary is woefully inadequate.

Let me enumerate some of the functions performed by the deputy. He carries out the orders of the Federal judges, he maintains order in Federal courtrooms, he makes arrests and transports prisoners, he conducts sales of confiscated goods no longer needed for evidence and he does much of the paperwork necessary to the operation of the Federal courts.

In order to qualify for the position of deputy U.S. marshal a man must have specialized or general law enforcement experience or an equivalent educational substitute in an accredited law course. He must be in sound physical condition and is subject to an annual physical examination to make sure that he stays that way. All of this for a starting salary of $5,867 a year.

In New York City a policeman receives a starting salary of $7,032 and reaches a salary of $8,483 after 4 years; in Los Angeles $7,296, with $8,580 in 3 years; in San Francisco $7,980, with $8,580 in 4 years and in Oakland $7,752, with $8,268 in 3 years. The top salary of a deputy is $8,300 and not in so few years as in the aforementioned city police forces.

I am not disparaging the policemen of these fine cities. Far from it. I am second to none in the admiration of the law enforcement agencies of these cities. I think they should receive more compensation for the dangerous and vital duties they perform. What I am driving at is that the deputy U.S. marshals should be brought more in line with the higher paid municipal police forces.

If this is not done then our Nation will face both a morale problem and a recruitment problem in this the oldest of its police forces. The history of the U.S. Marshal Service is well documented in our history. Since its creation in 1789 the service has covered itself with glory, especially in the Frontier West of less than a century ago. To allow the U.S. marshals to continue in that glory they must attract the best of men. That is why the salaries must be improved.

To this end I am introducing today a bill which would set starting salaries at the level of GS-7 or $6,451, still below the starting level of police salaries in most big cities. After completion of 1 year of satisfactory service the deputy would be advanced to the level of 8, then advanced to level 9 after 1 year of satisfactory service in level 8, and finally promoted to grade 10 after completion of 2 years' satisfactory service in grade 9.

This legislation is simple justice. Too long have these dedicated peace officers toiled for low wages. Quick passage of this measure is vital if we are to avoid closing out one of the most colorful chapters in our history.

RENT SUPPLEMENT PROGRAM

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. WILLIAM D. FORD] 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 Arkansas?

There was no objection.

Mr. WILLIAM D. FORD. Mr. Speaker, Congress took a bold new step toward providing adequate housing for needy families in the rent supplement program enacted in 1965. This country now has the potential for truly meeting the housing needs of the poor—and with dignity.

The program deserves the full funding of $40 million requested by the administration for fiscal 1968.

While the rent supplement program has been funded and in operation just a year, it gives evidence of being a most effective answer to the problems of providing adequate housing of the needy. Interest in the program has been nationwide.

So far, the $32 million authorized for the program has been almost entirely earmarked. This amount will enable 33,000 families and individuals to enjoy good, sound housing in 405 projects to be located in 46 States, the District of Columbia, and Puerto Rico.

Additional requests are being received at the rate of 5,000 housing units a month. It is clear that demand is far in excess of the funds available. The great, widespread interest in the program gives evidence of the need among our citizens. It underlines how important it is that this program be fully funded.

The program is a device that teams up private enterprise and Government to meet acute housing needs of the poor. The housing is privately owned, developed, and managed. The tenants pay one-fourth of their family income as rent, and the Government makes up the difference between that and the market rate of rent through payment of the supplement.

In addition, there is provision for a reduction in Federal rent subsidy as tenants' incomes increase. The supplement can be eliminated altogether when the family is able to meet the market rent. This has the additional virtue of enabling tenants, no longer qualified for supplements, to remain in their homes without having to move.

It would be a major mistake to allow this program to wither because of inadequate funds. This program is not only a means of providing good housing for those in need—it is the device which can bring hope and well-being to our less fortunate citizens. The $40 million requested by the administration is a small investment for this.

NLRA COVERAGE FOR FARMWORKERS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] 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 Arkansas?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, the agriculture workers of America have too long been the forgotten people of this Nation. In the last Congress, we took the first historic step to aid these neglected workers when we voted to extend the Federal Fair Labor Standards Act to farm labor. The time has come now to see that those who work for wages on the Nation's farms are protected under the provisions of the National Labor Relations Act.

George Meany, the president of the AFL-CIO, pointed out some of the compelling reasons for this action in his testimony recently before the Special Subcommittee on Labor of the House Education and Labor Committee. Since Mr. Meany is the head of an organization which represents 13½ million workers in the United States, he is well qualified to speak on this subject.

I ask that his testimony be printed at this point in the RECORD.

STATEMENT BY GEORGE MEANY, PRESIDENT, AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS, BEFORE THE SPECIAL SUBCOMMITTEE ON LABOR OF THE HOUSE EDUCATION AND LABOR COMMITTEE, ON LEGISLATION TO COVER FARMWORKERS UNDER NLRA, MAY 1, 1967

Mr. Chairman, my name is George Meany. I am the president of the AFL-CIO. I am appearing here today as the spokesman for more than 13½ million workers whose right to organize and bargain collectively is protected by law—and who want these same conditions extended to the country's agricultural workers.

I want to emphasize the strong interest of labor and of the public in the bills you are considering—H.R. 4769, introduced by Congressman O'Hara of Michigan, and the identical bills submitted by Congressmen Holland, Cohelan, Burton and Gonzalez.

Let me begin with a broad generality which can be documented in detail. It is this:

The men, women and children who work for wages on American farms have been excluded from the whole range of social reforms achieved in this country over two generations. For example:

Though they suffer more than any other group from recurring periods of unemployment, they are not eligible for jobless benefits anywhere, except in Hawaii and Puerto Rico.

Though agriculture is among the most

hazardous occupations, they are fully covered by workmen's compensation in only five states and Puerto Rico; and in more than half the states, none of them are protected at all.

Though their wages are the lowest of any group in the labor force, until last year they were specifically denied inclusion under the wage-hour law; even now, coverage applies to fewer than 30% and the wage floor, when it reaches its maximum will be 30¢ an hour lower than for others.

Though they have no other means to provide against old age, or for their families if they die or become disabled, they are largely outside the scope of the Social Security system.

If we look closer the details get worse.

Child labor—outlawed everywhere else—is still common in agriculture.

Free public schools—supposedly available to all American children—are often unavailable to the children of migrant agricultural workers.

Even the basic state and local welfare services are often out of reach, because of arbitrary residence requirements which migrant workers cannot meet.

All of these are abuses that cry out for correction. And there is still another, which we are specifically discussing today: Farm workers who seek to improve their lot through the accepted pattern of organizing for the purpose of collective bargaining find that they are denied both the protection of law and access to the federal government's administrative machinery.

Not only are farm workers denied the help of all the other laws enacted to benefit workers; they are even denied the effective right to help themselves.

Let me offer my own analysis of how this shocking situation developed—and I think you will agree, Mr. Chairman, that "shocking" is an understatement.

First of all, the Congress, and the country as a whole, have for a long time been sensitive to the importance of the agricultural industry and to the problems of farmers. So has the labor movement. The AFL-CIO has supported every major bill designed to help farmers—even when its opponents argued that farm subsidies were against our interests because they raised prices. We supported these farm bills because we have never looked for bargains at the expense of some other group, or against the national interest.

However, this general solicitude for the farmers—stimulated by the selfishness of many big farm operators—caused the Congress, and the various state legislatures, to exempt farmers from obligations carried by other employers. This was a mistake—or rather, a whole series of mistakes.

As I have noted, the result has been disastrous for farm workers. And instead of helping the average farmer, it has squeezed him harder than ever.

To understand this—as I am sure you understand it, Mr. Chairman—the agricultural industry must be looked at the way it is today, not the way it was yesterday. I used to read about farm life when I was a boy growing up in a suburban area of the city of New York. There were even what we would call family farms left in that area in those days. And many senior members of the Congress grew up on the kind of farms I used to read about.

It seemed to be a simple life and a good life. There was the farmer and his wife and their children. And there was the "hired man," or maybe several of them, who lived on the farm, and ate at the family table; who taught the boys how to handle the team, how to hoe and how to whittle—family retainers, as permanent as the barn or the well.

It was a pretty picture. I'm not sure how true it was then. I know it's not true now.

Yet it was this picture, I am convinced, that was most influential in excluding farm workers from the legal protections that were being won by other workers.

It is a shame to spoil this pretty picture with facts, but here are a few more.

For one thing, half of all the farms in the United States employ no farm labor at all. A mere 2.7% of the farms pay half the farm wages; and 6% of the farms account for 76% of the wage bill.

These are 1959 figures, the latest available. However, despite the changes of recent years, there is no evidence to suggest that these proportions have shifted in any significant way.

Now let's look at the farm labor force. In 1965—again I am using the most recent figures—some three million Americans earned wages for farm work. But for more than a third of them it was incidental. Fewer than two million worked longer than 25 days. Only about 650,000 were employed for more than 150 days.

As of October 1966, the average cash hourly wage for domestic farm workers was $1.18. In the south, which provides half the employment, the average was 95¢ an hour.

The highest mainland rates were on the Pacific coast—an average of $1.57. The best sectional average, translated into full-time employment—which few farm workers enjoy—still comes out to a poverty-level income.

That pretty picture I mentioned a few moments ago has to suffer another revision.

Of the nearly two million farm workers who were employed more than 25 days in 1963, hardly one-fourth were provided with housing—and the housing was almost always primitive or worse. Less than 12% were given food grown on the farm. Fewer than 10% received wood or other fuel. Only 7% were served one meal a day.

This is today's version of the farm "hired man" who figured in the tales we read as boys. That kind of "hired man" is a myth.

Maybe he really did exist in the past. Maybe he still existed as late as 1910 to 1914, when hourly wages for farm labor were 67% of the average factory wage, and there were fringe benefits on the farm and none in the factories. But by 1965, the average hourly rate for farm workers was only 36% of the factory rate, and the fringes had all gone over to the other side.

Perhaps that "hired man" wasn't really a myth, but just a species that is now extinct, like the dinosaurs.

The same can be said for the picture of the farm operator as a benevolent employer. Over the years, agricultural workers who tried to organize—and there were many attempts—found themselves faced with firings, blacklists, yellow-dog contracts, even arrest on trumped-up charges. And these same tactics are used against them today.

In the eyes of most farm workers, for good reason, the benevolent farm-owner is also extinct.

But farm labor is not extinct. These workers are very much alive, and in the last few years they have proved it. They are so alive that in many parts of the country they have organized, despite their lack of legal protection enjoyed by other workers; and they have made it clear that they are determined to be full-fledged members of American society.

This is right and proper for them—and we in the AFL-CIO are doing all we can to help them. It is right and proper for America, for it is just as un-American to discriminate on grounds of occupation as it is on grounds of race.

But also, as I suggested earlier, it is right and proper—and economically helpful—to the farmers themselves, to the family farmers whose welfare is of greatest concern to the Congress and the country.

It is not the family farmer, the small farmer, the traditional symbol of American independence and self-reliance, who exploits the farm worker. He doesn't have any workers to exploit.

Thanks to the tremendous advances in farm machinery, the small farmer and his sons—and, perhaps, with a mutual assistance pact among his neighbors—can sow and tend and reap his own crops.

He is threatened, not by higher wages and better conditions for farm labor, but by the perpetuation of low wages and miserable conditions. For in effect, he is placing his own return, his own standard of living, in competition with the exploited workers hired by the corporation farmers, the factories in the fields.

I cannot improve on the calm, direct words of the National Advisory Commission to the U.S. Department of Agriculture:

"The farm family will not earn favorable returns on its own labor when hired labor is chronically cheap . . . The opportunity for family farms to compete and to earn satisfactory returns for their labor will be enhanced if wages and working conditions for hired farm labor compare favorably with those in industry."

That is also the position of the AFL-CIO.

I have already indicated some of the steps that need to be taken.

There must be a complete and final end to those provisions in federal and state law which deny to farm workers the protection and the benefits enjoyed by all other workers.

Measures must be devised to overcome residence and other requirements that prevent farm workers and their children—migrant workers in particular—from full access to schools, medical facilities and other community resources they so badly need.

But the bill before you, we think, is the most important of all.

It offers no subsidies to farm workers. It carries with it no appropriations. It is not special legislation: on the contrary, it is a bill to do away with special legislation.

It offers one simple proposition: That farm workers have the same right as all other workers to organize and bargain collectively.

Surely there is nothing revolutionary about this. But anyone who listened seriously to some of those who have consistently opposed this concept would imagine that the revolutionaries were at the gates.

One of the more restrained objections that has been raised, over the years, to extending the National Labor Relations Act to agriculture is that its administration would be impossible. Farm workers move around too much, according to this argument. They work irregular periods of time for many different employers.

But as H.R. 4769 and its companion bills demonstrate, there is an easy and established solution to this problem—the same solution that works so well in the construction industry, where the work-schedules are in the same pattern. So this objection is not valid at all.

Then there is another, even less rational argument, that goes something like this:

"We couldn't stand a strike at harvest time."

Well, it has been agreed in the past that a steel mill can't stand a strike when it's time to pull the furnaces, and a construction job can't stand a strike when there's only two weeks before the first snow, and the auto industry can't stand a strike during the model changeover. But all those industries are organized, and all of them have had strikes, and all of them are doing all right. They and many others are paying far better wages and making much more money than the average farm employer.

Beyond this, I resent the implication that trade union organization and strikes go hand in hand. It simply is not so.

Yes, there will be strikes if an employer resists to the bitter end any and all of the

proposals offered by the union. But an employer who does this is not basically against the proposals; he is against the union. In reality, he is the one who is on strike.

The same has been true of the farm workers' strikes during the last year, only more so. Primarily these have been strikes, not over wages and working conditions, but for the fundamental right to bargain collectively.

No worker in interstate commerce has had to strike for that right since 1935, for the right to organize has been established by law and has been enforceable by law. Simple justice, we contend, would extend that right to farm workers as well.

Indeed, the prevention of such fruitless and disruptive strikes was a major purpose of the original National Labor Relations Act. The act established a procedure through which workers could make their own decision, legally and peacefully. Only a month or so ago I joined—with representatives of the National Association of Manufacturers—in celebrating the 25 millionth vote in a representation election. Not a single one of these 25 million votes was cast by a farm worker to establish bargaining rights with a farm employer, because farm workers are denied this basic, democratic right.

The continued denial of that right is an affront to the farm workers and to the American principle of equal justice under the law. Its continuance will lead to more strikes by farm workers who have no other recourse. Its continuance will help to perpetuate the shocking poverty—even degradation—of the men and women, and shamefully the children, who harvest so much of the food and fiber upon which the nation depends.

This bill will not cure all the ills or all the injustices that afflict farm workers. But it is a beginning, and I urge you to give it your prompt approval.

FIREARMS SAFETY

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] 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 Arkansas?

There was no objection.

Mr. DINGELL. Mr. Speaker, another resolution by State agencies vitally concerned with firearms safety, sporting use of firearms, and law enforcement, has just come to my attention.

This is a resolution pertaining to firearms legislation just adopted by the directors of fish and game departments in the northeastern United States in opposition to S. 1 and H.R. 5384.

This excellent resolution, signed by Mr. Ronald T. Speers, Commissioner of the Maine Department of Inland Fisheries and Game; Mr. Theodore B. Bampton, director of the Connecticut Board of Fisheries and Game; Mr. James M. Shepard, director of the Massachusetts Division of Fisheries and Game; Mr. Jack F. Kamman, director of the New Hampshire Fish and Game Department; Mr. Thomas J. Wright, chief of the Rhode Island Division of Conservation; and Mr. Edward F. Kehoe, commissioner of the Vermont Fish and Game Board; sets out very clearly why S. 1 and H.R. 5384, the so-called Dodd bill, are clearly not in the public interest.

The resolution, adopted April 28, 1967, follows:

Whereas, Wildlife Conservation programs conducted by state fish and game agencies are to a great extent dependent on revenue received from the sales of hunting licenses and on revenue received through the Federal Aid to Wildlife Restoration Act, which is derived from a federal tax on the sale of sporting firearms and ammuntion, and

Whereas, Any decrease in monies available from these sources would incur a catastrophic reduction in the extent and effectiveness of such programs in most states, inconsistent with rapidly increasing public demand for outdoor recreation largely furnished by land, water and wildlife preserved and managed by state fish and game agencies, and

Whereas, Senate bill #1 (Amendment 90) and House Bill 5384 presently under consideration in Congress are so worded as to leave no doubt that their eventual effect if passed will be to drastically reduce numbers of sporting firearms in the possession of law-abiding citizens, through discouragement arising from complex procedures, potential for arbitrary use of authority and restriction of reasonable purchase, which will result in a decrease in funds available from sale of hunting licenses and federal taxes on firearms and ammunition.

And therefore, The directors and commissioners for the fish and game agencies of the states of Maine, New Hampshire, Vermont, Massachusetts, Connecticut and Rhode Island, having special concern for the pressures brought to bear on land, water and wildlife resources in these states due to concentration of population in and contiguous to the New England area, do resolve that Senate bill #1 (Amendment 90) and House Bill 5384 are extremely objectionable, unwise and misdirected.

Said directors and commissioners further resolve that said bills fail of effectiveness in combatting crime since, as presently worded, their effect will be primarily on law-abiding citizens and ignored by the criminal element.

Said directors and commissioners further resolve that legislation aimed directly at the criminal element, by containing provisions for increased penalties for commission of crime while armed, and for facilitating and strengthening enforcement and conviction proceedings relative to criminal behavior, will more likely achieve a reduction of crime while not unduly effecting law-abiding citizens or the future of this nation's land, water and wildlife resources.

RONALD T. SPEERS,
Commissioner, Maine Department of Inland Fisheries and Game.

THEODORE B. BAMPTON,
Director, Connecticut Board of Fisheries and Game.

JAMES M. SHEPARD,
Director, Massachusetts Division of Fisheries and Game.

JACK F. KAMMAN,
Director, New Hampshire Fish and Game Department.

THOMAS J. WRIGHT,
Chief, Rhode Island Division of Conservation.

EDWARD F. KEHOE,
Commissioner, Vermont Fish and Game Board.

RENT SUPPLEMENT PROGRAM HELPS FAMILY OF FIVE ON LOWER EAST SIDE IN NEW YORK CITY

Mr. PRYOR. 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 Arkansas?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, just recently, a family of five on the lower East Side of New York City had a remarkable change in living conditions. For years, the husband's weekly income of $77 as a dishwasher limited the family to occupancy of a one-bedroom rundown apartment in a slum area. Now, they are living in a sound, modern three-bedroom apartment. And the family income did not increase.

The change was made possible through the application of the Federal rent supplement program.

Here is what happened: a nonprofit organization, receiving Federal assistance, completely rehabilitated a substandard five-story apartment at 633 East Fifth Street, New York City. Upon completion of the renovation, families qualifying for public housing, were admitted to the apartments.

The family of five, and other families, are able to enjoy this improved housing through the supplements paid to make up the economic rent of the apartment. In the case of that particular family of five, the economic rent of the apartment is $104. The family pays $84 a month, and a supplement of $20 makes up the difference.

Here is a demonstration of how a beaten-down family can be restored to hope and decent living conditions.

Unless we are willing to adequately fund the rent supplement program now pending before Congress, we will not be hearing stories such as the one on the lower East Side in New York City.

The House Appropriations Committee has approved a modest $10 million to fund this important program. It has been cut to the bone. Frankly, I believe this amount is terribly inadequate to meet the need. We should be willing to vote the full $40 million requested.

Nevertheless, I encourage my colleagues to support the Appropriations Committee on the $10 million appropriation. This appropriation will, at minimum, provide a beginning toward our goal of decent housing for low-income Americans.

UNEVEN DISTRIBUTION OF MILITARY CARGO AMONG EASTERN PORTS

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] 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 Arkansas?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, as we all know, our military commitments across the globe are essential towards the assurance of a free world.

One of the most important aspects of our military commitments is the shipment of military cargo and, especially, the transportation of military cargo by sea. Thus the various seaports in our country play a vital role in support of our overseas commitments.

In the State of Rhode Island we have

one of the finest natural harbors in all the land from which overseas shipments can be expeditiously accomplished. The naval facilities at Davisville provide an exceptionally well-equipped and accessible port for the shipment of military cargo. During the Second World War and Korean conflict, Davisville gained an enviable reputation for its expeditious and exceptional handling of military cargo.

In view of the exceptional capabilities and reputation of Davisville, it was greatly disturbing to learn that this shipping facility is experiencing a substantial reduction in tonnage shipped to our overseas military bases while other ports on the east coast are filled to their brim with military cargo.

I have been told that only an estimated 75,000 measurement tons of cargo are expected to be shipped through Davisville as opposed to 300,000 measurement tons last year. This reduction, I say again, occurs at a time when other eastern ports are overflowing with military cargo, largely as a result of our activities in Vietnam.

I was told that this reduction of cargo in favor of other ports was essentially a result of the landing cost being a bit higher at Davisville. On the face of it, it costs the Government a little less to ship cargo through other ports—at the moment. What is not realized is that there are many considerations other than the lowest landing cost and that in the long run we may very well end up paying more because of our failure to adequately utilize a perfectly good port.

Because other ports post a lower handling cost, which may or may not result from municipal subsidy, a perfectly good port such as Davisville is allowed to remain practically idle. Its excellent consolidation facilities, well renowned ability to assemble and prepare cargo, vast storage facilities, and proven handling and processing capabilities are passed over in favor of ports that, while perhaps not possessing equal qualifications, nevertheless advertise a lower landing cost.

And while these other ports are choked with work, many longshoremen and other personnel at Davisville must face the likely prospect of joining the ranks of the unemployed. I wonder just how many negative reverberations this will have on the economy of Rhode Island?

Quite frankly, Mr. Speaker, I am tired of two-handed dealings by the Federal Government whereby so-called savings end up costing the Government a great deal of money. And this is precisely what will occur in this particular case if we permit it.

I am bringing this matter to the attention of my colleagues because I feel that a very apparent injustice does exist and that this case is indicative of many other areas whereby the shortsighted dealings of one Government agency may prove detrimental and very costly to other agencies and to the Government as a whole.

We should approach our problems with both eyes open and strive to find a solution that is good for the whole. In the matter of the shipment of military cargo, we should attempt to attain a more even distribution of goods that will not result in great governmental spendings in other areas. We should utilize all of our port facilities rather than allow a few to monopolize the available work.

A BRAVE CHAPLAIN SUPPORTS OUR PRESIDENT IN VIETNAM

Mr. PRYOR. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. CHARLES H. WILSON] 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 Arkansas?

There was no objection.

Mr. CHARLES H. WILSON. Mr. Speaker, in a recent article, the Los Angeles Times published a letter from Lt. Comdr. Christopher B. Young, who is a Navy chaplain in Vietnam.

I think it is interesting to note that Commander Young reiterates the findings of Dr. Howard A. Rusk, of the New York Times, that civilian casualties caused by American bombings are far less than propaganda would have it. President Johnson has, on more than one occasion, made it clear that our policy is to avoid acts that would lead to civilian casualties. In his speech to the Tennessee Legislature, the President said that every effort is being made to keep civilian casualties to a minimum.

Our Navy chaplain corroborates this policy. Commander Young writes:

> The innocent sufferers from our attacks are far fewer than the malicious, premeditated terrorist acts against the civilians—a practice relatively unknown by U.S. forces. I have seen them. This is not propaganda.

I believe that the chaplain's letter is important reading for my colleagues. I therefore insert it into the RECORD:

[From the Los Angeles Times, Apr. 22, 1967]

VIET CHAPLAIN WRITES—"ONLY . . . WHAT I SAW"

I am sending you a letter I received from a friend, Lt. Comdr. Christopher B. Young, who is a Navy chaplain in Vietnam. It is in answer to some questions posed to me by a priest of my acquaintance. I think it should be published.

CATHY E. RULE.

LOS ANGELES.

Because of its length, The Times is unable to publish Lt. Comdr. Young's letter in full. The following consists of excerpts.—Ed.

Sometimes at night there is not time to sleep because something or the other is happening. But all this is nothing compared to what the Marines are going through not far from where I am; to what the Vietnamese are going through and have been going through for ages.

As for your questions from Father X.—I could write pages and pages and pages of why we are here.

But anyway . . . why are we here?

I can only say what I saw this afternoon when I took off to go to lunch. By accident I came upon the civilian hospital which takes care of Vietnamese surgery cases. It is staffed in part by U.S. Public Health officials, doctors, nurses—as well as Vietnamese counterparts.

The hospital is not big, but it is packed to the rafters with patients and flies.

On one table in the treatment room lay a young girl about four or five. An overworked, harried U.S. civilian doctor, smock smeared with blood of many patients, was wiping his brow.

I looked down at the girl. She had, among others, been victim of a VC terrorist attack—one of those indiscriminate terror attacks, so meaningless and yet effective in hurting children as well as anybody who happened to be in the area. The girl's face was bloody. Her leg was badly hurt. There were welts from shrapnel all over her body. Her belly was blackened as though a truck had driven over her. She was all in one piece, but the piece was mauled—by those trying to "liberate" her from the Yankee imperialists.

She looked at me and managed a smile. It may not have been a smile, but the girl was still, not whimpering, just staring around.

I could not help but wonder what she was thinking. Her main occupation, when she was home, was helping in the fields, tending the few cattle they had, helping plant rice, playing games—like any farm kid in the states. Then her VC liberators came.

I read a recent issue of Ramparts magazine and felt rather surprised that the authors of the various articles on Vietnam could be so naive.

Many of our GI's aren't angels. They don't pretend to be. But I have it first hand that many a Marine casualty could have been avoided if the recon patrols or units had fired first and asked questions later; had blasted the village where the VC were holding the people hostage. Instead, they spare areas where simple people live and as a result get clobbered.

The innocent sufferers from our attacks are far fewer than the malicious, premeditated terrorist acts against the civilians—a practice relatively unknown by U.S. forces. I have seen them. This is not propaganda.

The VC may be everywhere, but they are not concerned with the so-called people of Vietnam or their health, welfare or freedom. I am not sure what they are concerned with.

But I know that the U.S. is concerned with more than just defeating the VC and North Vietnamese. We are concerned, as that character in the "Ugly American", the fellow who had the little hospital, with the people.

Nobody would be more happy to see us out of Vietnam than I would. But not too many people who have been here are particularly anxious to leave knowing what would fill the vacuum if we did go.

I would hate to think what would happen to the tens of thousands of refugees in the Da Nang area alone if the VC were to take over from us. There would be a pogrom—already demonstrated time and time again by past and present VC practices—to make pogroms of the past look penny ante by comparison.

Father X. says, "all Christians should be against this merciless killing." I don't know of a single military leader here who is for this merciless killing. I still cannot understand his attitude and the attitude of others in the States—the Berkeley Bunch. Have they no concept of what is actually happening.

They listen with almost reverent awe to the obvious propaganda blasts and murmurs from Red China and Moscow.

Have him write me or any Roman chaplain such as Father Seb who could write page after page as to why he is here. He spends his days with living, mutilated, and dying (and dead) Marines, an occasional VC, and loads of Vietnamese victims of war.

He hates "this merciless killing" and prays for it to end. But he knows, as does just about everybody who has really served here, what happens when we pull out of an area and the VC pull in.

One night I walked through the remains of a village which was rocketed by Russian made rockets.

I walked through the makeshift tents of the survivors of the holocaust which lasted only a few minutes, a few seconds, which ripped limbs and heads and intestines from

the bodies of men and women and children. I saw first hand the results of VC liberation tactics.

The Vietnamese central government is having troubles. It was born in trouble; it continues in trouble; it may have trouble for centuries to come. Time isn't so important to a people who have known nothing but war and privation and occupation for centuries. A young missionary with whom I had lunch recently said, "I am twenty nine years old. I haven't lived a day in peace in my life. My parents haven't known what peace is. I am not sure when I go to bed whether I will get up alive in the morning. But I am sure of one thing. I'm glad you are here. While you are here maybe our wounds will heal. Maybe we'll gain the strength in our bodies to go on. Maybe we'll gain insights and ideas to help us learn to govern ourselves like free people."

I am beat and tired and sick—I want peace; that young Marine wants peace; Father W. wants peace; you want peace. Everybody wants peace. All God's chillun' wants peace. Has there been a moment in civilization's history when there was peace?

Lock everybody away from everybody else and you'll have peace. Peace for whom? When two or more get together you have conflict. When two or more get together in God's name, you may find peace. But how long do we remain together in God's name?

I keep hearing in my mind the echo from those who say "an end to this senseless, merciless killing" that if the U.S.A. or her allies would get it, the Vietnamese would settle their own problems peaceably.

To them I say, let the police forces of the U.S.A. dissolve so that the people of America may become free to settle their disputes with lawbreakers peaceably.

To them I say, let the fire department of the U.S.A. dissolve so that people may be free to deal with fires as they see fit—not restricted by foam and hoses and ladders.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. 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. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader if there are any changes in the legislative program, or the schedule, for the remainder of this week.

Mr. ALBERT. Mr. Speaker, will the distinguished gentleman yield?

Mr. GERALD R. FORD. Mr. Speaker, I yield to the gentleman.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the minority leader, we should like to announce we are adding to the program for this week House Resolution 459, which authorizes the Speaker to appoint delegates to the International Labor Organization Conference, and H.R. 6431, Mental Health Amendments of 1967, which is under an open rule with 2 hours of debate.

Mr. GERALD R. FORD. Mr. Speaker, I thank the gentleman.

FLORIDA ANTICRIME INVESTIGATIONS REVEAL SHOCKING GROWTH OF ORGANIZED CRIME

The SPEAKER pro tempore (Mr. GONZALEZ). Under previous order of the House, the gentleman from Florida [Mr. CRAMER] is recognized for 30 minutes.

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

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

There was no objection.

Mr. CRAMER. Mr. Speaker, a number of independent events have taken place recently which, when taken together, dramatize on no uncertain terms the pressing need for enactment of legislation by this body to deal with the growing criminal octopus. These events are all significant in and of themselves. But when woven together, a case of immense proportions is developed which vividly reveals that the threat of organized, syndicated crime in America is increasing despite the enactment of a number of antiracketeering bills by the Congress in 1962. I sponsored a number of those bills. I believe them to be good laws and the Justice Department has advised my office that a substantial number of convictions have been secured as a result of them. I am referring specifically to the laws which tightened legislation on the transmission of gambling information and devices, making interstate travel in aid of syndicated criminal activities illegal, and the extension of the Fugitive Felon Act in 1961 to include syndicated crimes.

The fact that syndicated crime continues to flourish tells us that new and stronger laws are needed. And the recent events I refer to demonstrate that organized, syndicated crime continues to flourish.

To what events do I refer? The first event, Mr. Speaker, is the May 14 release of the National Crime Commission's Task Force Report on Organized Crime. In that task force report there is included a paper by Thomas C. Shelling, a Harvard professor, in which he recommends a joint congressional committee on organized crime. This recommendation, which is identical to a bill I have introduced, namely H.R. 6054, is proffered because of the realization by the National Crime Commission of the growing threat of organized crime. I welcome Professor Shelling's endorsement of my bill.

Event No. 2 is also an outgrowth of the National Crime Commission report released May 14. The report stated that the Cosa Nostra, or Mafia, "is so tightly knit that it has not been possible to infiltrate people in, and almost impossible to infiltrate informers out." This statement recognizes the need for legislation to permit the compelling of testimony and the granting of immunity in connection therewith. My bill, H.R. 6053, grants such immunity so that the underlings in these large criminal syndicates can be compelled to testify against the crimelords.

Event No. 3 is closely related to event No. 2. Today, I received notification that the Justice Department has advised the House Judiciary Committee of its support for the immunity of witness bill which I introduced and which I just discussed (H.R. 6053). It is interesting to read the comments of the Justice Department relative to their support of my bill. It states:

> The principal targets in virtually every attack on organized crime are the top leaders of the crime syndicates. However, owing to the layer-upon-layer hierarchial organization of the syndicates, the leading racketeers of the underworld are often able to direct vast criminal empires without openly engaging in anything illegal themselves, and without ever running directly afoul of the law. In recent years, our experience in prosecuting organized crime has indicated that virtually the only means of obtaining incriminating evidence against the underworld leaders is through the testimony of minor participants who have valuable knowledge of the syndicate's operations. The enactment of the proposed immunity legislation would enable government prosecutors to compel the testimony of underlings who prove to be reluctant witnesses without depriving them of the privilege against self-incrimination conferred by the Fifth Amendment.

Event No. 4 took place on May 10. On that date, the Director of Florida Gov. Claude Kirk's War on Crime, George Wackenhut, in testifying before the joint House-Senate Anticrime Committee of the Florida State Legislature, presented positive proof of the growing activities of organized crime. In discussing the extent of organized crime activities in Florida, Wackenhut said:

> The Governor's War on Crime investigators have definitely established that members of the crime cartels are in this state, right now, engaged in the nefarious activities of illegal gambling, "shylocking", bribery, extortion, strong arm activities and trafficking in narcotics. They are also engaged in labor racketeering, and have "muscled in" on the vending machine and garbage disposal businesses.

The report goes on to name names and addresses and, so far as Federal jurisdiction is concerned, shows very clearly the interstate aspects of the crime syndicates by pointing out that certain members of La Cosa Nostra only live and operate in Florida during the winter time.

Mr. Speaker, these events clearly reveal the need for congressional action. I was gratified to learn of the National Crime Commission's endorsement of my bill calling for the creation of a joint congressional committee on organized crime because I firmly believe this is a necessary first step to combat crime. If we can support a Joint Economic Committee to look after the economic health of the Nation, we should be both willing and eager to support a Joint Committee on Crime to look after the moral health of the Nation.

I am hopeful that serious consideration will also be given to enactment of my other anticrime bills aimed at routing out the multibillion dollar take of organized crime in America. In particular, I call for consideration of my bill, H.R. 6053, which would establish a National Institute of Law Enforcement within the Department of Justice and H.R. 6051 which prohibits the obstruction of Federal criminal investigations.

It is high time Congress clipped the tentacles of organized crime. The need for such action has been amply demonstrated.

At this point, I ask that the entire testimony of George Wackenhut before the House-Senate Anticrime Committee

of the Florida Legislature be placed in the RECORD; a report on his testimony as it appeared in the May 22 issue of U.S. News & World Report on the National Crime Commission's findings which appeared in the May 15 issue of the Washington Star, and the Attorney General's letter to Chairman CELLER in support of my bill granting immunity to certain witnesses.

The documents I refer to are as follows:

TESTIMONY BEFORE THE JOINT MEETING OF THE JUDICIARY B AND SENATE ANTICRIME COMMITTEES OF THE FLORIDA LEGISLATURE BY GEORGE R. WACKENHUT, DIRECTOR, GOVERNOR'S WAR ON CRIME, MAY 10, 1967

It is a privilege and an honor for me to appear before you distinguished legislators today.

Gentlemen, I am shocked and amazed—shocked at the extent of official corruption that exists in our state today and amazed that so little has been done for so many years to correct this deplorable state of affairs. And be not deluded concerning organized crime, it does exist within the State of Florida, in all of its heinous forms, make no mistake about that.

Let me hasten to add that my remarks today are in no way intended to be an indictment of all law enforcement, prosecutive, or other officials of this state, for to be sure, the vast majority of these individuals are honest and forthright servants of the people and most of them have cooperated fully with the Governor's War on Crime effort. However, despite the fact that my past experience has made me knowledgeable of such matters, I must admit that I have been appalled at what I have learned concerning organized crime and corruption since undertaking this War on Crime as the Governor's Director. Corrupt officials are operating from one end of this state to the other. What is even worse, these corrupt practices have existed over the years. On the other hand, the bulk of organized crime has centered its activities in the South Florida, Tampa Bay, and Central Florida areas.

There is no doubt that organized crime can exist and grow only where it has the umbrella of protection of corrupted local authorities. And as it grows, so grows its need to involve public officials at all levels of local and state government. As organized crime proceeds down the road of nullifying the functions of honest law enforcement, it is but a short step for the dishonest law officer, now in the evil clutches of greed and unable to turn back, to become personally involved with the criminal and to actually take part in, or provide protection for burglaries, robberies, and yes, even murder. Hence, we have completed the cycle, from organized crime through corruption, to "crime on the streets."

Governor Kirk astutely realized the impact of crime on the economy of this state, its future growth and the well being of its citizens. He resolved to take action! He was, however, at the outset of his administration, faced with two problems: (1) there was no agency with statewide authority to which he could turn to conduct the investigations for his War on Crime and (2) no state funds were immediately available to finance this war. The need was urgent, so the Governor was left with no other choice but the method he used. Any other choice would have involved considerable delay.

The people of the state immediately indicated their confidence in the Governor's War on Crime by responding with a flood of mail, telephone calls and reports in person. As of May 8, the Governor's War on Crime had received 933 letters and nearly as many telephone calls, some 30 per cent of which contained information of substance. As all law enforcement officials know, this represents an unusually high percentage.

Since I was directed by Governor Kirk to confine the War on Crime investigations to organized crime and the corruption that permits it to exist, we have referred 42 purely police matters to various local and state investigative and police agencies. Ninteen matters coming within the primary investigative jurisdiction of federal agencies have been referred to them.

While criticism, as reported by the news media, mounted, the public acceptance of the Governor's program grew steadily and the Governor's investigators were hard at work. We have opened 515 investigative cases, and 442 are still under active investigation. To date, the investigations of the Governor's War on Crime have been responsible for 26 arrests involving 23 persons on 71 separate criminal counts involving breaking and entering, attempted armed robbery, bribery, conspiracy to commit bribery, conversion of official funds, malfeasance, grand larceny, the sale and possession of narcotics, perjury, prostitution, the possession and sale of pornographic film and the illegal practice of medicine.

Included in the statistics just mentioned, it is noteworthy that H. T. "Red" Rainwater, described by the Miami Herald on Nov. 13, 1966, as ". . . virtually a legend in the South Florida numbers racket, (who) has been identified as a bagman for corrupt lawmen as far back as the Kefauver Committee hearing of 1950," was indicted for perjury by the Dade County Grand Jury on April 11, 1967, on information developed by the War on Crime investigators only three short months following the onset of this program.

Another example of the effectiveness of the Governor's investigators was the arrest of Kenneth Jay Rosmarin, also known as Kenny Ross, who for at least two years had been suspected of involvement in heavy narcotics traffic by agents of the State Board of Health. Despite their best efforts, these agents had not been able to penetrate the ring led by Ross. But the Governor's men, after only 10 weeks, managed to expose the operation. The State Narcotics Bureau and the Dade County Sheriff cooperated with the War on Crime investigators and made the actual arrests, netting six persons. Nineteen counts have been filed against the Ross gang, involving sale and possession of narcotics but breaking and entering, attempted armed robbery and the sale of pornographic film. The State Narcotics chief for the Miami area said that this was the biggest case to come to his attention during the last two years. The two men involved in the attempted armed robbery case were sentenced in Miami last Saturday to 30 years and 8 years, respectively.

A few weeks later the Governor's investigators broke another narcotics case—again with the State narcotics agents making the arrest. This case involved an individual charged with peddling morphine and marijuana to students at one of our large universities.

In another case, the Governor's investigators provided the breakthrough that brought Dade County Grand Jury indictments against a veteran Miami police detective and his brother, a private detective, on charges of soliciting bribes and protecting a suspected abortionist. The unlicensed physician was also charged by the Grand Jury.

The abortion racket probe by our men resulted in perjury indictments a few days later against a former nurse of the unlicensed physician and her husband, who had been questioned by the Grand Jury.

For those who would believe that little has been accomplished since the onset of the Governor's War on Crime, let us briefly examine only a few of the 442 matters currently under investigation, where information of substance has been obtained and where future prosecutive action is contemplated.

I shall not specifically identify these cases for to do so would be to endanger the progress of our investigations, nor will I discuss them further following this report until they have been presented to the appropriate prosecutive body. Permit me to be brutally frank and candid as I set forth these shockingly blatant examples:

Such as an official who is falsifying court records and pocketing bond forfeitures.

Such as a county official who is busily saving his friends tens of thousands of dollars in taxes by shaving the assessments of their properties.

Such as county employees who are profiteering from prison labor.

Such as two public officials who are in deadly competition with each other—competition to determine who is going to be king of the local bolita operations.

Such as officials converting to their own use, materials and supplies purchased with public funds.

Such as the official bigwig who solicited bribes from suspended licensees on the promise to get them reinstated.

Such as a judge who juggled the facts to clear a hoodlum goon.

Such as the policemen who nightly sit in parked cars outside a prostitute-ridden bar, go inside for a drink, and never make an arrest.

Such as a group of officials who attempted to destroy judicial process by bribery.

Such as agents of a state body accepting bribes to overlook violations of regulatory laws.

Such as an official who solicits bribes and kicks back a large portion to higher officials.

Such as a lawman who is Mr. Big in a county-wide bolita ring which is part of a national syndicate.

Such as a group of lawmen involved in bolita and illegal whisky production.

Such as lawmen who actually protect the local bolita monopoly from outside competition.

Such as an official who deprived mentally incompetent widow of a portion of her deceased husband's estate by forging records and confiscating the property for himself.

Such as law enforcers who confiscate prisoners' property illegally.

In addition to these examples of official corruption—payoffs, rakeoffs, and outright thefts, bribery, kickbacks, conspiracy and protection—there are even more disgusting aspects. I refer specifically to the stench of moral rot:

Such as youths who were forced to commit vile and unnatural sex acts while in custody.

Such as a group of nearly a dozen officials and their associates who engaged in a sex orgy with a woman threatened with criminal prosecution.

Such as officials who used persons in custody to pose for pornographic photographs.

Such as lawmen who regularly seduced high school girls.

Again, let me make it clear that these examples of corruption, both political and professional, as well as moral, are by no means the standards of the overwhelming number of public officials and law enforcers. But such corruption is indeed a deadly cancer, spreading insidiously and stealthfully throughout the body of society.

As previously set out in this report, organized crime in this state has centered its activity in the South Florida, Tampa Bay and Central Florida areas. Much has been said about the Mafia, La Cosa Nostra and the Mob, and *most* of the names I set forth below are well established as members of organized crime through testimony before U.S. Senate Committees and through various publications. Is it true that the information developed by these investigative committees is now ancient history? Is it true that these

men merely reside or vacation in Florida? No! It is not true! The Governor's War on Crime investigators have definitely established that members of the crime cartels are in this state, *right now*, engaged in the nefarious activities of illegal gambling, "shylocking," bribery, extortion, strong arm activities and trafficking in narcotics. They are also engaged in labor racketeering, and have "muscled in" on the vending machine and garbage disposal businesses.

It is well known among the families, groups and mob cartels outside Florida that this state is "open territory," with preferences given to the New York and Chicago organized crime elements.

Please understand that the names set forth are not intended to comprise a complete list of all members of organized crime but are only those with stature about whom we have developed information during the four months of our War on Crime investigation and only those who have been active in the State of Florida.

Members of the Vito Genovese Family of La Cosa Nostra living and *operating* in Florida include: Vincent Alo, also known as Jimmy Blue Eyes, 1248 Monroe Street, Hollywood; Anthony Salerno, also known as Fat Tony, 1041 N. Venetian Drive, Miami; Pasquale Michael Erra, also known as Patsy Erra, also known as Little Paddy, 3720 Chase Avenue, Miami Beach; George Smurra, also known as Georgie Blair, also known as Blah Blah, 1706 Dewey Street, Hollywood; Thomas Greco, also known as Tommy Palmer, Taromina Apartments, Hallandale (winters only); Gaetano Ricci, also known as Anthony Ricci, also known as Tony Gobels, 1332 Van Buren, Hollywood, and Joseph Paterra, also known as Joe Swede, also known as Joe Sweets, local address unknown to us.

Those we know to be members of the Genovese Family who are frequent visitors to the South Florida area and who *operate* while here include: Gerardo Catena, also known as Jerry Catena; Thomas Eboli, also known as Tommy Ryan; Michele Miranda, also known as Mike Miranda; Pasquale Eboli, also known as Patsy Ryan (brother of Thomas Eboli); Nicholas Belangi, also known as Bobby Blanche; Matthew Fortunato, also known as Matty Brown; John Gregory Ardito, also known as Buster Ardito; James Napoli; Joseph Lanza, also known as Socks Lanza, and Frank Serpico, also known as Farby.

A number of top level non-member associates of the Genovese Family are also active in the South Florida area. Many of these would likely be members of the Family but do not meet the nationality requirements.

Even though Alo has been well known as a ranking figure in the Genovese Family, recent information developed by us discloses that his power and prominence in the chain of command has steadily increased. While Alo spends most of his time away from his Hollywood home, our information indicates that Alo and Anthony Salerno are the top members of the Genovese Family in Florida. Alo is a close associate of Meyer Lansky (to be discussed later), and is known to have frequent business meetings with him on Miami Beach. George Smurra works under Alo.

We have learned that Fat Tony Salerno assumed the jurisdiction of "Trigger Mike" Coppola after Coppola's death. Salerno travels extensively between Miami, New York, Las Vegas and Los Angeles to maintain the control and direction of his operations.

Erra was a Coppola lieutenant before Coppola's death and is now Salerno's number one man. On January 7, 1966, Erra entered a plea of guilty to one count of an indictment for failure to file income tax returns for the years 1958 through 1962. He was sentenced to eight months and was fined $10,000. Since completing his sentence, Erra has been managing Dean Martin's Restaurant, 1850 79th Street Causeway, North Bay Village.

Information has been received that Erra has over a million dollars in "shylock" money "on the street" at the present time in South Florida and makes "shylock" loans as high as $50,000.

Further information describes Erra as "owning and having in his hip pocket" a high ranking police officer in the South Florida area and this information describes his brother, Mike Erra, of the Gambino Family (to be discussed later) as an enforcer for La Cosa Nostra.

Ricci, although reputed to be retired, still participates in gambling and "shylocking" and attends many conferences where decisions are made concerning the activities of the Genovese Family.

Catena, the titular head of the Genovese Family and a very active member of this organization is, according to the information received by us, outranked by Thomas Eboli. Our information indicates that Eboli is the controlling figure of the Genovese Family at this time and is in fact, the "Mr. Big" in organized crime today.

The Governor's investigators developed information to the effect that during the recent past, Ardito, Lanza and Serpico have been elevated to higher status within the Genovese Family. Serpico is now the trusted courier for this group. Michael Genovese formerly the courier, and Carmine Toto have withdrawn from active participation, but frequently visit the Miami area.

Members of the Carlo Gambino Family of La Cosa Nostra living and *operating* in Florida include: Thomas Altamura, also known as Thomas Melba, Harbor Tower Apartments, 7904 West Drive, North Bay Village; Joseph Anthony Indelicato, also known as Joe Scootch, Playboy Tobacco Shop, 8000 Biscayne Boulevard, Miami (business address), and Anthony Plate, also known as Tony Plate, local address unknown to us.

Joseph Paterno is a frequent visitor to the South Florida area and recent information received by us indicates that he has been promoted to a position of much higher authority in the chain of command of the Gambino Family in Florida and is one of the foremost members of La Cosa Nostra on Miami Beach.

Members of the Gaetano, also known as Tommy Brown, also known as Three Finger Brown Lucchese Family of La Cosa Nostra living and *operating* in Florida include: Ettore Coco, also known as Eddie Coco, local address unknown to us, and Joseph Silesi, also known as Joe Rivers, 1751 Washington Avenue, Miami Beach.

Those we know to be members of the Lucchese Family who are frequent visitors to South Florida and who *operate* while there include: James Plumeri, also known as Jimmy Doyle; Joseph Rosato, also known as Joe Palisades; Salvatore Lo Proto, also known as Sally; Frank Arra, also known as Nunzio; Anthony Ciccone, also known as Tony Moon, and Felice Falco, also known as Philly Black.

Coco, convicted of murder and now out of prison, has been active in the prize fight business, and recent information developed by us indicates that his position in the chain of command of the Lucchese Family has been considerably lowered.

Joseph Silesi is known to have been in the Miami area since 1955 and has the reputation of operating the largest floating gambling games in the South Florida Area.

James Plumeri is a union boss and, according to information recently developed by us, a close associate of Patsy Erra and John Angersola (about whom more will be mentioned in this report).

Anthony Ciccone is known to be associated with major narcotics suppliers dealing in kilogram lots in the New York City area.

Sam Giarusso, also known as Sam Russo who lives in Fort Lauderdale and Joseph Ziccarelli who visits South Florida every winter from New Jersey are both members of the Joseph Bonanno Family. Our information indicates that Ziccarelli is now an important member of the family. Bonanno, who was deposed, has been re-established as the head of this family.

Members of the Mafia Organization in the Detroit area living and *operating* in Florida include: Joseph Massei, also known as Joe Massey, 520 Lakeview Court, Miami Beach; John Angersola, also known as John King, 5885 Miller Road; William Tocco, also known as Black Bill, 2079 N.E. 121 Road, Miami (winters only), and Dominic P. Corrado, also known as Fats, 2060 N.E. 121 Road, Miami (winters only).

Anthony Giacalone, also known as Tony Jocks and Vito Giacalone, also known as Billy Jack of this organization, frequently visit South Florida and are *operational* while there.

Massei has resided in the South Florida area for many years and is the owner of the Miami Provision Company. He is well established as a "Big Man" in the Detroit organization and, although well up in years and in bad health, is called on frequently by other members of the hoodlum element. He is still a decision maker.

Angersola, although reported to be retired from the Detroit mob, is still being consulted and is making decisions. Much activity has been observed around his home recently and information developed by us indicates that Angersola is still a powerful man in the organization. He is considered to be a close associate of Patsy Erra and Santo Trafficante (about whom more will be said later in this report).

Tocco is one of the leaders of the Detroit mob and Corrado is involved in a wire service operation for furnishing information on sporting events.

Raymond Patriarca, also known as John D'Nabile; Genero J. Anguilo, also known as Jerry Angiulo; Ralph Lamattina, also known as Ching Chong, and Peter J. Limone all of the Boston organization, are frequent visitors to the South Florida Area.

Antonio Magaddino; James La Duca; Fredrico Randaccio, also known as Fred Lupo; Pascal Natarelli, and Daniel Sansanese all of the Buffalo organization have been visitors to South Florida.

According to our information, seldom does any member of organized crime travel anywhere just as a visitor; business is transacted as usual.

Although our investigations have not yet developed information concerning active operations in Florida by members of the Chicago-Italian Organization, the following members have been observed in Miami on many occasions: John Cerone; Louis Rosanova; Charles English; Leonard Gianola, also known as Needles, and Felix Anthony Alderisio, also known as Milwaukee Phil.

Cerone and Alderisio, according to information received by us, have been elevated to higher status within the Chicago-Italian Organization while Sam Mooney Giancana; Anthony Accardo, and Felice De Lucia, also known as Paul the Waiter Ricca have stepped aside as far as active leadership of that organization is concerned.

David Yaras, also known as David Yarras and David Yaris, 4410 Adams Street, Miami Beach, although not a member of the group, represents the Chicago-Italian Organization in their dealings, and is active on their behalf, on Miami Beach and in the Miami area.

It was interesting to us when our investigation revealed that a meeting was held in the south Dade County area by members of the Chicago mob. At one location we found John Cerone, Louis Rosanova and Leonard Gianola all registered during the same period of time last October.

Angelo Bruno, boss of the Cosa Nostra in the Philadelphia area is a frequent visitor to

Miami and while there, resides at the home of Charles Costello, 12468 North Bayshore Drive, Miami. Bruno was confronted and questioned by intelligence agents of the Dade County Sheriff's Office upon his arrival in Miami by plane a few months ago.

Our investigations to date have failed to reveal any evidence of recent visits to Florida by members of the Joseph Colombo Family, formerly known as the Giuseppe Magliocca Family and prior to that, known as the Giuseppe Profaci Family.

Representing the Western Pennsylvania area, primarily Pittsburgh, are the Mannerino brothers, Gabriel, also known as Kelly and Sam. Recent information developed by us indicates that the Mannerinos are associated with and under the jurisdiction of the Genovese Family.

Santo Trafficante, also known as Louis Santos, also known as J. Gonzalez, recognized as the Florida representative of the Cosa Nostra controls the bolita and Cuban lottery rackets throughout Florida and has been reported as one of the largest importers of South American cocaine in the country. Although Trafficante originally master-minded his vast operations from Tampa and still visits Tampa at frequent intervals, he is now headquartered and residing in Miami at 523 N.E. 71 Street.

Sam Cacciatore Trafficante, also known as Toto, who is in charge, together with Frank Diecidue, Angelo Bedami and Augustine Primo Lazzara are all top lieutenants in the Trafficante organization operating out of the Tampa Bay area. These lieutenants control at least a dozen more Mafia members of this organization known to us. Diecidue was arrested on gambling charges recently.

Samuel Cacciatore, another lieutenant in the Trafficante organization is in charge of all activities operating out of the Orlando area. From his base in Orlando, he directs the Harlan Blackburn organization which extends throughout central Florida and most points north and east. Working for Blackburn and operating in the Brevard, Orange and Seminole county areas are at least ten lesser representatives of this organization that have come to our attention.

Ralph Strawder coordinates activities between the Blackburn unit and the bolita organization in Georgia.

Trafficante attended a Cosa Nostra meeting in New York last September 22, and during the course of that meeting was allegedly awarded the New Orleans territory of Carlos Marcellos, the leader there. Trafficante testified before the Borough of Queens, New York Grand Jury on May 3 and before a Manhattan Grand Jury on May 4 last as a result of this meeting.

On February 4, 1967 Trafficante was arrested at the Miami International Airport by intelligence agents of the Dade County Sheriff's Office as he was returning from a meeting with Marcellos in New Orleans under the name of J. Gonzalez. Very recent information received by us would indicate that Trafficante's prestige has suffered throughout La Cosa Nostra because of his intemperate, profane and violent outburst when confronted by these officers.

Further information reveals that James Policheri, also known as Jimmy the Monk Allegretti of the Chicago mob was the last "button," or soldier in the crime army, to be selected by the Cosa Nostra. This clearly indicates that selection of members to all of the organized crime cartels has been halted since sometime prior to 1964, apparently for fear of penetration.

On March 17, 1967, John Biello, also known as John Biele, formerly of 9650 North Bayshore Drive, Miami, was murdered on Miami Beach, in typical gangland style. Biello had been identified at one time as being a member of the Vito Genovese Family, however, he had switched families prior to his death. At the time of his death he was a member of the Raymond Patriarca Family, also known as the Boston Organization. Biello was a "shylock" and information has been received that he was killed because he was "muscling in" on another's territory.

On March 20, 1967, a hoodlum, John Locke, was murdered in Revere, Mass. It is not known if there is a connection between the two murders, but it is reported that Biello has a daughter that resides in Revere.

Maier Suchowljansky, better known as Meyer Lansky, 612 Hibiscus Lane, Hallandale, is reported to be the head of the Eastern Gambling Syndicate and possibly the biggest man in gambling throughout this country today.

Lansky recently spent several weeks in Detroit, Michigan, and appeared as a witness before the grand jury in that city. He makes his business headquarters on Miami Beach, where he can be reached only through his brother, Jake.

Yiddy Bloom and Isadore Blumenfeld, both of 4925 Collins Avenue, Miami Beach, are brothers and members of the Minneapolis Syndicate. They are closely associated with Lansky and have invested heavily in Miami Beach real estate.

Mo Dalitz, Morris Kleinman and Sam Tucker of the Cleveland Syndicate are also close associates of Lansky.

If anyone, after learning of the facts above enumerated, can fairly and unbiasedly contend that the Governor's investigative squad have in the short space of four months accomplished little or nothing, I would have to state it is my considered opinion that the citizens of this state would violently disagree with them.

We have been accused of possessing unbridled power, and it has been said that our operation lacks the necessary controls and safeguards against abuse. I ask you in all candor, what power? What controls and safeguards against abuse are lacking? Those connected with the War on Crime possess no power of arrest, no authority to carry firearms, no power of search and seizure, no power to issue subpoenas, no authority to administer oaths and no authority to grant immunity to witnesses. We are not only subject to the direction and control of the highest elected official, but also subject to all civil and criminal laws of this state to an even greater extent than the regularly constituted law enforcement officers and agencies. Information we develop can go nowhere, if action is to be taken, other than to the duly established law enforcement and prosecutive agencies and officials.

It should also be noted that our investigators were forced to work under extreme handicaps imposed by certain irresponsible officials in this state who, for one reason or another, known only to themselves, threw roadblock after roadblock in the path of our investigative progress. Let it also be noted, and as any law enforcement officer can testify, a period of four months is an extremely short one to complete even one major investigative case, but when it is considered that the Governer's squad has been organized and operating only since January 3, has successfully concluded a number of investigative matters, and is successfully coping with the floodtide of information with which a confident public has entrusted us, the results are even more amazing.

These accomplishments have only been possible through the dedicated efforts of a highly experienced and qualified investigative force. Of the 38 men engaged in this effort, 28 are former agents of the FBI, many of whom held positions of authority while with the Bureau, including an Inspector in Charge, Inspectors, Section Chiefs, Special Agents in Charge, Assistant Special Agents in Charge, Seat of Government Supervisors and Field Supervisors. A number of the 28 served as Special Agents assigned to the organized crime squads in their respective field offices. In my opinion, this group of men constitutes one of the finest investigative teams ever assembled in this country, outside of the Federal Government.

Just imagine what could be accomplished in this state by an experienced and qualified investigative force that received the proper cooperation and assistance without obstructive roadblocks and unfounded and destructive criticism.

What is the answer to the extensive corruption that exists throughout this state and the organized crime that it permits and promotes? In the words of J. Edgar Hoover, Director of the Federal Bureau of Investigation, in his message to all law enforcement officials on February 1, 1962: "We dare not face corruption with timidity, it takes faith and courage to stand firm in times of adversity. With crime rates spiraling daily, law enforcement cannot be hampered by criminality within its own ranks."

This legislature must put on notice all those that would illegally profit through their official positions, that the citizens of this state will no longer tolerate these corrupt practices. The first order of business must be the eradication of official corruption. This is a necessary prelude to the curtailment or, in the ultimate, the elimination of organized crime.

I have long been an advocate of placing the basic responsibility for the enforcement of the criminal laws of this state in the local law enforcement agencies and, for this reason, have consistently favored the autonomy of our various counties in the handling of their local problems. If corruption exists on the local level and if the local citizen has a grievance for which he has received no satisfaction from the local authorities, he has been able to present such matters to a group of his peers through the grand jury system. The grand jury system throughout this state has thereby served as a safety valve for its citizens.

This system breaks down however, when the State Attorney who guides and directs the grand jury is, himself, a weak, corrupt or incompetent official. Through his control he can improperly present or fail to present matters that should be considered by the grand jury. He can also corruptly, ineptly or improperly grant immunity to those who should be prosecuted, and he can subvert the ends of justice by taking advantage of the legal veil of secrecy which protects both jurors and witnesses before grand juries.

Given these circumstances, and until the establishment of the Governor's War on Crime, the aggrieved citizen had no one to whom he could turn.

In the words of the "Report by the President's Commission on Law Enforcement and Administration of Justice": "What can the public do if no one investigates the investigators and the political figures are neutralized by their alliance with organized crime? Anyone reporting corrupt activities may merely tell his story to the corrupted . . ."

I therefore, propose and recommend that any legislation enacted by the Florida Legislature embrace two fundamental concepts:

1. That the basic responsibility for the enforcement of laws of the State of Florida be retained by the local enforcement and prosecutive agencies.

2. That a need exists for a statewide investigative group vested with the necessary authority to attack official corruption wherever it exists and to investigate the organized crime that is permitted and promoted by this corruption.

The need for this investigative group is immediate and urgent despite whatever legislation may be considered on a long range basis.

The immediate solution can, in my opinion, best take the form of a Board of Inquiry comprised of a few individuals appointed by and responsible to the Governor,

the Chief Magistrate of this state. The members of the Board must possess unimpeachable character and integrity, and be empowered to hold public and private hearings, to subpoena witnesses and records, to administer oaths, to grant immunity to witnesses and to secure the necessary investigative force and personnel to implement their operation.

The long range need can best be met by the State Department of Criminal Justice as proposed by the Governor. The one is not in conflict with the other, but rather they are complementary.

In conclusion, one fact emerges above all others—corruption in this state must be eradicated before any systems of law enforcement will bring productive results.

The stamping out of crime and corruption will not be easy. It will take time and money but the job must be continued until we have a victory in this War on Crime. We will win the war if the problem is attacked with resolution, with patience, and with cooperation among all of those who believe that the rights of the people must prevail over the sinister forces of evil represented by the criminal and the corrupt official.

[From U.S. News & World Report, May 22, 1967]

WHEN A STATE OPENS ITS OWN WAR ON CRIME

(NOTE.—There is more to Florida's anticrime crusade than just a furor over a Governor's "private police." Investigators hired by the Governor are beginning to get results. Indictments have been made, and they may be only a starter. Now the legislature is working toward modernizing State laws. A whole new system for crime prevention is taking shape.)

TALLAHASSEE.—The new Republican Governor of Florida has hit his crime-ridden State with shock treatment by hiring private investigators to clean it up.

Reaction against the "outsiders" has been sharp.

There have been charges of "Gestapo" and "private police"—and claims that Florida is being turned into a "police state." But now Claude R. Kirk, Jr., first Republican Governor in 94 years, seems to be getting what he wants from shock treatment.

The Governor is making it popular to fight crime, by creating the issue of how to do it.

As a result, for the first time the State senate has set up its own anticrime committee. County sheriffs have made the first move toward giving up some of their broad powers to the State.

And Democratic legislators are introducing the Republican Governor's bill to create a State police force, which Florida never has had.

In addition, during the first four months of the "Governor's war on crime," 23 public officials and others have been indicted.

Among those indicated so far are: a county school superintendent, a sheriff, a police detective, and suspected dope peddlers, abortionists, gamblers, embezzlers and armed robbers.

The director of the "war on crime," George R. Wackenhut, says these cases are only the beginning—"the visible top of the iceberg."

The director is a former FBI man who heads the nation's third-largest private detective and security agency.

On May 10, Mr. Wackenhut told two legislative committees that far more serious cases are now being prepared for prosecution.

In four months, he testified, the "Governor's investigators," hired and directed by Mr. Wackenhut, have uncovered evidence that shows the "corrupt officials are operating from one end of this State to the other."

Many of these officials, he said, are in league with organized crime.

Mr. Wackenhut's testimony was reminiscent of the Kefauver crime hearings of the 1950s. He said at least 70 leaders of organized crime are operating in Florida full or part time—and named them.

These leaders, he said, were members of crime syndicates of Detroit, Buffalo, Chicago, Philadelphia, Boston, Minneapolis and Pittsburgh, or top men in the Cosa Nostra "families" of Vito Genovese, Carlo Gambino, Gaetano Lucchese and Frank La Bruzzo.

Mr. Wackenhut linked the Florida operations of organized crime to official corruption: "There is no doubt that organized crime can exist and grow only where it has the umbrella of protection of corrupted local authorities."

CASES FOR THE COURTS

To illustrate this point, Mr. Wackenhut listed the following examples, which he described as cases that are about ready for legal action:

"An official who is falsifying court records and pocketing bond forfeitures."

"County employees who are profiteering from prison labor."

"A county official who is busily saving his friends tens of thousands of dollars in taxes by shaving the assessments of their properties."

"Two public officials who are in deadly competition with each other—competition to determine who is going to be king of the local *bolita* [numbers] operations."

"Officials converting, to their own use, materials and supplies purchased with public funds."

"A judge who juggled the facts to clear a hoodlum goon."

"The policemen who nightly sit in parked cars outside a prostitute-ridden bar, go inside for a drink—and never make an arrest."

"The official who solicited bribes from suspended licensees on the promise to get them reinstated."

"A group of officials who attempted to destroy judicial process by bribery."

"Agents of a State body accepting bribes to overlook violations of regulatory laws."

"An official who solicits bribes and kicks back a large portion to higher officials."

"A lawman who is Mr. Big in a countywide *bolita* ring which is part of a national syndicate."

"A group of lawmen involved in *bolita* and illegal whisky production."

"Lawmen who actually protect the local *bolita* monopoly from outside competition."

However, Mr. Wackenhut continued, "even more disgusting" cases have been uncovered. He cited these examples:

"Youth who were forced to commit vile and unnatural sex acts while in custody."

"A group of nearly a dozen officials and their associates who engaged in a sex orgy with a woman threatened with criminal prosecution."

"Officials who used persons in custody to pose for pornographic photographs."

"Lawmen who regularly seduced high-school girls."

Both Mr. Wackenhut and Governor Kirk insist that official corruption, organized crime and "crime on the streets" are part of the same problem.

To illustrate, the Governor draws a circle on a blank sheet on the chartboard in his office and says:

"Corruption makes it possible for organized crime to operate.

"Organized crime feeds on 'crime on the streets'—the dope peddlers, prostitutes, *Bolita* operators, even armed robbers. To complete the circle, organized crime provides much of the money that keeps corruption going."

THE "WAR" BEGINS

Governor Kirk plunged into his "war on crime" on the day he took office, January 3.

In his inaugural address, he announced that Mr. Wackenhut was to direct the "war," and called for private contributions to pay for it.

The controversy began immediately. The Governor's opponents expressed fears—as they still do—that the Republican who moved into the Governor's chair would use his investigators against the Democrats who hold most State and local offices.

There were complaints that, since the Governor was not using State funds to pay his investigators, the State government would have no control over them.

But gradually, after the Governor presented a bill to set up a State police authority that would employ his "private investigators," the fears and the controversy began to die down.

"NO ALTERNATIVE"

For example, State Senator Robert Shevin, from Miami, a Democrat who introduced the Governor's crime bills, says this:

"I disapproved of the Governor's approach, appointing Wackenhut and private investigators.

"But I realize the Governor had no alternative. He had no appropriated funds to hire investigators. He had no authority to set up a state crime commission. He did have the right, as Governor, to appoint investigators.

"The very positive thing he did was to call attention to the size of the problem and the need for action.

"I doubt that this legislature could have gotten off the ground on this anticrime program if the Governor had not focused attention on the problem in this way."

Senator Shevin was working on the crime problem even before the Governor was elected last year. In the summer of 1966, Mr. Shevin spent three weeks in New York, studying the crime commission there.

State law enforcement in Florida is outmoded, Mr. Shevin insists. Policing authority is split among a number of agencies.

The State highway patrol is limited for example, to enforcing traffic laws. The Sheriffs' Bureau in Tallahassee, financed by State funds, has investigators—but they can enter a county only at the invitation of that county's sheriff.

The bureau maintains the State's criminal files—but has no computers and not enough people to keep the office open nights and week-ends.

Senator Shevin says: "The State never has been in the law-enforcement business—and local law enforcement has proven inadequate for the task."

The Governor's bills to turn the Sheriffs' Bureau into the Florida Intelligence Bureau, with computers, more investigators, more powers to investigate, have been introduced by Mr. Shevin.

"HEALTHY" CHANGES

A senior Democratic State Senator, John E. Matthews, Jr., of Jacksonville, sums up the situation by saying:

"You make a political issue and you get action. And that's good. The *status quo* is going to be changed—and that's healthy.

"Florida law enforcement will be improved."

To most observers, the shock treatment that is being given Democratic Florida by its Republican Governor seems to work.

[From the Washington Star, May 15, 1967]

APATHY CITED IN CRIME GROWTH

(By Ronald Sarro)

Organized crime flourishes in the United States because of public apathy about it, the chairman of the National Crime Commission said yesterday.

Undersecretary of State Nicholas Katzenbach, commission chairman, said the apathy results in lack of effective state and local campaigns to eliminate organized crime.

In a statement accompanying release of a commission "task force report" on organized crime, Katzenbach said:

"As long as the American people accept or-

ganized crime and its products as inevitable and, in some instances, desirable, state and local law enforcement will fail to show the forcefulness and determination which is needed to curb organized crime.

"No federal effort, no matter how vigorous, can fill the gap of apathetic local and state law enforcement," Katzenbach said.

The task force report is the third of nine to be released by the commission as followups to its main report, made public in February.

Actually, the latest report is a reprint of the organized crime chapter of the main commission report, with the addition of footnotes and papers by four consultants.

A majority of the crime commission urged the enactment of legislation "granting carefully circumscribed authority for electronic surveillance to law enforcement officers," for use against organized crime.

It said "the availability of such specific authority would significantly reduce the incentive for, and the incidence of, improper electronic surveillance."

President Johnson has called for a ban on all public and private wiretapping and electronic eavesdropping, except in national security matters.

G. Robert Blakey, professor of law at Notre Dame University, supported electronic surveillance by law enforcement in the task force report.

He recomemnded carefully controlled, court-ordered wiretapping and electronic "bugging," obtained in the same manner as search warrants.

Electronic surveillance is needed, he said, "to develop strategic intelligence concerning organized crime, to set up specific investigations to develop witnesses, to corroborate their testimony, or to put together electronic substitutes for them."

Donald R. Cressey, sociologist of the University of California at Santa Barbara, said in another consultant's paper that "rulers of crime syndicates are beginning to drive legitimate businessmen, labor leaders and other supporters of the ideology of free enterprise to the wall."

He said that perhaps a "new wave of violence" can be expected in organized crime as a result of an "increasing need for workers with the kind of business skills only legitimate business can provide.

"We expect that within the next decade the disrespectable citizens who are the underlings of organized crime will demand, from the unofficial governments that rule them, their opportunities to achieve.

"We can expect them to grow tired of a system which denies opportunities to low status personnel, even if everyone in the system is relatively rich."

The report also contained a paper by John A. Gardiner and David J. Olson of the University of Wisconsin which is a profile on corruption in a city they call "Wincanton," believed to be Reading, Pa.

Thomas C. Schelling, economics professor at Harvard University, did a paper on the economics of organized crime.

The report contained a number of specific recommendations for attacking organized crime. It called for creation of special grand juries to investigate organized crime, tougher jail terms for organized criminals, and creation of a permanent joint congressional committee on organized crime.

Emphasizing the power of organized crime and its infiltration into legitimate business, the commission report said "all available data indicate that organized crime flourishes only when it has corrupted local officials."

Commission executive director James Vorenberg said at a briefing on the report that the organization known as the Cosa Nostra, or Mafia, "is so tightly knit that it has not been possible to infiltrate people in, and almost impossible to infiltrate informers out."

Mr. Speaker, let me also briefly comment on the remarks made by my distinguished colleague earlier in the day, the gentleman from Virginia [Mr. POFF], who is chairman of the Republican Task Force on Crime. In those remarks he referred to the crime control gap, suggesting that there are a number of bills that have been introduced on which no action has been taken, and which apparently are getting little support from the executive branch of the Government and which were not requested by the President.

I think some of the bills that I have discussed also come within that category. I think it is time Congress got down to the business of legislating in this field, and I think the evidence submitted in the State of Florida as to what they are doing there about the activities of organized crime is some of the best evidence of the need for legislation.

There has been a great deal of discussion with regard to the crime fight in the State of Florida, but I will say this: It is getting results. It has gotten some 20 indictments.

It has gotten numerous convictions. It has alerted the State of Florida and I hope, the Nation, to the fact that State as well as Federal activities are essential if this battle against crime is to be won and the basic moral fiber of the Nation is to be preserved.

The State of Florida, pursuant to public demand generated by big crime, is working on the enactment of the most effective, far-reaching anticrime laws of any State in the Nation.

Therefore, I say the results are good. I say let us do equally well in Washington.

LOWERING THE VOTING AGE FOR AMERICANS

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

THE RIGHT TO VOTE AT 19

Mr. WOLFF. Mr. Speaker, I have introduced into the House of Representatives a joint resolution calling for an amendment to the Constitution of the United States to provide that the right to vote shall not be denied to persons who are 19 years of age or older. I have introduced this resolution because youths of this age are not only qualified to participate in the American political processes, but also they are called upon to bear the burdens of public life. Today there is an inconsistency between the age that a man or woman assumes social and political obligations and the age that they are granted full political rights. They are not barred from paying taxes because they have not reached the age of 21. They pay taxes because they earn an income. They are not immune from the operations of the laws. They are answerable to the laws because they are assumed to know what is right and what is wrong. They are not excluded from service in the Armed Forces. They serve because they have the intelligence, the stamina, the alertness, the maturity, and the courage to be a part of an army which risks its life to protect this country from an enemy.

The idea which I propose is not new. It is unfortunate that it takes a foreign conflict to bring it into issue. It has been brought before the Congress when we were at war at other times. But it has never been acted upon.

In 1942, when we had sent our young men to other parts of the world, four measures were introduced in the Senate which would have lowered the voting age of citizens to 18. In 1954, when our men had been sent to another front, a resolution to allow 18-year-olds to vote was debated and defeated in the Senate. In the present Congress 41 separate proposals have been introduced in the House for lowering the voting age to 18.

It is because the youth in recent years have been in the forefront of change, have advanced intelligent views on the issues of the day, and have shown their aptitude for decisionmaking, that the arbitrariness of the age limit adhered to in most States appears more glaring and intolerable. It is something of a meaningless tradition that a man reaches maturity at 21. It had its roots in the Middle Ages, when serfs could till their land and the men of higher station could become knights when they attained that age. It became a part of common law.

When a man comes to vote is not prescribed by the U.S. Constitution. It was left to the States. The age of 21 does not prevail in all of the States as the requisite age for voting. During World War II, Georgia lowered its voting age to 18. Just after the Korean war, Kentucky lowered its voting age to 18. In 1958, the Congress ratified the proposed constitution of Alaska which provided that persons 19 years old and older could vote. And in 1959, Hawaii enacted legislation allowing those 20 years old and older the right to vote. When the laws of other States were adopted, there were not the compulsions upon the youth that there are today.

There are few principles that lend themselves to uniformity as do the attributes of citizenship of a nation. Why should you not be allowed to vote in, say, New York, while you would be allowed to vote if you were a resident of Kentucky? To the youth it may mean no more than the fact that their maturity is recognized in some States but not in others.

Often there is an inclination to adhere complacently to arbitrary principles while the whole world explodes about us. Arbitrary principles do not often relate to realities. What was relevant to medieval times is not necessarily relevant to our times. I believe that we should look at realities. The age one is given a vote is a matter which we should deal with now if for no other reason than it is one of the issues of the day. Youth are coming to be solidified into a class of their own with their own sense of grievance. They are beginning to sense their power, but all the channels for expressing that power are sterile or blocked. One reason for giving them a voice in the affairs of the Nation now is that they want it now—and want it badly.

Throughout the country there are

marches of protest, demonstrations, pickets, boycotts. And these protests and demonstrations are manned by the young people. In their hands they hold placards containing messages written in bold letters. In those messages we may read their policy. When they take issue with a cause, they awaken a response which reverberates again and again throughout the country. There is a message I know which they wish to impart to us now; that they ought to be a part of the decisionmaking process since they already have a place in public life.

The record of youth is clear. In 1965 in a restaurant in Charlotte, N.C., a group of youths undertook a problem which all the wisdom which comes with age could not solve. As a result of their actions, a large group of our citizens obtained rights granted by the Constitution. The fact that they did is a monument to the young students who started these efforts, and who would not give up until they had won. They had become impatient with our way of solving our problems. Their methods were pragmatic and simple, neither weighted down with complacency nor inhibited by that caution which develops when one sees too many problems involved in any action.

In those States in which students have been allowed to vote, the youth have shown themselves anxious to take up that political responsibility. For instance, in Kentucky 6 years after the youth had been allowed the vote, 85 percent of the 18- to 21-year-olds had registered to vote, a percentage approximately equal with the statewide registration figure. In 1960, 80 percent of the 18- to 21-year-olds actually voted in the general election, compared with 59 percent of all other voters.

Our experience with other groups who wanted their voting rights should be our guide. Suffrage to Negroes was originally denied because not much was known about them as human beings early in our history. When it was realized that Negroes were carved from the stuff of which we all are made, they were granted the right to vote. Suffrage was denied to women. But finally they were granted the right to vote because they had shown themselves to be equal with men in so many other ways that granting them the right to vote was but the final political recognition of an equality which they had already achieved.

Earlier this month, the National Advisory Commission on Selective Service recommended to President Johnson that the call to the armed services should be placed at 19. Something should be done to assure that youth 19 and 20, now numbering 7 million persons, are also given the right to vote. This would be in line with the responsibilities they are asked to bear.

Recently I talked with Vice President HUBERT HUMPHREY about House Joint Resolution 479, my bill to lower the voting age to 19, and the Vice President fully endorsed the measure with the following statement:

I do feel that a resolution like this is long overdue. Our young people that bear such heavy burdens today surely deserve this kind of recognition and I think it will be a healthy thing for the political ferment of our country, for the whole political fabric in fact, of our country.

A person 19 years old usually has the responsibilities of a full-grown man. He is usually doing the work which can be performed by a mature man. He is often married and has the full responsibilities of family life. He is of college age, and is often well advanced in the college. He is more liable to be drafted into the Armed Forces in time of war than any other age group.

As a part of the community, he has to pay for the decision of the legislature equal with the other adults in the community. But even more. For of all the obligations of society, none is more serious than service in the Armed Forces in time of war. To be uprooted from one's life, family, friends is costly enough. To die in an unfamiliar land is ultimate. No other sector of our society is asked to give so much. A young man's death signifies a brief and uncompleted story. To go prepared to die, to find a duty so far from homes and friends, so far from anything they have come to know and love; to die on the battlefield amid the cries of others—this is the greatest sacrifice which can be asked of any man. Since they must bear such a heavy burden as the result of a decision of their Government, they ought to have a role in making of that decision, equal with the rest of the citizens.

The fundamental principle which should guide us should be experience. I do not believe we should look to arbitrary rules whose practical consequences are difficult to calculate, but to the facts of our political life. I believe that any rule that is sacrosanct is the result of our experience, the result of trial and error, of a great many small improvements, of piecemeal adjustments.

The youth in this country want a right to vote. They want a voice in the matters at stake. It is up to our generation to hear this plea—to look upon those placards and read the message which they are trying to impart. This is their cause; and their cause is just. I have therefore proposed that we affirm our faith in our youth by constitutional amendment. I ask your support.

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. CRAMER, for 30 minutes, today.

(The following Members (at the request of Mr. HARRISON) to revise and extend their remarks and to include extraneous matter:)

Mr. BRAY, for 30 minutes, on May 17, 1967.

Mr. HUNT, for 10 minutes, on May 22, 1967.

Mr. THOMPSON of Georgia, for 10 minutes, on May 23, 1967.

(The following Members (at the request of Mr. PRYOR) to revise and extend their remarks and include extraneous matter:)

Mr. WOLFF, for 20 minutes, May 16.

Mr. EDMONDSON, for 30 minutes, May 17.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. BROOKS in two instances and in one instance to include a speech.

Mr. BOLAND to revise and extend his remarks to be made by him today in Committee of the Whole and to include certain extraneous matter and a table.

Mr. TENZER.

Mr. CRAMER during general debate on H.R. 9960 and to include extraneous material and correspondence to which reference was made by him during general debate.

(The following Member (at the request of Mr. HARRISON) and to include extraneous matter:)

Mr. MIZE.

(The following Members (at the request of Mr. WOLFF) and to include extraneous matter:)

Mr. BRASCO.

Mr. EILBERG.

Mr. DOWNING.

Mr. VANIK.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 10. An act to authorize and direct the Secretary of the Treasury to cause the vessel *Ocean Delight*, owned by Saul Zwecker, of Port Clyde, Maine, to be documented as a vessel of the United States with coastwise privileges; to the Committee on Merchant Marine and Fisheries.

S. 111. An act to authorize and direct the Secretary of the Treasury to cause the vessel *Eugenie II*, owned by J. C. Strout, of Milbridge, Maine, to be documented as a vessel of the United States with full coastwise privileges; to the Committee on Merchant Marine and Fisheries.

S. 690. An act to authorize and direct the Secretary of the Treasury to cause the vessel *Draggin' Lady*, owned by George W. Stevenson of Rockport, Maine, to be documented as a vessel of the United States with coastwise privileges; to the Committee on Merchant Marine and Fisheries.

S. 1031. An act to amend further the Peace Corps Act (75 Stat. 612), as amended; to the Committee on Foreign Affairs.

S. 1093. An act to authorize the use of the vessel *Annie B.* in the coastwise trade; to the Committee on Merchant Marine and Fisheries.

S. 1494. An act to authorize and direct the Secretary of Transportation to cause the vessel *Cap'n Frank*, owned by Ernest R. Darling of South Portland, Maine, to be documented as a vessel of the United States with full coastwise privileges; to the Committee on Merchant Marine and Fisheries.

S. 1762. An act to amend section 810 of the Housing Act of 1964 to extend for 3 years the fellowship program authorized by such section; to the Committee on Banking and Currency.

ADJOURNMENT

Mr. WOLFF. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 51 minutes p.m.), the House adjourned until tomorrow, Wednesday, May 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:

753. A letter from the Assistant Secretary of Defense, transmitting a report pursuant to the provisions of section 511(b) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

754. A letter from the Comptroller General of the United States, transmitting a report of U.S. construction activities in the Republic of Vietnam, 1965–1966; to the Committee on Government Operations.

755. A letter from the Acting Archivist of the United States, transmitting a report on records proposed for disposal, pursuant to the provisions of 63 Stat. 377; to the Committee on House Administration.

756. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved, according certain beneficiaries third preference and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PATMAN: Committee on Banking and Currency. H.R. 7476. A bill to authorize adjustments in the amount of outstanding silver certificates, and for other purposes; with amendment (Rept. No. 261). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. H.R. 9682. A bill to amend section 22(g) of the Federal Reserve Act relating to loans to executive officers by member banks of the Federal Reserve System, and to amend the Federal Credit Union Act to modify the loan provisions relating to directors, members of the supervisory committee, and members of the credit committee of Federal credit unions; with amendment (Rept. No. 262). Referred to the Committee of the Whole House on the State of the Union.

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 459. Resolution authorizing the Speaker to appoint delegates and alternates to attend the International Labor Organization Conference in Geneva; with amendment (Rept. No. 263). Referred to the House Calendar.

Mr. BURLESON: Committee on House Administration. Senate Joint Resolution 58. Joint resolution to provide for the reappointment of Jerome C. Hunsaker as Citizen Regent of the Board of Regents of the Smithsonian Institution (Rept. No. 264). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BEVILL:

H.R. 10004. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. BROTZMAN:

H.R. 10005. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. BUSH:

H.R. 10006. A bill for the amendment of the patent laws, title 35 of the United States Code, to eliminate delay in the issue of patent applications caused: (a) by protracted prosecution due to the filing of successive applications on the same subject matter, namely, divisions, continuations and continuations-in-part, and due to interferences, and due to appeals (b) by congestion of the Patent Office due to Government-sponsored and other defensive patent applications, and due to multiple applications on several similar or related inventions more easily examined together; thereby to promote the progress of the useful arts; to the Committee on the Judiciary.

By Mr. DINGELL:

H.R. 10007. A bill to amend the Oil Pollution Act of 1924; to the Committee on Merchant Marine and Fisheries.

By Mr. DOWDY:

H.R. 10008. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. DULSKI:

H.R. 10009. A bill to amend title VII of the Housing Act of 1961 to authorize Federal grants under the open-space land program for the development and redevelopment of existing open-space land and for the acquisition of outdoor and indoor recreational buildings, centers, facilities, and equipment, and for other purposes; to the Committee on Banking and Currency.

By Mr. DULSKI (for himself, Mr. CORBETT, Mr. OLSEN, Mr. UDALL, Mr. DANIELS, Mr. NIX, Mr. POOL, Mr. JOHNSON of Pennsylvania, Mr. CUNNINGHAM, and Mr. BUTTON:

H.R. 10010. A bill to amend title 39, United States Code, to provide additional free letter mail and air transportation mailing privileges for certain members of the U.S. Armed Forces, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DULSKI:

H.R. 10011. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record, to eliminate certain special requirements for entitlement to husband's or widower's benefits, to provide for the payment of benefits to widowed fathers with minor children, to equalize the criteria for determining dependency of a child on his father or mother, and to make the retirement test inapplicable to individuals with minor children who are entitled to mother's or father's benefits; to the Committee on Ways and Means.

By Mr. DUNCAN:

H.R. 10012. A bill to amend title 39, United States Code, to provide a new system of overtime compensation for postal field service employees, to eliminate compensatory time in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10013. 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.

H.R. 10014. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record, to eliminate certain special requirements for entitlement to husband's or widower's benefits, to provide for the payment of benefits to widowed fathers with minor children, to equalize the criteria for determining dependency of a child on his father or mother, and to make the retirement test inapplicable to individuals with minor children who are entitled to mother's or father's benefits; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 10015. A bill to enlarge the boundaries of Grand Canyon National Park in the State of Arizona, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 10016. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer supporting a dependent who is mentally retarded or has a neuromuscular disease or disorder; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 10017. A bill to provide for the prevention, abatement, and control of air pollution in the District of Columbia; to the Committee on the District of Columbia.

By Mr. KARSTEN:

H.R. 10018. 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. KING of New York:

H.R. 10019. A bill to repeal the authority for the current wheat and feed grain programs and to authorize programs that will permit the market system to work more effectively for wheat and feed grains, and for other purposes; to the Committee on Agriculture.

By Mr. LUKENS:

H.R. 10020. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. O'NEAL of Georgia:

H.R. 10021. A bill to revise the quota-control system on the importation of certain meat and meat products; to the Committee on Ways and Means.

By Mr. PELLY:

H.R. 10022. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RESNICK:

H.R. 10023. A bill to establish a National Institute of Criminal Justice; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 10024. A bill to amend the Elementary and Secondary Education Act of 1965 in order to assist bilingual education programs; to the Committee on Education and Labor.

By Mr. TIERNAN:

H.R. 10025. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WALKER:

H.R. 10026. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record, to eliminate certain special requirements for entitlement to husband's or widower's benefits, to provide for the payment of benefits to widowed fathers with minor children, to equalize the criteria for determining dependency of a child on his father or mother, and to make the retirement test inapplicable to individuals with minor children who are entitled to mother's or father's benefits; to the Committee on Ways and Means.

By Mr. CASEY (by request):

H.R. 10027. A bill for the amendment of the patent laws, title 35 of the United States Code, to eliminate delay in the issue of patent applications caused: (a) by protracted prosecution due to the filing of successive applications on the same subject matter; namely, divisions, continuations and continuations-in-part, and due to interferences, and due to appeals (b) by congestion of the Patent Office due to Government-sponsored and other defensive patent applications, and due to multiple applications on several similar or related inventions more easily examined together; thereby to promote the progress of the useful arts; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 10028. A bill to increase the investment credit allowable with respect to fa-

cilities to control water and air pollution; to the Committee on Ways and Means.

H.R. 10029. A bill to amend the Internal Revenue Code of 1954 to encourage the abatement of water and air pollution by permitting the amortization for income tax purposes of the cost of abatement works over a period of 36 months; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 10030. A bill to amend the Internal Revenue Code of 1954 with respect to returns and deposits of the excise taxes on gasoline and lubricating oil; to the Committee on Ways and Means.

By Mr. DUNCAN:

H.R. 10031. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. EDWARDS of Alabama:

H.R. 10032. 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.

By Mr. WILLIAM D. FORD:

H.R. 10033. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. FRELINGHUYSEN:

H.R. 10034. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. GUBSER:

H.R. 10035. A bill to amend the Internal Revenue Code of 1954 to provide a deduction for certain expenses of repair and maintenance of a home owned by a taxpayer who has attained the age of 65; to the Committee on Ways and Means.

By Mr. GURNEY:

H.R. 10036. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. McCULLOCH (for himself, Mr. GERALD R. FORD, Mr. POFF, Mr. MOORE, Mr. CAHILL, Mr. MACGREGOR, Mr. HUTCHINSON, Mr. MCCLORY, Mr. Mr. SMITH of New York, Mr. ROTH, Mr. MESKILL, Mr. RAILSBACK, Mr. BIESTER, Mr. WIGGINS, Mr. BETTS, Mr. CRAMER, Mr. CONABLE, Mr. KING of New York, Mr. PRICE of Texas, Mr. WYMAN, Mr. SHRIVER, Mr. WYLIE and Mr. MATHIAS of California:

H.R. 10037. A bill to prohibit electronic surveillance by persons other than duly authorized law enforcement officers engaged in the investigation or prevention of specified categories of offenses, and for other purposes; to the Committee on the Judiciary.

By Mr. MESKILL:

H.R. 10038. A bill to amend title 37 of the United States Code to provide for payment of a dislocation allowance to members of the uniformed services when ordered from their homes to their first duty station and from their last duty station to their homes; to the Committee on Armed Services.

By Mr. MOORHEAD:

H.R. 10039. A bill to foster high standards of architectural excellence in the design and decoration of Federal public buildings and post offices outside the District of Columbia, and to provide a program for the acquisition and preservation of works of art for such buildings, and for other purposes, to be known as the Federal Fine Arts and Architecture Act; to the Committee on Public Works.

By Mr. MULTER:

H.R. 10040. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record, to eliminate certain special requirements for entitlement to husband's or widower's benefits, to provide for the payment of benefits to widowed fathers with minor children, to equalize the criteria for determining dependency of a child on his father or mother, and to make the retirement test inapplicable to individuals with minor children who are entitled to mother's or father's benefits; to the Committee on Ways and Means.

By Mr. OLSEN:

H.R. 10041. A bill relating to the appointment and promotion of deputy U.S. marshals; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 10042. A bill to amend section 218(d)(6)(C) of the Social Security Act to include Illinois among the States which may divide their retirement systems into two parts so as to obtain social security coverage, under State agreement, for only those State and local employees who desire such coverage; to the Committee on Ways and Means.

By Mr. SCHWEIKER:

H.R. 10043. 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.

By Mr. SCHWENGEL:

H.R. 10044. A bill to amend title 39, United States Code, to provide a new system of overtime compensation for postal field service employees, to eliminate compensatory time in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. UTT:

H.R. 10045. A bill to amend title 38 of the United States Code to extend for 1 year the termination date of the program for guaranteeing home, farm, and business loans for veterans of World War II; to the Committee on Veterans' Affairs.

By Mr. BROYHILL of Virginia:

H.J. Res. 578. 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. MORSE:

H.J. Res. 579. Joint resolution to authorize the President to issue a proclamation designating the 30th day of September in 1967 as Bible Translation Day; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.J. Res. 580. Joint resolution proposing an amendment to the Constitution of the United States relating to residence requirements for voting in the case of presidential and congressional elections; to the Committee on the Judiciary.

H. Con. Res. 347. Concurrent resolution expressing the sense of the Congress in favor of immediate action on the part of each of the several States with respect to obsolete residency requirements for voters; to the Committee on House Administration.

By Mr. TEAGUE of TEXAS:

H. Con. Res. 348. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs; to the Committee on House Administration.

By Mr. CLEVELAND:

H. Res. 477. Resolution to amend rule XXII of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. O'HARA of Illinois:

H. Res. 478. Resolution to authorize printing of hearings by African Subcommittee; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

193. By the SPEAKER: Memorial of the Legislature of the State of California, relative to the proposed Pleasant Valley facilities of the San Luis unit of the Central Valley project; to the Committee on Appropriations.

194. Also, memorial of the Legislature of the State of Maryland, relative to the building of housing for the lowest income group among the elderly; to the Committee on Banking and Currency.

195. Also, memorial of the Legislature of the State of Minnesota, relative to abolishing residence requirements for all federally supported programs for assistance to the blind; to the Committee on Ways and Means.

196. Also, memorial of the Legislature of the State of Washington, relative to assistance to the States in meeting their responsibility to combat alcoholism; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ADAMS:

H.R. 10046. A bill for the relief of Miss Maria Elena de Torrontegui; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 10047. A bill for the relief of Leonardo DiMaria; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 10048. A bill for the relief of Fung Chung; to the Committee on the Judiciary.

By Mr. DON H. CLAUSEN:

H.R. 10049. A bill for the relief of John Dennis Chambers, Vicki Jill Chambers, Philip Michael Chambers, Peter Gregory Chambers and Kathleen Anne Chambers; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 10050. A bill for the relief of Capt. Russell T. Randall; to the Committee on the Judiciary.

By Mr. GARMATZ:

H.R. 10051. A bill for the relief of Dr. Bambran Aravind Adyanthaya; to the Committee on the Judiciary.

By Mr. GOODLING:

H.R. 10052. A bill for the purposes of the Immigration and Nationality Act and in the interest of Mrs. Kathleen Alice Heinze; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 10053. A bill for the relief of Dr. Elizabeth Bautista; to the Committee on the Judiciary.

H.R. 10054. A bill for the relief of Joyce Maria Goettel; to the Committee on the Judiciary.

H.R. 10055. A bill for the relief of certain Philippine nurses; to the Committee on the Judiciary.

By Mr. KUPFERMAN (by request):

H.R. 10056. A bill for the relief of Dr. Stephen L. Matseoane; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 10057. A bill for the relief of Miss Bok Soon Lee; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.R. 10058. A bill for the relief of Mrs. Esther D. Bordi; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 10059. A bill for the relief of Khaiber Khan; to the Committee on the Judiciary.

PETITIONS, ETC.

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

85. By the SPEAKER: Petition of taxpayers Education Committee, Rochester, N.Y., relative to a bond issue for the construction of a school building; to the Committee on Banking and Currency.

86. Also, petition of Henry Stoner, Portland, Oreg., relative to legislation dealing with the desecration of the U.S. flag; to the Committee on the Judiciary.

87. Also, petition of Disabled American Veterans, Department of Vermont, relative to the granting to veterans of administrative leave rather than sick or annual leave when required to report for annual physical examination; to the Committee on Post Office and Civil Service.

SENATE

TUESDAY, MAY 16, 1967

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

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

Our Father God, who art above all and in all, apart from Thee life has no meaning or destiny. We are made confident in our hearts that Thy mercy endureth forever, as the perspective of the long years assures us that Thou puttest down the mighty from their seats and dost exalt the humble and the meek.

Through the crucial months that are past we have been at best but unprofitable servants, but in spite of our shortcomings we are grateful for the high honor in these tense times of marching with the armies of freedom in the titanic conflict against rampant evil bent on enslaving all people.

Help us to lay aside every weight of prejudice or pride of covetousness, and with glad and eager feet to march with the armies that go to free, not to bind, to develop and not to rule, to cooperate and not to dominate, until the knowledge of the Lord, who is no respecter of persons, shall cover the earth as the waters now cover the sea. For Thine is the kingdom and the power and the glory. Amen.

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, announced that the House had passed, without amendment, the joint resolution (S.J. Res. 42) to amend the National Housing Act, and other laws relating to housing and urban development, to correct certain obsolete references.

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

H.R. 2531. An act to provide for the disposition of the unclaimed and unpaid share of the Loyal Creek Judgment Fund, and to provide for disposition of estates of interstate members of the Creek Nation of Oklahoma or estates of members of the Creek Nation of Oklahoma dying without heirs;

H.R. 5702. An act to remove the 5-acre limitation on the amount of tobacco allotment acreage which may be leased;

H.R. 7965. An act to transfer title to tribal land on the Fort Peck Indian Reservation, and for other purposes; and

H.R. 8265. An act to amend the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of tobacco acreage allotments and acreage-poundage quotas.

HOUSE BILLS REFERRED

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

H.R. 2531. An act to provide for the disposition of the unclaimed and unpaid share of the Loyal Creek Judgment Fund, and to provide for disposition of estates of interstate members of the Creek Nation of Oklahoma or estates of members of the Creek Nation of Oklahoma dying without heirs; and

H.R. 7965. An act to transfer title to tribal land on the Fort Peck Indian Reservation, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 5702. An act to remove the 5-acre limitation on the amount of tobacco allotment acreage which may be leased; and

H.R. 8265. An act to amend the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of tobacco acreage allotments and acreage-poundage quotas; to the Committee on Agriculture and Forestry.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, May 15, 1967, was dispensed with.

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.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, all committees were authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination on the Executive Calendar under "New Report."

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

EXECUTIVE MESSAGES REFERRED

The 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.)

The PRESIDENT pro tempore. If there be no reports of committees, the nomination on the Executive Calendar will be stated.

MINT OF THE UNITED STATES

The legislative clerk read the nomination of Hyman A. Friedman, of Pennsylvania, to be Assayer of the Mint of the United States at Philadelphia, Pa.

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

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

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

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

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

EXECUTIVE COMMUNICATIONS, ETC.

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

PLANS FOR WORKS OF IMPROVEMENT IN VARIOUS STATES

A letter from the Assistant Secretary of Agriculture, transmitting, pursuant to law, plans for works of improvement on North Pigeon watershed, Iowa, Clatonia Creek, Nebr., Upper Clinch Valley watershed, Virginia, Tri-Creek, Wis., Pecan Creek, Tex., Eutacutaches Creek, Miss., Little Sni-A-Bar watershed, Missouri, Tri-County Hopson Bayou, Miss., Farmers Creek, Tex., Papillion Creek Nebr., and Upper Bayou Teche watershed, Louisiana (with accompanying papers); to the Committee on Agriculture and Forestry.

STATUS REPORT ON OCEANOGRAPHIC RESEARCH SHIP

A letter from the Secretary of Transportation, reporting, pursuant to law, on the status of a proposed oceanographic research ship (with accompanying papers); to the Committee on Commerce.

REPORTS OF FOREIGN-TRADE ZONES BOARD

A letter from the Acting Secretary of Commerce, transmitting, pursuant to law, reports of the Foreign-Trade Zones Board, for the fiscal year ended June 30, 1966 (with accompanying reports); to the Committee on Finance.

REPORTS OF U.S. ADVISORY COMMISSION ON INTERNATIONAL EDUCATIONAL AND CULTURAL AFFAIRS

A letter from the Chairman, the U.S. Advisory Commission on International Educational and Cultural Affairs, Storrs, Conn., transmitting, pursuant to law, a report of that Commission entitled "Government, The Universities, and International Affairs, A Crisis in Identity" (with an accompanying report); to the Committee on Foreign Relations.

A letter from the Chairman, the U.S. Advisory Commission on International Educational and Cultural Affairs, Storrs, Conn., relating to the Central Intelligence Agency's support of certain international educational programs; to the Committee on Foreign Relations.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on U.S. construction activi-

ties in the Republic of Vietnam, 1965–66, dated May 1967 (with an accompanying report); to the Committee on Government Operations.

AMENDMENTS OF ENABLING ACTS OF THE STATES OF NEW MEXICO, ARIZONA, AND HAWAII, WITH RESPECT TO ENFORCEMENT OF TRUST PROVISIONS

A letter from the Attorney General, transmitting a draft of proposed legislation to amend the Enabling Act of the States of New Mexico, Arizona, and Hawaii with respect to enforcement of trust provisions (with an accompanying paper); to the Committee on Interior and Insular Affairs.

AUTHORITY FOR SECRETARY OF THE INTERIOR TO ENGAGE IN FEASIBILITY INVESTIGATIONS OF CERTAIN WATER RESOURCE DEVELOPMENTS

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments (with accompanying papers); to the Committee on Interior and Insular Affairs.

TASK FORCE REPORT ON ORGANIZED CRIME

A letter from the Executive Director, the President's Commission on Law Enforcement and Administration of Justice, Executive Office of the President, Washington, D.C., transmitting, pursuant to law, a task force report on organized crime (with an accompanying report); to the Committee on the Judiciary.

REPORT OF JOINT COMMISSION ON CORRECTIONAL MANPOWER AND TRAINING

A letter from the Executive Director, Joint Commission on Correctional Manpower and Training, Inc., Washington, D.C., transmitting, pursuant to law, a report of that Joint Commission, for the period April 1, 1966–March 31, 1967 (with an accompanying report); to the Committee on Labor and Public Welfare.

FINANCIAL SUPPLEMENT TO ANNUAL REPORT OF POST OFFICE DEPARTMENT

A letter from the Postmaster General, transmitting, pursuant to law, a financial supplement to the annual report of that Department, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Post Office and Civil Service.

PLANS FOR WORKS OF IMPROVEMENT IN VARIOUS STATES

A letter from the Assistant Secretary of Agriculture, transmitting, pursuant to law, plans for works of improvement on Five Creeks, Miss., Big Racoon Creek, Ind., Big Creek, Miss., Bennett Creek, Tex.; and Wolf Creek, Oreg. (with accompanying papers); to the Committee on Public Works.

AMENDMENT OF ATOMIC ENERGY ACT OF 1954, AND EURATOM COOPERATION ACT OF 1958

A letter from the Acting Chairman, U.S. Atomic Energy Commission, Washington, D.C., transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended, and the Euratom Cooperation Act of 1958, as amended, and for other purposes (with accompanying papers); to the Joint Committee on Atomic Energy.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Acting Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. MONRONEY and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Maryland; to the Committee on Banking and Currency:

"SENATE JOINT RESOLUTION No. 6

"A Senate joint resolution to establish the policy of the State of Maryland on housing for elderly persons of low and middle income

"Whereas, Maryland has been a leader in participation by non-profit sponsors in building housing for elderly persons of low middle income under Section 202 of the Housing Act of 1959, and the General Assembly has encouraged this type of housing by passing Chapter 201 of the Acts of 1966, which authorized the local subdivisions to grant tax relief to such projects in the form of negotiated payments in lieu of taxes; and

"Whereas, the General Assembly in 1937 also enacted enabling legislation authorizing the establishment of local housing authorities; and thirteen cities and towns in Maryland have established such authorities, several of which have built housing especially suitable for the elderly, but only two counties have appointed housing authorities; and whereas these housing authorities can be established by action of the County Commissioners or Councils, and the authorities so established would then be able to build housing for the low-income elderly with Federal subsidies without expenditure of County or State funds; therefore, be it

"Resolved by the General Assembly of Maryland, That it is hereby declared to be the policy of the State of Maryland that:

"1. In the interest of building housing for the lowest income group among the elderly, housing authorities should be established in all counties at the earliest possible date.

"2. All such housing authorities and non-profit housing sponsors are urged to provide to the fullest possible extent facilities in these housing projects for such ancillary services as may meet the needs of the tenants in these projects as long as possible, and thus forestall the need for institutionalization.

"3. The General Assembly is convinced that there is need for housing which would provide individual units, with congregate kitchen and dining for those for whom independent tenancies are no longer adequate, but institutionalization is not yet necessary. Such housing should provide normal individual living conditions, but in which meals, housekeeping, and personal care services are provided centrally for those elderly who desire or need it. To encourage the construction of such housing, the General Assembly requests the Secretary of the United States Department of Housing and Urban Development to amend the regulations adopted under Section 202 of the Housing Act of 1959, so as to extend the benefits of Section 202 to non-profit sponsors of congregate housing for the elderly; and in the event that in his judgment such amendment is not authorized under the present language of Section 202, the General Assembly memorializes Congress to amend Section 202 to give non-profit sponsors of congregate housing the benefits of that Section. And be it further

"Resolved, That the policy set forth in this joint resolution of the General Assembly of Maryland be submitted to the several counties of this State for their favorable consideration. And be it further

"Resolved, That the Secretary of State of Maryland, under the Great Seal of the State of Maryland, is requested to send a copy of this joint resolution to each Board of County Commissioners or County Council in the several respective counties of Maryland, to the Secretary of the United States Department of Housing and Urban Development, to the Presiding Officers of the United States Senate and House of Representatives, and to the Maryland Congressional Delegation in Washington, D.C."

A resolution of the Legislature of the State of Maryland; to the Committee on Public Works:

"RESOLUTION No. 47

"A House joint resolution requesting the Congress of the United States to rehouse the United States Patent Office in Howard County or Anne Arundel County, Maryland

"The citizens of Maryland are proud that on April 14, 1964, the Committee on Public Works of the United States House of Representatives, gave its approval to a proposal which would rehouse the Patent Office of the Department of Commerce in Howard County or Anne Arundel County, provided Government-owned land was available, or a suitable site was acquired by donation. Subsequently, both Anne Arundel County and Howard County have made suitable sites available, thus meeting the requirement set forth by the Committee. Both sites are within commuting distance of Washington and offer sufficient acreage for growth and expansion; now, therefore, be it.

"Resolved by the General Assembly of Maryland, That this body requests the Congress of the United States to take such steps as may be necessary to carry out the recommendation of the Committee on Public Works to rehouse the United States Patent Office in Howard County or Anne Arundel County, in the State of Maryland; and be it further

"Resolved, That the members of the Maryland Delegation in the Congress of the United States are requested to give their hearty support to any legislation which would insure the rehousing of the Patent Office in Howard County or Anne Arundel County; and be it further

"Resolved, That the Secretary of State, of the State of Maryland, is requested under the Great Seal of the State of Maryland to sent copies of this Joint Resolution to the President of the United States, the Vice President of the United States and presiding officer in the Senate of the United States, the Speaker of the House of Representatives in the Congress of the United States, each member of the Maryland delegation in the Senate and House of Representatives of the Congress of the United States, and the Secretary of Commerce of the United States."

A resolution of the Legislature of the State of Maryland; to the Committee on Rules and Administration:

"RESOLUTION 7

"A Senate joint resolution requesting the Library of Congress to return certain historical documents to the State of Maryland

"The General Assembly of Maryland requests the Library of Congress to return a series of valuable documents and records to the State of Maryland.

"These documents, all of which date from the 18th Century, are described by archivists as 'fugitives.'

"They are part of a series of journals and account books owned by the State and were lost many years ago when the State of Maryland had not created a Hall of Records for the careful preservation of such old documents and materials.

"The Library of Congress acquired these documents in the year 1867 when it purchased the library of a private collector.

"While the Library of Congress acted in perfectly good faith in acquiring by purchase these old Maryland documents, it is also true that the State cannot give away

or dispose of such records, and any purchaser naturally undergoes the risk of having them reclaimed.

"A joint resolution has been introduced into the Congress of the United States, directing the Library of Congress to turn over these old and valuable records to the Maryland Hall of Records.

"The General Assembly of Maryland adds its enthusiastic endorsement to the proposal for returning these records to their native State. The General Assembly is requesting all members of the Congress, in particular the several members of the Maryland Delegation in the Congress, to support the joint resolution to require their return; now therefore, be it

"*Resolved by the General Assembly of Maryland,* That this State legislature strongly supports the request that the number of 18th Century documents belonging to the State of Maryland be returned to the Hall of Records of Maryland by the present custodian, the Library of Congress; and be it further

"*Resolved,* That the Secretary of State of Maryland is directed to send copies of this joint resolution, under the Great Seal of the State of Maryland, to the Vice President of the United States as President of the Senate of the United States, the Speaker of the House of Representatives in the Congress of the United States, each member of the Maryland Delegation in the Senate and House of Representatives of the United States, and the Librarian in the Library of Congress."

A joint resolution of the Legislature of the State of Washington; to the Committee on Labor and Public Welfare:

"HOUSE JOINT MEMORIAL 20

"To the Honorable Lyndon B. Johnson, President of the United States, and to the Senate and the House of Representatives of the United States, in Congress assembled:

"We, your Memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, most respectfully represent and petition, as follows:

"Whereas, In the year 1965, the government of the United States, through duties and taxes on alcoholic beverages, collected almost four billion dollars ($3,879,648,164); and

"Whereas, An Act of Congress of August 4, 1947, entitled 'Rehabilitation of Alcoholics' (61 Stat. 744, c. 472), officially recognized the fact that alcoholism is a disease and that an alcoholic is a sick person; and

"Whereas, Two United States Circuit Courts of Appeal have ruled that it is unconstitutional to jail an alcoholic simply because of public drunkenness; and

"Whereas, The Supreme Court of the State of Washington is now considering a case (Wayne J. Hill v. City of Seattle) which also challenges the constitutionality of jailing alcoholics simply because of public drunkenness; and

"Whereas, President Johnson's Commission on Law Enforcement and Administration of Justice has declared, 'Drunkenness should not in itself be a criminal offense' and has pointed out that including drunkenness within the system of criminal justice seriously burdens and distorts its operations; and

"Whereas, The President's Commission on Crime in the District of Columbia has recommended 'transferring responsibility for chronic alcoholism from law enforcement agencies to public health authorities'; and

"Whereas, The jailing of alcoholics is both cruel and futile, but prohibiting the practice will put a sudden and severe strain on the treatment resources presently available for alcoholics; and

"Whereas, Despite the facts cited above, the federal government has provided only insignificant financial help to any of the states in their efforts to combat the disease of alcoholism; and

"Whereas, The legislature of the State of Washington recognizes that alcoholism is a disease and that an alcoholic is a sick person who can be treated, has accepted this state's responsibility in the prevention of alcoholism and the treatment and rehabilitation of the victims of alcoholism, and has appropriated state funds for these purposes; and

"Whereas, A number of other states have also recognized their responsibility in the field of alcoholism;

"Now, therefore, be it resolved, That We, your Memorialists, the Senate and House of Representatives of the State of Washington, respectfully petition the Congress of the United States to enact the necessary legislation and provide the necessary funds to assist the states in meeting their responsibility to combat alcoholism, a disease which is now this nation's third leading health problem; and

"Be it further resolved, That copies of this Memorial be immediately transmitted by the Secretary of State to the Honorable Lyndon B. Johnson, President of the United States; the President of the United States Senate; the Speaker of the House of Representatives; each member of the Congress from the State of Washington; and to the Governors of the other forty-nine states.

"Passed the House April 22, 1967.

"DON ELDRIDGE,
"Speaker of the House.

"Passed the Senate April 29, 1967.

"JOHN A. CHERBERG,
"President of the Senate."

A resolution of the Legislature of the State of Minnesota; to the Committee on Labor and Public Welfare:

"RESOLUTION 6

"A resolution memorializing the President and Congress to abolish residence requirements for all federally supported programs for assistance to the blind

"Whereas the United States has appropriated substantial money to the several states for programs to assist the rehabilitation and aid in the support of the blind; and

"Whereas the several states have various and inconsistent residence requirements necessary for persons to qualify for assistance to the blind; and

"Whereas these requirements impede the movement of the blind throughout the union; and

"Whereas it would be of great value to persons otherwise qualified for assistance and to the public at large that those citizens have the same ease of movement throughout the union that citizens not so disadvantaged possess; now, therefore,

"Be it Resolved by the Legislature of the State of Minnesota that Congress should speedily enact legislation to abolish residence requirements for all federally supported programs for aid to the blind.

"Be it further Resolved that the Secretary of State of the State of Minnesota be instructed to transmit copies of this resolution to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States and to the Minnesota Senators and Representatives in Congress.

"L. L. DUXBURY,
"Speaker of the House of Representatives.

"JAMES B. GOETZ,
"President of the Senate.

"Passed the House of Representatives this 17th day of April in the year of Our Lord one thousand nine hundred and sixty-seven.

"EDWARD A. BURDICK,
"Chief Clerk, House of Representatives.

"Passed the Senate this fifth day of May in the year of Our Lord one thousand nine hundred and sixty-seven.

"H. Y. TORREY,
"Secretary of the Senate.

"Approved May 10, 1967.

"HAROLD LEVANDER,
"Governor of the State of Minnesota.

"Filed May 11, 1967.

"JOSEPH L. DONOVAN,
"Secretary of the State of Minnesota."

A joint resolution of the Legislature of the State of Idaho; to the Committee on Interior and Insular Affairs:

"SENATE JOINT MEMORIAL 4

"A joint memorial to the Honorable President of the United States, the Honorable Senate and House of Representatives of the United States in Congress assembled

"We, your memorialists, the Senate and House of Representatives of the state of Idaho, hereby request that:

"Whereas, the ever expanding population of the nation and the world demand a larger volume of foodstuffs and the surplus foodstuffs of this nation are steadily diminishing because of increasing demands; and

"Whereas, the natural resources of the state of Idaho include land peculiarly adapted to agricultural development, and abundant sources of water which are not being put to beneficial uses;

"Now, therefore be it Resolved, by the Thirty-ninth Session of the Legislature of the state of Idaho, now in session, the Senate and House of Representatives concurring, that we most respectfully urge the Congress of the United States to authorize the Southwest Idaho Water Development Project and appropriate funds upon projects surveyed and determined to be economical and feasible—namely, the Mountain Home Division and the power features of the Garden Valley Division.

"Be it further Resolved, that the Department of Interior direct the Bureau of Reclamation to undertake and complete feasbility studies upon the remaining divisions and upon the remaining features of the Garden Valley Division, in order to develop these areas of the project at the earliest possible date.

"Be it further Resolved, that the Secretary of State of the state of Idaho, be, and he is hereby authorized and directed to forward certified copies of this memorial to the President and Vice President of the United States, the Speaker of the House of Representatives of Congress, and to the Senators and Representatives representing this state in the Congress of the United States."

A resolution adopted by the Women's International League for Peace and Freedom, Philadelphia, Pa., relating to a review by an expert and disinterested commission of CIA policies and activities; establishment of the function of the CIA; and strict civil control of the CIA; to the Committee on Armed Services.

A resolution adopted by the Department of Hawaii, American Legion Post 41, Agana, Guam, opposing the proposal of the South Pacific Memorial Association, to be established on the Territory of Guam; to the Committee on Interior and Insular Affairs.

A resolution adopted by the Vicksburg Lodge 1581, Loyal Order of Moose, Vicksburg, Miss., relating to the enactment of legislation to prohibit the mutilation of the flag; to the Committee on the Judiciary.

A resolution adopted by the city council of the city of Elizabeth, N.J., favoring the enactment of legislation to permitting legislation for free postage for members of the forces; to the Committee on Post Office and Civil Service.

A resolution of the Disabled American Veterans, Department of Vermont, relative to the granting of administrative leave rather

than sick leave when required to report for their annual physical examination; to the Committee on Post Office and Civil Service.

A letter from the American Lativan Association in the United States, Inc., signed by Peter P. Lejins, president, of Washington, D.C., expression of appreciation for the adoption of Senate concurrent resolution in October 22, 1966; ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

H.R. 9029. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 233).

By Mr. SPARKMAN, from the Committee on Foreign Relations, with amendments:

S. 1030. A bill to amend further section 1011 of the U.S. Information and Educational Exchange Act of 1948, as amended (Rept. No. 234).

By Mr. RANDOLPH, from the Committee on Public Works, without amendment:

S.J. Res. 74. Joint resolution to provide for the formulation, adoption, administration, and periodic updating of a comprehensive plan for the U.S. Capitol Grounds and contiguous related and influencing areas (Rept. No. 236).

IMPROVEMENTS OF CERTAIN BENEFITS FOR EMPLOYEES WHO SERVE IN HIGH-RISK SITUATIONS—REPORT OF A COMMITTEE (S. REPT. NO. 235)

Mr. FULBRIGHT, from the Committee on Foreign Relations, reported an original bill (S. 1785) to improve certain benefits for employees who serve in high-risk situations, and for other purposes, and submitted a report thereon, which bill was read twice by its title and placed on the calendar, and the report was ordered to be printed.

BILLS INTRODUCED

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

By Mr. SMATHERS:

S. 1780. A bill for the relief of Harvey E. Ward; to the Committee on the Judiciary.

By Mr. SPARKMAN:

S. 1781. A bill for the relief of Kyong Hwan Chang; and

S. 1782. A bill for the relief of Soo Young Chang; to the Committee on the Judiciary.

By Mr. RIBICOFF (for himself and Mr. KENNEDY of New York):

S. 1783. A bill to provide criminal penalties for the introduction, or manufacture for introduction, into interstate commerce of master keys for motor vehicles, and for other purposes; to the Committee on the Judiciary.

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

By Mr. CHURCH (for himself and Mr. JORDAN of Idaho):

S. 1784. A bill to amend the Act of October 30, 1965 (79 Stat. 1125), so as to authorize the State of Idaho to participate under the provisions of such Act; to the Committee on Commerce.

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

By Mr. FULBRIGHT:

S. 1785. A bill to improve certain benefits for employees who serve in high-risk situations, and for other purposes; read twice by its title and placed on the calendar.

(See reference to the above bill when reported by Mr. FULBRIGHT, which appears under heading "Reports of Committees.")

By Mr. TYDINGS:

S. 1786. A bill to amend the Life Insurance Act of the District of Columbia, approved June 19, 1934 (48 Stat. 1125); to the Committee on the District of Columbia.

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

By Mr. LONG of Missouri (for himself and Mr. SYMINGTON):

S. 1787. A bill to provide local grant-in-aid credit for urban renewal project in Kansas City, Mo.; to the Committee on Banking and Currency.

By Mr. JACKSON (by request):

S. 1788. A bill to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments; 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. KENNEDY of New York (for himself, Mr. PROUTY, Mr. BAYH, Mr. BURDICK, Mr. CHURCH, Mr. GRUENING, Mr. JAVITS, Mr. KENNEDY of Massachusetts, Mr. MCCARTHY, Mr. MCGEE, Mr. MCINTYRE, Mr. MONDALE, Mr. MORSE, Mr. MOSS, Mr. NELSON, Mr. PELL, Mr. PROXMIRE, and Mr. TYDINGS):

S. 1789. A bill to authorize demonstration projects designed to help young adult criminal offenders through the services of members of VISTA and the Teacher Corps or other qualified teachers; to the Committee on Labor and Public Welfare.

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

By Mr. HAYDEN (for himself, Mr. KUCHEL, Mr. FANNIN, and Mr. MURPHY):

S. 1790. A bill to render the assertion of land claims by the United States based upon accretion or avulsion subject to legal and equitable defenses to which private persons asserting such claims would be subject; to the Committee on Interior and Insular Affairs.

By Mr. MAGNUSON:

S. 1791. A bill for the relief of Yoshihide Hayasaki; to the Committee on the Judiciary.

By Mr. RIBICOFF:

S. 1792. A bill for the relief of Osvaldo Soldati and his wife Anna Maria Soldati; to the Committee on the Judiciary.

By Mr. PASTORE (for himself and Mr. PELL):

S. 1793. A bill for the relief of Teresina Del Toro; to the Committee on the Judiciary.

RESOLUTION

ERECTION OF A STATUE IN THE FORM OF "THE MAINE LOBSTERMAN" IN THE DISTRICT OF COLUMBIA

Mrs. SMITH submitted the following resolution (S. Res. 122); which was referred to the Committee on the District of Columbia:

S. RES. 122

Whereas the National Capital Planning Commission of the District of Columbia is charged with planning the redevelopment of the "New Southwest" section of the city; and

Whereas part of this redevelopment includes that area known as Maine Avenue; and

Whereas this avenue, running along Washington's waterfront area, has been designated in honor of the State of Maine: Now, therefore, be it

Resolved, That provisions be made by the National Capital Planning Commission to provide for a suitable site to erect a monument commemorating the State of Maine; and be it further

Resolved, That this monument be in the form of a statue, "The Maine Lobsterman", one hundred and two inches tall, and forty-one by thirty inches at the base, said statue to be supplied and erected by the State of Maine.

PREVENTION OF AUTO THEFT

Mr. RIBICOFF. Mr. President, for myself and the junior Senator from New York [Mr. KENNEDY], I introduce for appropriate reference a bill to provide criminal penalties for the introduction, or manufacture for introduction, or advertisement for sale in interstate commerce of master keys for motor vehicles.

This is identical to the bill I introduced on this subject last year. It prohibits the advertisement for sale of master keys except to those with a legitimate need for them. The bill authorizes the Postmaster General to establish regulations for the mailing of such keys.

Last year there were more than 500,000 cars stolen resulting in a direct financial loss of $140 million. Nearly two-thirds of these thefts are committed by youngsters under 18.

There is persuasive evidence that a substantial portion of the car thefts are perpetrated by minors and professional thieves with the aid of master keys. These keys are advertised for sale to the general public in many general circulation magazines for a cost of about $30. This invitation puts temptation too close at hand for those with the intent to commit auto theft. My bill would remove this source of criminal activity. It would permit only those with a lawful business purpose to obtain these keys.

Mr. President, auto thefts are rising at an alarming rate. In 1964 there was a 16-percent increase over the previous year. In 1965 there was a jump of another 5 percent, and preliminary figures for 1966 show another rise of 12 percent. It is a time for speedy, effective action to stop this spiraling rate. This bill will significantly curb auto thefts. I hope it will receive prompt consideration by the Senate.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1783) to provide criminal penalties for the introduction, or manufacture for introduction, into interstate commerce of master keys for motor vehicles, and for other purposes, introduced by Mr. RIBICOFF (for himself and Mr. KENNEDY of New York), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. KENNEDY of New York. Mr. President, in a measure designed to deal with one more aspect of the crime problem, I have joined Senator RIBICOFF in cosponsoring a bill to prohibit the sale through the mail of master car keys. This meas-

ure would prevent the sale of master keys for automobiles to juveniles and others who do not have a legitimate need for them.

Car theft is one of the most common crimes committed in this country. Last year, over 500,000 cars were stolen and every indication we presently have leads to the conclusion that the number of car thefts will continue to rise this year.

We also know that the crime of stealing automobiles is not normally committed by older offenders. It is a crime of the young—of the juvenile who wants to show off to his friends or is simply searching for a new thrill. Statistics compiled in the 1966 Uniform Crime Report show that over two-thirds of these thefts were committed by individuals under 18 years of age.

The stealing of automobiles is encouraged and made easy through the sale of master car keys at low prices. Popular magazines carry advertisements for key sets available through the mails to anyone who will send in the necessary $3 to $6. This type of advertisement is an open invitation to a young person to steal a car for a joyride—a joyride that all too often winds up in a reformatory or an accident.

Mail order sales of master car keys is a national problem since the laws of any one State are not effective against mail that crosses State boundaries. A national solution is therefore required. The bill introduced by Senator RIBICOFF can provide that solution. I urge that hearings be held on this bill in the near future so that Congress can take appropriate action this year.

AMENDMENT TO ANADROMOUS FISH ACT

Mr CHURCH. Mr. President, I introduce, for appropriate reference, on behalf of myself and my distinguished colleague from Idaho [Mr. JORDAN], a bill to amend the Anadromous Fish Act, Public Law 89-304. The purpose of the Anadromous Fish Act, Mr. President, is to conserve, develop and enhance the supply of salmon and similar fish which ascend fresh water streams to spawn.

It provides that the Secretary of the Interior may enter into agreements with the States for cooperative action and for matching Federal grants of up to 50 percent for these important programs.

Unfortunately, the Anadromous Fish Act prohibits the spending of funds in the Columbia River drainage. Congress excluded the Columbia drainage because Federal funding was made to that area through the Mitchell Act of May 11, 1938 (52 Stat. 345) as amended (16 U.S.C. 755-757). The Mitchell Act, however, excluded the upper Columbia, and it was not until 1958 that my State of Idaho was allowed to participate in that program.

As I mentioned earlier, the Anadromous Fish Act approved by the 89th Congress, specifically prohibits spending Federal funds in the Columbia River drainage. This was appropriate, Mr. President, for our sister States of Washington and Oregon, because they have numerous anadromous fish streams that pour into the Pacific, and in the case of Washington, also into Puget Sound, all outside the Columbia drainage.

But Idaho's great Snake, Salmon and Clearwater Rivers—one of the last major spawning grounds for salmon and steelhead trout—are part of the Columbia drainage, and thus excluded from the benefits of the act.

Downstream dams, Indian and commercial fishing have reduced the great runs of salmon and steelhead in the Pacific Northwest, and in Idaho, where this major nursery is located. This is added reason why we should be allowed to participate in this program. With one of the best fish and game departments in the Nation, Idaho is already spending large sums of money on research and management of these anadromous fish, but further Federal assistance is needed.

The bill which we introduce today simply amends the Anadromous Fish Act so as to authorize the State of Idaho to participate under its provisions. This is not, Mr. President, just because it is only fair and equitable, but because these fish sustain an estimated $50 million annual industry in the Pacific Northwest. The runs must be preserved and the major spawning complex is in Idaho where much of the research and work must be done. I hope we can have early action on this bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1784) to amend the act of October 30, 1965 (79 Stat. 1125), so as to authorize the State of Idaho to participate under the provisions of such act, introduced by Mr. CHURCH (for himself and Mr. JORDAN of Idaho), was received, read twice by its title, and referred to the Committee on Commerce.

AMENDMENT OF THE LIFE INSURANCE ACT OF THE DISTRICT OF COLUMBIA

Mr. TYDINGS. Mr. President, I introduce today a bill to amend the Insurance Code of the District of Columbia to assure that the eight Canadian-based life insurance companies licensed to do business in the District are accorded the same rights to advertise their business figures and distribute their financial statements to prospective buyers as are their American-based competitors.

Last year the Congress amended the life insurance laws of the District of Columbia to make it possible for companies licensed to sell insurance in the District to advertise their total business figures in accordance with the latest fiscal information available to them. This was a useful and necessary amendment for both the consumer and the life insurance companies.

Unfortunately, the amendment was drawn in such a way that it did not extend this same privilege of providing updated financial data to alien companies as it did to their American-based competitors. The only alien insurance companies presently licensed to do business in the District are eight Canadian-based companies. The continued presence here of these companies is distinctly in the interest of the citizens of the District. Their presence increases the choices available to our consumers, and their sound financial status is unquestioned by the Superintendent of Insurance.

The bill which I introduce today will put these eight companies back on equal operating terms with all other life insurance companies doing business in the District of Columbia. I hope the Congress will give the bill early and complete consideration.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1786) to amend the Life Insurance Act of the District of Columbia, approved June 19, 1934 (48 Stat. 1125), introduced by Mr. TYDINGS, was received, read twice by its title, and referred to the Committee on the District of Columbia.

FEASIBILITY INVESTIGATION OF CERTAIN WATER RESOURCE DEVELOPMENTS

Mr. JACKSON. Mr. President, I send to the desk, for appropriate reference, a measure I am introducing at the request of the Department of the Interior to authorize feasibility studies on four proposed irrigation projects.

The draft of this proposed legislation was submitted in compliance with section 8 of Public Law 89-72, which provides:

> SEC. 8. Effective on and after July 1, 1966, neither the Secretary of the Interior nor any bureau nor any person acting under his authority shall engage in the preparation of any feasibility report under reclamation law with respect to any water resource project unless the preparation of such feasibility report has been specifically authorized by law, any other provision of law to the contrary notwithstanding.

The Members of the Senate will recall that this provision was written into S. 1229, 89th Congress by the Senate Interior Committee so that Congress would retain control over all phases of irrigation projects.

Mr. President, I ask unanimous consent that the text of the draft legislation, the letter of transmittal of the Secretary of the Interior, and a description of each of the proposed projects that will be the subject of a feasibility study be printed in the RECORD at this point.

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

The bill (S. 1788) to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments, introduced by Mr. JACKSON, by request, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 1788

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized

to engage in feasibility studies of the following proposals:

1. Missouri River Basin project, Garrison division, Garrison diversion unit, Minot extension, in the vicinity of Minot, North Dakota.

2. Mogollon Mesa project, Winslow-Holbrook division in the Little Colorado River Basin in the vicinity of Winslow and Holbrook, Arizona.

3. Mountain Park project in the vicinity of Altus, Oklahoma.

4. Retrop project on the North Fork of the Red River in the vicinity of the W. C. Austin project, Oklahoma.

The letter of transmittal and a description of each of the proposed projects are as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., May 8, 1967.

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

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill "To authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments." Authorization of feasibility studies as proposed by this draft bill is required by section 8 of the Federal Water Project Recreation Act of July 9, 1965 (79 Stat. 217).

We recommend that the enclosed bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The bill would authorize the Secretary of the Interior to engage in feasibility studies of the Mountain Park and Retrop projects in Oklahoma, the Winslow-Holbrook division of the Mogollon Mesa project in Arizona and the Minot extension of the Garrison diversion unit in North Dakota.

A feasibility report on the Mountain Park project was submitted to Congress in May of last year. Due to the possibility of certain additional studies and analyses, the project was included in S. 3034, 89th Congress, 2d Session, "To authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource development proposals." Studies of the Retrop project were initiated in fiscal year 1966 prior to the date the Federal Water Project Recreation Act went into effect. With the enactment of S. 3034 work has been suspended.

Both of these projects were omitted from S. 3034, as passed, due to "water supply problems". The Department is not aware of any water supply problems which should prevent feasibility studies from continuing on these projects. In view of the pressing need for the water supply that these projects would make available, the studies should be resumed and completed at the earliest practicable date.

Reconnaissance studies have been completed for the Holbrook-Winslow division of the Mogollon project and the Minot extension of the Garrison diversion unit. On the basis of the reconnaissance data, it appears that the developments are economically desirable and financially justified, there is good local support, and feasibility studies are warranted. The Department proposes to undertake the feasibility studies as soon as study authorization is available and the work can be fitted into its planning program.

Also enclosed are supplementary statements which provide information on the plan of development for the four projects, and the justification for seeking feasibility study authority.

The Bureau of the Budget has advised that there is no objection to the presentation of this proposed legislation from the standpoint of the Administration's program.

Sincerely yours,

KENNETH HOLUM,
Assistant Secretary of the Interior.

MISSOURI RIVER BASIN PROJECT, GARRISON DIVERSION UNIT, MINOT EXTENSION, NORTH DAKOTA

Location: Ward County near the city of Minot, North Dakota.

Project data: (Reconnaissance 1966).

Total construction cost	$5,861,000
Adjust	[1] 284,000
Total allocation	6,145,000

PROGRAM GOALS

	Cost allocation
Municipal and industrial water, 18,907 [2] acre-feet per year	[3] $6,145,000
Fish and wildlife	([4])
Recreation	([4])
Total	6,145,000

[1] Represents interest during construction.

[2] Canalside delivery; annual use at city's plant estimated at 14,562 acre-feet annually for population of 70,000 in year 2000.

[3] Does not include cost of water at Velva Canal, Garrison diversion unit which is estimated at $15 per acre-foot annually, including assigned OM&R.

[4] Storage reservoir is expected to provide opportunities for outdoor recreation and fish and wildlife enhancement; to be evaluated in feasibility study.

Benefit-cost ratio: 1.3 to 1.0.

Description: Under the authorized initial stage of the Garrison diversion unit, the Velva Canal will be constructed from Lonetree Dam and Reservoir, a regulating reservoir, to a point about 12 miles east of the city of Minot, serving irrigable lands to the southeast and northeast of the city. The plan being considered under the proposed feasibility investigation for delivering water to the city would be a physical extension of the Garrison diversion unit. A canal about 10.5 miles long would be constructed from the Velva Canal to a potential dam and reservoir site about one mile from the city. Two pumping plants would be required on the canal to lift the water a total of 80 feet. A 4.7-mile pipeline from the proposed reservoir to the city's treatment plant would be required. The reservoir, which would store water during the off-season period when the Velva Canal is not being operated, would have a capacity of about 7,500 acre-feet.

Status: As a part of studies for the initial stage of Garrison diversion unit, the overall feasibility of delivering water to 14 municipalities, including the city of Minot, and four industrial areas was determined.

For determination of benefits, preliminary estimates were made of the costs to each water user for works to deliver water from the project canals. This information has been updated in respect to furnishing a water supply for the city of Minot, and a reconnaissance estimate has been prepared of costs for construction of a delivery system by the Bureau of Reclamation.

Justification: The city of Minot has attempted to make the best utilization of any and all sources of water to maintain its steady population growth, but is still faced with a critical water supply if it must depend on underground aquifers and the Souris River. The ground water level has continued to recede, even under summer rationing practices, and the supply from the Souris River is limited. A current program to recharge the aquifer has met with some success but is not considered a long-term solution to the problem.

For 20 years the city has looked to the Garrison diversion unit as a potential source of water of better quality and adequate quantity to meet current and long-term requirements. The authorized initial stage of the unit would provide such a water supply at canalside. An extension of the Garrison diversion unit would be required, however, to provide for Federal construction of the lateral, pumping plants, storage reservoir, and other facilities required to deliver water to the city's system.

Local interest: The city has actively supported all aspects of the multipurpose Garrison diversion unit during the many years of study. Through many resolutions and letters, the city has urged that preconstruction studies leading to construction of Velva Canal be accelerated to provide a source of municipal and industrial water at the earliest possible date.

With construction of Velva Canal now scheduled in the near future, the city has expressed strong interest in extension of the unit to provide delivery of water from the canal to the city. The city and the Garrison Diversion Conservancy District have urged the Bureau to undertake studies of this aspect as soon as possible in order that a plan for water delivery would be completed in advance of availability of water from the unit. These interests were instrumental in the Congress inserting funds in the 1967 Public Works Appropriation Act for a reconnaissance study preceding a feasibility investigation.

MOGOLLON MESA PROJECT—WINSLOW-HOLBROOK DIVISION

Location: On Chevelon Creek, a tributary of the Little Colorado River, in southern Navajo County and in the vicinity of the towns of Winslow and Holbrook, Arizona.

Project data:

Total construction cost	$14,958,000
Adjust	[1] 1,021,000
Total allocation	15,419,000

PROGRAM GOALS

	Cost allocation
Municipal and industrial water, 14,350 acre-feet per year	$14,501,000
Fish and wildlife	746,000
Recreation	172,000
Total	15,419,000

[1] Contributed planning funds and interest during construction.

Benefit-cost ratio: 1.5 to 1.0.

Description: The plan under consideration and as described in the reconnaissance report on Arizona-Colorado River Diversion Projects, Little Colorado River Basin and Adjacent Counties, involves the construction of a multipurpose reservoir on Chevelon Creek, a tributary of the Little Colorado River, together with a pump and pipeline system to divert water to Winslow and Holbrook, Arizona. The water will be used primarily for municipal and industrial purposes; however, the project will also provide recreation and fish and wildlife benefits. The project features include a 230-foot-high dam and a 49,000-acre-foot reservoir at the Wildcat location, approximately 25 miles south of Winslow; a diversion pumping plant at the Wildcat reservoir, with a total static lift of 167 feet, and about 8 miles of 24-inch-diameter pressure pipeline to a bifurcation in the system. At the bifurcation, the flow would be by gravity for 17.4 miles to Winslow through a 21-inch-diameter pipeline and 28.4 miles to Holbrook through a 21-inch-diameter pipeline.

Status: A reconnaissance report was completed in September 1966 which indicates the Winslow-Holbrook division is economically feasible and financially justified and that detailed feasibility studies are warranted.

Justification: The investigation of the Winslow-Holbrook division of the Mogollon project should be initiated as soon as possible to permit coordination of the plans for that division with the plans now being developed for the Flagstaff-Williams division (formerly referred to as the Flagstaff-Williams project).

The Flagstaff-Williams division involves the construction of a multipurpose dam and reservoir on Clear Creek, a tributary of the Little Colorado River, with a pipeline system to deliver the water to the cities of Flagstaff and Williams which are facing serious water shortage. The city of Winslow, however, has rights to 17,800 acre-feet annually of the flows of Clear Creek, and, while its present source of groundwater is adequate to meet its short-term needs, the Clear Creek water, or suitable replacement, will have to be developed in the not too distant future to meet the city's growing demands. The proposal now under consideration is to develop the flows of Chevelon Creek to serve the city of Winslow as a replacement to its rights to the Clear Creek water thus permitting the latter water to be diverted to Flagstaff and Winslow. In order to develop a coordinated plan for the two divisions that will have the unified support of the various communities, the investigations must be made concurrently.

Local interest: All communities and civil leaders in the project area have indicated support for this study. The State of Arizona has contributed funds to assist in financing the studies conducted in this area.

MOUNTAIN PARK PROJECT—OKLAHOMA

Location: On the North Fork of the Red River in the vicinity of Altus, Oklahoma.

Project data: (Feasibility—June 1963 reevaluated April 1966).

Total construction cost	[1] $19,978,000
Adjustment	[2] 762,000
Total allocation	[1] 20,740,000

PROGRAM GOALS

	Cost allocation [1]
Municipal and industrial water, 16,000 acre-feet per year	$15,153,000
Flood control	2,713,000
Fish and wildlife	2,057,000
Recreation	817,000
Total	20,740,000

[1] Based on supplemental information and reevaluation statement, dated April 1966.

[2] Reimbursable interest during construction.

Benefit-cost ratio: 1.91 to 1.

Description: The Mountain Park project would supply municipal and industrial water to the towns of Snyder and Altus and to the Altus Air Force Base in southwest Oklahoma and in addition, it would provide substantial flood control, fish and wildlife, and recreation benefits to the area. The plan of development involves construction of Mountain Park Dam and Reservoir on Otter Creek; Bretch Diversion Dam and Canal to divert Elk Creek flows into the Mountain Park Reservoir; an aqueduct system to deliver water from the reservoir westward to Altus in Jackson County and southward to Snyder in Kiowa County and basic recreation and fish and wildlife management facilities. The plan contemplates construction of Mountain Park Dam and Reservoir as Stage I of the project. Stage II would consist of the Bretch Diversion Dam and Canal, to be built when Altus and Snyder water demands have grown to require the inclusion of Elk Creek flows.

Status: The Secretary's report on this project was transmitted to the Congress on May 11, 1966, and has been printed as H.D. 438, 89th Congress. H.R. 10430 and S. 2401, to authorize construction of the project, were introduced in the 89th Congress but no action was taken. Mountain Park project was included in the Administration's draft of legislation submitted to the 89th Congress, 2d Session to authorize the Secretary of the Interior to engage in feasibility investigations. Although the feasibility investigations were completed on this project, the project was included in section 1(a) of the Administration's draft to permit the Secretary to undertake any additional work that could arise from congressional consideration of the proposal. The project was omitted from the bill as enacted into law (P.L. 89-561) but it is recommended that authority be made available to provide for any additional studies that may become necessary prior to authorization for construction.

Justification: The scarcity of good quality water in southwest Oklahoma, together with a large increase in population in recent years, has justified investigation of all possible sources of supply. The city of Altus has a contract with the Lugert-Altus Irrigation District which serves the W. C. Austin Irrigation project. Irrigation water shortages have been severe and will increase as sediment continues to encroach on the storage capacity of the lake. The 4800 acre-feet of assured supply available to Altus under its contractual arrangement is not adequate for the increased population of the city and for the Altus Air Force Base. City officials are exploring every possible source for a supplemental supply. Construction of the Mountain Park project would provide an ample supply of good quality water to meet future demands of the communities in the area.

Local interest: Expressions of interest in development of the Mountain Park project as a source of municipal and industrial water date back to 1954. More recent expressions include (1) a resolution passed by the city of Snyder on June 4, 1962, requesting inclusion in the project as outlined in the feasibility report; (2) a resolution to the same effect passed by the city of Altus on July 16, 1962; and (3) a resolution passed by the Oklahoma Water Resources Board on May 8, 1962, concurring in the findings of the report and agreeing to take the necessary action to insure repayment to the United States of the water supply storage costs which are deferred as cost allocable to future water supply under the Water Supply Act of 1958, as amended by Public Law 87-88. On November 1, 1965, a meeting of communities southwest of Altus was held in Eldorado, Oklahoma, to discuss requesting inclusion in the project. Representatives from Altus attended with the thought that the additional interest and demand for the water might expedite authorization of the project. The city of Altus has taken steps to initiate the formation of a Master Conservancy District to facilitate the contractual arrangements between the United States and local interests which are prerequisites to start of construction.

RETROP PROJECT, OKLAHOMA

Location: In the drainage basin of the North Fork of the Red River at and above the existing Altus Reservoir, which is above the existing W. C. Austin irrigation project.

Project data: (Reconnaissance 1966).

Total estimated construction cost	$7,015,000
Adjust	0
Total allocation	7,015,000

PROGRAM GOALS

	Cost allocation
Safety of dams program	$4,000,000
Irrigation, 50,000 acre-feet/year	[1] 3,015,000
Total	7,015,000

[1] The allocations and benefit-cost analysis are based on use of the conservation storage for irrigation although part of the water may be used for municipal and industrial purpose and there may be benefits from fish and wildlife enhancement and recreation. Decision as to use of water and final allocations will depend upon completion of feasibility studies and further negotiations with the local interests.

Benefit-cost ratio: 1.3 to 1.0.

Description: The purpose of this investigation is to develop plans to increase the height of the existing Altus Dam by 6.5 feet which would add 50,000 acre-feet to the storage capacity and to modify the existing spillway, which has been found necessary under a Bureau-wide program of examination of the safety of existing dams to accommodate the maximum flood that can be expected.

Status: A reconnaissance evaluation of the Retrop project was completed early in fiscal year 1966 and a feasibility investigation was initiated in that year. The Retrop project was among those included in the Administration's draft bill submitted to the 89th Congress, 2d Session, to authorize the Secretary of the Interior to engage in feasibility investigations. It was omitted, however, from the Act as passed by the Congress (P.L. 89-561). The studies were subsequently suspended pending congressional approval of feasibility studies of the project.

Justification: Altus Dam and Reservoir on the North Fork of the Red River provides the conservation storage for the irrigation of 47,000 acres. In the original planning of the W. C. Austin project in the latter 1930's, it was recognized that Altus Reservoir would not provide a full water supply for the entire acreage and there would be serious shortages. This has been borne out by actual operating experiences. Based on 1962 reservoir conditions for the period from 1926 to 1959, the annual water shortages averaged approximately 21 percent of the consumptive use requirements with maximum shortage of 65 percent. One factor that has contributed to the water shortages is the sedimentation that has taken place in Altus Reservoir. In 1962 the conservation storage in the reservoir had been reduced from the original 156,100 acre-feet in 1946, to 132,000 acre-feet.

Local interest: There is strong local support for this study. Officials of the Lugert-Altus Irrigation District have expressed interest in reducing reservoir spills by providing additional capacity in Altus Reservoir, either by dredging sediment from the reservoir, raising the dam, or by constructing sediment traps outside the reservoir area. Reconnaissance studies of these alternatives indicated that raising the height of Altus Dam has the most promise and merits detailed study.

DEMONSTRATION PROGRAM FOR THE REHABILITATION OF CONVICTED CRIMINAL OFFENDERS

Mr. KENNEDY of New York. Mr. President, today, I am introducing, together with Senator PROUTY, a bill to establish a demonstration program for the rehabilitation of convicted criminal offenders. I am also pleased to announce that the bill can number among its sponsors, Senator BAYH, Senator BURDICK, Senator CHURCH, Senator GRUENING, Senator JAVITS, Senator KENNEDY of Massachusetts, Senator MCCARTHY, Senator MCGEE, Senator MCINTYRE, Senator MONDALE, Senator MORSE, Senator MOSS, Senator NELSON, Senator PELL, Senator PROXMIRE and Senator TYDINGS.

The bill is designed to deal with a problem which Oscar Wilde once described vividly when he put pen to paper to protest against the shame and degradation that he had experienced behind prison walls. He wrote:

The vilest deeds like poison weeds
Bloom well in prison air
It is only what is good in Man
That wastes and withers there
Pale Anguish keeps the heavy gate
And the Warden is Despair

That this protest is all too applicable to this Nation's present treatment of criminal offenders is testified to by the President's Commission on Law Enforcement and Administration of Justice. In its recent report, The Commission concluded:

> For a great many offenders, . . . corrections does not correct. Indeed . . . the conditions under which many offenders are handled . . . are often a positive detriment to rehabilitation.

As more and more statistical data comes to light, we are learning startling but depressing facts about our corrections system. Over 1.2 million people are under correctional authority on an average day. Although approximately 120,000 people are employed in the corrections field only 20 percent of these employees deal with rehabilitation as their primary function.

When we translate this general data into specific figures, we learn that all too little has been done to rehabilitate and reintegrate into society those who have once run afoul of the law enforcement process.

Until now, we have committed virtually no resources to assist those who have been arrested. We release many of them on bail and in recent years on their own recognizance. But we have not coupled release with efforts at placing these people in jobs or vocational training programs. As a consequence, the vast majority of arrestees appear at trial without employment or prospects for employment. Under such circumstances, prosecutors and judges are simply not willing to dismiss charges or utilize probation extensively. They cannot and should not return those who are unemployed and unschooled, who are alienated and disturbed, back into the same environment which once led them to commit offenses.

And for those who are incarcerated, we have taken few steps to insure the adequate treatment and training necessary to change lawbreakers into productive and useful law abiders. The over 1 million people who are held in jails each year live in deplorable conditions. More than 40 percent of these facilities were built before 1920. Most of them are outmoded. They are dirty, overcrowded, and devoid of adequate facilities. Training and educational programs are virtually nonexistent.

We have also failed to take the necessary steps to rehabilitate those offenders who are sent to prison. In the entire Nation, our adult correctional institutions are served by a total of only 50 full-time psychiatrists and 100 psychologists. The ratio of teachers and vocational instructors to inmates is about 1 to 400 and as the President's Commission on Crime in the District of Columbia notes, these same disturbing figures appear again when we turn to the institutions in which juveniles are incarcerated. Less than 8 percent of those employed in the field of corrections have received any professional education.

And we have been just as lax and faulty in our handling of the postincarceration process. The task of rehabilitating the offender—in particular the youthful offender—only begins when he leaves prison. The parolee needs assistance if he is to adjust successfully to society. At present, too little of this assistance is available.

We know that at a bare minimum, an efficiently run parole department requires one officer to every 50 releasees. Currently, in most jurisdictions, a parole officer's usual caseload ranges from 100 to 200 men.

We also know that it is important for the ex-convict to find steady employment paying decent wages as soon after his release as possible. Yet large-scale state employment services to assist him are non-existent. A majority of those who obtain work beginning immediately after prison do so with private and not public assistance. And meaningful jobs at decent pay are hard to find. Most wages barely reach the subsistence level. The average Federal offender earns less than $200 a month during the period immediately following his release. Only 25 percent of all Federal releasees work even 80 percent of the time during their first month out of prison and only 40 percent obtain this much work within the first 3 months. During this same period nearly 20 percent of the releasees have found no work at all.

Under these circumstances, the ex-convict must normally turn to friends or to family for assistance. If he is rejected by them, then his next step is a welfare mission or skid row. At any point along the way it may simply be easier for him to return to crime.

And in fact the rate of recidivism for released criminal offenders is extremely high. A recent study of adult offenders in the District of Columbia revealed that only 17 percent of them had not been previously convicted of a crime, and that only 35 percent had not been institutionalized prior to their current conviction. After a limited study of released offenders, Prof. Daniel Glaser found that over one-third of those who are released will be convicted and returned to prison again. Still others will violate parole and find themselves back in incarceration facilities.

The difficult question that faces this Nation is how best to deal with this recurrent cycle which continually brings those who have once had a taste of the criminal process back into contact with that process. From the little information that we have, the answer appears to lie in a greater commitment to rehabilitation. We must help supply jobs and services to those who are arrested and then released before or after trial. We must educate and vocationally train those who are in prison; and we must be prepared to supply guidance and help find employment for those who are released from incarceration facilities.

The task ahead will not be simple for we know something about the background of the average young offender. A study conducted in Atlanta revealed that the typical boy sent to a State training school was 3.4 years behind his contemporaries in basic skills like reading and writing, and that almost 40 percent of those appearing in juvenile courts were 5 years behind the average youngster. Less than 5 percent of those in prison have had any college training and only 17 percent—less than one-third the national average—have finished high school. A recent survey found that the number of totally unskilled laborers in the prison population is almost three times the national average. Over 75 percent of the men in Federal prisons lacked steady employment during the 2 years before they went to prison.

On Sunday, Mayor Lindsay and I announced that the Labor Department and the Vera Institute of Justice are now in the process of developing a 3-year pilot project for New York City to help solve one phase of this rehabilitation problem. The objective of this project is to place arrested but released persons in jobs or vocational training programs. It is my hope that this experiment will demonstrate the feasibility of diverting appropriate cases from the criminal process and securing probation as well as suspended sentences for offenders who do not require a prison sentence. With the full cooperation of the Labor Department and New York City, it is expected that the Vera Institute will begin its rehabilitation program in September 1967. I assisted in arranging the Federal financing for this experiment because I believe that it will show how successful this Nation can be in reducing recidivism if it will just devote a little time and attention to the criminal offender.

The bill that I submit today grew out of a suggestion that I made in a recent address at Columbia Law School; it is meant to complement and broaden the ramifications of the Vera experiment. It is also a demonstration program and as such it will not solve the problems of rehabilitating and making productive citizens out of our entire prison population. But it should prove to be a step in the right direction and, as a demonstration program, will provide us with information to know the future course of action we must take if we are to reduce substantially the rate of recidivism in this country.

The bill constitutes an amendment to section 805 of the Economic Opportunity Act of 1964. It provides that over the next 3 fiscal years, teams composed of VISTA volunteers and qualified instructors will be placed in no more than six prison facilities in or nearby six of our large cities. The purpose of the bill is to provide young adult criminal offenders with intensive education, training, and counseling during the 6 to 8 months prior to release from confinement and during the 6 to 8 months immediately following release. The teachers will be based at the prison facilities and each instructor will work with 10 prisoners at a time. The VISTA volunteers will work in the community with caseloads of four offenders who have previously received intensive training at the prisons. The teams of volunteers and teachers will receive close supervision not only from their own leaders but from community sponsoring groups composed of judges, prison and parole officials, and criminologists. The work of these teams will in no way conflict with the operations of local corrections departments; rather

the activities of VISTA and its affiliated teachers will only supplement existing programs. In short, those cities which desire to participate in this experimental project will have to offer close cooperation and assistance, but they will not have to disturb or change their ongoing correctional policies.

As designed, this project should help solve many of the problems that we know arise in the rehabilitation of criminal offenders. First, it provides a means for bringing educational skills to a number of incarcerated offenders. We are now learning of the remarkable results that intensive training programs can have for disadvantaged youths. A demonstration project at the Rhode Island Adult Correctional Institution revealed that 30 hours of training increased the reading skills of participants by one full grade. A study in Detroit demonstrated that under intensive teacher-training the failure rate of underprivileged high school students in their courses could be halved. Finally, the innovative programs of the Department of Labor at such correctional institutions as Draper in Elmore, Ala., and Lorton in Washington, D.C., have shown that saturation training programs and extensive counseling can significantly decrease the possibility that the released offender will again engage in criminal activities.

Under the bill I put before you today—a bill which builds on these past experiments—qualified instructors will have between 6 and 8 months to work intensively with young adult offenders. Every reason exists for believing that under this type of training, young offenders will advance anywhere from two to four grades in their educational abilities and begin to develop the necessary skills to take full advantage of numerous employment opportunities.

Second, the work of the VISTA volunteers during the pre-release phase will serve to shape the training that prisoners receive to the positions they will hold upon leaving the correctional institution. Until now, one of the greatest problems of prison rehabilitation has been that inmates rarely receive training that will aid them upon release. In an initial study of Federal ex-convicts, Professor Glaser found that of those who find jobs, only 17 percent have employment related to their work in prison. Under this experimental program, the VISTA volunteer will meet with his assigned charges soon after they have come under Teacher Corps supervision; he will then begin to seek out a suitable job or vocational program for each of these men. Once the VISTA volunteer begins to develop a position for his charge, then the teacher assigned to the case can structure the individual's educational program toward his actual plans upon release. Through coordinated planning, the prisoner will reenter society not only with definite prospects for a useful life but with a realization that he is prepared to cope with the problems that will arise at his new job.

Third, the VISTA volunteer will continue to work with his charge for between 6 to 8 months after release. His assignment will be to offer guidance and counsel. The few studies that have been made of the problems faced by releasees reveal that what these men need most are advisers and not new authority figures. They must be provided with constant attention and assistance if their alienation from society is to be reduced. The VISTA volunteer must therefore serve as the link between the releasee and his community. He must not only be a friend but a mentor who must seek ways to help his charges reintegrate themselves into an all too hostile environment.

Fourth, the bill provides for a large research effort as a means for supplying us with detailed information on the strengths and weaknesses of our rehabilitation programs. We must ascertain more fully the reason why some releases fail while others succeed. We must analyze the factors which contribute to the absorption of some ex-convicts into the world of law-abiding contributing citizens. And we must determine whether the program I am here suggesting is succeeding in substantially reducing recidivism and is therefore a worthy model to be expanded by Congress and to be copied at the State and local levels.

The program that I am requesting calls for only a small outlay of Federal funds. During fiscal year 1968, less than $1.3 million will be needed; during the following 2 fiscal years of this 3-year experiment less than $2 million a year will be required. From the judges, corrections officials, and criminologists that I have spoken to about this bill, I have received nothing but enthusiastic responses. Since VISTA has already engaged in several projects involving the criminal process, this program should not prove to be a major divergence from its existing functions. In fact, I have drawn on the expertise of both VISTA and the Teacher Corps in working out the mechanics of this demonstration program.

Mr. President, I ask unanimous consent that this bill pertaining to the amendment of the Economic Opportunity Act of 1964 be printed in the RECORD in its entirety. I also request that a short summary of the program, and a more complete analysis of the requested appropriation be printed in the RECORD following the text of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and analysis of the rehabilitation demonstration program will be printed in the RECORD.

The bill (S. 1789) to authorize demonstration projects designed to help young adult criminal offenders through the services of members of VISTA and the Teacher Corps or other qualified teachers, introduced by Mr. KENNEDY of New York (for himself and other Senators), 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. 1789

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 805 of the Economic Opportunity Act of 1964 is amended by inserting "(a)" immediately after the section designation and by adding at the end thereof the following new subsection:

"(b) (1) The Director is authorized to conduct, or to make grants, contracts or other arrangements for the conduct of, demonstration projects in not more than four metropolitan areas during the fiscal year ending June 30, 1967, and in not more than six metropolitan areas for each of the two succeeding fiscal years under which volunteers under section 802 and members of the Teacher Corps established pursuant to part B of title V of the Higher Education Act of 1965, or other qualified teachers, provide criminal offenders, aged sixteen through twenty-five, with intensive education, training, and counseling for at least a six-month period prior to their release from confinement and for at least a six-month period thereafter. The Director is authorized either to make arrangements with the Secretary of Health, Education, and Welfare, for the use for the purposes of this subsection, on a reimbursable basis, of the services of not more than forty members of the Teachers Corps during the fiscal year ending June 30, 1968, and of the services of not more than sixty members for each of the two succeeding years. Or to hire the same numbers of qualified teachers during the next three fiscal years.

"(2) There is hereby authorized to be appropriated $1,290,000 for the fiscal year ending June 30, 1968, and $1,926,500 for each of the two succeeding fiscal years, for the purposes of this subsection."

The rehabilitation demonstration program presented by Mr. KENNEDY of New York, is as follows:

REHABILITATION DEMONSTRATION PROGRAM

1. The program will operate for three years. It will involve four prisons during the first year and six prisons during the second and third years. The required appropriation will be under $1.3 million for year one and under $2.0 million for each of the two subsequent years.

2. The controlling organization will be VISTA. It will contract with either the Teacher Corps or with individual teachers in order to provide the requisite number of instructors for the prison facilities.

3. The program will treat young adult offenders who are in the age range between 16 and 25.

4. The program will operate in the following way:

a. During year one, 100 VISTA volunteers will be needed along with 40 teachers;

b. During years two and three, 150 VISTA volunteers will be needed along with 60 teachers;

c. It is expected that these groups of teachers and volunteers will be divided evenly between the participating cities. But if the Program Director decides that a somewhat unequal distribution will better serve the purposes of the program, he may divide the participants up in that manner.

d. The teachers will work with the prisoners during the six to eight months prior to their release. They will work with them in a 1 to 10 ratio. Each project will therefore work with 100 prisoners at any one time and between 150 and 200 a year.

e. In the first week there will be educational testing to ascertain the individual needs of prisoners so that particular remedial education can be planned. The breakdown of a group of 100 should produce a small number of individuals who are at or near high school graduation and have college potential, a second group who must be considered functional illiterates, and a large remainder who are at various levels in between these two extremes. The early months of the teaching program should call for an intensive remedial program in English and arithmetic at the individual's level and pace. It would probably be convenient to divide the sample into small groups of comparable

achievement levels and utilize team teaching and other innovative methods. Interspersed around this intensive basic work would be special work in the social and physical sciences, as well as history and literature utilizing good film materials, guest expert teachers and perhaps some cultural trips to plays, concerts, movies, etc. These would be structured as "breaks" in the basic academic routine.

f. Within a month after a prisoner enters the program he will be interviewed by a VISTA volunteer who will, in cooperation with existing groups in the community, begin to develop a suitable job and home for the offender upon his release. (At all times in the program, there will be one VISTA volunteer assigned to every four prisoners.) As the VISTA volunteer develops projects, the teacher assigned to the case will structure the individual's educational program toward his actual prospects upon release. Thus, if the prisoner has possibilities as a cook in a restaurant, his academic program will stress the weights and measurements and recipe arithmetic needed for the specific type of restaurant where the offender will work. Order forms, menus and written instructions provided by the staff of this restaurant will be obtained and the offender will be drilled so that he can deal with this material effectively. In short, as release nears, the program will become more adapted to the situation which will actually be faced by the release.

g. The VISTA volunteer will provide a valuable link between the prisoner and his community and family that is not existent at the present time. Prior to release he will help obtain jobs for the prisoners, introduce the employer's special requirements into the educational program, and develop additional community contacts for the prisoner.

h. After release, he will provide opportunities for the releasee to continue the educational and training programs begun in the institution. He will also work with the releasee's family and visit the releasee every 1 to 2 days both on the job and in the home to see if problems are developing. Finally, he will acquaint the releasee with all available community programs that he can take advantage of.

i. The VISTA volunteers will work in teams composed normally of 25 volunteers and 2 supervisors. Smaller teams of 5 volunteers may be formed in centers situated in the areas the releasees will be living in after release. It is possible that with municipal cooperation, the centers will also afford living areas for these teams. The sponsoring group should provide the necessary contacts with existing community resources. Supervision for the volunteers will be provided by VISTA, but the local sponsoring group will have final control over most of the important decisions made about the project.

5. A research staff is provided for in the bill. Its primary function will be to collect data on the value of the program and the problems faced by the VISTA volunteers and teachers who are running it. The research staff must help select those prisoners who will participate in the program and establish meaningful control groups. It will have to program tests for the prisoners and set up reporting procedures for the teachers and volunteers. How much we learn from this project will depend upon the capabilities of those who are selected to head these staffs.

Budget

YEAR 1

Teachers:	
Instructors (40×$7,500)	$300,000
Supervisors (4×$12,500)	50,000
VISTA:	
Volunteers (100×$4,350)	435,000
Supervisors (8×$12,500)	100,000

Budget—Continued

YEAR 1—continued

Executive staff:	
1 Head in each city (4×$15,000)	$60,000
1 project coordinator (Washington)	17,000
Research staff:	
2 in each city (8×$14,000)	112,000
secretaries plus research aids (16×$6,000)	96,000
Miscellaneous for facilities, equipment, loans for participants, etc	120,000
Total	1,290,000

YEARS 2 AND 3—ADDITIONAL EXPENDITURES

20 Teachers	$150,000
2 Supervisors	25,000
50 VISTA volunteers	217,500
4 VISTA supervisors	50,000
2 Executive supervisors	30,000
4 Research staff	56,000
8 Research assistants and secretaries	48,000
Miscellaneous	60,000
Total, years 2 and 3	636,500
Total, year 1	1,290,000
Total, all years	1,926,500

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Indiana [Mr. HARTKE], I ask unanimous consent that, at its next printing, the name of the Senator from South Carolina [Mr. THURMOND] be added as a cosponsor of the bill—S. 1681—to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes.

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

Mr. BYRD of West Virginia. Mr. President, I also ask unanimous consent, on behalf of the Senator from Indiana [Mr. HARTKE], that, at its next printing, the name of the Senator from Rhode Island [Mr. PASTORE] added as a cosponsor of the bill—S. 1736—to provide increased opportunities for students in higher education for off-campus employment by establishing programs of work-study cooperative education.

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

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the name of the Senator from Pennsylvania [Mr. CLARK] be added as a cosponsor of S. 1717, the medical stockpile disposal bill, at its next printing.

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

Mr. RANDOLPH. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Indiana [Mr. BAYH] be added as a cosponsor of the joint resolution (S.J. Res. 74) to provide for the formulation, adoption, administration, and periodic updating of a comprehensive plan for the U.S. Capitol Grounds and contiguous related and influencing areas.

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

Mr. MAGNUSON. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Indiana [Mr. HARTKE] be added as a cosponsor of the bill (S. 1551) to permit a compact or agreement between the several States relating to taxation of multistate taxpayers.

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

Mr. MAGNUSON. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Maryland [Mr. TYDINGS] be added as a cosponsor of the bill (S. 1585) to provide the Coast Guard with authority to conduct research and development for the purpose of dealing with the release of harmful fluids carried in vessels.

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

Mr. CLARK. Mr. President, I ask unanimous consent that, at its next printing, my name be added as a cosponsor to S. 1779, a bill to establish an international health, education, and labor program to provide open support for private, nongovernmental activities in the fields of health, education, and labor, and other welfare fields.

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

Mr. CLARK. Mr. President, I ask unanimous consent that, at its next printing, my name be added as a cosponsor to S. 1590, a bill to prohibit, without the express approval of Congress, any construction which would result in altering the proportions, changing the size, or modifying the U.S. Capitol Building in any substantial manner and to establish a commission to study the existing and future space needs of the Congress.

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

ANNOUNCEMENT OF HEARING ON INTER-AMERICAN DEVELOPMENT BANK BILL (S. 1688)

Mr. FULBRIGHT. Mr. President, the Committee on Foreign Relations has scheduled a public hearing at 10 a.m. Thursday, May 18, 1967, to receive testimony on S. 1688, authorizing the United States to contribute $900 million to the Inter-American Development Bank, and for other purposes. The hearing will be held in room 4221 of the New Senate Office Building.

Persons interested in testifying on this bill should communicate with Mr. Arthur M. Kuhl, the chief clerk of the Committee on Foreign Relations.

NOTICE OF RECEIPT OF NOMINATION BY THE 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:

William J. Porter, of Massachusetts, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Korea.

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.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, May 16, 1967, he presented to the President of the United States the bill, S. 1161, an act to establish the John Fitzgerald Kennedy National Historic Site in the Commonwealth of Massachusetts.

WHERE WE STAND

Mr. DIRKSEN. Mr. President, on May 4, the distinguished mayor of Chicago, Mayor Daley, held a mayor's prayer breakfast, very largely attended, at the Conrad Hilton Hotel. The principal speaker was a man formerly in Government and now back with the First National Bank of Chicago, the president of that bank, Mr. Herbert V. Prochnow. He delivered an excellent address under the title "Where We Stand."

I ask unanimous consent that this address be printed in the RECORD as a part of my remarks.

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

WHERE WE STAND

(By Herbert V. Prochnow, president, the First National Bank of Chicago)

Many centuries ago a great nation was struggling to determine the course it should follow. The distinguished Old Testament prophet who was the head of that nation was deeply concerned about where the leaders and elders of his nation stood on the vital issues of his time. He said to them, "Choose this day where you will stand. Declare your position firmly and clearly." He himself stated precisely the principles he would serve and the high ideals he would follow. There was no confusion in his mind. There was no slick political subterfuge in his language.

In a sense every person is confronted with such choices in life. Every nation must also choose where it will stand as it faces the difficult problems of national existence and leadership, and as it writes its history among the civilizations of the world.

Three hundred and fifty years ago a small company of men and women in Europe had to choose where they would stand. Their animating spirit was a deep religious conviction and a belief in self-government. They chose to cross the Atlantic in December and bring a small boat to anchor in Plymouth Harbor. If you measure their choice in terms of ease and safety, it was a disastrous decision. But with their decision they launched the conquest of a wilderness and established a new nation.

This small company of men and women did not believe that the conditions of life ought to be anything but a challenge, or that the rewards of life could be possessed except through valiant effort. They had made their choice and they went their way without dismay and with a definite purpose and high aspiration. They knew where they would stand. In the poverty of their resources, the obscurity of their beginnings, and the grandeur of their achievements, this is one of the great stories of history.

A century and a half later the representatives of the American colonies met in Philadelphia. They faced a critical situation involving their lives and fortunes. They were there to choose where they would stand on the great issues of their time. A tall, auburn-haired, Virginian was appointed to prepare the statement of principles which would guide them. In less than a month, he produced a document which was to change the course of world history. These men in solemn assembly made the choice of where they would stand. They chose to reaffirm their belief in the great truths that men are created equal, that they have certain inalienable rights, and that among these are life, liberty and the pursuit of happiness.

As we march down through the years, we see booms and depressions, crop failures and crises, triumphs and the tragedy of a Civil War. But once the people understood a great issue they chose wisely the course they would follow.

Then came the fabulous years from 1870 to 1914 when, despite the crises of 1873 and 1893, our people were choosing the course of dynamic economic expansion. They were choosing the course of risk-taking with losses for failure and rewards for successful business venture. They were spanning a continent with covered wagons and railroads. By 1880, the value of manufactured products and the capital invested in manufacturing industries had each increased to over five times the level of 1850, only 30 years earlier. In this period of enormous expansion, human nature was swinging the pendulum high. There was speculation. There were economic excesses, but each time the people departed from sound principles, they returned to them. They eliminated their extravagance. They paid off their losses from speculative ventures and got back on solid ground. The thrifty, those who work, those who save, and those who accumulate new capital for financing the economy soundly, have always finally swayed the issue.

In the half century from 1914 to the present, we have had one of the most amazing chapters in our history. We are weaving the economic life of the world into a single fabric. We are now the most powerful nation in history. In the development of this nation our people chose a government and a constitution that gave them religious and political freedom and encouraged initiative, enterprise, responsibility, industry, thrift and inventive genius.

Working hours are at their shortest, and leisure and its luxurious use are at the highest point ever known in any nation. Our total real national product has nearly doubled every 20 years. The average worker receives better wages, has shorter hours, produces more goods and has more plant, equipment and energy working for him than any worker in the world. Less than 7 per cent of our workers are required to feed our people, and 93 per cent are now free to produce other goods and services to raise our standard of living.

Our people are wealthier than ever before. Average family income, in constant 1958 dollars, is now estimated at $8,270 a year. Over 20 million of our people are shareholders in American industry.

We are also healthier than ever. Private business corporations and great research foundations with large expenditures fight back the horizons of medical and scientific knowledge.

Nowhere else in the world is there such eagerness to provide for the future of the family and such resolute individual initiative in so doing. Life insurance in force amounts to over $900 billion and averages $14,700 per family.

We are healthier and wealthier, and by the measurable standards we are even wiser. Thirty years ago only one out of every eight employed Americans had been to high school. Today four out of five children of high school age attend high school. Thirty years ago only 4 per cent of the young people of college age were in college. Today the figure is 35 per cent for the entire country and closer to 50 per cent for metropolitan areas. Fifty-six million students, or about 28 per cent of the total population, are enrolled in our schools and colleges, a number of students greater than the entire population of France or Italy.

Ten thousand public libraries put a book education just around the corner from millions of American homes.

Over 62 per cent of our families are homeowners. Fifty-six million families, over 95 per cent of all families, have television and can hear a Western every day. From 8,000 registered automobiles in 1,900, we now have more than 75 million, and they are all out Sunday afternoon.

Almost 2 million of our people go abroad each year and they spend about $2 billion, which affluence gives us some trouble with our balance of payments. Our people are also spending over $26 billion a year just for recreation. They travel and tour as no people in history ever did.

We are able now to produce more at the same time that we reduce our hours of work. An unskilled worker in 1900 received $1.50 a day and worked 10 hours a day, six days a week. No one had heard of a five-day week. In 1900, a working man earned $400 to $500 a year. Today a worker in manufacturing earns $5,800 a year. The average man now enters the labor force later and leaves it earlier than ever before. Our work lives are shortening. Our leisure lives are lengthening.

No other nation can approach in magnitude the industrial power of the United States and its capacity to improve the economic welfare of the people of the world. The gross national product of the United States is approximately twice that of its nearest rival, Soviet Russia, and six times that of the third largest economy, West Germany. We have witnessed in this nation the social ministry of a machine civilization under a system of private capital and private enterprise which has made increasingly available to the masses the comforts, conveniences and cultural advantages that once were the privilege of the few.

Guided by Providence, the first Americans entered the wilderness. They took a forked stick and made a steel plough. They took a crude sickle and made a reaper. They took a wagon and made an automobile, a truck, and a tractor. They took a metal thread and made an ocean cable. They took rough type and made giant color printing presses. They took a forest trail and made an express highway. Soon a wilderness was pouring forth its riches from farm and factory. The vast solitudes of a continent became a nation of 195 million people. Where once there rose the smoke of the wigwams, there rose the noise of industry, the halls of learning and the temples of religion. Man is the child of economic progress, but he is also the child of God. His foot is upon the clod, but in his moments of greatness his forehead grazes the stars.

Our people have chosen wisely the course this nation should follow and the principles it should serve. They have known where they stood. We have every reason to be proud of the achievements of the nation.

We have our problems and our areas where standards of living are not as good as they should be. However, if one measures the American economy by its gross national product, personal income, wage scales, property, insurance. savings, travel, education, health, recreation, transportation, communication, highways, housing, food, clothing and the whole standard of living, history reveals no comparable record where so many have fared so well.

And yet, as this nation stands at the peak of its power, it is confronted with some of the most difficult problems in its history. We stand in the conduct of our national affairs at one of those decisive moments in history when as the prophet centuries ago said, "This day you must choose." We must choose be-

tween greatness and mediocrity. We must choose between expediency and principle. In the processes of history, nations as well as men are finally judged. Nations succeed and nations fail.

We may pray that wisdom has come with our wealth and that vision has come with our power.

Consider some of the major choices that now confront us. We say that a nation may spend more than it takes in when the economy needs to be stimulated. But we declare that a nation must show at least a balanced budget and preferably a surplus in times of business prosperity. This has been the economic gospel of this generation. But we really do not believe it, or we lack the self-discipline to practice what we profess. We are unwilling to pay for our spending even when we are prosperous. This has been true for decades. A distinguished journalist has said that sometimes a nation's character needs to assert itself. Sometimes a nation needs to say that it is willing to pay for what it is willing to spend. And this does not mean that we should fail in making the expenditures necessary for our schools and urgent human need.

The national governments of Western Europe—the great democracies of the world—have followed financial policies not wholly unlike ours. It is a significant economic fact that in the Western World in the last few years, when the need clearly existed for dampening overheated, inflated economies, the governments of the Western World have been unwilling to reduce their spending or raise taxes.

The governor of one of the great central banks of Europe said to me recently, "In a modern democracy you cannot expect that a government will reduce its spending. The people make strong demands for increased government spending. The best you can hope for is that you can do something about holding down the size of the increase in the expenditures."

We need also to decide where we stand on the problem of the deficit which has persisted for fifteen years in our balance of payments. Our expenditures in Viet Nam are making the problem more difficult. But the time has clearly arrived for us to demonstrate that we have the capacity, the determination, and the self-discipline to bring our balance of payments more nearly into equilibrium. If we do not succeed in solving the problem of our balance of payments, there is the great danger that we shall have more and more government controls on the outflow of funds from this country.

There are other matters on which we need to decide where we stand. When we find it difficult to live within our income, ought we not at least set down our priorities for expenditures? If we cannot do everything, which things come first? In what order do we place schools, defense, highways, housing, health, welfare, transportation, the conservation of water resources, agricultural subsidies and space programs? Which are the most urgent priorities?

Our international relations also constitute an area where we need to have a clearer idea of where we stand. As we have learned in two World Wars, war always recruits emotional energies and builds up subtle hypocrisies to justify its motives and its flaming promises to build a world where men will be free from want. But at the end men awaken disillusioned from their dreams as they survey the destruction and political upheaval. After World War I, world leadership brought with it responsibilities we had neither anticipated nor sought. The new underdeveloped nations, with their shaky social and economic orders, will constitute for years a continuing threat to the peace of the world. We cannot ignore this threat, but precisely how do we meet it? We no longer sit at the ringside of world events. We are in the arena.

With only 195 million people, can we solve problems of poverty, illiteracy, disease, inadequate tax systems, inflation, and land reform for almost one and one-half billion people? Eight hundred million of these people live in India, Pakistan, Indonesia and Southeast Asia, 50 million in the Middle East, 240 million in Africa and 230 million in Latin America.

If current population trends continue for only 34 years, 80 per cent of the world's people will live in Asia, Africa and Latin America. Less than 20 per cent will live in North America and Europe, including Soviet Russia.

By the end of this century less than one-half of the human race will be white. Twenty-five per cent of them will be Chinese. Twenty per cent will be in India. They will be hungry. The conflict then may not be between political philosophies, between communism and democracy. It may well be between the non-white peoples of the underdeveloped nations in the southern half of the world and the rich industrial highly developed white nations of the northern half of the world. Are these underdeveloped nations to conclude that their opportunity to defeat poverty, illiteracy, hunger and disease will steadily become less probable in the years ahead, as now seems possible? One understands why the underdeveloped nations stir uneasily in their hopes and in their dreams.

One of the most serious problems is food. Per capita food production in various areas now is less than it was before World War II. Someone has said that 2 out of every 5 American wheat farmers are now working to feed India. Nearly two-thirds of the world's people have inadequate food supplies. World food production has been lagging behind population growth. In Latin America and the Far East food production is below the levels of 25 years ago. In the last five years, the population of Latin America has increased almost twice as fast as food production.

Can we provide pure water supplies and drainage systems soon for hundreds of millions of these people? Can we supply means of transportation, communication and power to many countries that are completely without such facilities? As one considers the muddled affairs of the world and the problems of the less developed nations, it seems inevitable that we shall face a turbulent and politically unstable world for years. This is a time to know where we stand and to be strong. Can we really live above the world's struggles? Or can we ever be sufficiently strong to maintain order wherever trouble may arise in the entire world? If not, precisely how far does our responsibility go? Where do we stand?

We are a nation with a substantial surplus in its international trade and yet with a deficit for many years in its international payments. A nation with great prosperity for years and yet unwilling to live within its income. A nation with $75 billion of defense expenditures and with vast programs for the welfare of its people, but unwilling to pay for what it spends. A nation thrust into world leadership but uncertain of the character and magnitude of its responsibility.

There is one other major area where we need to be clear about where we stand. Our machine economy has passed through its adolescence. Mass production by automated and power-driven machinery has given us an almost endless flow of goods for our people. We have the highest standard of living in history. We have the world's greatest consumer market. We produce a complex array of equipment for the nation's defense. We have multiplied the physical efforts of labor so that man can be liberated from poverty. For the first time in human history the elimination of economic poverty has become a distinct possibility.

But we have not always recognized that there are others forms of poverty. In our dedication to the commendable objective of eliminating economic poverty, we have forgotten that a people may suffer even more from spiritual poverty. They may suffer from poverty of character. They may suffer from poverty in moral standards. Is there any clear assurance that with our remarkable economic progress we have had a comparable advance in the things that are spiritual? Is there any assurance that with higher and higher standards of living we have had higher and higher moral standards? Is there any assurance that with more material things we have greater respect for law? Is there any assurance that with greater affluence we have come to esteem more those abiding values in a civilization that its beyond butter and guns?

The critical minds of our time are deeply concerned that a spiritual concept of life may have lost some of its significance to our people. Sometimes it seems that we are living in the chill and shadow of a world whose spiritual values are being steadily eroded. Are the transcendent objectives of the nation today largely concerned with the economic aspects of our lives? Have the growth in personal income, industrial production and gross national product become the nation's status symbols and the overriding objectives of our national life? As one looks at the rise and fall of civilizations, it is not clear that as nations become more affluent, their spiritual life, morals and ideals rose to higher levels. One may ask whether it is adversity or affluence that stimulates men to greatness.

These are great issues which confront us. They are issues on which we must make a choice. There is a time for the discussion of such issues. But there also is a time when we must firmly choose where we will stand. Perhaps we need to reaffirm our stand on two great principles that have strongly motivated the conduct of our people throughout our history. The first principle is our recognition of the sovereignty of God. We need to re-emphasize that man is not the center of the universe. Pleasure is not the goal of the people. Power is not the goal of the government. Expediency is not the guiding principle of conduct. It is Providence that is sovereign and gives the ultimate objectives and goal to mankind. It is the City of God, as St. Augustine said, that man is to build on earth. In a nation where faith in Providence dies, literature loses its inspiration, art its beauty, government its consecration, business its ideals and labor its dignity.

The second great principle we need to re-emphasize is the divine worth of man. We believe in the independence and dignity of every man, for he was made in the image of God and is over-shadowed only by Him.

In the world beset by bewildering uncertainty, we need to renew our allegiance to the two great principles of the sovereignty of God and the divine worth of man.

As the prophet said, "Choose this day where you will stand."

F. D. R. IN PERSPECTIVE

Mr. DIRKSEN. Mr. President, a few months ago a book entitled "The First New Deal," by Prof. Raymond Moley, was published by Harcourt, Brace & World. Since its publication, it has been winning widespread readership and increasing approval in many quarters, and

has been over this period very thoughtfully reviewed by many competent critics.

Among the more prominent of these critics has been Mr. Robert Moses, for many years an outstanding public servant of the city and State of New York. Mr. Moses' review of Professor Moley's book is so searching and comprehensive that I feel that it, too, deserves an ever wider readership. The review first appeared in the December 12, 1966, issue of Newsweek, and I respectfully request that the text of the review be printed in the RECORD following these remarks.

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

F. D. R. IN PERSPECTIVE

(NOTE.—Newsweek's Contributing Editor Raymond Moley was in the thick of things during the early, turbulent days of Franklin D. Roosevelt's New Deal. His new book of reminiscence and judgment, "The First New Deal" (577 pages. *Harcourt, Brace & World.* $12.50), is reviewed by Robert Moses, whose long, multi-role career as a New York City public servant uniquely qualifies him to write about the inner councils of government.)

Raymond Moley's "The First New Deal" is an honest appraisal of the first Roosevelt term. It begins with the Brain Trust that he assembled following Gov. Franklin D. Roosevelt's nomination as President in 1932, and continues to 1936. The words Brains Trust were invented by James Kieran, a distinguished New York Times reporter, in place of Privy Council which President Roosevelt had suggested. The original members were Moley, Adolph Berle, Gen. Hugh Johnson, Rexford Tugwell, Sen. James F. Byrnes and Sen. Key Pittman. Roosevelt clarified Moley's status by writing several prominent Democratic leaders that Moley was to head a personal study group apart from political management.

In 1936, following President Roosevelt's nomination for a second term, aside from clashes of personality, temperament and ambition, Moley concluded that the good of his boss was no longer the good of the country. His difference with the President may be summarized by saying that he believed in individual enterprise operating in a free market and Roosevelt did not.

No brief review of the Moley book can cover the extraordinary ferment of the so-called "Hundred Days." Many of the measures adopted were impulsive. Others aimed at, and some achieved, permanent usefulness. Origin of these expedients has long been in dispute. The major attacks on unemployment were declared unconstitutional; Frances Perkins's grandiose scheme to control industry failed; Hugh Johnson, rather than Harold Ickes, should have been head of Public Works instead of codes. Sen. Carter Glass, not the President, was responsible for the Glass-Steagall bill which separated commercial banking and security selling. Federal Deposit Insurance also came from Congress, as did much of the TVA concept. Moley fairly analyzes these disputed programs in the light of many years of study. He was more than a speechwriter skilled in meeting the assignments of the moment. He had ingrained political principles, and when the First New Deal turned strongly against business and toward cultivating urban concentrations, he retired to journalism, teaching and occasional services to the administration.

DOUBT

How long does the jury stay out before deciding the verdict of history? What delays the *nihil obstat* and imprimatur? What secret debates precede elections to the Academy? When does the church get around to canonizing the martyr? What authority lifts the sentence of ostracism? When does public opinion bring back the exile of Devil's Island? When are the acerbities of the time sufficiently forgotten to establish a reputation beyond the peradventure of a doubt? To these more or less rhetorical quesions, perusal of the Moley book affords no easy reply.

Other questions occur. When is the time ripe for even a tentative verdict? Is the tentative verdict reconsidered periodically? Justices of our highest Court sometimes differ profoundly, 5 to 4, on the fundamental law. One or two changes in the Court may reverse the verdict. A change in the Constitution may reverse it again. Only the Medes and Persians made immutable laws, and, as the punsters remark, one man's Mede is another's Persian.

Is there indeed ever an indisputable consensus of opinion? When do the old debates become moot? Still another related problem rises as to those who make history—meetings of the inevitable informal official board of advisers, planners, inner circles, political strategists, brain trusters, kitchen cabinets and seminars of schools of economics and social movements. Why is it that when the smoke-filled rooms have been finally ventilated, there is so wide a difference as to what was said and done? The conferees are honest, intelligent people loyal to the chief. Each seems to have his own story of what happened. Sometimes it is almost impossible to reconcile the accounts.

Is it a matter of emphasis and interpretation? Do they think and talk themselves into dogmatic assertions? There is probably no such thing as absolutely impersonal history. Faulty memories, human vanity, unrecorded tones and overtones, gestures and manners speaking, expressions baleful and benign, are part of the picture. Einstein showed that light rays do not travel in a straight line but are bent by various influences incomprehensible to laymen. Does this reasoning apply to truth as well as light? Maybe history is an art, not a science.

FEAR

The disputed authorship of the Roosevelt Inaugural of March 1933 is a fine example of claim and counterclaim. Moley proves that he wrote a substantial part of it. Louis Howe seems to have imagined that he invented the dubious, overdone phrase "the only thing we have to fear is fear itself." Moley's recollection is that this came out of a piece of department-store advertising which Howe saw and appropriated.

The Presidential adviser who is a member of the Kitchen Cabinet may be a member of Congress, an undersecretary, a minister without portfolio, a journalist or visiting professor, or almost anything else. He may even be a judge. If he is in the administration, his least equivocal title is that of Assistant to the President. Moley seems to have thought so, but accepted a direct appointment by the President as Assistant Secretary of State, just as Tugwell was tapped for Assistant Secretary of Agriculture. This is always a mistake since it drives a wedge between the Secretary, a Cabinet member, and the Chief Executive.

When, as in the case of Cordell Hull, the Secretary is elderly, proud, touchy, powerful, experienced, popular in Congress and at home, he naturally resents a nominal assistant imposed on him from above, closer to the throne and operating independently on roving assignments. Moley in the first hundred days was perhaps the second man in the nation. It soon developed that as Assistant Secretary of State he was in a much less secure and tenable position. Subsequent events proved that Hull bore a grudge.

SQUIRREL CAGE

Every potentate, royal or common, aristocratic or plebeian, needs close, intelligent, experienced, unselfish friends who have no axe to grind, no chestnuts to fry, nothing to offer but loyalty and disinterested advice. For every dozen vain and ambitious Warwicks there is one homely *fidus Achates*, a chosen companion who asks only to be inconspicuous and helpful and is even willing to be sacrificed in the process. Roosevelt, because of the effects of his almost tragic infantile paralysis, was especially dependent on those close to him. He had enormous stamina and superb physical and moral courage, but he had to lean on others, protect himself and conserve his strength. As President, he was an invalid sealed in a harness and mostly imprisoned in a fabulous, restored colonial mansion, half museum and half squirrel cage.

In this context I find it hard to accept Moley's dictum that Eleanor Roosevelt's influence on the President was not history and that her personal career began only after the President's death. The claim of this loyal friend goes back to the hour at Campobello when she encouraged a cripple to stand, and to those first years in Washington when he leaned so heavily on her. Those who are disposed to make fun of Eleanor Rooevelt's oddities should recall Disraeli's remark when one of his sophisticated friends made whimsical fun of Disraeli's wife, Mary Anne. Disraeli's biographer reports it in this way: "One day the cold and daring George Smythe made bold to ask Disraeli whether his wife's conversation did not annoy him just a little. 'Oh, no, I am never put out by that.' 'Well, Dis, you must be a man of most extraordinary qualities.' 'Not at all. I only possess one quality in which most men are deficient: gratitude'."

STRINGS

Moley by numerous examples indicates that the President was adept at assigning the same job to various people for independent study, each thinking he was alone on a secret trail. Sometimes an assignment went confidentially to a deputy without notifying the head man. Roosevelt always had several strings to his bow and, thoroughly to scramble the metaphor, one string didn't know what the other was doing. It worked as long as the agents didn't run afoul of each other or into a chief who had been kept in the dark.

Moley's opinion of the President is stated very succinctly in two quotations from "The First New Deal":

"He was unsurpassed in administering a campaign. As an executive, he was one of the most imprecise, not to say inefficient, administrators who ever held the office of President."

"Roosevelt's habit of nodding may be the reason that Hoover believed he agreed. Roosevelt, those who were close to him knew, nodded to express his understanding of what had been said. It did not at all mean that he agreed with what had been said. This habit was destined to cause grave misunderstandings about many matters in the years to come."

The first crisis after Roosevelt's election was precipitated by President Hoover. It was due to notice by the British and other chancelleries to President Hoover that they had decided to suspend payment of war debts and demand renegotiation and reduction. Mr. Hoover asked the President-elect to meet him for discussion. Moley at the time was chief adviser to Roosevelt. Secretary of the Treasury Ogden Mills was Mr. Hoover's representative. Mr. Hoover was well-informed, stubborn, irritating and inept, and Mr. Roosevelt cautious, devious and sparring for time to get the ultimate credit for recovery. This sparring continued to inauguration when the new President took full charge.

DEMORALIZATION

The international monetary crisis again had to be faced by Roosevelt shortly after his inauguration. The original United States delegation to the World Monetary and Economic Conference in London, led by Secretary Hull, got into a hopeless snarl. Roosevelt was yachting and out of touch. Our conferees gave Europe a shocking exhibition of fatuous demoralization. Ramsay MacDonald, the British Prime Minister, who thought he had made an agreement with Roosevelt in Washington, was alternately mystified, enraged and saddened. Into this breach the President lowered the luckless Moley as a sort of *deus ex machina*, a liaison officer or messenger, to save the day. Moley took Herbert Bayard Swope along. Hull seems not to have been consulted. He must have read the papers. Did he see the remark of F.P.A., acid author of "The Conning Tower"? F.P.A. said: "Most of us know that Swope will be accompanied by Moley, which Mr. Moley himself probably discovered before the ship reached Ambrose Light." Roosevelt finally blew up the World Monetary and Economic Conference in July 1933.

Moley describes the wizardry and shifting, weaving, devious devices employed by the President to obtain acquiescence on legislation involving the sale of securities and regulation of exchanges. Harvard economists and New York bankers and corporation lawyers were involved. As usual, several bill drafters, independently appointed, were thwarting each other, and the usual Presidential efforts were made to resolve their differences by suavity and charm. The first compromise was a failure and froze the issuance of securities for a year. Later an effective statute was adopted. The process was mystifying and in the New Deal tradition.

IRRECONCILABLE

Moley's taking off was gradual but nonetheless inevitable and thorough. In the summer of 1936 he paid his last formal visits to the President. He wrote an acceptance speech which Roosevelt characteristically assigned at the same time to others and then ordered the several irreconcilable versions reconciled. Moley did not return to the White House until John F. Kennedy was there 25 years later.

Moley's incidental thumbnail character sketches of contemporaries in "The First New Deal" are almost his most valuable contributions to the book. They include Howe, Marvin McIntyre, "Missy" LeHand, Jesse Jones, Lew Douglas, Hugh Johnson, Rex Tugwell, Jim Farley, John Garner, Sam Rayburn, Ed Flynn, Pittman, Byrnes, Hiram Johnson, Joe Kennedy, Felix Frankfurter and Bernard Baruch. These are sharp, incisive etchings. Occasionally personal dislike is evident—for example, he is not completely fair to Louis Howe, but full justice to such a curmudgeon is not to be expected this side of the pearly gates.

"The First New Deal" is more than one expert's interpretation of a critical period in our affairs. It is a remarkable human document.

ANOTHER EXAMPLE OF WASTE BY DEFENSE DEPARTMENT

Mr. WILLIAMS of Delaware. Mr. President, under date of April 24, 1967, the Comptroller General submitted another report—B-157445—outlining another example of waste by the Defense Department.

In this instance, the Air Force, in awarding a $28 million negotiated contract to Olin Mathieson Chemical Corp. for the procurement of missile fuel, allowed that company to realize a profit of 49 percent, or $9.2 million.

In addition to the 49 percent profit, Olin Mathieson also was allowed $1.8 million profit on raw materials supplied by its own chemical plant for use in this same operation.

This gave Olin Mathieson a total profit of $11 million on a $17 million cost, thus bringing its profit margin to 65 percent.

As if these excessive profits were not enough, the Comptroller calls our attention to the strange circumstances whereby the U.S. Government acquired the $15.6 million plant in which this material was manufactured, and it is on land owned by the company. Under the terms, only the company could be eligible as a purchaser if the plant is resold.

I quote from the Comptroller General's report:

The Air Force acquired a $15.6 million production plant that is completely surrounded by Olin property on which the Government has certain easement rights for access roads, utilities, and disposal facilities. Although this location of the fuel production plant resulted in economies in initial construction costs, it also strengthened the contractor's position as the sole-source supplier.

Because certain supporting facilities for the plant were integrated with those of the contractor, the Air Force recognized that it would be impractical for any contractor other than Olin to operate the plant. Moreover, should it become appropriate for the Government to dispose of this plant; under the terms of the deed, all easement rights and privileges except the easement covering the access road to a public highway would then terminate. This would adversely affect the value of the property to anyone other than Olin; and, under the terms of the agreement, in the event of disposition of the property, Olin has the option to purchase the property at the highest price offered by any other prospective buyer.

The contractor requested a fee of $720,000 for the production process "know-how" and experience which it, in effect, was giving to the Air Force in constructing the plant. The Air Force did not permit this fee under the facility construction contract but included it in the price for the production contract.

. . . Based on our estimate of this intracompany profit, Olin's rate of profit on incurred costs amounted to about 65 percent, as shown below:

Contract price	$28,152,000
Total costs incurred, including overhead and general and administrative allocations	18,921,000
Less estimated intracompany profit	1,820,000
Total costs incurred	17,101,000
Profit (65 percent of $17,101,000)	[1] 11,051,000

[1] Includes $720,000 "know-how" fee for undertaking the facility construction contract.

I ask unanimous consent that the Comptroller General's letter of April 24, 1967, be printed at this point in the RECORD.

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

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., April 24, 1967.

To the President of the Senate and the Speaker of the House of Representatives:

The accompanying report presents our findings on a review of contracts for the procurement of critically needed missile fuel under adverse conditions from a sole-source supplier—Olin Mathieson Chemical Corporation.

The Air Force acquired a $15.6 million production plant that is completely surrounded by Olin property on which the Government has certain easement rights for access roads, utilities, and disposal facilities. Although this location of the fuel production plant resulted in economies in initial construction costs, it also strengthened the contractor's position as the sole-source supplier.

Because certain supporting facilities for the plant were integrated with those of the contractor, the Air Force recognized that it would be impractical for any contractor other than Olin to operate the plant. Moreover, should it become appropriate for the Government to dispose of this plant; under the terms of the deed, all easement rights and privileges except the easement covering the access road to a public highway would then terminate. This would adversely affect the value of the property to anyone other than Olin; and, under the terms of the agreement, in the event of disposition of the property, Olin has the option to purchase the property at the highest price offered by any other prospective buyer.

The contractor requested a fee of $720,000 for the production process "know-how" and experience which it, in effect, was giving to the Air Force in constructing the plant. The Air Force did not permit this fee under the facility construction contract but included it in the price for the production contract.

Olin would not accept a cost-plus-a-fixed-fee contract for the production of the fuel. As shown on page 27 of the report, the contractor stated that it would accept a fixed-price redeterminable contract subject to certain conditions, the principal condition being the explicit provision for a 20-percent profit on selling price. As Olin stated, the Air Force would not agree to the inclusion of such a provision in the contract. In our opinion, the form of contract proposed would not have been acceptable from a legal standpoint.

A fixed-price production contract was negotiated. However, we found that certain of the contractor's costs were estimated primarily on its production experience at another Olin plant where only limited quantities of the fuel were produced. Other costs were estimated on the basis of anticipated performance at the new Government plant even though Olin had no prior experience with the new production processes or the equipment to be used. Thus, in our opinion, there was no sound basis at the time for establishing a fixed price and the Air Force had no assurance that the price proposed was reasonable.

Officials of the Air Force agreed to this arrangement because they considered it imperative to establish promptly a source for volume production of this fuel and because they believed Olin to be the only contractor capable of satisfying the requirements in the time available. In the performance of this production contract which eventually totaled $28 million during 1961, 1962, and 1963, Olin realized a profit of $9.2 million, or the equivalent of about 49 percent on total costs of $19 million. This profit does not include an additional profit of $1.8 million which, we estimate, the contractor realized in the price of raw materials supplied by its own chemical plant.

In our opinion, the lower costs incurred and the resulting substantial increase in profit beyond the rate estimated stemmed, in part, from (1) the uncertainty as to the costs that would be incurred and (2) the contractor's refusal to accept a form of contract more appropriate to the circumstances.

Olin's contribution to the timely success of the missile program must be acknowl-

edged. The contractor performed creditably and, in so doing, successfully met the Air Force's required delivery schedule even though no missile fuel plant of this size had ever been built and this fuel had never been produced in such large quantities before.

According to the Air Force, the contractor "adopted a take-it or leave-it attitude" at the negotiations and insisted on very strict terms and a fixed-price contract. In its comments on this matter in February 1966, the Department of the Air Force stated that, in weighing the factors of cost and time against national security, it had little choice but to accept the contractor's terms and conditions. The Department concurred in our belief that lack of timely forecasting of requirements sometimes forces a sole-source procurement situation but believed that such a condition was not illustrated by this case.

The contractor disagreed with our findings and conclusions and expressed the opinion that its actions were proper, fair, and reasonable—particularly when considered in light of the circumstances and the company's prior experience with military fuel contracts. Olin stated that the atmosphere which surrounded the negotiations and its reluctance to risk large sums on uncertain Government programs was a direct outgrowth of the company's then-recent history of substantial losses incurred in its Defense contracting business.

We recognize that, in situations such as this one, the contractor is entitled to a contractual arrangement which does not subject it to undue risks. We believe, however, that it is not unreasonable to expect a contractor to accept a contractual arrangement which also affords the Government some protection against an unreasonably high price. We believe also that, in the absence of cost data which would enable a more realistic estimate of production costs, some sort of flexible price arrangement would have been appropriate and equitable to both parties.

In view of the important considerations of national security and urgency that were involved in negotiating the facility and production contracts covered by this report, it appears that the Air Force could not have taken an alternative action and met its critical requirements. We are reporting our findings to the Congress because they exemplify the high costs and other undesirable contractual conditions that military departments feel they are compelled to accept in some situations where there is only one source capable of furnishing urgently required items for high-priority programs.

Copies of this report are being sent to the Director, Bureau of the Budget; the Secretary of Defense; and the Secretary of the Air Force.

ELMER B. STAATS,
Comptroller General of the United States.

WORLD'S LARGEST BANKER

Mr. WILLIAMS of Delaware. Mr. President, in recent years the Federal Government has developed into the world's largest banker. Today I call the attention of the Senate to the spectacular manner in which the lending activities of the U.S. Government have been expanding.

Like Topsy, these agencies have grown until today the duplication represents a staggering waste of the taxpayers' dollars.

In some cases as many as five different Federal lending agencies could be servicing the same debtor.

These agencies have multiplied so rapidly that very often Members of Congress receive inquiries about some new lending agency or authority with which we are not familiar. Thinking that perhaps other Members of Congress as well as the American taxpayers would be interested, I asked the Bureau of the Budget to compile a list of all the various lending agencies operated by the U.S. Government, along with a statistical report as to the amounts of the loans outstanding, the lending authority, and so forth.

This list has been received and will be incorporated in the RECORD at the end of my remarks.

This report shows that there are 60 loan and loan-guarantee programs being operated under the various departments of the U.S. Government. It further shows that these 60 agencies as of June 30, 1966, had a total of $34.354 billion in loans outstanding plus another $82.490 billion in outstanding loan guarantees.

In addition to these 60 agencies, whose primary purposes are making and guaranteeing loans, there are 20 other agencies in which loans and loan guarantees are secondary or incidental to their operations. These 20 lending agencies have a total of $2.305 billion in loans and $1.033 billion in loan guarantees outstanding as of the same date.

Summarizing: As of June 30, 1966, these 80 lending agencies had a grand total of $36.659 billion in outstanding loans plus an additional $83.523 billion in loan guarantees.

At this point I ask unanimous consent that a report furnished by Mr. Phillip S. Hughes, Acting Director of the Bureau of the Budget, be printed in the RECORD.

This report gives an itemized breakdown by departments and agencies as to the total amount of outstanding loans and loan guarantees for each.

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

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., March 15, 1967.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: We are enclosing a table providing the detailed information requested in your letter of January 11, 1967, together with extensive explanatory notes. The following general comments on the three types of data you requested may also be helpful.

1. *Total amount of borrowing or lending authority.* Usually, the total lending authority is the sum of the loans outstanding column plus the additional amounts available column, unless a smaller limitation has been established by law. The "Comments" column points out any such limitations. The total borrowing authority is also shown in the "Comments" column.

2. *Borrowing from Treasury.* As the table indicates, almost all of the funds used by these agencies are obtained in the first instance from the Treasury Department, sometimes by appropriations and sometimes from public debt authorizations.

3. *Outside borrowing.* In only a few cases is there any authority to borrow from the public (corporate debt authority). In those few cases, where corporate debt authorizations are involved, we have included footnotes which identify the actual outstanding obligations and their amounts, whether they are guaranteed, and whether or not they are included in the debt subject to limitation by section 21 of the Second Liberty Loan Act as amended.

If you have any further questions we shall be glad to answer them for you.

Sincerely,

PHILLIP S. HUGHES,
Acting Director.

LOAN AND LOAN GUARANTEE PROGRAMS OF THE U.S. GOVERNMENT

The attached table provides information on the loan and loan guarantee programs of the United States Government, except those repayable in foreign currencies. Of the $5 billion in foreign currency repayable loans outstanding as of June 30, 1966, $3 billion is payable in currencies of which the U.S. currently has a supply in excess of our needs over the next few years. Loans repayable in foreign currencies being made at present are limited to those using foreign currencies which are restricted by international agreements.

"Loans" include the extension of sales credit as well as loans disbursed in cash.

The first section of the table covers funds that are used primarily or solely for loans and loan guarantees; the second section covers funds that are used only incidentally or secondarily for loans or loan guarantees.

For each of the programs, the table shows:

(1) The type of new obligational authority which finances the program—whether an appropriation, authority to borrow from Treasury (public debt authorization) or authority to borrow from the public (corporate debt authorization). The effect of borrowing from the public on the national debt total is shown in footnotes. Limitations on borrowing authority are shown in the "Comments" column.

(2) The amount of loans outstanding as of June 30, 1966. Repayments of these loans are over a number of years unless otherwise noted. Limitations on loans outstanding, if any, are noted in the "Comments" column. The outstanding loans covered in the table differ from those in Special Analysis E of the Budget, mainly because they include not only loans reflected in the administrative budget, but also loans from trust revolving funds and mixed-ownership corporations and because they exclude loans repayable in foreign currencies.

(3) Additional amounts available in 1967 from balances brought forward (including balances obligated but not yet disbursed) and new obligational authority already available. Balances brought forward include retained earnings accumulated in prior years. In most cases, principal repayments, proceeds from the sale of loans, or of participations in loans, interest, and other revenues during the year will also be available in 1967. Cases where repayments and other collections are not available for relending, but are deposited to miscellaneous receipts, have been noted in the "Comments" column. No figures are shown in this column in the second section of the table, since balances available will be used mostly for other purposes. Even for major programs, a portion of the amount shown will often be used for administrative and other expenses.

(4) The amount of Government guarantees outstanding as of June 30, 1966 (i.e., contingent liabilities), whether or not funds have been provided. Where only a portion of the loan is guaranteed, the non-guaranteed portion is excluded from these figures. Exclusion of the non-guaranteed portion, amounting to $15,837 million, represents the major difference between the total guarantees outstanding shown in this table and that in Special Analysis E of the Budget. Limitations on guarantees, if any, are noted in the "Comments" column.

Loan and loan guarantee programs of the U.S. Government

A. FUNDS PRIMARILY FOR LOANS AND LOAN GUARANTEES

	Type of NOA	Loans outstanding June 30, 1966	Additional amounts available in 1967 [1]	Loan guarantees outstanding June 30, 1966	Comments
		Millions	*Millions*	*Millions*	
Funds appropriated to the President:					
Office of Economic Opportunity: Economic opportunity loan fund.	Appropriation	$46	$33		
Military assistance: Foreign military sales fund.	do	45	329	$36	Excludes guarantees of loans made by Export-Import Bank.
Economic assistance:					
Alliance for Progress, development loans	do	800	1,478		
Development loans, revolving fund	do	2,273	2,330		
Other dollar loans		1,954	184		Repayments are not available for relending; no further loan obligations can be incurred.
International financial institutions: Loans to the International Monetary Fund.	Appropriation		2,000		Inactive standby authority.
Department of Agriculture:					
Rural Electrification Administration: Loan authorizations.	Public debt authorization	4,274	1,716		Repayments are not available for relending.
Farmers Home Administration: Direct loan account.	do	1,127	155		New loan obligations up to $440,000,000 are authorized in 1967. Authority to borrow from Treasury is $598,000,000.
State rural rehabilitation funds (trust revolving fund).		25	2		
Rural renewal	Appropriation	2	2		Repayments are not available for relending.
Rural housing, direct loan account	Public debt authorization	685	124		New loan obligations up to $15,000,000 are authorized for 1967. $5,000,000 in prior year loan obligations will be disbursed. $104,000,000, together with collections during the year, will be used in future years. Authorization to borrow from Treasury is $663,000,000.
Emergency credit revolving fund	Appropriation	120	31		
Agricultural credit insurance fund	Public debt authorization	197	42	887	Insurance authority is limited to $450,000,000 in each year. Authority to borrow from Treasury is indefinite.
Rural housing insurance fund	Appropriation	32	68	122	
Department of Commerce:					
Economic Development Administration: Economic development loans.	do	161	216	4	Repayments are not available for relending.
Maritime Administration:					
Federal ship mortgage insurance fund	Public debt authorization	30	1	452	Total authority to guarantee is $990,000,000. Authorization to borrow from Treasury is indefinite.
Other	Appropriation	80			Inactive; repayments are not available for relending.
Department of Defense—Military:					
Revolving and management funds: Defense production guarantees.	do	15	18	24	If fees are insufficient, procurement funds may be used to pay losses.
Department of Defense—Civil:					
Department of the Army: Construction of power system, Ryukyu Islands.	do	10	8		Repayments are not available for relending.
Department of Health, Education, and Welfare:					
Office of Education:					
Student loan insurance fund	Appropriation; public debt authorization.		4		Authority to insure new loans in 1967 of $75,000,000 for vocational education loans and $1,000,000,000 for higher education student loans will be used only when State and private guarantees are not available. Authorization to borrow from Treasury is indefinite.
Higher education loan fund	Appropriation	57	200		New loans in 1967 are limited to $300,000,000.
Higher education facilities construction					
Defense educational activities, loan programs.	do	697	192		Repayments are not available for relending.
Department of Housing and Urban Development:					
Office of the Secretary:					
College housing loans	Public debt authorization	2,242	939		Total authorization to borrow from Treasury is $3,175,000,000.
Public facility loans	do	213	383		Total authorization to borrow from Treasury is $600,000,000.
Urban renewal loans and planning advances.	do	222	781	1,660	Total authorization to borrow from Treasury is $1,000,000,000.
Rehabilitation loan fund	Appropriation	(2)	50		
Housing for the elderly or handicapped	do	147	262		
Public works planning advances	do	66	33		Total lending authority is $128,000,000.
Federal National Mortgage Association:					
Special assistance functions	Public debt authorization	811	3,154		Total limit on lending (mortgage purchases) is $3,936,000,000; authority to borrow from Treasury is indefinite.
Participation sales fund				2,110	Additional sales of guaranteed participation certificates authorized in 1967 are $3,230,000,000.
Secondary market operations (trust revolving fund).	Public debt authorization; corporate debt authorization.[3]	3,718	4,833		Total borrowing authority is 15 times capital and retained earnings, of which not more than $2,250,000,000 may be borrowed from Treasury.
Management and liquidating functions	do.[4]	912			Borrowing authority is indefinite; corporate debt authority has not been used in recent years.
Federal Housing Administration: Revolving fund.	do.[5]	633	1,049	52,091	No overall limit on insurance. Authority to borrow from Treasury and/or the public is indefinite.
Community disposal operations fund		7	2		Financed entirely from proceeds of sales.
Public housing programs: Low-rent public housing.	Public debt authorization	58	1,520	5,413	Total authorization to borrow from Treasury is $1,500,000,000.
Department of the Interior:					
Public land management: Revolving fund for loans, Indian Affairs.	Appropriation	24	4		
Fish and Wildlife and Parks:					
Fisheries loan fund	do	6	7		
Federal ship mortgage insurance fund, fishing vessels.	Public debt authorization	(2)	(2)	5	Total authority to guarantee is $10,000,000. Authorization to borrow from Treasury is indefinite.
Water and power development: Loan program—Bureau of Reclamation.	Appropriation	108	20		Repayments are not available for relending.
Department of State:					
International Organizations and Conferences: Loan to the United Nations.	do	102			Repayments are not available for relending; no future loans are planned.

See footnotes at end of table.

Loan and loan guarantee programs of the U.S. Government—Continued

	Type of NOA	Loans outstanding June 30, 1966	Additional amounts available in 1967 [1]	Loan guarantees outstanding June 30, 1966	Comments
		Millions	*Millions*	*Millions*	
Department of Transportation:					
Federal Aviation Agency: Aircraft loan guarantees.				$14	Loan guarantees limited to $10,000,000 per eligible carrier.
Treasury Department:					
Reconstruction Finance Corporation liquidation fund.		$5			Repayments are not available for relending; no additional loans can be made.
Loans to the District of Columbia for capital outlay:					
General fund	Appropriation	39	$116		Total lending authority is $290,000,000, with $134,000,000 still to be appropriated.
Highway fund	do	43	18		Total lending authority is $85,000,000 with $23,000,000 still to be appropriated.
Water fund	do	22	7		Total lending authority is $35,000,000, with $3,000,000 still to be appropriated.
Sanitary sewer works	do	13	17		Total lending authority is $32,000,000, with $2,000,000 still to be appropriated.
Metropolitan area sanitary sewage works fund	do	22	3		Total lending authority is $25,000,000.
Advances to stadium sinking fund	Public debt authorization	1		[6] 20	Authorization to lend to the District of Columbia is indefinite, to meet interest payments on stadium bonds.
Repayable advances to the District of Columbia general fund.	Appropriation	21			Temporary advances are made during periods of low revenue collections. Repayments are not available for relending.
Foreign loans	do	3,725			Repayments are not available for relending.
General Services Administration:					
PWA loans (liquidation)		57			Repayments are not available for relending; no additional loans can be made.
Surplus property credit sales		120			Repayments are not available for relending.
Veterans' Administration:					
Direct loan revolving fund	Public debt authorization	479	1,176		Total authority to borrow from the Treasury is $1,935,000,000. Amounts repaid to Treasury may not be reborrowed.
Loan guarantee revolving fund	Appropriation	534	220	16,301	
Other independent agencies:					
Export-Import Bank of Washington: Export-Import Bank of Washington fund.	Public debt authorization; corporate debt authorization.[7]	2,227	5,831	2,908	Lending limit is $9,000,000,000. Guarantees up to $2,000,000,000 are chargeable to the limitation at 25 percent. Authority to borrow from Treasury is $6,000,000,000, in addition to $1,000,000,000 of capital stock. Authority to borrow from the public is indefinite.
Farm Credit Administration:					
Banks for cooperatives (mixed ownership corporation).		1,108	52		The Government investment is in the form of capital stock.
Federal intermediate credit banks (mixed ownership corporation).		3,066	117		Do.
Interstate Commerce Commission: Railroad loan guarantees.	Appropriation			197	Authorization to guarantee has expired.
National Capital Planning Commission: Advances to Maryland.	do	1			Repayments are not available for relending.
Small Business Administration: Revolving fund.	do	972	667	246	$2,000,000,000 total lending authority.
Subtotal, funds primary for loans or loan guarantees.		34,354		82,490	

B. FUNDS IN WHICH LOANS AND LOAN GUARANTEES ARE SECONDARY OR INCIDENTIAL

Funds Appropriated to the President:					
Foreign investment guarantee fund	Public debt authorization		(8)	178	Total guarantee authority of $7,825,000,000 and total borrowing authority of $199,000,000 are also available for other nonloan guarantee programs.
Expansion of Defense Production	do	9	(8)		Total borrowing authority is $2,100,000,000. Most of this amount has been used for other purposes and thus is not available for new loans.
Department of Agriculture:					
Commodity Credit Corporation: Commodity Credit Corporation fund.	do	1,376	(8)	855	Loans and guarantees are only 1 method of providing price support. Much of the available funds is used in other ways. Total borrowing authority is $14,500,000,000.
Department of Health, Education, and Welfare:					
Welfare Administration: Assistance to refugees in the United States.	Appropriation	9	(8)		Repayments are not available for relending.
Public Health Service:					
Student loans	do	36	(8)		Do.
Hospital construction activities	do	4	(8)		
Department of Housing and Urban Development:					
Metropolitan development:					
Urban mass transportation fund	Public debt authorization; appropriation.	5	(8)		Public debt authorization of $50,000,000 has not been used. Most funds are used for grants.
Liquidating program	Appropriation	10	(8)		
Department of the Interior:					
Public land management:					
Administration of territories	do	6	(8)		Repayments are not available for relending.
Alaska public works	do	6	(8)		
Office of Mineral Exploration	do	2	(8)		
Department of State: Repatriation loans	do	3			Do.
Veterans' Administration:					
Veterans special term life insurance fund	do	7	(8)		Policy loans.
Service-disabled veterans insurance fund	do	5	(8)		Do.
Insurance and indemnities		1	(8)		
National service life insurance fund (trust revolving fund).	Appropriation	598	(8)		Do.
U.S. Government life insurance fund (trust revolving fund).	do	84	(8)		Do.
Federal Deposit Insurance Corporation: Investment in Federal Deposit Insurance Corporation.	Public debt authorization		(8)		Total standby authority to borrow from Treasury of $3,000,000,000 has not been used.
Federal Home Loan Bank Board:	do	144	(8)		Standby authority to borrow from the Treasury of $750,000,000 has not been used.
Federal Savings and Loan Insurance Corporation fund.					

See footnotes at end of table.

Loan and loan guarantee programs of the U.S. Government—Continued

	Type of NOA	Loans outstanding June 30, 1966	Additional amounts available in 1967 [1]	Loan guarantees outstanding June 30, 1966	Comments
		Millions	*Millions*	*Millions*	
Investment in Federal Home Loan Bank	Public debt authorization		(5)		$1,000,000,000 standby authorization to borrow from Treasury has not been used.
Subtotal, funds in which loans and loan guarantees are secondary or incidental.		2,305		1,033	
Grand total		36,659		83,523	

[1] Repayments of loans are also available for relending unless noted in "comments" column.
[2] Less than $500,000.
[3] Secondary market operations has $2,180,000,000 outstanding in borrowing from the public. It is not guaranteed and not included in the debt subject to limitation.
[4] Management and liquidating functions has no outstanding borrowing from the public. If it did, it would not be guaranteed nor included in the debt subject to limitation.
[5] FHA debentures totaling $441,000,000 held by the public are guaranteed and are included in the debt subject to limitation.
[6] District of Columbia Armory Board stadium bonds totaling $20,000,000 held by the public are guaranteed and included in the debt subject to limitation.
[7] Authority to borrow from the public has not been used. Any such borrowing would not be guaranteed and would not be included in the debt subject to limitation.
[8] Of the amounts available in 1967, if any, most are not for loans or guarantees.

JUSTICE IN THE COURTS

Mr. DIRKSEN. Mr. President, on occasion I have placed in the RECORD a number of articles on the subject of courts, police power, and law enforcement, written by Mr. Howard James. A fourth article written by him is entitled "Prosecutors, Police, and Power."

Because of the paramount importance to every Senator of the administration of justice, I ask unanimous consent that the article be printed in the RECORD.

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

PROSECUTORS, POLICE, AND POWER—CRISIS IN THE COURTS—IV

(By Howard James)

Suppose:

The nation's airlines turned their jets over to young men who, as college students, had studied flying a semester or two, could pass an exam on aerodynamics, but had little or no actual flight experience.

Each young pilot was allowed to select or reject his passengers arbitrarily. Could choose his own flight times and routes. Used an often-conflicting rule book to chart the way. Consulted the tower only when he wanted to land. Dumped some passengers off en route, and carried others too far.

Pilot pay was so poor most found it necessary to hold down a second job and waited for the day when they were skilled enough to quit the airline and strike out on their own.

That ground crews—those with nuts-and-bolts responsibility for keeping things running smoothly—were also often underskilled, underpaid, and overworked.

And that after passengers were unloaded, accommodations were usually horrible, service nearly nil and there was little sure way of returning them safely home.

CLOSE PARALLEL

Absurd?

Not when it becomes clear that in the face of a soaring crime rate the American system of criminal justice closely parallels this.

The pilot is the prosecutor—fresh out of college. The ground crew, the police. The man supervising from the tower, the judge.

Men and women who are accused by police, the passengers. Many are dumped off at fourth-rate jails or third-rate penal institutions that are underfinanced and poorly equipped to help lawbreakers return to a useful place in society.

This reporter has been touring the nation's courts for months. He has learned that the role of the trial judge is crucial. Yet the man on the bench has meaningful contact with only part of those who become entangled in the state system of criminal justice.

POLICE MAKE JUDGMENTS

In practice both police and prosecutor function as judge and jury at the start of every case. Then the court must approve or disapprove of their actions by finding a man guilty or not guilty—if the case reaches court.

The traffic officer who stops you for speeding makes a "judicial decision" when he gives you a ticket. He may let the next man off with a warning. By shooting a fleeing burglar, the detective may hand out a capital penalty for a crime that might otherwise have netted probation, or at worst, 5 to 10 years in prison.

When the youngster next door is brought home in a squad car and your child is held in jail for the same offense (an estimated half million youths were jailed last year), the policeman involved is in a sense acting as a judge. For without holding a hearing—beyond his listening to or ignoring your child's protest—that officer has "sentenced" your youngster to one or more nights in jail.

It is common practice for a prosecutor to try a few men for assault with intent to kill, drunken driving, or murder. Then, for the sake of expedience or for other reasons, he reduces charges for others (who have broken the same law) to simple assault, reckless driving, or manslaughter. Still others are released by the prosecutor, who may be convinced of their guilt but feels he lacks evidence to convict.

PROSECUTOR'S DECISION CRUCIAL

As the President's Commission on Law Enforcement and Administration of Justice has pointed out, the prosecutor "decides whether to press a case or drop it. He determines the specific charges against the defendant. When the charge is reduced, as it is in as many as two-thirds of all cases in some cities, the prosecutor is usually the official who reduces it." And "he is particularly able to influence police operations."

The report also asserts: "Law-enforcement policy is made by policemen. For policemen cannot and do not arrest all the offenders they encounter. It is doubtful they arrest most of them. A criminal code, in practice, is not a set of specific instructions to policemen but a more or less rough map of the territory in which policemen work. . . . Every policeman, however complete or sketchy his education, is an interpreter of the law."

While policemen make the arrests, it is the prosecutor who holds the controls in his hands and guides the ship. Because his decisions touch more lives, many lawyers assert that he is more important than the judge.

ROUTE WIDELY DEFENDED

Yet thousands of prosecutors are men fresh out of law school who are learning their craft at state expense. Some have studied trial procedures for one semester at best. Because of recent innovations a few have spent time in court while still law students. Others have practiced law a few months or years and take the prosecutor's job—while their practice builds—and to gain experience.

Because so many of the nation's prominent trial lawyers have learned their trade via this route, it is widely defended—not so much for the service it renders to society as for the value of the experience to a beginning lawyer.

"Most prosecutors are young men with little trial experience because few experienced lawyers want the job," says Robert E. West, president of the Vermont State's Attorneys Association.

"At least two in our state were elected before they passed the bar exam. The pay is so low most have a civil practice on the side, so the public isn't always properly represented. Often being prosecutor comes second.

"I was astounded to find that, except in the large cities, nearly every prosecutor in the United States is part time."

The office of district attorney is often a springboard for higher office. For example, Thomas E. Dewey, former Governor of New York and onetime Republican presidential candidate, gained his reputation as a prosecutor. Earl Warren, too, was a prosecutor before he became Governor of California and later Chief Justice of the United States. Other prosecutors have had varying degrees of subsequent political success.

COURT CONTROL POSSIBLE

Given the right circumstances the supposedly sacrosanct system of justice can come under the control of one determined man. So I learned in a conversation that ended in the early morning hours of Feb. 7 in the expensive Oklahoma City home of Curtis P. Harris, Oklahoma County District Attorney.

Until a few years ago Mr. Harris was a condemnation lawyer earning between $50,000 and $150,000 a year. He decided to take the $15,500 post as prosecutor when his daughter's home—"She lives right back of us here"—was twice burglarized.

The first time, while his daughter was away from home and the grandchildren were staying with Mr. and Mrs. Harris, "somebody cleaned it out." But it was the second incident that convinced Mr. Harris to take action—action that has had a subtle but meaningful impact on the lives of all who live in Oklahoma County.

He tells it this way:

MANY RELEASED ON BOND

"About 2 o'clock one afternoon my daughter, who was pregnant at the time, heard a noise at one of the screens. Then she heard

a window going up and saw a man coming in with another right behind."

She frightened the men away and was unharmed. But Mr. Harris, stewing about the two events, decided to "investigate" what the police were doing. He went down to police headquarters.

"The police told me, 'We catch 'em, but they're not being prosecuted very often,'" he says. "And they showed me how one man had been released on 41 different bail bonds."

As soon as he could, he ran for the prosecutor's office and was elected.

Determined to stamp out crime by taking a hard line, he has urged citizens to pack guns and shoot to kill if someone attempts to rob or molest them.

"This is war!" he says emphatically.

While thousands praise what he is doing, other Oklahomans assert he is fighting crime by creating a police state, with Curtis Harris sitting on top of the heap calling the shots.

Mr. Harris contends:

Few if any criminals can be rehabilitated, so the best solution is to lock them up and throw away the key.

Police do not arrest "innocent" people, although some are found not guilty in courtrooms. The difference between guilt and innocence, he asserts, is the inability to win a conviction through lack of evidence or because a lost witness cannot be found.

FELLOW LAWYERS CRITICIZED

Mr. Harris has harsh words for his fellow lawyers.

"The legal profession can cut crime by 50 percent overnight simply by telling the truth" about their clients, he says.

When a nationally known attorney came to town and told the bar "how he uses chicanery" to free defendants, the lawyers "stood up and applauded."

"I can only ask what kind of bar we've got when lawyers give this kind of thing a standing ovation," he says.

Mr. Harris does not oppose leaking of information to the press that would be inadmissible as evidence in court. For example, he says he is not bothered when prospective jurors read about a defendant's prior criminal record—although it cannot be mentioned during a trial.

"A man's criminal record is the truth isn't it?" he argues. "To say publicity prejudices jurors is saying that jurors lie when they tell the court that what they have read or heard will not influence them."

JURIES "CHECKED UP" ON

Yet when a jury refuses to convict a man, Mr. Harris says he "checks up" on members of the jury to find out why they voted as they did.

Mr. Harris also tells of jailing 110 men from "Friday to Monday" in an attempt to "solve the killing of a little liquor store owner." While none of the men jailed had anything to do with the crime, he says, it helped the police find the guilty parties. As further justification, he adds:

"On that weekend we had only one little coke machine break-in."

A measure of his control: Last year when certain judges failed to measure up to his standards, he took his case to the voters—"naming names" at luncheons, club meetings, and other gatherings.

"I got out and campaigned to beat 'em, and they were beaten," he says. "Now I don't have a judge down there who won't say I'm right."

Some say he has less power than is generally believed. But power is vested by the voters.

"I was just reelected to a second term, and I beat my opponent 8 to 1," he says.

MISDEMEANOR FINES SKYROCKET

His crackdown includes misdemeanors as well as more serious crimes. In his first year misdemeanor fines collected jumped from $3,000 or $4,000 a year to $65,000. Drunken drivers "used to pay $10 and get 10 days," but now they are fined $300 to $500 and six months to a year in jail, he says.

Some old cases, "six or seven years old," have been brought to trial.

"We try as many cases in a month as the prosecutor used to try in a year," Mr. Harris asserts. "In my first year in office we cut the over-all crime rate 24 percent while it was going up across the country. Last year we cut it another 3 or 4 percent."

There is little question but that Mr. Harris is conviction-minded or that his methods are effective. Many Oklahomans say his approach is right. Others contend that a prosecutor with so much political power and with a police force to back him up could—in the guise of crime fighter—do great harm to a system of justice that depends on balance.

Some judges and lawyers interviewed agreed that such practices as those used by Mr. Harris could lay the foundation for a police state.

Convictions are only one side of the coin, moreover. Screening of cases before they get to the trial state is vital to justice, too.

The President's commission points out that the law makes prosecutors and judges responsible for meting out rigorous treatment for dangerous offenders or for offering remedial opportunities to offenders who seem likely to benefit.

". . . The law gives wide latitude to police and prosecutors in making arrests and in bringing charges, judges in imposing penalties. . . .

"Almost half of all arrests are on charges of drunkenness, disorderly conduct, vagrancy, gambling, and minor sexual violations.

"Such behavior is generally considered too serious to be ignored, but its inclusion in the criminal justice system raises questions deserving examination. . . . The investigation and prosecution of such cases ties up police and clogs courts at the expense of their capacity to deal with more threatening crimes. . . .

"In some cities the enforcement of these laws has been unhappily associated with police, prosecutor, and court venality and corruption, which in turn have led to a general decline in respect for law. . . ."

In Pittsburgh I saw a man jailed by a nonlawyer judge on charges of rape. No prosecutor or defense lawyer was present. The arrest was made on a middle-aged woman's signature.

"I understand the fellow didn't pay her the 10 bucks she asked for," a police sergeant told the judge later. "What do you want to do?"

"Well, maybe he'll pay off next time he fools with a prostitute," the judge said, laughing. "The warrant is signed, and there's not much we can do about it now."

In a Houston criminal hearing, an auto owner and used-car dealer wrangled for nearly an hour over a complicated deal that might have involved fraud. Finally the judge, whose docket was jammed, threw the cases out, explaining it was "a civil action" and "should never have been filed in this court."

This is an all-too-familiar complaint. I heard it in courts in almost every city I visited, even when prosecutors piously insisted they were doing a "good job of screening." One prominent district attorney who said this, was refuted later by an assistant who had to handle the DA's cases at the lowest level. The assistant indicated that his boss had higher political plans and didn't want to offend the public by throwing out cases and getting the reputation for being soft on criminals.

OTHER WEAKNESSES FOUND

After sitting in courtrooms and talking to judges and lawyers across the country, I also found:

That in thousands of lower courts (and this is where 90 percent of all defendants appear) a policeman or judge acts as prosecutor, though neither has legal training. Policemen too often are trying to justify the arrest instead of seeing that justice is done.

That politically ambitious prosecutors are too often "conviction happy," as one West Coast judge put it. This can result in the "little guy" being pressured into pleading guilty to a charge that probably would be reduced if he knew enough to demand a trial. In some cities where justice is dispensed assembly-line fashion, 95 percent of those convicted plead guilty without ever going to trial.

(This is not to say that lawbreakers shouldn't admit their guilt and accept their penalty. Rather it is a commentary on inequality. The complaint most often heard is that the "little guy" who is a first offender goes to jail or pays a fine while the professional criminal with the right lawyer and enough money wins.)

In dozens of courtrooms the prosecutor has never seen the case before a folder is thrust into his hands for a preliminary hearing or for trial by a lower court magistrate. Too often no consideration has been given to the validity of the charge or evidence. Even in more serious cases the prosecutor has a limited amount of time to prepare his case, unless it is a spectacular crime that will make Page 1 in the newspapers.

EXCELLENCE EXISTS, TOO

Generalizations, of course, bring up exceptions. Just as there are many good judges in the United States, so there are also competent prosecutors and excellent policemen. As is usually the case, a state or community simply gets what it asks for.

Several years of watching the Michigan State Police in action gave me an insight into the kind of job a carefully trained force of first-class men can do.

On the other hand, experience with several police departments and sheriffs' offices has indicated a drastic need for upgrading those departments.

The police problem has been much discussed in recent months. Thousands of men with little training, limited education, and often from the lower economic levels of society make decisions daily that would tax experienced judges.

In Carlsbad, N.M., I met J. Lee Cathey, an assistant district attorney. He keeps weekly check on who is in jail, and makes sure they are moved through the courts as swiftly as possible. Everyone charged with a felony (a serious crime that can bring a prison term of one year or more) must have a lawyer at preliminary hearings.

And no charges are made against a man without Mr. Cathey's specific approval, after carefully reviewing the case.

DOMESTIC CASES A PROBLEM

In courts across the nation I heard complaints that a badly bruised wife will file a criminal action against her husband, have him arrested, and then come in a few days later begging to have charges dropped.

When Mr. Cathey is confronted with such a case, he tries to reason with the woman and, where it is advisable, keep such a complaint out of the court system—or at least give the woman time to cool down and make her decision at a calmer moment.

Unfortunately the best prosecutors usually leave office as soon as they can for private practice. Men in every section of the country complained that pay is poor—often $5,000 to $7,000 a year, or less, in a field that can yield $25,000, $30,000, or more for a competent lawyer.

It should be noted from my interviews with lawyers and judges that, as in other professions, many men who attend law school—perhaps too many—do so because the profession can be profitable, not primarily out of

a "love of justice" or because they have a burning "social worker's" philosophy. This may explain why more top lawyers don't take low-paying jobs as prosecutors and judges.

LOW PAY POINTED UP

Nor is the problem limited to lower courts: Robert C. Finley, Chief Justice of the Supreme Court of Washington State, told me that even if the governor of his state walked into the office of a leading attorney to tap him for a seat on the Supreme Court, he would probably hear a long list of excuses as to why the man could not accept.

Low pay is a problem in the cities, too. Philadelphia's colorful prosecutor Arlen Specter, now a candidate for mayor, told me the pay for his staff is "abominable."

Philadelphia starts a district attorney at $6,954, which means that only men fresh out of law school will apply. Even experienced men get only about $15,000—certainly less than men of equal skill might get in their own law firm or as a good trial lawyer in a city of comparable size.

Mr. Specter says that while he was authorized to have 51 men, he had only 49. He said 76 were needed.

"Our men average in excess of 60 hours a week, and none are working less than 48," he asserts.

Little will be said in this report about defense lawyers, as earlier and subsequent articles deal with the subject. But it should be repeated that on the criminal side, there is a critical shortage of honest and skilled lawyers—even while the volume of court business grows.

BAILIFF TELLS OF LOAFING

What of the other personnel who work in the court structure?

The bailiff is the uniformed man who sits in almost every courtroom—criminal and civil—to keep order. Usually he is under control of the sheriff, rather than the judge, and may well be too close to retirement to track down criminals or chase speeders.

His presence in criminal courtrooms is useful. But in civil courts many assert that he is little more than the man who keeps the coffee hot for the judge, runs a few errands, and in more polite courts, opens the swinging gate for witnesses.

Says one former big-city bailiff:

"I spent my days sleeping on the couch in the judges' chambers. If he wanted me to run an errand the clerk would buzz and I came out carrying a law book so that it looked like I had been working.

"My main job was to tell everyone in the courtroom to stand when the judge came in each morning and again after the noon recess. I also took juries to lunch at a local restaurant. Bailiffs make a nice profit on this. We got a free steak dinner. And the restaurant, to encourage us to bring juries in, served us all the free martinis we could drink in coffee cups. The meals usually would cost only half what we had been given, so we kept the rest."

NEED OFTEN QUESTIONABLE

In Los Angeles, where pay is above average ($500 to $700 a month) and the caliber of men as high as any around the country, I watched one Los Angeles Superior Court bailiff fuss with his stamp collection for hours during a jury trial. He would, with considerable rustling and crackling, remove stamps from one glassine envelope, study them, and then transfer them to another glassine envelope. Several jurors seemed distracted by the noise, and I found it hard to hear witnesses with soft voices.

This reporter found that these men may serve to bolster a judge's ego—especially when the judge's pay is low. As a practical matter, the bailiff's duties could be easily handled by the clerk of the court, who is always present.

Court clerks and court reporters (stenographers) are necessary, and have varying degrees of skill. Some judges complain that deputy clerks are political hacks appointed by the elected chief clerk of the court. Judges too often have little or no say in the selection or firing of these deputies. In some cities clerks lose records and create other unnecessary delays.

It is not uncommon to hear a client asking his lawyer in the corridor outside a courtroom, "Why aren't we going to court today?" The lawyer then explains that some clerk or other court employee has fouled up the records and they will have to come back later.

Or the lawyer may be frantically calling witnesses on the phone because his client's case has come up a day early or because subpoenas were not properly issued or served.

Court critics, including lawyers and judges, say too many judges let clerks or bailiffs control their courtrooms. And as often as not, when corruption is found in the court, a clerk or bailiff has a hand in it. This is especially true in traffic court.

COURT PAYOFFS CHARGED

Nearly every large city with a strong, watchdog newspaper, has unearthed scandals in courts in recent years. One Indianapolis judge told me of several instances of court personnel involved in illegal court practices. Chicago's traffic court has often been hit with ticket-fixing scandals.

But court jobs are usually political. Too often the "fixers" are shifted to another job rather than fired.

Some Chicago lawyers assert it is still possible to get your case moved up the civil docket by paying off certain clerks. Others say payoffs may be necessary to get court records from some clerks.

Not much attention is focused on clerks and other court workers in the professional legal journals. Little research on court personnel has been done. When there is research, more often than not it is ignored.

A Midwestern judge last week gave me a typical answer on this point: "I have so many things to think about, I simply haven't given court personnel a thought."

The few cities with full-time court administrators have been able to make some headway in unsnarling nonjudicial problems. But progress is slow, and most court administrators lack the power to make sweeping improvements. Judges balk. County or state officials may block progress by refusing to appropriate funds to make the improvements needed.

SHORTHAND QUALITY OFTEN TOPS

The idea of hiring men with administrative skills to expedite mundane court chores in a businesslike manner is so new that even the few courts that do have administrators are still feeling their way by trial and error.

As a group, the most competent court personnel, including judges, are the court reporters—at least in the larger cities. The reason: Judges worry about higher courts' reversing their decisions and want to make sure the record is accurate. So do lawyers who may appeal. Thus those who are charged with keeping an accurate record of proceedings must be competent. And unlike the job of judge, prosecutor, policeman or corrections officer, the court reporter's performance can be objectively measured and evaluated.

Julian J. Covel, of Jamaica, N.Y., president of the National Shorthand Reporters Association, says there are "approximately 11,000 shorthand reporters in the United States . . . the vast majority court reporters," though others take depositions or work in legislatures and other similar bodies.

"Earnings begin at about $8,500 to $10,000 and can reach $20,000 or more," he says.

Yet only 10 states—California, Colorado, Florida, Illinois, Iowa, Kansas, New Jersey, New York, Oklahoma, and Utah—have legislation that assures courts of having reporters that measure up to Mr. Covel's standards:

"Able to record accurately a minimum of 200 words per minute, have high intelligence, a fairly extensive vocabulary, a good knowledge of the English language, and good hearing."

Like a brilliant judge or outstanding lawyer, a skilled reporter is a pleasure to watch. This writer sat in on a complex medical-malpractice trial in San Francisco's Superior Court. A doctor rattled on for two hours in machine-gun fashion, firing off volleys of high-powered medical terms, and the reporter took it all down with ease—while the jury looked dismayed, clearly not comprehending.

But what do you do in rural areas, where few people have the necessary shorthand skills?

SMALL TOWNS OFTEN PREFERRED

Frank R. Kenison, the Chief Justice of the New Hampshire Supreme Court, and Robert B. Williamson, Chief Justice of the Maine Supreme Judicial Court, told me that the "good life" of the small towns often entices competent court reporters to the New England states.

In states like Indiana and South Carolina, this reporter saw proceedings recorded electronically, at first blush the best possible way to make an accurate record.

But Mr. Covel, who has well-founded pride in his profession, argues:

"Attempts to record court proceedings electronically have failed to achieve the desired result in all impartial tests made, since tape recorders cannot distinguish between similar sounds, but pick up all the noises in the courtroom. This frequently results in an undecipherable jumble. Voices overlap. A truck rumbles past. A chair scrapes the floor. A juror clears his throat."

Yet as I visited courts across the country, I found that this very inability to filter out "unwanted" sounds can be an advantage.

For instance, when a judge loses his temper or commits some other breach of courtroom decorum, the court reporter simply stopped taking shorthand, picking up again when procedures returned to normal. It is clear that a judge who gets an appeal in a higher court may never know what really went on in the lower court even though the appeal may be based on mistakes made by the lower-court judge.

GUARDS SOMETIMES BRUTAL

Even when all other court problems are resolved most thoughtful judges are deeply worried over what to do with those found guilty. (This will be more extensively discussed in a subsequent report.) For the state system of justice—if it really is to be just—must be able to care for (and hopefully rehabilitate) prisoners. I found that as a nation Americans fail sadly in this area.

During a tour of a Georgia prison for young men I watched a guard kick a young man. Less than a third of those incarcerated were getting any meaningful training or help, according to statistics supplied to me by officials.

At the same time, pay for correction officers is being improved. New buildings are under construction. It is hoped that within a year or two conditions will improve.

In Greenville, S.C., a generally enlightened town, the jail I toured is so old and overcrowded that prisoners sleep on the cement floor without blankets—including youngsters in their teens who spend their days listening to hardened criminals brag about their exploits.

Yet I have also talked to judges who have no concept of the horrible conditions in their state's correctional institutions.

Other judges who have visited jails and prisons know how bad things are and make wide use of probation.

Yet records show that hundreds of probation officers have little or no professional training. Some of the better ones I met were former police officers who learned the ropes on the street. Enlightened states and cities

require college degrees in social work or related fields.

BARBER GIVEN PROBATION JOB

In one Texas town a barber served as a deputy probation officer until last fall—appointed by the judges. He resigned and moved away when one of the men he was supervising complained that this barber was trying to force him to commit immoral acts.

Experienced probation officers admitted to me that when male officers have women probationers under their supervision, the more attractive girls may be forced to let the officers "visit" them from time to time.

Nor is this limited to probation officers: One Indianapolis judge told me that some girls who appear before him in court say they are sometimes forced to submit to policemen—or be arrested.

Some divorce-court judges complain about their employees pressuring pretty divorcees.

While such practices are not general, they are widespread enough to warrant mention.

Changes will come only through citizen action.

Former United States Attorney General Herbert Brownell, and president of the American Judicature Society, said in an interview that "all of the great administrative improvements in New York in recent years came through laymen efforts. The citizens forced judges and lawyers to make changes."

I found too many lawyers and judges who have a vested interest in retaining the present system, lack the courage to fight their professional brothers, or are so steeped in tradition they cannot see the need for changes.

It has to be laymen," explains Mr. Brownell. "They're the people who are hurt by the malfunctions of the court."

In the past few years a few women's clubs have taken on court watching as community-service projects. Most are centered in the lower courts.

WOMEN'S CLUBS PIONEER

Pioneering work has been done in New England by the New England Conference of State Federation of Women's Clubs, headed by Mrs. Gerald E. Northrop, of Castleton, Vt.

But she says the work has only begun, and that some courts are throwing up barriers.

Mrs. Margaret Moore of the Indianapolis News blazed the trail for the rest of the nation when in 1962 a retired schoolteacher died after being knocked down by a purse snatcher. Letters poured in to the paper, and her editor suggested she do something.

From a group of 30 women called to a luncheon, the Indianapolis Anti-Crime Crusade was formed. Part of the program includes court watching.

Now members of the organization sit in court every day and make reports—although they, too, had to battle resistance from some members of the bench and bar. Reports have been made on more than 70,000 cases. Mrs. Moore says. By confronting judges and other involved in the system of justice with their findings, reforms have been made.

But in most American cities the nuts-and-bolts machinery of the courts is largely ignored by public and press. Public interest too often focuses on the rich, the beautiful, or the prominent who are caught up in sordid crimes or divorce actions. Too little attention is paid to everyday procedures.

This public apathy toward what is going on has contributed to the court problems discussed in this series.

"THOUGHTS ON OUR INTERNATIONAL POSITION"—ADDRESS BY ROBERT MURPHY

Mr. DIRKSEN. Mr. President, the distinguished Robert Murphy, who had in truth and in fact a very distinguished career in the State Department, addressed the Harvard Club of Washington, D.C., at the annual dinner on April 27, 1967. The subject of his speech was "Thoughts on Our International Position."

Mr. President, the address is very thought provoking and I think that it deserves wide circulation. I ask unanimous consent that the address by Robert Murphy be printed in the RECORD.

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

THOUGHTS ON OUR INTERNATIONAL POSITION

(Address by Robert Murphy, Harvard Club of Washington, D.C., annual dinner, Apr. 27, 1967)

When your chairman, and your president, Ned Kavanagh and John Grindle, in a carefree moment invited me to speak this evening, as I understand it, the decision, after eighty-five years, to invite the ladies, Radcliffe and non-Radcliffe, had not been taken. I suspect that had it been taken, they would have searched high and low for a very special speaker instead of contenting themselves with a casual. And in that event I could have attended this precedent shattering occasion and actually enjoyed all of it including this part of the evening.

I have long cherished admiration for the distinguished membership of this club. Years ago you let me stray into your midst and say a few words. For me that was pure flattery.

I am especially happy to be here with my dear friends Ambassador Takeuchi and his charming and talented lady. I doubt that any ambassadorial couple have endeared themselves to the American community more successfully than they. It was even so in Japan when I served there, now so many years ago. I like to believe that they have entered into the American mentality to an extraordinary degree. They symbolize so naturally the solid rapprochement between our peoples—a precious dividend of the recent unpleasantness. I want publicly to wish them every possible success and happiness in their future activities.

When I asked Mr. Kavanagh whether I could talk about one or two features of our international situation, he said he regarded the suggestion as blatant provocation. If I insisted it would have to be at my own risk. The management would take no responsibility. Mr. Kavanagh is both wise and prudent. At any rate it would be safest to take the Senate route—he said that is, stick to foreign relations, on the ground that age would rule me out of the House version, affairs.

With the variety and intensity of world pressures, it is difficult indeed both for our Government and for individual Americans to maintain a consistent position on many fast-moving issues. We are not like the lady who Sir Alec Douglas Home remembered the other day as appearing in a British court. The judge said to her, "You have just told me that you are fifty years old. But I notice from the record before me that you appeared in this court ten years ago, and then gave your age as exactly the same. How is that?" "Certainly, your honor," said the lady, "I'm not one of those people who says one thing today and another one tomorrow!"

Yet, maintenance of a position in the conduct of our foreign affairs is one of the greatest problems of American leadership. I know from personal experience in dealing with representatives of several countries that there was an assumption on their part that if the pressure were put on long enough and hard enough, the U.S. postion would alter. In this open society of ours conflict of opinion in the ebb and flow of public debate on every major issue is a daily experience. Most of us are convinced that this method is not only the essence of democracy, but that it avoids many an error and pitfall, leading usually to wise compromise and measured judgment. I share that view. Of course, we know that there is also a risk in it because of the present curious state of world affairs. If these conflicts and debates were held just among ourselves and represented only American thought and interest or even friendly outside interest, that would be healthy. The chilling factor of course, is the presence of hostile elements, those who do not wish us well. There is no blinking the fact of their existence. The airwaves and the pages of publications around the world teem with attack and subversive criticism. Our open society easily lends itself to subtle effort from abroad to stimulate group action and manifestations in our own country designed to sway our people and our Government from positions which are taken to protect our national interest. These influences proceed from the conviction that if they stubbornly and tenaciously push the American side hard enough, and long enough, inevitably we yield. They are usually able to find minority groups and individuals who are swayed through emotional appeal or group interest to pull their chestnuts out of the fire.

We perhaps would have no complaint if this worked both ways and we could promote our national interests by employing similar methods in bloc countries. There we are largely barred by closed societies living under dictatorships. We have little means to counter by influencing the public opinion in those areas controlled and isolated as the people are by a ruthless power structure.

A classic current example is the case of Vietnam. Totalitarian leadership in the sweep of organizations controlled, directed or influenced on a worldwide basis are mobilized to use every channel to weaken the determination of our government to pursue to a successful conclusion a policy on which it is embarked. U.S. representatives traveling abroad are subjected to the identic type of verbal garbage and disorder whether in Florence, Berlin or London. This certainly suggests a central organization. The technique is the same, whether here or abroad. Thus in this country both subtle and open effort is made to persuade our students, our faculty members, some of the clergy, our business community and labor leaders to weaken our government's stand and to defeat our aims. There is reason to suspect an organized effort to weaken and divide American domestic opinion and to promote a revolutionary force within the United States by employing minority groups, some of whom are unconscious of what it is all about. North Vietnamese and Vietcong hopes are encouraged by American minority and foreign forces opposing the present policy of our government. Hanoi wrongly draws an analogy between the defeatism in 1954 of the weakened French colonial power after Dien Bien Phu, and the United States stand against aggression and for the independence of the Vietnamese people. Our opponents hope that the wise crack may be true that the test of statesmanship is the acceptance of the inevitable.

Perhaps we have not concentrated adequately in our public discussion on Vietnam on the question of what should be done about the Hanoi and Vietcong leadership—that is, the handful of men exercising absolute power who are responsible for the ruthless campaign of terror which in turn is the reason for American presence in Vietnam. Why are we there? In essence because this dangerous group of leaders are inflamed with an ambition to dominate all of Southeast Asia, an ambition shared with Peking. American forces are there at the instance of Vietnamese who are determined

to be independent, to resist domination, and their stand harmonizes with the national security interests of the United States in Eastern Asia. Long range American security in the Pacific is directly involved.

It is in our best interest to see the hostile Hanoi and Vietcong leadership, dependent as it is on Mainland China and the Soviet Union, defeated. That leadership is the key to terrorism and guerrilla warfare.

Just a word about negotiations. Senator Percy has just made a rather impulsive statement that our Government should make a more intensive effort to negotiate with Hanoi. I take the contrary view. We have shown too great eagerness to negotiate. We have talked peace and have wanted peace so avidly that our adversaries believe our public opinion will force our Government to make every concession, to fold up and quit. The reactions of the other side are not necessarily like our own. In our eagerness years ago to negotiate with the Russians who were coy and played hard to catch, we often considered it something of a diplomatic victory merely to get them to come to a conference. We learned by a process of expensive concession that negotiation by the very definition of the word requires a mutual desire to compromise. It is obvious that Hanoi, still inflamed with the myth of victory, is not yet conditioned to do so. It is idle at present to think in terms of negotiation with this group of ambitious and cold-blooded tyrants. Like Hitler during the last year of World War II, Hanoi tenaciously refuses all compromise or negotiation. We all remember the plot of German patriots to destroy Hitler which failed in July, 1944, when the bomb Von Stauffenberg carried into Hitler's headquarters exploded but failed by a hair breadth to destroy Hitler. We know too that if it had succeeded, negotiations would have lead to an armistice by September or October, 1944, and the allied world and the Germans would have been spared millions of useless casualties and enormous destruction of property.

Sooner or later the truth of the present situation will dawn on the Vietnamese people, perhaps a lightning glimpse of the obvious, and they will take measures to shelve Ho Chi Minh, and his key associates such as Pham Van Dongh, General Giap and Le Duan, who seem to be the hard core of the terrorists. As Ernie Bevin, one time British Foreign Secretary, said in his inimitable style, it would open a Pandora's box and let out the Trojan horses. Ho Chi Minh at his age and with his record is clearly frozen in a position of non-compromise; it is a waste of time to offer him reasonable terms for negotiation. He is the victim of the same manic mystique and belief in absolute victory which dominated Hitler in 1944.

It is curious to remember that France played a role in both instances. Hitler's sensationally easy victory over France in 1940 finds an analogy in Ho Chi Minh and General Giap's victory over the French at Dien Bien Phu. Ho Chi Minh knows that after Dien Bien Phu the French quit because of discouragement in Paris. They believe Washington will react similarly. They try to forget that the United States is not a weak colonial power seeking to maintain a colonial position. They will learn and I believe they are learning that American designs are not colonial, and that there is a vast difference between a weak colonial power and the United States which is completely uninterested in possessing a square inch of Vietnamese territory.

So I would hope that greater effort will be made by Asiatics to ferret out and deprive from power the hard core Hanoi and Vietcong leadership elements who really are responsible for the prolongation of the terrorism and fighting in Vietnam. It is heartbreaking to see thousands of fine young men and women on both sides uselessly slaughtered because of the paranoiac ambitions of a handful of Vietnamese terrorist leaders.

I haven't mentioned the United Nations. Someone said the other day that to criticize the United Nations is like raising the question of sex in the Vicar's living room.

I have also deliberately avoided the word "communism." Of course I am aware of the party apparatus in Asia. When I was ambassador in Tokyo I witnessed its operations at close hand. Its operations in Vietnam are visible for all to see. That being said, I also see both in Vietnam and mainland China a great deal of old-fashioned power politics and plain expansionism. Just as Hitler used the Nazi movement as a cloak for his brand of geopolitics, we now witness North Vietnamese and Chinese expansionism. On the other hand we can find a reasonable satisfaction in the Sino-Soviet split which restrains, at least temporarily, Peking from aggressive adventures in South Asia. That situation facilitates a settlement of the Vietnamese military action and the foundation of a solid and independent Vietnamese political structure.

In Europe recently I heard considerable discussion of what might be termed the current "in" word "detente." A number of European leaders, not least among them General de Gaulle, seem to bask in a period of pleasant euphoria. As does General de Gaulle, some of them assert a rather disdainful attitude towards what the French President has termed a detestable and ludicrous war in Vietnam, together with a questioning attitude that the United States is losing interest in Europe because of its involvement in Asia. They say that the risk of war with the Soviet Union has become so remote that NATO is really unnecessary. The word detente is seductive. I find in the De Gaulle view of Vietnam something of the psychology of the jilted mistress. It is unbearable I am sure in the General's mind to contemplate that there might be an American success in Vietnam where France failed so miserably. It reminds me again of World War II. I was stationed in French North Africa on the day, June 22, 1941, when Nazi Germany attacked the Soviet Union. It was the view then of some Frenchmen that since Germany in 1940, in one month defeated France with its great military tradition, Germany would defeat Russia just as quickly. In fact a French Admiral in Algiers bet me two to one that would happen; that Russia would be defeated by Germany in thirty days. It is always trying to observe somebody else succeed where one has failed. But it is sad to see the French leader go to the emotional extremes of proceeding to Cambodia to make a speech belittling the United States or rushing into an ill-advised French recognition of Red China at least partially to demonstrate independence from U.S. policy. So far the only dividend from Red China seems to have been the humiliation suffered by French diplomats in Peking at the hands of zealous Red Guards.

Whatever De Gaulle and a few European leaders may believe about the current necessity of NATO, many others believe that American policy supporting the alliance is in the best interest of Western security. Detente is an attractive state. Who could be against it? Like the words "peaceful coexistence" it has a seductive ring, much better than "we shall bury you." But what does it mean? None of use here in this room, I venture to say, is in the confidence of the members of the politburos either in Moscow or Peking. Our government does not have access to their secret plans and ambitions, nor does it have complete knowledge of their military structure and striking power. For that matter we don't even have an intimate knowledge of Cuba's plans and equipment and Cuba is only ninety miles from our shores. Some time ago we paid a price for innocence in high places in Washington incident to the Bay of Pigs fiasco.

The other day in discussing atomic weapons I was reminded of a reference attributed to Sam Goldwyn. In his inimitable style, referring to the atomic bomb Goldwyn alledgedly said—"Why that's dynamite."

We hear comfortable words now incident to the non-proliferation treaty that perhaps we could relax and just let the Russians catch up or at least reduce the disparity in our favor. We do know that the Soviet Union since World War II has constructed a gigantic military apparatus; it has in being an enormous land army, an impressive air force in addition to an immense arsenal of ballistic missiles, and I suspect is ahead of us in the field of anti-ballistic missiles. It has become a modern sea power with hundreds of submarines including Polaris type nuclear submarines. In any consideration of American Soviet relationship, the military power of the Soviet Union should be stressed because that is the platform from which its present diplomatic maneuvering is launched and sustained. We are so prone to repeat those sedative words that the United States is the richest and most powerful country in the world. Having said that, the intimation is that we can coast, and because of a surplus margin of security, we should make concessions and even let the Russians catch up on the theory that if there is an even balance of power that would provide a safeguard against all out nuclear conflict.

The recitation of a few sober realities of the current position does not mean that it is all black. I am an optimist. There are favorable factors. There are good trends both inside the Soviet Union and in Eastern Europe. I count on Soviet youth, on the second generation, to make the break through. This will take time. In the present as long as the political system from which Svetlana Stalina has escaped because she could not enjoy freedom of expression, as long as that power structure with its secrecy, its powerful leadership backed by a huge arsenal and military establishment, a context which provides opportunity for an ambitious crusader to embark on adventures—just so long are we obliged to be wary. I am fearful only of our own illusions. I emphasize a need not for stale cold-war philosophy but for an appreciation of elementary security.

I prefer to consider our world situation in terms of power politics rather than ideology. It is misleading to regard the war in Vietnam merely as a fight against communism in the ideological sense. If it were only an instance of a peaceful local move to adopt a Communist form of administration, we would not have troops in Vietnam today. Our troops are not there because we want to be a policeman of the world. I regard communism as a smoke screen for plain, old-fashioned power politics, expansionism in a word, and communism cloaks it and fortifies it as an idealistic crusade.

So today in the United States and Europe some people regard the Soviet military threat as diminished and any reference to it as outdated cold war anachronisms. Their reasons relate to ideas of Soviet intentions rather than knowledgeable estimates of actual Soviet military power. These people point to Chinese defiance of Moscow leadership and say that the Communist bloc is no longer monolithic. They hopefully regard the increased autonomy of some East European States and foreign Communist parties as possibilities for settlements with the Soviet Union. They are less willing to admit that the success of the Atlantic Alliance has forced this evolution of Soviet policy which as far as I can see is a tactical resort to "peaceful coexistence" in Soviet strategy.

We are embarked on a policy of promoting East-West trade; of building bridges. Quite apart from the lure of profits, there is

an assumption that establishment of trading relationships will promote or guarantee peace between the Soviet Union and this country. I have no doubt that we should trade with the East but illusions are created—illusions both regarding the importance of the amount of trade and profits, but more especially that this development will guarantee the peace. It should be remembered that in no area were trading relations closer than in Europe, among Germany, the United Kingdom and France. Yet this did not prevent both World Wars, nor did similar close trade relations between Japan and China keep the peace in Asia. So I feel we should trade, but on a caveat emptor basis without illusions, of course anyone who has negotiated with the Soviet Union needs no gratuitous advice. They are probably the world's toughest traders.

In closing, Mr. Chairman, as I see it, peaceful coexistence means a period of all-out Soviet diplomatic effort to achieve a more favorable balance of power in the most decisive area—Europe. The revival of Western Europe's economic and political structure which fed a natural desire for a role in international affairs independent of the United States, has provided Soviet diplomacy with wonderful possibilities for political maneuver. The war in Vietnam provided an additional handle. Soviet diplomacy skillfully attacked the most susceptible link, France. Able Soviet diplomats have found in the chauvinism, the pride and ambition of General De Gaulle, the perfect instrument. Their objective remains the disruption of NATO and the encompassing of Germany. The old slogan of Molotov still prevails—as goes Germany so goes Europe. Blandishments are the order of the day—whether a visit to the Vatican or persistent contact with European leadership.

The Soviet Union remains an adversary, not an ally. But we should not think of Russia merely as a military threat. The political and diplomatic problems at this stage must be given more attention. Present Soviet policies now are disruptive of the degree of cooperation with our European allies which is necessary to deal with current problems. Our objective must be an eventual framework for a European settlement which will include the reunification of Germany, the establishment of European security guarantees, and the independence and strengthening of the European economy. If these are achieved in the decades ahead, perhaps, then will the Soviet Union find such a settlement in its own best interest.

I suppose it is not always the wise thing to do to so fully enjoy hospitality as I have done this evening before attempting a speech. You remember the story of the young clergyman who was scheduled to preach a sermon before his bishops. He was understandably nervous and induced the verger to give him a good nip of scotch. He went up and preached his best sermon and when he came out he said to the verger that perhaps it was the best anyone had ever preached. Yes, said the verger, but may I make a suggestion or two against a future occasion. There were ten commandments, not twelve. There were twelve Apostles, not ten, and David slew Goliath with a pebble, not by a bloody great rock.

I am grateful to you for your hospitality.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). The clerk will call the roll.

The legislative clerk called the roll.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

TOO MUCH HASTE IN RACE TO MOON

Mr. YOUNG of Ohio. Mr. President, as a member of the Aeronautical and Space Sciences Committee of the Senate I attended all the hearings and listened attentively to the testimony regarding the terrible tragedy that snuffed out the lives of three of our greatest astronauts, Virgil I. Grissom, Edward H. White, and Roger B. Chaffee. Chairman CLINTON ANDERSON, of this committee, deserves great credit for conducting a thorough investigation in depth. Many witnesses testified and were questioned by various committee members.

My personal conclusion is that these tragic deaths were unnecessary. The testimony convinced me that North American Aviation, the prime contractor, and its officials failed to exercise ordinary care. It is my personal conclusion that they were guilty of negligence. They left undone some things they should have done. There was evidence of sloppy work and thoughtlessness for the safety of the astronauts. Apparently, to me, it seemed there was too much haste, and too little installing of proper safeguards. It is also my personal conclusion that there was some inattention and carelessness on the part of officials of the National Aeronautics and Space Administration. In that regard, may I say, however, that I hold James E. Webb, Administrator of the National Aeronautics and Space Administration, in high admiration. He is an outstanding administrator. Without a doubt he is as overworked as any official in the legislative or executive branch of our Government. His activities and responsibilities are far reaching. Obviously, many of the details and ramifications of our space agency operations could not at all times come within his grasp or be under his observation. It must also be conceded that the astronauts heroically and with full knowledge of the risks accepted exceedingly hazardous and dangerous duties. However, it is my personal conviction that they would be alive today except for the negligence, carelessness, and inattention of officials of North American, the prime contractor with the principal responsibility, and of NASA officials and employees.

Corrective action must be taken so that such a tragedy will be unlikely to occur again. The fact is that very drastic corrective steps have already been taken—such as completely changing the escape hatch in the space vehicle: the new hatch has been designed to open in 3 seconds, the old one required 1½ minutes; enclosing wiring heretofore loosely placed within the capsule is now encased in metal, sealing flammable material covering wires to avoid likelihood of a short circuit and sudden flash fires, and other changes to assure more safety for the astronauts. They have been made at an estimated expenditure of more than $75 million. These measures should have been taken before and not as a result of an inexcusable tragedy that caused the loss of priceless lives of three young heroic men.

It appears to me that in our race seeking to accomplish a manned lunar landing ahead of the Soviet Union, and in our effort to achieve this within this decade, all of us must share some responsibility for this tragedy and the loss of these fine young lives. On the other side of the world, the tragic death in outer space of the Russian cosmonaut Vladimir Komarov following a great achievement on his part must also cause Russian officials responsible for the administration of the Soviet space program to reflect on the wisdom of changing the program and perhaps postponing the time when they hope to land cosmonauts on the moon and deescalating the present so-called race to the moon.

I propose that we seek a conference with the leaders of the Soviet Union to determine whether it is not possible, feasible, and sensible that our two great nations jointly explore outer space, in cooperation instead of competition, for purposes of peace. Such a joint enterprise should not be unthinkable. For the past several years the exploration of the vast Antarctic region has been proceeding as a joint undertaking of the scientists of the Soviet Union and the scientists of the United States working together in close cooperation and accomplishing remarkable objectives for the peaceful discovery and eventual development of that vast Antarctic area. This has been a joint operation accomplished successfully and harmoniously by the diplomats and scientists of the Soviet Union and the United States.

Let us proceed to inquire together seeking to effect a treaty with officials of the Soviet Union for the joint exploration of outer space for peaceful purposes, including efforts for a joint lunar landing, sharing the cost on a 50–50 basis. The tremendous expense would be shared equally by our two great nations. Also, if we were no longer engaged in a race with the Soviet Union for space achievements, the likelihood of tragedies resulting from too much haste and carelessness—such as both nations have recently witnessed—would be greatly diminished.

This would save the taxpayers of our country at least $1 billion next year and billions of dollars in future years. Even more important, it would be a great advance toward permanent peace in the world.

GOOD WORK BY SENATOR WILLIAM PROXMIRE

Mr. YOUNG of Ohio. Mr. President, the Subcommittee on Economy and Government of the Joint Economic Committee performed a great service for the Nation last week by widening its investigation of Defense Department inventory management to include a close look at the Department's application of the Truth-in-Negotiating Act.

On April 20, I spoke out in the Senate, denouncing the fact that officials of the Defense Department have flagrantly violated or ignored the intent of this important legislation. The testimony presented at the hearings by Comptroller General Staats and by Assistant Secretary of Defense Ignatius gave further credence to the suspicion that this law is not being enforced by Defense Depart-

ment officials, resulting in huge overcharges to the Government.

The chairman of the subcommittee, the distinguished senior Senator from Wisconsin [Mr. PROXMIRE], who is a truly great U.S. Senator, deserves the thanks of every American taxpayer for spotlighting this intolerable situation.

Unfortunately, the Defense Department, which spends more than $125 million a day on military procurement, has repudiated its own obligations in failing to enforce the Truth-in-Negotiating Act. The Secretary of Defense should put an end to this neglect immediately.

The purpose of this law, which was put on the books in 1962, was to require contractors doing business with the Defense Department to disclose fully the information on which they based their estimated costs in negotiated contracts, which make up the vast majority of Defense contracts.

Spot checking for violations of the act by the General Accounting Office resulted in savings to the taxpayers of some $72 million over the past 10 years. A series of articles last month in the Plain Dealer of Cleveland, Ohio, by Sanford Watzman of the Plain Dealer Washington bureau raised this situation from the obscure GAO reports, where it has been buried, to public attention. The hearings last week turned even greater attention on this lamentable situation.

The Proxmire subcommittee's investigation into the Defense Department's procurement practices won the deserved praise of the Plain Dealer in an editorial entitled "Good Work by Proxmire Group," which appeared in the May 11, 1967, edition, and I commend this editorial to the attention of our colleagues. 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:

GOOD WORK BY PROXMIRE GROUP

By widening its investigation of Defense Department inventory management to include review of the department's application of the Truth in Negotiating Act, Sen. William Proxmire's subcommittee on economy in government has dug into a vein where there is promise of greater yield to the taxpayer.

That yield would be in the form of future savings in the operation of a tremendously costly but necessary defense establishment.

Probing by the General Accounting Office (GAO) and by Plain Dealer writer Sanford Watzman established that Defense Department failure to enforce the Truth in Negotiating Act has resulted in considerable overcharging by defense contractors.

These findings, given prominence in The Plain Dealer, won the Proxmire committee's attention and gave it a bigger job to do in its role as watchdog over public spending.

In pursuing its task in hearings this week, the committee substantiated what GAO and The Plain Dealer said. The story now spread on the committee's records is not a very pretty one.

Testimony from GAO's head man, Comptroller General Elmer B. Staats, was to the effect that Defense Department failure to require contractors to furnish current, complete and accurate information on cost estimates is costing taxpayers far more than the $13-million-a-year excess found in GAO spot checks.

Testimony from the Defense Department's man in charge of procurement, Assistant Secretary Paul R. Ignatius, brought a somewhat lame admission that improvements are needed to bring about full enforcement of the four-year-old Truth in Negotiating Act.

As Staats indicated, the Defense Department is well armed with a powerful weapon and plenty of personnel to combat overcharging. As Ignatius indicated, that weapon and the department's troop of 3,600 auditors are not being put to their most profitable use.

The need for tight enforcement of the Truth in Negotiating Act by an agency of government which spends more than $125 million a day now has been confirmed thoroughly.

It is up to the Defense Department to insist on compliance by its contractors.

And it is up to Sen. Proxmire's committee to continue its excellent service to the taxpayer by keeping the department's contract practices under close scrutiny.

TRIBUTE TO TWO KENTUCKIANS

Mr. BAKER. Mr. President, I rise on this occasion to pay tribute in the Senate to the Senator from Kentucky [Mr. COOPER], and to Henry Clay, a bust of whom was recently dedicated at the Pan American Union.

An article published in the Chattanooga Times of March 31, 1967, written by Nina A. Steers, entitled "Bust of Henry Clay Dedicated at Pan American Union," points out the relationship of the distinguished Kentuckian, Henry Clay, to the elaboration and development of the inter-American relationship and friendly cooperation which dates back to the early years of this Republic. Henry Clay, as Speaker of the House of Representatives, enunciated the community of interest between North and South America. He pointed out the necessity for mutual freedom of the people in this hemisphere, both north and south.

The distinguished Senator from Kentucky [Mr. COOPER], as a native Kentuckian, was called upon to participate in the dedication of the bust of Henry Clay.

Mr. President, I ask unanimous consent to have the article to which I have referred printed in the RECORD.

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

BUST OF HENRY CLAY DEDICATED AT PAN AMERICAN UNION

(By Nina A. Steers)

WASHINGTON.—Kentucky and all of South America were officially honored Thursday at the Pan American Union (PAU) when Sen. John Sherman Cooper, R-Ky., dedicated a bust of another great Kentuckian, Henry Clay.

However, the inspiration behind the occasion came from a man working out of Chattanooga, although the accomplishment of installing a memorial to the first North American to recognize the importance of Latin America's struggle for independence in the second and third decades of the 19th century belongs to PAU's director of culture, Dr. Rafael Squirru.

But even Squirru, who raised the money outside of the federal budget from the Esso Petroleum Corp. and commissioned Cuban sculptor Juan Jose Sicre to do the bust, credits John N. Popham, managing editor of The Chattanooga Times, with the necessary support and idealism. He said, "Through conversations with Popham, dating back to 1963, I was made to realize the full importance of Clay in hemispheric relations."

And this realization took its concrete form in the bronze bust of Clay, banked in red and white carnations, that was dedicated in the House of the Americas on Thursday marking the 75th anniversary of the inter-American system.

Dr. Jose A. Mora, secretary general of the Organization of American States (OAS), launched the ceremonies by remarking on the appropriateness of unveiling Clay, who as secretary of state insisted that the United States be represented at the first inter-American congress in Panama, this year when the charter of the OAS and the alliance for Progress have been updated for the future in last month's meeting at Buenos Aires.

Mora said, "Friendship implies sentiment, which is an innate and enduring characteristic of the Latin American peoples. I trust this tribute we pay to Henry Clay may serve as a reminder to us all of the value of friendship."

By way of an introduction, the Panamanian ambassador, Eduardo Ritter Aistan, chairman of the council of OAS, concluded his speech by saying that Cooper had come to close the ceremony with "the golden clasp" of friendship.

Cooper is the former U.S. ambassador to India and a member of the Senate Foreign Relations Committee as well as a leading Republican vote-getter.

The senior senator from Kentucky began by pointing out that although Clay never achieved the highest office in the land, there was hardly an issue of his times that he did not influence in his other various roles.

Cooper described Clay as a "nationalist" who devised the "American system" for the internal development of his own country. But it was Clay's "close identity with the people and his passion for freedom" that made him see the emerging Latin American republics.

Quoting from Clay's speech, as speaker of the U.S. House of Representatives in March 1818, Cooper said that the Kentucky statesman found the natural wonders "sublime" south of the North American border. But "more interesting and sublime" to Clay was "the glorious spectacle of 18 millions of people, struggling to burst their chains and to be free."

Clay had said, "I am no propagandist. I would not seek to force upon other nations our principles and our liberty, if they do not want them.

"I would not disturb the repose even of a detestable despotism.

"But if an abused and oppressed people will their freedom; if they seek to establish it; if, in truth, they have established it; we have a right as a soverign power, to notice the fact, and to act as circumstances and our interest require."

Cooper concluded by saying that Clay had "correctly and with sensitivity" seen that perhaps the emerging Latin American governments would not be like that of the United States. But that once the principle of freedom was establishd the choice ought to be their own.

Cooper pointed out that there were many similar threats to the hemisphere today as there were at the beginning of the last century. He said, "We should remember and hold dear Clay's vision of American association and solidarity."

UNITED STATES SHOULD NOT EMPLOY THOSE WHO REFUSE TO SERVE THEIR COUNTRY

Mr. STENNIS. Mr. President, the Child Development Group of Mississippi operates a Headstart program under a $4.8 million Federal grant and has been the subject of intensive investigation by

the Office of Economic Opportunity, the Senate Appropriations Committee, and other agencies.

Last week an employee of the Child Development Group refused to take the oath to enter the Armed Forces stating as one of the reasons "his strong feeling against the war in Vietnam."

The action of the Office of Economic Opporunity in first announcing that they intended to suspend this employee, and then later stating they did not suspend him, is a repetition of the Office of Economic Opportunity yielding to pressures from civil rights and anti-Vietnam protesters.

The CDGM employee who refused to take the oath is a well-known civil rights worker, identified as such in the press, who has worked in the community organization section and the payroll section of CDGM in an area covering several counties.

There have been other incidents in which CDGM employees or former employees have carried their protests against the war in Vietnam to the extent of violating the law. Last year, four CDGM employees participated in a sit-in in the U.S. Capitol Building in protest of the Vietnam war, and two of them were arrested and placed in jail.

The right of responsible protest against Government policy, including the war in Vietnam, is fully recognized. However, the right of protest is not at issue here. The right of free speech is not included. The issue is whether the U.S. Government, with Federal tax funds, will provide employment for individuals who refuse to answer the call of their country.

The least action that should be taken against this employee is immediately to suspend him.

He based his refusal to take the oath on alleged discrimination but he destroyed that as grounds for avoiding suspension when he further stated, as reported in the press, that he would have refused the oath anyway because, "I have a strong feeling against the war in Vietnam."

We have reached a deplorable situation when one branch of the Federal Government passes laws requiring our young men to go into military service and to risk their lives in combat while another branch of the Federal Government supports, financially and otherwise, those who refuse to serve.

We are in a very serious war. It is getting worse, and will not be easy to terminate in our favor.

Our men are called upon for more and more sacrifice, and our people are going to be called upon for more sacrifice.

We have strong laws making it a felony for anyone to encourage an evasion of the selective service law or to refuse military service. If this man is an honest, conscientious objector and comes within their exceptions, that is one thing, but otherwise everyone is expected to obey the law. I think there are sufficient laws on the books now to prosecute fully those who are encouraging refusal to answer the draft.

But, if there is not enough law, then we should pass such laws as are necessary. I hereby call upon the Justice Department and other agencies involved to make recommendations as to the content of these laws. While we have men dying in combat halfway around the world, it is inconceivable to me that we should support with Federal tax money those who deliberately refuse military service on the grounds that they disagree with the war in Vietnam.

Mr. President, I understand that the Department of Justice is taking steps with reference to this apparent violation. However, my point is not that at all. My point is continuing this man in an educational project rather than suspending him.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

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.

HIGH COURT DISSENT SHOWS HOSTILITY TO POLICE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that I may be permitted to proceed for 15 minutes.

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

Mr. BYRD of West Virginia. Recently there came to my attention an editorial which appeared in the Huntington, W. Va., Advertiser of April 3, 1967, entitled "High Court Dissent Shows Hostility to Police Force." The editorial dealt somewhat caustically with the four-member minority dissent in the recent U.S. Supreme Court decision in the case of McCray against the State of Illinois handed down on March 20, 1967.

This case involved an appeal from a conviction for the unlawful possession of narcotics and was based not on the question of the guilt of the defendant, but on whether the street arrest and discovery of heroin, based upon information from an informant who had pointed out the defendant to arresting officers, had violated the defendant's constitutional rights because at the time of such arrest and incidental search, the officers did not have a warrant, and, particularly, because at a hearing prior to trial to suppress the heroin as evidence, the trial court ruled that the officers, on the facts of this case, need not disclose the identity of the informant.

A five-member majority of the Supreme Court rejected the appeal on the ground that there was no doubt, under the circumstances developed in the case, that the arresting officers had probable cause for the arrest and search. Following well-established evidentiary rules of many States, it also held that as the issue was not one of the guilt or innocence of the accused, but a question of probable cause for the arrest and search, tested by evidence in open court where the officers were subject to cross-examination, and as the trial judge was satisfied that the officers relied in good faith upon credible information supplied by a reliable informant, for historical reasons, the name of the informant need not be disclosed.

The four-man minority dissent held otherwise.

The editorial characterized certain statements in the minority opinion as a "gratuitous piece of sarcastic judicial prejudice aimed at law enforcement officers," and, in substance, labeled the minority view as a typical attitude of the liberal bloc of the Court which has consistently discredited law enforcement officers and encouraged crime by coddling criminals. It called upon the Congress to enact new legislation or a constitutional amendment which would override decisions that set up unprecedented constitutional rights which release vicious criminals and handicap police and trial courts in curbing crime. It took the position that not much could be done about the Justices who were making such decisions, but stated that if the Congress did not face up to the problem and take action, the public could vote them out of office.

Frankly, I am sympathetic with the emotions underlying this editorial, and with the widespread frustrations of a law-abiding public faced with a sharply mounting crime rate while the press daily carries articles of professional criminals escaping the consequences of their crimes because their constitutional rights had, in some fashion, been impinged upon. I am most sympathetic with the victims of these crimes and with the police who must cope with today's situation. The toll which this mounting crime wave is levying in human suffering and financial loss, I am sure, is of great concern to us all. We are all vitally interested in the success of the elaborate efforts being undertaken to stem this avalanche of rising lawlessness—but, at the same time, we must give consideration to the mounting costs in providing the resources to support such efforts. While all responsible citizens recognize the vital necessity of protecting the rights of the individual, including those accused in criminal actions, I share the growing apprehension that certain of the sweeping precedents being handed down by the courts seem to be directly at odds with the trend of the times and with all of the effort and costs that are being put into more effective law enforcement.

Regardless of the depth of our emotional concerns, however, the hard facts are that it is extremely difficult, if not impossible, to legislate against constitutional interpretations rendered by the Court and even more difficult and time-consuming to amend the Constitution. There should be a better way.

In examining the decision in McCray against Illinois and the companion and background cases, I was motivated not only by the reasons I have enumerated, but by a desire to better understand why, in 1967, with all of the case law our Federal judicial system has established, the Supreme Court could divide 5 to 4 on

such a relatively simple set of facts. It also frequently happens that today's minority opinion is tomorrow's law.

Again, there are but two issues involved in the McCray case, neither of which deals with the trial of the criminal charge of possession of narcotics. One is the issue of whether the police officers had "probable cause" under the fourth amendment of the Constitution in making the arrest, and the other is whether the trial court erred in refusing to order disclosure of the informant's identity.

The Supreme Court majority opinion, in holding that "there can be no doubt, upon the basis of the circumstances related—by the arresting officers—that there was probable cause to sustain the arrest and incidental search in the case," went into the specific underlying circumstances of the arrest as developed through the evidence of the arresting officers and the accused at the hearing to suppress the evidence of possession of heroin. The officers' testimony, which basically did not differ from that of McCray as to the time and place of the arrest, in substance was that the officers had a conversation with an informant early on the morning of January 16, 1964; that the informant told them McCray "was selling narcotics and had narcotics on his possession, and that he could be found in the vicinity of a certain street corner at this particular time"; that they proceeded to the vicinity indicated; that the informant pointed McCray out and then departed on foot; and that the officers observed McCray walking with a woman, then separating and meeting briefly with another man, and then proceeding alone until finally, after seeing the police car, he hurriedly walked between two buildings, at which time—7 a.m.—the officers arrested him and found heroin in a cigarette case McCray was carrying; that they had known the informant over a substantial period of time; that the informant had supplied the officers with information about narcotics activities between 15 and 25 times; and that the information had resulted in numerous convictions. One officer, on cross examination on the issue of the informant's reliability, gave the names of persons who had previously been convicted as a result of information supplied by the informant.

The majority opinion cited the Supreme Court case of Draper against United States, which remains controlling case law on the question of "probable cause" in making arrests without a warrant. It then clearly distinguished the instant case, where the officers testified in detail in open court as to the underlying circumstances on which they based their conclusions as to the credibility and reliability of the informant, from the Court's 1964 case of Beck against Ohio, where the facts in support of "probable cause" were vague and tenuous, and held that "upon the basis of the circumstances, along with the officers' personal observations of McCray, the lower court was fully justified in holding that at the time the officers made the arrest, the facts and circumstances within their knowledge and of which they had reasonably trustworthy information were sufficient to warrant a prudent man in believing that McCray had committed or was committing an offense."

On the second question of whether the trial court erred in failing to order the disclosure of the informant's identity, the majority view held that in permitting the officers to withhold the informant's identity, the court was following well settled Illinois law, which was consistent with the law of many other States; namely, that when the issue is not guilt or innocence but, as in the instant case, the question of probable cause for an arrest or search, police officers need not invariably disclose an informant's identity if the trial judge is convinced by the evidence submitted in open court and subject to cross examination, that the officers did rely in good faith upon credible information supplied by a reliable informant. It cited a number of cases, as well as "Wigmore on Evidence," in support of the fact that this is a well established testimonial privilege long familiar to the law of evidence and quoted the reasoning, as set forth in a number of cases, as to why this should be so.

Of particular note, the opinion distinguished the case of Roviaro against United States, which involved the informer's privilege issue not at a preliminary hearing to determine "probable cause" for an arrest or search, as in the instant case, but at the trial itself, where the issue was the fundamental one of innocence or guilt, and where the informer had been an active participant in the crime. However, even in the Roviaro case, the Court held that there should be no fixed rule with respect to disclosure of an informant's identity, but that it should depend upon the particular facts of each case.

The minority opinion took almost exactly the opposite position and, in effect, held that the police, instead of making the arrest as they did, should have gone before a magistrate, made a showing of probable cause under oath based upon their informant's tipoff, and obtained a warrant before attempting to make the arrest; that otherwise the fourth amendment was not satisfied. Further, the minority opinion cited the Roviaro case in support of this position, without distinguishing the completely different set of circumstances in that case from those of McCray and in spite of the fact that the Roviaro case held that each case should stand on its own merits.

In substance, then, the minority view would hold that police officers are precluded from making a valid street arrest even though they are convinced, on the basis of information which they consider reliable plus their own observations of the circumstances, that a crime is being committed. It seems to go even further and hold that a trial court, upon a hearing on the facts and the taking of testimony in open court under cross examination, cannot subsequently find that the officers did have "probable cause" for making an arrest—at least not unless the identity of the informant is disclosed. The fact that it was found upon arrest that McCray was committing a crime apparently was given no weight whatsoever.

The minority opinion concedes that the police can make an arrest without a warrant if they see a crime being committed or if they see someone running from the scene of a crime, and that "there are other instances of probable cause when the police can make an arrest" without a warrant, but, again, no attempt is made to describe what those "other instances" are or to distinguish the facts in this case from "such other instances."

On the question of whether the lower court erred in not requiring the officers to divulge the identity of their informant, the minority opinion, again in complete disagreement with the majority view, stated that—

> Only through the informer's testimony can anyone other than the arresting officers determine "the persuasiveness of the facts relied on to show probable cause" . . . Without that disclosure, neither we nor the lower courts can ever know whether there was "probable cause" for the arrest.

But, the opinion went even further and stated:

> There is no way to determine the reliability of Old Reliable, the informer, unless he is produced at the trial and cross examined. Unless he is produced, the Fourth Amendment is entrusted to the tender mercies of the police.

It was further stated:

> Except in rare and emergency cases, it requires magistrates to make the findings of "probable cause."

There is every indication, from the language of the minority opinion, that the next step would be to divulge the identity of the informant and require his presence, even though a warrant had been obtained prior to the arrest and after a showing of "probable cause," under oath, before a magistrate.

I have dwelt upon the two completely divergent viewpoints expressed by the majority and minority opinions in the McCray case to point out the confusion which such opinions bring about in lower courts and the law enforcement agencies, and the great difficulty Congress would have in attempting to legislate in this field.

It seems to me, by any objective standards, that the minority opinion, in attempting to lay down a broad general rule of law from the facts in this case and without distinguishing these facts from the facts of other related cases, is being doctrinaire in the extreme. This minority view appears to go out of the way to tie the hands of the police in making considered judgments in connection with their daily task of deterring crime, and the language of the opinion certainly gives the impression that the police are not to be trusted even under oath and cross examination in open court. This opinion, in attempting to wipe out an important and longstanding rule of law with a few large strokes of the brush, seems not only impractical but erroneous in its conclusions.

It seems to me that the minority of the Court, in their zeal to protect the constitutional rights of the individual, have carried their theories beyond all reasonable bounds and, in so doing, have overlooked the fundamental rights of the general public and failed to balance the

equities between the great mass of law-abiding citizens and the criminal. The minority opinion seemingly fails to recognize the realities that in the traffic of narcotics there would be few arrests, and fewer convictions, if informants were not employed, and that there would be dead informants or no informants at all if there was a rule that their identity had to be disclosed every time an arrest was made. It further seems to overlook the fact that the use of narcotics is one of the great causes of violent crime and that the law-abiding public also have individual rights to be secure in their persons and their possessions.

It is unthinkable, of course, that justices who release a criminal because they feel his constitutional rights have been violated are in league with crime or are the champions of the criminal, or are motivated by other than a sincere belief in the position they have taken—although to some, this may seem to be the case.

In this dilemma, I have three suggestions:

First. I would like to see our present judges and justices weigh more carefully the equities between the rights of criminal violators and the rights of society in interpreting the law and the broad guidelines of our Constitution laid down nearly two centuries ago. It would seem that this could be done without doing injustice to anyone's constitutional rights.

Second. It is suggested that additional procedures be devised for the selection of judges and justices which will assure that appointments are made on the basis not only of high ability and good reputation, but on proven past experience which has demonstrated outstanding objectivity and well-balanced commonsense. Probably there should be a requirement in connection with appointments of appellate judges that appointees have served with distinction as trial court judges or made outstanding reputations as objective arbitrators in equivalent fields of activity.

Third. Finally, in assisting in judicial appointments and assuring the existence of sound and well-balanced courts, the Senate should be more conscientious in carrying out its responsibility of "advise and consent" in approving nominees for judicial appointments.

I ask unanimous consent that the editorial to which I referred earlier be printed in the RECORD at this point.

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

HIGH COURT DISSENT SHOWS HOSTILITY TO POLICE FORCE

How the liberal bloc of the United States Supreme Court discredits law enforcement officers and encourages crime by coddling criminals was glaringly illustrated in a dope case the other day.

The case involved the search by two Chicago policemen of a man named McCray and the discovery of heroin in a package of cigarets that he was carrying.

The search was made on the basis of a tip received from an informer. The defendant contended that he had been searched without a warrant in violation of his constitutional rights.

A demand was made that at least the identity of the informer be disclosed.

A five-member majority of the Supreme Court, including Justices Black, Harlan, White, Stewart and Clark, rejected the appeal on the ground that the informer had proved his reliability and that his statement gave officers probable cause for the arrest and search.

But the significant aspect of the story was the dissenting opinion written by Justice Douglas and concurred in by Warren, Brennan and Fortas.

The attitude of this coterie of liberals was made deplorably clear by this paragraph:

"There is no way to determine the reliability of Old Reliable, the informer, unless he is produced at the trial and cross-examined. Unless he is produced, the Fourth Amendment is entrusted to the tender mercies of the police."

This gratuitous piece of sarcastic judicial prejudice aimed at law enforcement officers is typical of the attitude of the four members who joined in the dissent and have joined in setting up unprecedented constitutional rights for releasing vicious confessed criminals and for handicapping police and trial courts in curbing crime.

It is typical of the attitude that resulted in the forced release of the New York man who had admitted murdering his wife and five children.

Unless the court's unprecedented decisions are overridden by legislation or a constitutional amendment, the attitude will also result in the freedom of thousands of criminals from whom police will be unable to obtain confessions because of impossible judicial restrictions on questioning.

This judicial slur upon the integrity of policemen who daily risk their lives for the safety of society not only encourages criminals but tends to undermine the very basis of law and order upon which a free government rests.

With such ideas too often predominating in the highest court of the land, it is no wonder that criminals have no respect for the law, that the streets of Washington have become jungles and that a presidential Crime Commission is seeking means of controlling the mounting wave of violence.

The average citizen can't help asking whose side these so-called liberal justices are on, the criminals' or the law enforcement officers.

There is not much the public can do about the justices, but it can at least demand that members of Congress face up to the problem with legislation or a constitutional amendment—or prepare for a trip to the political bone yard.

PRESIDENT STRENGTHENS CONSUMER COMMITTEE

Mr. PROXMIRE. Mr. President, on May 1 the President issued a new Executive order which substantially strengthens the President's Committee on Consumer Interests. The order would designate eight departmental secretaries and the heads of a number of Federal agencies to serve on the committee; whereas, under the previous order members were officials of Assistant Secretary or equivalent rank.

In commenting on the order, the President said:

This upgrading will substantially increase the effectiveness of the Committee, and thus insure that the consumer viewpoint will be heard more clearly than ever before in the councils of the Federal Government.

Mr. President, I also quote from the preamble of the Executive order because I believe it expresses very succinctly the essential philosophy of the Proxmire truth in lending bill which I introduced last January:

The success of our competitive economic system depends on the furtherance of the consumer interest. And it is our free marketplace, working for the benefit of the individual, that has given to the American consumer the highest standard of living the world has ever known.

The consumer has four very basic rights in that marketplace—the right to be informed about the products he buys; the right to choose between several varieties of those products; the right to be protected from unsafe products; and the right to be heard in the highest councils of government.

Mr. President, I ask unanimous consent to have the full text of the Executive order printed in the RECORD together with a White House press release concerning the order.

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

THE WHITE HOUSE

President Johnson today issued an Executive Order elevating the President's Committee on Consumer Interests to the Cabinet level and continuing the Consumer Advisory Council.

Miss Betty Furness, the new Special Assistant to the President for Consumer Affairs, who was sworn in today, is the Committee Chairman.

Serving on the Committee will be eight Departmental Secretaries and the heads of a number of Federal agencies. Under the original Executive Order which established the President's Committee in 1964, members were Federal officials of Assistant Secretary or equivalent rank.

"This upgrading," the President said, "will substantially increase the effectiveness of the Committee, and thus insure that the consumer viewpoint will be heard more clearly than ever before in the councils of the Federal Government."

Members of the Committee are: the Secretary of Labor, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Health, Education, and Welfare, the Secretary of Commerce, the Secretary of Housing and Urban Development, the Attorney General, the Postmaster General, the Chairman of the Federal Trade Commission, the Director of the Office of Economic Opportunity, the Administrator of Veterans' Affairs, and the Chairman of the Council of Economic Advisers.

The Order also continues the Consumer Advisory Council as a group of not more than 12 individuals from outside the Federal Government who shall be appointed by the President. Length of membership on the Council has been extended to two years initially, with subsequent members serving staggered terms. The role of the Council remains to "advise both the President and the Committee on matters relating to the consumer interest."

The Council members will be appointed shortly.

EXECUTIVE ORDER AMENDING EXECUTIVE ORDER No. 11136, RELATING TO THE PRESIDENT'S COMMITTEE ON CONSUMER INTERESTS AND THE CONSUMER ADVISORY COUNCIL

By virtue of the authority vested in me as President of the United States, Executive Order 11136 of January 3, 1964, is hereby amended to read as follows:

"The consumer's interest is the American interest, for we are all consumers, in filling the needs of our daily lives, we are direct purchasers of two thirds of our total national production.

"The success of our competitive economic system depends on the furtherance of the consumer interest. And it is our free marketplace, working for the benefit of the individual, that has given to the American

consumer the highest standard of living the world has ever known.

"The consumer has four very basic rights in that marketplace—the right to be informed about the products he buys; the right to choose between several varieties of those products; the right to be protected from unsafe products; and the right to be heard in the highest councils of government.

"It is our job to assure the preservation of those rights. To do so, we must have the cooperation of business and industry, as well as of the consumer. They are all integral, interacting, indispensable elements of our economic system. They must have mutual trust, mutual respect, and a mutual dedication to a sound and healthy America.

"Now, therefore, by virtue of the authority vested in me as President of the United States, it is ordered as follows:

"PART I. PRESIDENT'S COMMITTEE ON CONSUMER INTERESTS

"SEC. 101. *Establishment of the Committee.* (a) There is hereby established the President's Committee on Consumer Interests (hereinafter referred to as the 'Committee'.)

"(b) The Committee shall be composed of the Special Assistant to the President for Consumer Affairs; the Chairman of the Council of Economic Advisers; the Director of the Office of Economic Opportunity; the Attorney General; the Postmaster General; the Secretary of the Interior; the Secretary of Agriculture; the Secretary of Commerce; the Secretary of Labor; the Secretary of Health, Education, and Welfare; the Secretary of Housing and Urban Development; the Chairman of the Federal Trade Commission; the Administrator of Veterans' Affairs; and such other Government officials as the President may designate.

"(c) The Chairman of the Committee shall be the Special Assistant to the President for Consumer Affairs. The Chairman shall direct and supervise any staff employed by or detailed to the Committee.

"(d) When matters are to be considered by the Committee which affect the interests of Federal agencies the heads of which are not members of the Committee, the Chairman of the Committee shall invite such agency heads to participate in the deliberations of the Committee.

"SEC. 102. *Functions of the Committee.* (a) The Committee shall study the plans and programs of Federal agencies affecting consumer interests. The Committee shall make recommendations to the President on questions of policy relating to consumer affairs; may conduct studies of matters related to consumer interests; and shall encourage and assist Federal agencies to accomplish effective coordination of plans and programs affecting consumers.

"(b) In carrying out the provisions of subsection (a) of this section, the Committee shall, as far as may be practicable, advise Federal agencies with respect to the effect of their respective plans and programs on consumer matters, and may suggest to such agencies procedures which the Committee believes will better protect consumer interests. Such plans and programs may include, but shall not be limited to, those relating to (1) the scope of Federal action in consumer matters, and (2) cooperation with the States and their local subdivisions and with private organizations and individuals in areas of consumer interest.

"SEC. 103. *Assistance and cooperation.* (a) The Federal agencies headed by the officers composing the Committee shall, as may be necessary for effectuating the purposes of this order, furnish assistance to the Committee in accordance with Section 214 of the Act of May 3, 1945 (59 Stat. 134; 31 U.S.C. 691).

"(b) Upon request of the Chairman of the Committee, each Federal agency shall, to the extent consistent with law, furnish information, data, and reports needed by the Committee to accomplish the purposes of this order.

"(c) All Federal officials, in carrying out their statutory responsibilities and programs, shall be mindful of the objectives of this order, and shall take such measures, consistent with their authorities and available funds, as will assist in effectuating the consumer programs with which they are concerned.

"(d) The Department of Labor shall provide administrative services for the Committee on a reimbursable basis.

"SEC. 104. *Construction.* Nothing in this order shall be construed as subjecting any function vested by law in, or assigned pursuant to law to, any Federal agency or the head thereof to the authority of any other agency or officer or as abrogating or restricting any such function in any manner.

"PART II. CONSUMER ADVISORY COUNCIL

"SEC. 201. *Establishment of Council.* There is hereby established the Consumer Advisory Council (hereinafter referred to as the 'Council') which shall be composed of not more than 12 members appointed by the President. The President shall designate the Chairman of the Council from among its members. Initial appointments to membership on the Council shall be for two-year terms. Successors shall be appointed for terms of one or two years, as specified by the President, and all appointments thereafter shall be for two-year terms. Any person chosen to fill a vacancy shall be appointed for the unexpired term of the member whom he succeeds.

"SEC. 202. *Duties and responsibilities.* (a) The Council shall advise the President and the Committee on matters relating to the consumer interest.

"(b) The Council shall advise and assist the Committee in evaluating the progress made in carrying out the functions of the Committee and recommend to the Committee, as necessary, action to accelerate such progress.

"(c) The Chairman of the Council, through the Chairman of the Committee, may request information relating to the functions of the Committee as set forth in Section 102(a) above, and the Council, on its own motion, may initiate consideration of items which relate to carrying out those functions.

"(d) The Chairman of the Committee shall be responsible for assuring that the meetings and other activities of the Council are carried out in accordance with the relevant provisions of Executive Order No. 11007 of February 26, 1962.

"SEC. 203. *Expenses.* Expenses of the Council shall be met from funds available to the Committee. Members of the Council shall, for each day a member is engaged in meetings or is, with the approval of the Chairman of the Committee, engaged in other work in pursuance of this order, receive compensation at a rate determined by the Chairman of the Committee, and travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 3109; 5 U.S.C. 5703)."

HEW ENDORSES TRUTH IN LENDING

Mr. PROXMIRE. Mr. President, the Department of Health, Education, and Welfare in a recent report to the Banking and Currency Committee has given splendid endorsement to the truth-in-lending bill. The Department believes the bill would be particularly helpful in protecting the poor, who are least able to afford the high cost of credit yet who are most likely to be victimized by hidden credit charges. As the responsible agency for credit unions, the Department also feels the bill would impose no burden upon Federal credit unions or their officials.

Mr. President, I ask unanimous consent that the report of the Department of Health, Education, and Welfare be inserted in the RECORD.

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

DEPARTMENT OF HEALTH,
EDUCATION, AND WELFARE,
April 27, 1967.

Hon. JOHN SPARKMAN,
Chairman, Committee on Banking Currency, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This letter is in response to your request of January 26, 1967, for a report on S. 5, a bill "To assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extension of credit."

The bill would provide that creditors must furnish to borrowers prior to the consummation of the transaction, a clear statement in writing setting forth, to the extent applicable and ascertainable and in accordance with rules and regulations prescribed by the Board of Governors of the Federal Reserve System, the details of the transaction including the total amount to be financed, and the finance charge expressed in dollars and cents and as an annual percentage rate. In the case of revolving or open end credit, the creditor would be required to furnish to each person to whom credit is extended, prior to agreeing to extend credit under such a plan, a clear statement in writing setting forth the details of the transaction including the periodic rate of finance charge expressed as an annual percentage rate. At the end of each period for which a finance charge is imposed, such creditors would have to furnish the persons to whom they have extended credit a clear statement in writing setting forth additional details, which would include the annual percentage rate used to compute the finance charge for the period. The proposed bill thus differs in some respects from previous legislative proposals on this subject, principally in allowing for greater flexibility in the computation of the annual percentage rate.

We believe enactment of the present bill would be of significant benefit to the consumer.

As President Johnson stated to Congress in his February 16, 1967, message on consumer protection:

"Consumer credit has become an essential feature of the American way of life.

"* * * * *

"The consumer has the right to know the cost of this key item in his budget just as much as the price of any other commodity he buys.

"In many instances today, consumers do not know the cost of credit. Charges are often stated in confusing or misleading terms. They are complicated by 'add-ons' and discounts and unfamiliar gimmicks.

"As a matter of fair play to the consumer, the cost of credit should be disclosed fully, simply, and clearly.

"* * * * *

"I recommend the Truth-in-Lending Act of 1967 to assure that, when the consumer shops for credit, he will be presented with a price tag that will tell him the percentage rate per year that is being charged on his borrowing."

S. 5 would provide for disclosure of finance and other charges so that borrowers could make informed decisions concerning their prospective loan commitments or purchases. This legislation would be particularly helpful among the poor, who are least able to

bear the cost of high credit yet who are most likely to be its victim. The unemployed, the underemployed, the elderly, the disabled, and the sick—in fact all of our Nation's needy, would find this legislation of particular importance.

In regard to the Department's Federal Credit Union Program, the requirements in the bill for disclosure of finance charges as an annual percentage rate, and disclosure of the terms applicable in the event of advanced or delayed payments would impose no burden upon Federal credit unions or their officials. Historically, the Federal Credit Union Act has limited charges to a rate not exceeding 1 percent per month on the unpaid balance, including all charges incident to making the loan. It would be a simple matter for Federal credit unions to state an annual percentage rate as well.

In fact, under the terms of the recent Department of Defense Directive on Personal Commercial Affairs, such disclosure is now required for all credit unions occupying space on military installations in the United States. We are not aware that the imposition of this requirement has created any hardships for the Federal credit unions involved.

We therefore endorse the provisions of this bill relating to installment-type loans. We have no comment to offer on the other administrative and procedural aspects of the legislation. We strongly urge enactment of legislation which will assure, in the words of President Johnson, "Full and accurate disclosure to the borrower; and simple and routine calculations for the lender."

We are advised by the Bureau of the Budget that there is no objection to the submission of this report and enactment of legislation along the lines of S. 5 would be in accord with the program of the President.

Sincerely,

WILBUR J. COHEN,
Under Secretary.

THREE COMPELLING REASONS FOR UNITED STATES TO RATIFY HUMAN RIGHTS CONVENTIONS—LXXII

Mr. PROXMIRE. Mr. President, for over 4 months, during every session of the 90th Congress, I have pleaded for Senate ratification of the Human Rights Conventions on Forced Labor, Genocide, Political Rights of Women, and Slavery.

I have attempted to answer the objections of critics of Senate ratification of these conventions.

I have attempted to indicate the adverse international reaction to the Senate's failure to ratify these conventions.

I have attempted to convey to the Senate the fact that a large number of concerned Americans care deeply about the Senate's failure to ratify these conventions.

Today, I wish to summarize what, to me, are the three most compelling arguments for Senate ratification of the human rights conventions:

First. These conventions exercise a real influence on the statutes and constitutions of the nations which do ratify these conventions. This influence is especially strong, and in many instances determining, upon the newly independent nations which frequently employ the conventions as models for their own national law.

Official U.S. recognition of the provisions of these conventions will give new impetus to the influence of these conventions in new nations—60 of them since 1943.

Second. U.S. ratification will give us the opportunity and authority to call to task any nations which have already ratified the conventions and are presently violating any of the conventions' provisions. In addition our ratification will enable us to labor more fruitfully for the universal implementation of human rights.

Third. Only through Senate ratification will the United States be able to influence the future deliberation and adoption of international human rights legislation. Already unfriendly nations have not hesitated to disparage the statements of U.S. spokesmen in the human rights councils through emphasizing this Nation's failure to ratify any of the human rights conventions. If we are to be heard in future human rights debates, we must be willing to pay the price of admission which is ratification of the Human Rights Conventions on Forced Labor, Genocide, Political Rights of Women, and Slavery.

I noticed on Sunday that our Ambassador to the United Nations, Mr. Goldberg, testified that in the years he has served in the United Nations he has become more and more convinced that the only way to prevent war is by doing our best to try to create just societies.

I submit this is the best action that the Senate can take to create this type of just society—to ratify the human rights conventions that are before us.

CUBAN MENACE MUST BE MET

Mr. SMATHERS. Mr. President, it is bitterly ironic that virtually on the eve of the anniversary of Cuban independence, we are witnessing documented evidence that Cuba has become the launching point again for campaigns of terror and subversion that can no longer be explained away or ignored.

The attempts to damage the Government of Venezuela have increased to such a degree that it is time we in the United States took cognizance of the real size of the Cuban threat to hemispheric security.

The bold attempt to land a guerrilla force in Venezuela last week climaxes years of effort to topple the lawful Government and to spread chaos and anarchy throughout a land which is one of the most successful free nations of the hemisphere.

The Venezuelan authorities obtained positive proof of overt Cuban action by identifying four of the guerrilla force as Cuban nationals, and of these, two were Cuban Army personnel.

Pro-Cuban terrorists also are deemed responsible for the death of the brother of Venezuelan Foreign Minister Ignacio Iribarren Borges, slain in a torture death as barbaric as any history records.

Not only did Cuba export the agents who fomented this deed, but also, they brazenly boasted about it when—in a May Day speech from Havana—Maj. Juan Almeida congratulated the Venezuelan guerrilla leaders on their activities. Major Almeida spurred guerrillas in Guatemala and Colombia to redouble their efforts, as well.

Mr. President, when Venezuela has to repel guerrilla forces, when murder and assassination become regular occurrences, the time has arrived for all the nations of the hemisphere to act under their treaty obligations and, as brothers, seek an effective means of dealing with Cuba.

In my view, President Raul Leoni, of Venezuela, has been faced with the gravest of challenges.

I believe that the United States should promptly declare its readiness and willingness to cooperate with Venezuela.

The United States, I believe, should be prepared to join with Venezuela in asking the Organization of American States to declare its moral indictment of the Havana regime for training agents and exporting them on missions of terror.

Further, I believe the United States should support a request to the OAS to apply economic sanctions against any nation outside the hemisphere which continues to trade with Cuba—and that includes some of our traditional European allies.

I believe that we in the United States should make clear our willingness to cooperate with Venezuela and should so inform Pedro Paris Montesinos, Venezuela's Ambassador to the OAS.

The fact that Cuba is the launch pad for bold and brazen subversive activity is particularly galling on the eve of the 65th anniversary of Cuban independence.

The Republic of Cuba, formed on May 20, 1902, carried with it the promise of fulfilling the dreams of Jose Marti. Though the progress of democracy was often unsteady in Cuba, all hope of achieving a free society was ended in 1959 with the advent of Fidel Castro.

Since then, however, Castro has not been merely content with laying a heavy hand on the backs of his own people. He has not been content to lay waste a once-productive land and to drive thousands from their homes. He has instead converted Cuba into a clearinghouse of communism, a satellite and tool of foreign ideologies.

Thus, we have lived to see a Cuban missile crisis of such gravity that it required the late President John F. Kennedy to summon all of his tremendous qualities of leadership to meet and to successfully challenge.

Since that crisis of October 1962 we have had the Tri-Continental Conference of 1966 which openly established in Havana a new instrumentality for Communist intervention and aggression.

Just 3 years ago—on May 20, 1964—I spoke in the Senate about Cuban independence; and even then, Venezuela was locked in the grip of such persistent terrorism and aggression that it considered going to the OAS.

In fact, over my years in the Senate I have talked on more than 200 occasions about Latin America—on many of these occasions about Cuba itself.

While 20/20 vision is common to those who practice hindsight, it seems clear to me that we have made mistakes with regard to the threat of a Communist Cuba. There was, of course, the Bay of Pigs fiasco—which we all regret. There has been an unwillingness to recognize a Cuban Government-in-exile, which I advocated in a Senate speech on March

15, 1963. There has been a reluctance to take stronger steps to curb free world trade with Cuba.

As a result, Cuba continues to be the hemispheric base for launching wars of liberation by whatever means possible.

Let me remind my colleagues in the Senate that in view of today's events in Venezuela, we ought to look back to 1964—when the mysterious Che Guevarra told a Peruvian reporter:

My advice to Venezuelans is this: arm yourselves and shoot through the head every imperialist that you can find who is 15 years of age or older.

That was said 3 years ago—and illustrates once again that Cuba cleaves to the same course it pursued 3 years ago, or 6 years, or 9 years ago.

Venezuela has borne the brunt of this sustained attack for too long, it seems to me, without assistance from its neighbors in the OAS.

It is time that Castroite Cuba is brought to the dock and indicted for its crimes. It is time that meaningful sanctions are applied to close off free world trade from Cuban ports.

If we nations who form the OAS unite now on these goals, I have no doubt that Communist Cuba—the festering sore in our hemisphere—will dry up and perish.

TRIBUTE TO SENATOR BROOKE

Mr. TOWER. Mr. President, this afternoon there appeared in the Washington Evening Star a fine editorial on a great Member of this body, the junior Senator from Massachusetts [Mr. BROOKE].

I have always admired ED BROOKE since the time when I first knew him back in the days when he was the attorney general of Massachusetts. He has proven himself to be a competent, able, and thoughtful man.

I wish to read an excerpt from the editorial to which I have referred:

He approaches the major issues of the day, not with any preordained ideological bias, but with clear, uncommitted and independent judgment.

All of which marks him as an unusual man in official Washington and makes him an asset to the Senate of the United States in these times of foreign problems and domestic pressures.

The editorial further states:

And we are convinced that the vast majority of Americans, Negro and white, will recognize that Brooke's way is the way out of the tensions and pressures that peril this nation.

For Brooke is not a pleader for a special cause. He is not a civil rights leader or a leader of the Negro race.

He is a leader.

Mr. President, I concur with that editorial conclusion that the junior Senator from Massachusetts is a leader and is eminently competent for any office of public trust he should ever seek, even beyond the Halls of Congress.

Mr. President, I ask unanimous consent to have the editorial printed in the RECORD.

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

BROOKE ON KING

Senator Edward M. Brooke has once again demonstrated that the confidence of the Massachusetts voters has not been misplaced. He is a man with the ability and the willingness to think things through before taking a position. He approaches the major issues of the day, not with any preordained ideological bias, but with clear, uncommitted and independent judgment.

All of which marks him as an unusual man in official Washington and makes him an asset to the Senate of the United States in these times of foreign problems and domestic pressures.

Last week, Brooke was asked to comment on Martin Luther King's anti-Vietnam war stand, his attempt to characterize the conflict as a Negro war and his advice to youths to refuse to serve if drafted.

The answer was direct and unequivocal. King is making a tragic mistake, Brooke said, in trying to bind together a personal anti-war sentiment and the unquestionably just cause of Negro rights. The only result, he said, will be damage to the civil rights cause.

"This is a time for sane, calm deliberation," Brooke said. "Inciting of violence is not going to bring about civil rights for the American Negro. It will not be won by violence."

Such statements will no doubt earn for Brooke a variety of unpleasant epithets from those who preach violence, applications of power and polarization of the races, all in the name of civil rights. But somehow we think Brooke will survive it. And we are convinced that the vast majority of Americans, Negro and white, will recognize that Brooke's way is the way out of the tensions and pressures that peril this nation.

For Brooke is not a pleader for a special cause. He is not a civil rights leader or a leader of the Negro race.

He is a leader.

PRESENTATION OF MERITORIOUS SERVICE AWARD TO DR. LEONARD COVELLO

Mr. KENNEDY of New York. Mr. President, on December 14, 1966, Dr. Leonard Covello received the Meritorious Award of the State Department of the State of New York. Dr. Covello, former principal of the Benjamin Franklin School, in East Harlem, New York City, was a pioneer in assuring that the school would be, for later generations of Negro and Puerto Rican immigrants to the city, as important as it had been for earlier generations of Americans from Ireland, Italy, and other nations of Europe.

Dr. Covello's remarks on receiving the Meritorious Award will be interesting to all those concerned with the education and future of our children and with the crisis of the urban areas. I ask unanimous consent that his remarks be printed in the RECORD.

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

REMARKS OF DR. LEONARD COVELLO

(Remarks on accepting the Meritorious Service Medal of the Department of State of the State of New York—Presentation of the Meritorious Service Award by Hon. John P. Lomenzo, secretary of state, State of New York, at the Benjamin Franklin High School, East Harlem, New York City, December 14, 1966)

INTRODUCTORY NOTE BY FRANK M. CORDASCO, PROFESSOR OF EDUCATION, MONTCLAIR STATE COLLEGE

The statement which follows does two things: it allows a distinguished educator to point up some of the highlights of his twenty-two years at the Benjamin Franklin High School in East Harlem—years which have become one of the truly great chapters in the history of the achievement of the American public school.

It also gives a clear picture of the basic philosophy which animates the Community Centered School, and which impinges so strongly on the contemporary educational challenge in the ghettos of our American cities.

The Department of State of the State of New York is to be commended not only for the conferment of its award to Dr. Leonard Covello, but congratulated on its perceptive awareness of the great service that our schools and their leaders have made to the achievement of American social ideals.

Judge Lomenzo, I want to express my deep appreciation to you as Secretary of the Department of State of the State of New York, for having conferred on me, this very high honor.

May I accept this award not only as a tribute to myself, but as a tribute to my colleagues and co-workers—teachers, parents, East Harlem Societies and Organizations, and my former students whose cooperative efforts made possible whatever was achieved.

I want to express my appreciation to those who have spoken here tonight and to the organizations which they represent and which have sponsored this community event—the East Harlem Civic Association and its President, Ugo Perez; the Instituto de Puerto Rico and its President, Luis Quero Chiesa; the East Harlem Council for Community Planning and its Chairman, Carl Flemister, and the Migration Division of the Commonwealth of Puerto Rico and its National Director, Joseph Monserrat, Franklin '39.

I also want to thank all those who are honoring me with their presence here tonight.

Special thanks are due to Miss Rita Collins, Assistant Secretary of State for the State of New York, and to Luis Quintero feature writer and columnist for El Diario, for their help in planning this program.

You can well understand how gratifying it is for me to be receiving this award in the school and in the community which has meant and means so much to me.

Benjamin Franklin High School in East Harlem was organized in June 1934, during the Great Depression—a disaster which shook the nation to its very foundations. It was a period of fears and doubts and questions about every aspect of our American way of life. Searching questions were raised as to the role of the public school in our American communities. It was in 1932 that Professor George Counts of Teachers College, Columbia University, wrote his challenging book: *Dare the School Build a New Social Order*.

There was a need for a high school for boys in the East Harlem community. The high school came into being through the united, persistent and untiring efforts of the people of the East Harlem community and concerned people outside the community.

At that time, De Witt Clinton High School located in the North Bronx had a register of 11,000 boys. 6,000 were in the main building and 5,000 were in five annexes. Two of the annexes (old elementary schools) on the East Side of Manhattan were made available for the new school and 1,800 boys were transferred to constitute the student body of the Benjamin Franklin High School.

There were two educational experiences that gave direction to the educational program of the Benjamin Franklin High School. One was the East Harlem Boys' Club Study 1928–1934; the other was the program of the Department of Italian at the De Witt Clinton High School from 1921–1934.

In 1927 the Boys' Club of New York established the Jefferson Park Boys Club in a new building on 111th Street near 2nd Avenue, to provide a program to counteract the high

juvenile delinquency in East Harlem. In 1928, by a grant made available through the Department of Sociology of the School of Education, New York University, a study was undertaken to determine the effects of the Jefferson Park Boys Club of New York on the youth of the East Harlem community, and on the community itself.

Professor Frederic Thrasher, a nationally known sociologist and author of *The Gang—A Study of 1313 Gangs in Chicago*, came from the University of Chicago to New York to direct this study.

At the time this study was undertaken, I was Chairman of the Department of Italian at the De Witt Clinton High School, located at 59th Street and 10th Avenue, and Lecturer in the School of Education at New York University. Due to the fact that one-third of the 1,000 students in the Italian Department were living in East Harlem, Dr. Thrasher asked the cooperation of our Department in this Study. So that the Italian Department staff, the teachers-in-training, and some of the Italian students living in East Harlem all became involved in this Study in various capacities. In our participation in this study, in the numerous discussions, conferences and seminars at New York University and in the East Harlem community, the question constantly arose as to what should be the role of the school in relation to the many serious problems facing the East Harlem community—a community in which almost 80% of its 200,000 people were of foreign stock:—an immigrant community, confronted with the ever occurring problem of the second-generation-foreign-born children and children of foreign-born parents.

The Boys Club Study made two very important contributions: *One*, it stimulated the East Harlem community to campaign for a high school for its boys who had to travel long distances to get an education; and *two*, it gave us a thorough and extensive sociological study of every aspect of community life in East Harlem.

The Italian Department at the De Witt Clinton High School began with one class in 1920 and by 1928, had a register of 1,000 students with a full four year course, and two 4th year classes. Cooperating with the Italian Teachers Association, parity for the Italian language was established in 1922 after a ten year campaign. For during that period school authorities felt that having Italian students study the Italian language would segregate them from other students and retard their "Americanization"—an old and often repeated story—an idea with which we very definitely took issue.

The Italian Department was not only concerned with the study of the Italian language and the appreciation of the culture of Italy, but also, through its club activities, sponsored many Italian programs in the Italo-American communities of the city. It put on performances of Italian plays, music and folk dances in settlement houses, churches, schools and Italian Society centers. At these performances the students assumed the important role of speaking to the parents, urging them to keep their children in school to achieve at least a high school diploma, and stressing the importance of having their children study the Italian language. Some of these students were trained to *teach English* to Italian immigrants and to help them obtain their American citizenship papers in centers in East Harlem and on the lower East Side of the city.

The alumni and senior students of the Department established *Help Classes* for the younger students who were having a difficult time maintaining themselves in High School. Home visiting was also carried on by older students and teachers.

In 1929 the Department of Italian created the first Italian Parent Teachers Association at De Witt Clinton even before the high school itself had a Parent Teachers Association.

A Department and Club magazine *Il Foro* was launched and students were given the opportunity to carry on this very valuable activity.

The purpose of all these varied activities was to stimulate the young Italo-American student not only to *aspire* and to *achieve* for his own personal advancement, but also to give him an opportunity to *serve*.

In the course of these activities, we all gained a great deal of insight into the problems that Italo-Americans were facing in our city—in the *"Little Italies"* of that period. So that when Benjamin Franklin High School was organized, there was already the conviction that for this school to carry out an effective educational program, it had to involve itself in the life of the community. So we attempted to create a Community-Oriented—a Community-Centered School.

Through the creation of a Community Advisory Council of the Benjamin Franklin High School which included in its membership business and professional groups, religious groups, educational organizations, civic associations, foreign language societies and press, prominent community citizens, social agencies, municipal departments and students of the high school, the school took the initiative and became involved in problems affecting the community: housing, health, citizenship, parent education, racial problems, juvenile aid, etc. In this way the school reached out into the community in an attempt to make the people realize that education must have a broad social basis and should not confine its program only to the academic aspects of education.

Of course, we were interested and concerned about the academic values of the high school program. The basic knowledges and skills that students derive from the various disciplines were and are tremendously important. Reading at least at grade level was and is very important; but we were also concerned with the social aspects of education—with widening the scope and function of our high school program. We wanted community involvement and participation. We wanted to ally ourselves with the wholesome forces in our community to bring about better and more wholesome community living. We felt that academic subjects should not be an end in themselves but should be utilized to acheve these broader social purposes. And student involvement was one of the very important objectives in all our plans.

It was possible through the personnel assigned by the Works Progress Administration (W.P.A.) and our own school and community resources for the school to function on an all-year round basis with a day school, afternoon and evening educational and recreational programs, and a summer school. The W.P.A. workers assigned to the school did an extraordinary job, particularly in the Remedial Reading Programs of the English and Social Studies Departments of the high school. At one period of the All-Year Round educational program, the W.P.A. assigned ninety-six (96) workers to carry on our many and varied activities.

One of the very active Committees of the Community Advisory Council was the *Housing Committee*. This School Community Committee worked consistently over a three year period, in the campaign to establish the East River Houses on the East River Drive—the first low income Housing Project in East Harlem. It also campaigned for the new Benjamin Franklin High School also on the East River Drive—or "The East Riviera" as we called it, using as our campaign slogan *"A New School in a New Community."* And we just missed out on a badly needed hospital! After much solicitous and continued effort, the High School Division of the New York City Board of Education granted the school an extra position for a Community-School Coordinator—an unprecedented concession, and probably the first of its kind in the city. However, we failed in achieving an equally important position—a Director of Intercultural Education functioning city-wide in the High School Division.

In order to work more closely and more intimately with the community, we rented five store-fronts on 108th Street close to the main building of the high school. These store-fronts were used for a *Friends and Neighbors Club* for general meeting purposes, an *Hispanic-American Educational Bureau*, an *Italo-American Educational Bureau*, a *Community Library* and an *Alumni Club Center*.

We conducted a Sanitation Drive to make our streets cleaner and more wholesome. We created a *Playlot*—the forerunner of the present Vest Pocket Parks. We published the *East Harlem News*—jointly sponsored by the school and the community. For we wanted to create a *Voice* for the East Harlem community—a *Voice* which was non-existent in those days and which was badly needed—and for which there is an even more urgent need today.

Before the Second World War, there was a very substantial Puerto Rican community in East Harlem—"El Barrio"—the pioneer and largest Puerto Rican community in New York City. To help meet the educational and social needs of our Puerto Rican people, the Community Advisory Council of the school sponsored an Hispanic-Educational Bureau using one of the school's store-fronts to carry out its program jointly with the Italo-American Educational Bureau which occupied an adjoining store-front. With the ending of the Second World War, programs for our Puerto Rican students and people were increased and expanded. A Puerto Rican Parent Teachers Association was organized, planning its own programs and using Spanish at their meetings and social events. A students' Borinquen Club gave the Puerto Rican students of the school an opportunity to sponsor programs in the school and in the community, and to acquire understanding and appreciation of the culture of their people.

In 1948–1949 a series of Press Conferences—eighteen in all—were sponsored by the school and the Puerto Rican leaders. Directors of public agencies in New York City and New York State in the fields of education, welfare, social work, law enforcement, civil service, labor etc. were invited to discuss the programs of their agencies with Puerto Rican leaders and representatives of the Hispanic press. Journalists of the caliber of Luisa Quintero, Babby Quintero, Teofilo Maldonado and Arnaldo Meyners conveyed the necessary information derived from these conferences to the Puerto Rican community. The students of the Borinquen Club were hosts and participated in these conferences.

Six Annual Latin-American Festivals organized by Babby Quintero and Luisa Quintero, and directed by Babby Quintero, were held at the school in the auditorium filled to capacity. These festivals not only provided four to five hours of colorful entertainment but drew the Puerto Rican family into the school.

It may be of interest to note here that in 1951 the first substantial study of the *"Puerto Rican Child in the New York City's Public Schools"* involving seventy-five (75) Elementary and Junior High Schools, sponsored by the Mayor's Advisory Committee on Puerto Rican Affairs, was made through the resources of the Benjamin Franklin High School.

I have tried to point up very briefly and inadequately some of the highlights of our experience in our attempt to create a Community School—a Community-Centered School—a school that would serve its community. It was the school that took the initiative. It was the school reaching out into

the community, seeking and stressing and urging cooperative action.

Today in East Harlem we have a reverse situation. It is the community taking the initiative. It is the community seeking involvement in one of its newly built schools at 127th Street and Madison Avenue. This past year in the new Intermediate School 201 in East Harlem, the local community—parents, local leaders, lay and professional people concerned and troubled by the lack of progress of their children in our East Harlem Community schools, have been seeking to create an effective and continuing relationship between the school and the local community. The basic feature of their proposal is the creation of a School-Community Committee as an integral part of the school to function both in the school and in the community. The functions and responsibilities that this School Community Committee would assume have generated a controversy that has involved the Mayor of the City, the Board of Education, the United Federation of Teachers, the United Parents Association, the Public Education Association and the supervisory staff of the schools. The issues involved have by no means been resolved—just an uneasy truce. The local press has given ample, if not completely satisfactory coverage, to this controversy.

To me, the proposal made by this local School-Community Committee represents one of the most significant educational events that has occurred in my long career as a teacher in the public schools of our city. For at long last, it is the *community* which is taking the initiative—it is the community now seeking involvement in the education of its children. For decades our schools have been living in a continual state of crisis which can only be eliminated by bold, imaginative and even extreme measures. For decades our New York City schools have suffered consistently and grievously with inadequate budgets, over-sized classes, heavy teaching schedules, shortage of essential materials and working conditions that have made it difficult and at times impossible to do a good teaching job. As teachers we have deplored the lack of general public support, lack of parent cooperation for strengthening public education and creating *quality* education for all our children. For the best interests of the child are served when a concerned body of *local* people is intimately involved with the school program, and therein strengthens immeasurably the total educational experience of the child.

The proposals of a School Community Committee for I. S. 201 extreme as they may appear, afford an unusual opportunity to help create the kind of schools that we have envisioned. Let us not reject and condemn utterly this community effort. Let us continue to "reason together" to find the solution. The basic idea of community involvement in the school in the education of the child is sound. For what may appear unconventional, extreme or even impossible today, can become the reality of tomorrow. Let's go forward for a *better tomorrow*.

ENDORSEMENT BY VIRGIN ISLANDERS OF PROPOSED STUDY OF U.S. INSULAR AREAS

Mr. FONG. Mr. President, I am pleased to report that hearty endorsement of Senate Concurrent Resolution 24 has been voiced by two sources in the Virgin Islands. Senate Concurrent Resolution 24 is a resolution I introduced on April 27 proposing the establishment of a bipartisan congressional committee to study the relationship with the United States, present and future, of overseas insular areas under U.S. administration. The main purpose of the proposed study would be to devise ways by which the United States can extend more self-government to the island areas without impairing our national defense and interests. The joint committee would be composed of six members each from the Senate and the House.

John D. Merwin, Governor of the Virgin Islands from 1958 to 1961, a former member of the Virgin Islands Legislature, and now in the private practice of law there, has written to me to applaud the proposal.

The Congress—

He stated—

has a most important responsibility to the citizens of these territories to bring the present incongruities in line with present-day realities.

Under a caption titled "A Significant Proposal," the Daily News of the Virgin Islands printed an editorial on May 4 in support of my resolution.

I ask unanimous consent to have Mr. Merwin's letter to me and the editorial in the Daily News printed in the RECORD at this point.

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

VIRGIN ISLANDS, U.S.A.,
May 11, 1967.

Hon. HIRAM FONG,
U.S. Senator,
Washington, D.C.

MY DEAR SENATOR FONG: As a former governor of this territory and one who has a strong and continuing interest in the Virgin Islands and their people I applaud your suggestion that an extensive and comprehensive investigation of the relationship of all the territories to the Federal Government should be conducted prior to the enactment of any further legislation affecting them.

Right here in these islands there are a number of matters which begin to border on the absurd with the passage of the years and as drastic changes in the political and economic life on the area occur within the framework of laws that are completely out-of-date.

The Congress has a most important responsibility to the citizens of these territories to bring the present incongruities in line with present-day realities.

Cordially yours,

JOHN D. MERWIN.

[From the Daily News, May 4, 1967]

A SIGNIFICANT PROPOSAL

Senator Hiram Fong, Republican solon from the Hawaiian islands, has proposed a careful study of the Federal administration of U.S. overseas territories. He recommends that a joint bipartisan committee of the Congress, six members from each house, delve into the political status suitable to each territory, the question of alternatives to statehood, and the continuation of the traditional ways of life of island dependencies.

The senator, from a state which was a territory until 1959, said that such a committee could devise ways of bringing more self government to island territories "without impairing or imperiling the authority of the Federal government to carry out essential responsibilities."

Such a problem was noted recently when the Bureau of the budget introduced into to Senate Interior committee an amendment to the elective governor bill which would permit the President of the United States to remove a governor and would also permit him to veto island-passed legislation. Committee members did not feel that such a measure was necessary and rejected it. The administration obviously feels that such a proviso is important or it would not have been seriously set forth.

The committee of 12 would, in Sen. Fong's opinion, resolve differences of opinion between the administration and the nation's law-makers.

We believe that such a first-hand study would be infinitely superior to the one-sided, white-washed material on the Virgin Islands purveyed by the assistant director of territories of the Interior department. We would assume that the study would be a serious one by men who are sincere in their desires to see a solution to territorial problems and a fruition of territorial aspirations toward autonomy.

Perhaps such a study would quell forever the endless problems of the United Nations committee on self-government in their witchhunt for vestiges of colonialism. It would certainly give the people of the Virgin Islands a new confidence in the congressmen and the assurance that we are not a mere pawn of Interior and the present ruling clique here.

MICKEY MANTLE HITS THE 500TH

Mr. WILLIAMS of New Jersey. Mr. President, on Sunday afternoon, May 14, Mickey Mantle of the New York Yankees reached another milestone in an already illustrious baseball career, despite its punctuation with injuries. When Mickey hit his 500th home run Sunday, he joined a club which had previously limited its membership to just six men.

In two excellent newspaper articles, one appearing in the Washington Post and the other in the New York Times, we see the physical achievements of this great athlete as well as the humorous side of his life. I should like to add my congratulations to the many he has already received and ask unanimous consent that these two articles be printed in the RECORD.

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

[From the New York Times, May 14, 1967]

HUMOROUS SIDE OF MANTLE—YANKEE STAR IS OFTEN THE BUTT OF OWN JOKE

(By Leonard Koppett)

As the spotlight continues to blaze unrelentingly on Mickey Mantle, for the 17th year of his 35-year-old life, one facet of his nature remains generally unappreciated by the public.

Among the superstars of his era—Joe DiMaggio, Ted Williams, Stan Musial, Willie Mays, Sandy Koufax, Warren Spahn, and Bob Feller—Mickey has been the least distant from his teammates, the most enjoyed by them, and in this sense, the most humble.

To single Mantle out in this way is not to disparage the others, nor to minimize the respect other players felt for them. DiMaggio, by his nature, was silent and aloof; Williams was moody, extremely charming at times, difficult at others; Feller and Spahn, and to a degree Koufax, were self-absorbed men, properly open and giving to their teammates but also the most genial of men, also somewhat reserved; Musial had his quiet side and in his later years was more a benign presence in the clubhouse than "one of the boys."

Even Mays, everybody's pet and the butt of everyone's jokes as a youngster, became more self contained as he matured, always friendly and eventually a leader, in his own way an elder statesman.

But with Mickey, even at this stage of his

eminence, a sort of boyish, unassuming warmth pervades his relations with other players, on his own and other teams.

Three of the elements in Mantle's manner are humor, a sincere and obvious desire that others do well, and a modesty that borders on inferiority complex.

No one enjoys sharing a joke more than Mantle, and whatever funny stories are currently circulating, Mickey can always be found in the center, telling or hearing them. More striking, however, is his own sharp sense of spontaneous humor, the laugh provoking remark or insight that brightens up a club, bench or trip.

Through all his humor, which is "country" rather than "slick," there runs a self deprecating element that underlines his common humanity. Nine years ago, when the Yankees had fallen behind in the World Series, three games to one, to the Milwaukee Braves, it was Mantle who showed up in the clubhouse with a trick arrow, one of those that can be strapped to the head so that it seems to go in one ear and out the other.

"We are in tough shape, boys," Mantle announced, making one of his cross-eyed, tongue-sticking-out faces, and a lot of tension suddenly vanished. That's not the reason the Yankees won the next three games in the series, but it didn't hurt.

Only last week, Mantle walked around with his first baseman's mitt strapped to his shoulder.

"I'm strictly leather now," he declared, "a glove man. The way I'm hitting, I can't afford to lose that glove."

BUTT OF HIS OWN JOKES

This was a man trying for his 500th home run, supposedly overcome with tension. Most of the superstars play down their achievements when going good, but few kid themselves so pointedly when going bad.

And then Mantle turned to Bill Robinson, the highly touted rookie, who is hiting .119.

"You better do that to your glove, too, the way you're going," Mantle advised with a grin. In context, it wasn't a needle, but an inclusion: The message was, we're all human—and fallible—together, and let's get some fun out of it.

So, when a new young man comes to the Yankees, it is Mantle who goes out of his way to make the first contact easy. Most people (not only players) who meet him are awe-struck by his identity; with a 19-year-old teammate, Mantle is likely to introduce himself first, and then talk baseball or tell a joke with an air of instant equality.

On the bench, during a game, few players cheer and urge a team on more wholeheartedly than Mickey. When a player hits a home run or some other important hit, Mickey is one of the first hand-pumpers.

More quietly, in the day to day life of the team, the degree to which Mantle is pulling for everybody, offering the little advice if asked, really sympathizing with trouble, can't be missed.

His leadership qualities, therefore, are much more than mere example. That he has played as well as he has, as crippled as he has been, is something other players never cease marveling at. But to his own teammates, he is also, at times, a direct inspiration, or a goad, or a comfort.

All this rarely shows outside the privacy of club life. To interviewers, Mantle is usually reticent; perhaps polite, perhaps not, but almost always distant and impatient. To the autograph-hounding public, Mantle tries to act responsibly but could never be called friendly. In more formal public appearances, he is surprisingly warm, but within himself uncomfortable.

But among ballplayers—he's with his own. He's one of them, completely, heart and soul, and totally indifferent to rank—theirs or his.

So if anyone thinks Mantle never succeeded in fully projecting the Idol image, the reason is simple: He's too human.

[From the Washington Post, May 14, 1967]

MANTLE'S 500TH HOMER WILL WRAP UP CAREER—STATIONARY FIELDING INDICATES END IS NEAR

(By John Hall)

CHICAGO, May 13—Portrait of Mickey Mantle, 1967. It was the seventh inning of the Yankees' series opener with the Angels. Leading off, Jay Johnstone hit a sharp but routine bouncer toward first base.

The New York first sacker easily gloved the ball about four feet from the bag. Then, he just stood there. Instead of making the easy play himself, he waited patiently and a little redfaced while Hal Reniff ran over from the pitcher's mound to take his throw for the putout.

Mantle fans (and who isn't?) quickly looked the other way. Even though there is still much excitement in his bat, there is also a terrible sadness that goes with watching Mantle in action these days. It is not Mantle's choice, of course, to operate that way.

He has been ordered to perform like a statue in the field, to save what is left of those aching legs. Mantle could play a position lying on his back, and it would be a tonic to the rest of the Yankees merely to have him in the lineup. Mantle is still magic, not only at the box office but on the field where it counts.

As often as it has happened over the years, Mantle has never been at his best when surrounded by newspapermen. The scene seldom varies. He comes out of the dugout before the game and there is a wild charge at No. 7.

If he can, he will escape by dashing to the outfield. If trapped, he is always courteous in answering questions. "Yes" . . . "No" . . . "Maybe" . . . "Thank you." It comes off cold and distant.

But this clearly is not the man. When relaxed with his own, he is warm, generous, humorous, expert with the needle and as human as they come. He has never taken himself very seriously.

His personality, one rarely seen in public, inspires a fanatical loyalty from his teammates. And never has a ball player been so idolized and respected by rivals throughout the game.

Len Gabrielson, the former Giant, was asked the other day to compare Mantle's power with that of Willie Mays. "Willie hits them as far as anybody, but I don't think he hits the tape as often as Mantle," he said.

Then, Gabrielson paused. "What Mickey could have been with two good legs," he sighed in awe. "He would have been the greatest, the absolute greatest of them all."

Whitey Ford said it in the spring: "I'm as big a sports fan as anybody. You need somebody like him—a Chamberlain in basketball, Hull in hockey, a Koufax—I get as big a kick out of Mickey as anyone."

Nobody, not even the guys whose pitches he has belted over the fence, wants to see him go. But they all know it's coming. Tape him together, wind him up, bring him in from center field, tell him not to move—it can't go on much longer.

Anytime he takes the field, it could be the last trip. That is one of the reasons why everybody has been pulling so hard for him to stroke home run No. 500 recently.

It is only one of a bundle of milestones for Mantle, but there is something extra special about this one. It's the way to go.

In the current Sport Magazine, Mantle lists his own top thrills during his 16 summers in pinstripes. They tell a little more about the man.

Sept. 17, 1950. An 18-year-old shortstop, he is called up late in the season and is thunderstruck over his first meeting with Joe DiMaggio.

April 17, 1953. Chuck Stobbs is on the mound for Washington in old Griffith Stadium. Batting righthanded, he drives the ball over the left-center bleachers and out of the stadium. The crowd is stunned at the sight. Red Patterson, then the Yankee publicist, leaves the park, locates the landing spot and measures the distance. It's the birth of the tape. Official flight—565 feet.

Oct. 4, 1953. Lefthanded, he collects his first World Series grand slam against the Dodgers in Brooklyn.

June 21, 1955. Righthanded, he homers over the monuments in Yankee Stadium, 486 feet into the bleachers in straightaway center. Nobody, but nobody, does this.

Oct. 3, 1956. Don Larsen's perfect game in the World Series over the Dodgers, 2-0. Overlooked, the Yankees got their first run on a Mantle homer, and the no-hitter is saved when he races into left center to backhand a sinking liner off the bat of Gil Hodges.

May 22, 1963. Lefthanded again, he explodes a rising drive that strikes inches from the top of the Yankee Stadium roof in right field. Another inch, says science, and the ball has got to travel more than 600 feet.

Aug. 4, 1963. A broken foot has kept him out of 61 games. A crowd of 38,000 gives him a spontaneous, standing ovation as he returns limping to the plate as a pinch hitter. He rips a game-tying homer against Baltimore.

Sept. 17, 1964. His 2000th major-league hit, a dinky single. Embarrassed, he hits his 450th home run in next at bat.

Oct. 10, 1964. World Series homer No. 16, moving him past Babe Ruth.

The moment awaits. His 500th homer. That and the few more games he needs to break Lou Gehrig's mark of 2164 games as a Yankee will just about wrap it up.

Well, Mickey, it's been fun. You may not realize it, but those strange animals that run at you and trap you and ask all those same stupid questions love you as much as anybody, probably more.

You may have been aloof, baby, but you've never been dull. And it's not even close. Without trying, you're the most electric person I've seen run onto an athletic field. I hope we all get to see a little more.

NEED FOR STATE AND LOCAL INCOME TAX CREDIT DEMONSTRATED

Mr. PEARSON. Mr. President, an editorial in today's Washington Post effectively points out some of the hazards incumbent in Federal-State tax-sharing programs, particularly the separation of the responsibilities involved in the power to tax and the power to spend.

As a cosponsor of a tax-sharing plan, I disagree with the editorial's implicit judgment that because of this potential danger a tax-sharing program should not be enacted. Despite this disadvantage, tax sharing has other advantages such as revenue equalization which commends its adoption. However, I am in full agreement that the Federal Government should adopt a policy which would encourage individual States to enact modern, effective tax laws.

I believe that a tax credit on individual Federal tax payments for State and local income taxes would do a great deal to accomplish this. Therefore, last week I introduced a tax credit bill, S. 1743, which would provide a 50-percent credit for State and local income taxes. The adoption of such a measure would not, in my judgment, eliminate the need for a tax-sharing program, but I believe that it would do a great deal to encourage States and local governments to take

greater initiative and responsibility in dealing with their particular problems and needs in the way that they themselves are best able to determine.

Mr. President, I ask unanimous consent that the Washington Post editorial of May 16, 1967, be printed in the RECORD at this point.

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

RETREAT FROM TAX SHARING

The echoes that are coming out of Lansing provide a strange commentary on the debate in Washington on tax-sharing. Governor Romney is struggling against great odds to induce the Michigan Legislature to pass an income tax. All the political leaders seem to agree that some additional taxation is essential to meet the state's obligations. Yet both the House and Senate have voted down the Governor's tax reform program, and the question of whether they can be induced to enact an income tax of any sort is still wide open.

While Michigan Congressmen are pleading for a share of the Federal income tax, the state legislators are balking at the idea of an income tax of their own. They would rather let Congress take the rap. It is this evasion of state responsibilities even more than an expanding Federal bureaucracy that is dangerously undermining state government.

Sponsors of numerous tax-sharing bills before Congress excuse their circuitous approach to critical state problems by saying that the Federal Government has dried up tax resources. But this is demonstrable nonsense. All of the more progressive states have income taxes, and the direct collection of this revenue by the states is not more painful than the national income tax. As a matter of fact, the local income taxes are less painful, because they can be deducted from income in calculating the Federal tax.

The only kind of tax-sharing that is compatible with our Federal system is a national incentive to the states to put their own revenue laws in order. Michigan, for example, instead of pleading for return of 5 per cent of the income tax its citizens pay to the Federal Treasury, as some of the tax-sharing bills provide, could more appropriately collect through its own machinery a state surtax equal to 5 per cent of the Federal tax. We would like to see Congress give Michigan, and all the other states, an incentive to do this. But Congress ought not to usurp their revenue-raising function.

Fortunately, some of the tax-sharing plans would reward the states for facing up to their own revenue problems. Representative Laird's bill would grant a 40 per cent tax credit to Federal taxpayers for all state and local taxes paid. This seems to us a constructive approach so far as it goes. A still larger credit against Federal taxes might be allowed for state and local income taxes paid as an incentive to the enactment of modern tax laws within the states. There are many ways of helping the states, but the basic aim should be to get sound tax laws on their own books instead of funneling revenue for local purposes through Washington.

WILLIAM H. SEWARD, BORN MAY 16, 1801

Mr. BARTLETT. Mr. President, one century ago the United States purchased Alaska from Russia.

The name of William H. Seward is necessarily connected with any observance of this 100th anniversary, but all too often any reference to him is restricted to the leadership he provided in gaining approval of the purchase.

Today, the 166th anniversary of his birth in Orange County, N.Y., on the Senate floor where he served with distinction, would be the proper time and place to briefly review another portion of Seward's public career.

Like every person involved in political life, Seward found himself unable to appear at all times the picture of perfection, but as a Senator, however, he did manage consistently to proceed with sufficient adherence to principle and firmness of purpose to earn the confidence of his political allies and the grudging respect of his opponents.

The political era in which Seward lived embraced the decline of one political party and the rise of another. In 1801, the year of Seward's birth, the Democratic Party achieved control of the Federal Government for the first time, under the leadership of Thomas Jefferson. The Democratic Party was the party of reform, the party of the workingman, the champion of proposals to expand the suffrage and oppose the power of business monopoly. For the next 60 years the Democrats were constantly in power, except for the brief ascendency of the Whig Presidents Harrison and Taylor—both of whom died in office—and the men who replaced them: Tyler and Fillmore.

In those 60 years the Democratic Party underwent some serious changes, as did also the political situation in the United States. By the time Seward was ready to enter the political field, the Democratic Party was badly split on the question of slavery. It was to surrender national leadership to the Republican Party in 1861, and the Republicans, in turn, were to hold control, with only three brief interruptions, for the next 72 years.

For much of Seward's life, slavery was the most important political issue confronting the American people, save only those periods in which the Nation faced war or threat of war with a foreign power. The inability of the Democratic Party to solve its split on slavery also made it increasingly difficult for the party to attract the great social reformers of the day. As one of those reformers, Seward joined forces with the opposition Whig Party, in company with such other reformers as Abraham Lincoln, Thaddeus Stevens, and Millard Fillmore.

In 1824, as a young lawyer interested in entering politics, Seward made the acquaintance of Thurlow Weed, a political leader of considerable influence in upstate New York. In 1930 Weed persuaded Seward to run for the State Senate. He was elected, but failed to be reelected. Seward contemplated retirement from politics, but in 1837 the Whigs captured control of the State legislature, and Seward was persuaded to seek the gubernatorial nomination in 1838. He subsequently was nominated, elected, and 2 years later reelected.

As Governor, Seward revealed the natural ardor and optimism of his temperament, his strong humanitarian sympathies, and also his impulsiveness and tendency to challenge longstanding tradition. On the slavery question, Seward took advanced ground during his term of office. In one instance he refused to surrender three sailors, who instigated the flight of a fugitive slave from Virginia to New York, when extradition was demanded by the State of Virginia. The act endeared the Governor to the rapidly growing antislavery element in New York State.

By 1848 antislavery sentiment had become so strong in New York that it was possible for the Whigs to put forward Seward as their candidate for U.S. Senator. Many Democrats, as well as all the Whig members of the legislature, voted for him.

When Seward entered the Senate, the slavery question was of special national concern because of the disposition of the territories recently acquired as a result of American victory in the Mexican War. The slave interests, which had sponsored the war, wanted all the new territory opened to slavery. The antislavery extensionists, of whom Seward was one, wanted slavery barred from all the territory. Of particular concern was the status of California, the people of which already had drafted a free-State constitution. Through the power of proslavery votes, the Senate was able to block California statehood for months.

When the Whig leader, Henry Clay, proposed a compromise solution, permitting, among several things, the entrance to the Union of a free California in exchange for passage of a stringent fugitive slave law, Seward spoke in opposition to the plan. On March 11, 1850, he declared that there was no reason to jumble together a group of disassociated questions in a single measure as Clay wanted to do. He also insisted that the proposed fugitive slave law would be impossible to enforce in the North. He wanted to abolish, not only the slave trade, as proposed by Clay, but also slavery in the District of Columbia. He was in favor of barring slavery from all the territory acquired from Mexico. He warned that slavery should be abolished throughout the Union "by gradual voluntary effort and with compensation" to the slaveowners, in the knowledge that failure to so act would result eventually in civil war and immediate emancipation without compensation.

While thus boldly expressing his views, he disavowed any desire to act by unconstitutional or unlawful means. It was in a speech of March 11, 1850, that Seward declared, to the shock of many listeners, that there was "a higher law than Constitution," meaning merely that the spirit of Christian teaching was opposed to human slavery, whether or not it was outlawed by the Constitution. For this remark he was denounced as a man of revolutionary intent, hopeful of destroying the structure of Federal guarantees.

Outside the question of slavery, Senator Seward championed the cause of the Irish-Americans to the great irritation of the young Know Nothing faction in New York and played a leading role in the national welcome given in 1851 to the Hungarian rebel leader, Kossuth, the foe of Russian intervention in Hungary.

One of the two lone Whig victories on the national level was that of Zachary

Taylor in the 1848 presidential election. Taylor was a war hero and a southern nationalist opposed to the southern secession movement. In 1852 Senator Seward threw his support to the presidential aspirations of Gen. Winfield Scott, of Kentucky, also a war hero and a southern nationalist. Scott was nominated by the Whigs, but badly beaten in the national election. It was believed by many that Seward had been an albatross around the neck of General Scott.

The year 1854 saw the rise of two important new political parties: the Republicans and the Know Nothings. Seward needed the support of both to secure his reelection to the Senate in 1855. He therefore committed the State Whig Party to a strong antislavery stand, thereby picking up the Republicans and some anti-slavery Know Nothings. And by shrewd maneuvering he won a major share of the Know Nothing votes.

The questions posed by open civil war on the plains of Bleeding Kansas, in 1854, could not be answered by the Whig organization which was, in consequence of its terrible defeat in 1852, in the process of disintegration. In the Senate debate on the Kansas-Nebraska bill, Seward had shown greater caution and less forthright courage than in the discussions of 1850. However, he found no difficulty in getting the New York Republicans and Whigs to merge in one organization in the fall of 1855, and from that point forward his own Senate speeches dropped the flavor of mild Whiggery in favor of angry and impetuous Republicanism.

From 1855 to 1860 Senator Seward embodied the growing antislavery sentiment in the North as much as any man. In the struggle over Kansas, he advocated its admission as a free State under the controversial Topeka constitution.

At the Republican National Convention of 1856, Seward was the best known candidate for the party's presidential nomination. He was also, however, the most outspoken candidate, and therefore the most controversial. In a surprise action, the convention passed him by in favor of Gen. John Charles Fremont, the renowned explorer.

Returning to the Senate floor, Seward renewed his part in the struggle over slavery. In common with other Republicans, he denounced the Dred Scott Decision as the product of a conspiracy. On October 25, 1858, at Rochester, N.Y., he made the famous speech in which he declared that the slavery struggle was an "irrepressible conflict between opposing and enduring forces."

For this and other ringing phrases warning the country of the approach of the Civil War, Seward was pronounced by many the author of that war when at last it came in April 1861. Meanwhile, at the 1860 Republican Convention, he once again had high hopes for the presidential nomination, and once again, branded a radical, he tasted defeat, this time at the hands of Abraham Lincoln.

A good loser, Senator Seward campaigned hard for Lincoln in 1860 as he had for Fremont in 1856.

In the secession crisis during the spring of 1861, Seward once again rose to the occasion, working in behalf of both antislavery principle and intersectional compromise. He was one of the Senate committee of 13 constituted to consider means of composing the situation. His speech of January 12, 1861, made following the secession of several Southern States, was generally adjudged a masterpiece. Clearly avowing his loyalty to the Union, he nonetheless appealed to the South in conciliatory terms, advocating a constitutional convention to settle outstanding difficulties. His efforts in this regard were swept away by war. Nonetheless, his record as a Senator won for him the office of Secretary of State, tendered by Lincoln. In this capacity, he also was to shine as a man of remarkable talents.

It was in this office that he took the lead in efforts to purchase the Territory of Alaska, an accomplishment which I believe, if I can be excused a bit of parochial pride, ranks as his most important contribution to the Nation he served so well for so long.

A HAPPIER SUMMER FOR THE CHILDREN OF POVERTY

Mr. YARBOROUGH. Mr. President, the Senate has received from the President of the United States an urgent request for a $74 million supplemental appropriation for the Office of Economic Opportunity.

The President requests this appropriation to support programs that will gainfully employ and train well over a million of our Nation's most deprived adolescents and young adults this summer.

Because I am deeply aware of the urgency of the need, Mr. President, I subscribe to the urgency of the President's request. I urge that my distinguished colleagues give it thorough, but rapid and favorable consideration.

But I hope the Senators will pardon a moment of reflection on my part. I hope they will realize that it is intended to underscore rather than detract from the explosive need that prompts this timely request from President Johnson.

I should like to reflect briefly on the history and development of the American summer.

In the days before we really considered the poor in our deliberations—and those days, as we all know, are all too recent—summer was, in a sense, a forgotten period of time. It was a nice, relaxed period for young and old. The tools of learning were put aside. The tools of career training were laid down. It was a time of basking at beaches and cavorting at resorts.

But now, with all too great anguish, we have come to realize that a major element of American society cannot afford this kind of vacation. And I submit that we cannot afford a vacation from our responsibility to the needs of our fellow Americans—not only the frustrated, overheated slum dwellers but those from near and far who will suffer their frustrations along with them.

Summer is no longer a time to waste.

Summer is a time when the backward child can get extra help.

Summer is a time when the delinquent or potentially delinquent teenager can start getting the training, skills, and counseling that will make him a force against delinquency in future summers—and winters.

Summer is the time when the young adult can be steered toward an immediately productive job—perhaps through community betterment work, perhaps through community college and education.

Nationally speaking, "the good old summertime" is a tragically outmoded phrase. But with a new direction, with the conviction that time and talents should not lie fallow but should be put to work and developed, a good new summertime can come to be.

The President's request is the essential first step toward that goal. It is essential that both Houses of Congress not delay in taking this first step.

THE BIG DOD BUILDUP

Mr. TOWER. Mr. President, the authoritative and professional Journal of the Armed Forces has printed in its May 4 edition an enlightening article tracing the massive personnel growth of the civilian forces in the Department of Defense during the tenure of Secretary McNamara.

It should be noted that when Mr. McNamara took office some 1,500 men and women were under the direct control of the Secretary. Today, just 6 years later Mr. McNamara personally commands a work force of 67,000 civilians.

I know all Senators are concerned about continuing growth of Federal bureaucracies, and I also know many Senators are concerned about undue substitution of civilian suggestions for professional military judgment in the Pentagon. I, for one, believe that while always preserving the American concept of ultimate civilian control, we also must give very great weight, particularly in time of conflict, to the views of trained military men. Certainly, we must not blanket and stifle military views under ever-thickening layers of civilian bureaucracy.

I commend this article to the attention of the Senate, and ask unanimous consent that it be printed in the RECORD.

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

ESCALATION OF THE YELLOW PAGES—THE BIG DEPARTMENT OF DEFENSE BUILDUP

(By Louis Stockstill)

What started out 20 years ago as a small office to "coordinate" the activities of the Army, Navy and Air Force, has emerged on the eve of manhood with hardly a recognizable feature of its infancy.

The once small-boned, diminutive creature has muscled-up, fleshed-out, and grown into a towering endomorph. Characteristically, most of the growth took place during the teen years—the years since Secretary of Defense Robert S. McNamara became housemother.

When he took office in 1961, the present Secretary of Defense inherited from the Eisenhower Administration an organization whose civilian work force—those under the direct control of the SecDef—totalled about 1500 men and women.

The changes that have since taken place in the DoD civilian payroll are staggering.

Today—after an unprecedented six years in office and numerous organizational changes which have added hefty layers to the Pentagon's manpower biceps—Secretary McNamara personally commands a work force of 67,000 "headquarters" civilians.

The outer skin consists of 150 ranking aides who earn $25,000 to $30,000 per year.

Next comes a layer of muscle composed of 300 civilian employees whose pay is $20,000 to $24,280, and more than one thousand others whose average salary is about $19,000.

Descending layers of tissue are held together by some 24,000 employees who are in pay brackets with a top-salary range of $10,000 to $17,000. For this group, alone, salaries total $252 million.

The 67,000 men and women who now crowd Secretary McNamara's payroll (an increase of 5,000 in the past year) constitute only DoD civilians. Not taken into accounts are the thousands of military personnel assigned to DoD offices. Nor does the number embrace the million civilians or the three-million uniformed personnel directly under the Army, Navy, Air Force and Marine Corps.

The DoD civilians have bloomed with the speed of a spring crop of dandelions.

Shortly after Secretary McNamara first took office, he complained (February 1961) that there were too many Pentagon "executives" reporting directly to him and the Deputy Secretary of Defense. He said 15 Presidential appointees fell into this category, and the situation was "impossible."

The only major way it has since changed, however, is that the number of top civilians has proliferated.

At the time of Secretary McNamara's 1961 statement, the DoD Secretariat included—in addition to the SecDef and Deputy SecDef—the following officials: Director of Defense Research & Engineering ($22,000); seven Assistant Secretaries of Defense ($20,000); the DoD General Counsel ($20,000) and an Assistant to the SecDef ($20,000). In addition, there were 13 DoD civilians earning $19,000 each.

Today, the top jobs still exist, but the wages have been upgraded and large numbers of other high-salaried executives have been added.

Current data shows that the Secretariat now includes Secretary McNamara ($35,000), Deputy SecDef Cyrus Vance ($30,000), the Director of Defense R&E ($28,500), seven Assistant Secretaries of Defense ($27,000 each), the DoD General Counsel ($27,000), the "principal" Deputy Director of DR&E ($27,000), and 11 assistants who earn $26,000.

Those in the $26,000 bracket include the Assistant to the SecDef (Legislative Affairs), the Special Assistant to the SecDef, the Chairman of the Military Liaison Committee to the AEC, the Deputy Assistant SecDef (Comptroller), the Deputy General Counsel, the Director of the Advanced Research Projects Agency, and five more Deputy Directors of DR&E.

In addition, today there are 128 other top DoD aides who earn $25,800-$25,890 per year.

This group includes 25 Deputy Assistant Secretaries of Defense (one of whom has just been added), five Deputy DoD Comptrollers, four Assistant DoD General Counsels, Special Assistants and Assistants to the SecDef and Deputy SecDef, and dozens of others who hold titles as directors, deputy directors, assistant directors, assistant deputy directors, deputy assistant directors, assistants for . . . , chiefs of . . . , assistant chiefs and special assistants.

(The Defense Department civilian manpower budget also covers funds to pay a "staff assistant" for President Johnson—$22,085—and an "aide" for Vice President Humphrey—$22,755.)

The next biggest DoD civilian-employee group includes almost 300 in the $20,000 to $24,280 bracket, plus more than 1,000 others whose pay is not specified on an individual basis (in data which has been furnished to Congress), but whose average salary is about $19,000. A spot-check of 340 of the jobs in the latter group disclosed an average salary of $19,573.

For 23 "digital computer systems administrators," alone, the average salary is $19,661.30. For three "historians," it is $19,775.67.

But this is not the end of the list.

The largest group of Defense Department civilian workers who come under Secretary McNamara's direct control—some 24,500—fall into pay grades GS–9, 10, 11, 12 and 13. Of these, more than 11,000 are in pay brackets where the top-salaries range from $12,000 to $16,905.

Growth of the GS–9 to GS–13 group has been spectacular. Although much of it can be attributed to initial transfers of personnel from the individual Services to the new Defense Agencies created under Secretary McNamara, this offers only a partial explanation. In the past two years, alone, there has been an increase of more than 8,600 DoD employees in the GS–9 to GS–13 group—from 23,806 in fiscal '66, to 32,414 budgeted for the new fiscal year which starts 1 July.

When Secretary McNamara took office, there were less than 150 such positions in DoD.

In providing Congress with a breakdown of the DoD civilian employees, the Administration, purposely or otherwise, has concealed the specific DoD activity to which they are assigned, except where job-title (Deputy Director DR&E, for example) is self-explanatory.

The salaries for the entire group of DoD civilians—including Secretary McNamara, himself—are budgeted, incongruously, under the Department's appropriations account for "Operations and Maintenance, Defense Agencies." This makes them somewhat difficult to digest, since several six-course meals are spread on the banquet table at once. And it will suggest to some that the practice may have been designed more to confuse than clarify.

Isolated examples from long lists of civilian employees in pay grades GS–14 and GS–15, alone, show that DoD has 271 auditors earning $4.7-million annually; 69 digital computer systems administrators earning $1.2-million; 23 digital computer systems analysts earning $390,000; 30 systems analysts earning over $500,000; 56 management analysts earning $960,000; 64 program analysts earning $1.3-million, and 15 management evaluation officers earning about $290,000. There's no evidence to indicate how many of these employees are assigned to the Office of the Secretary of Defense, how many to the Defense Supply Agency, Defense Intelligence Agency, Defense Communications Agency, or other DoD activity.

And, the isolated examples barely scratch the surface. At levels of employment below GS–14, there is no break-down even by title. The DoD civilian employees in the latter groups are simply lumped into numerical designations. If listed, separately, they would take up as much space as the entire telephone book for a good-sized city. Those in GS–9 through GS–13 pay grades, for example, number more than 24,000. Their combined pay exceeds a quarter of a billion dollars.

As previously indicated, growth of the DoD civilian manpower force can be attributed in part to the establishment of central agencies to direct such functions as supply, intelligence and communications. Many of the employees of these agencies were transferred from Army, Navy and Air Force payrolls to the DoD payroll. But the agencies have continued to grow.

The average number of civilian employees in DoD in fiscal '66 was 53,206. In the fiscal '68 budget, the Department has estimated an average total of 68,193—an increase of about 15,000. Funds requested for the DoD civilian payroll in FY '68 add up to almost $600-million.

Much of the DoD civilian manpower build-up has taken place within the Office of the Secretary of Defense.

In the fiscal '61 Defense budget, submitted to Congress just before Secretary McNamara took office, $20-million was sought for "direction and coordination of defense activities (total obligations)."

At the time, there were in OSD, 11 Deputy Assistant Secretaries of Defense and two Deputy Directors of Defense R&E. Today, Secretary McNamera has seven Deputy Directors of Defense R&E, one Deputy General Counsel and 32 Deputy Assistant Secretaries of Defense. (Five of the posts are held by military officers).

Also at the time of the FY '61 budget presentation, OSD had 46 Public-Law-313 civilian employees, including eight in ARPA. Today, the Department has 81 of the special "positions established by the Secretary of Defense." About half of the group earn more than $25,000 per year.

A comparison of the listings in the Pentagon telephone directory illustrate to some extent what has been happening. In February 1961, the Defense Department section of the book's yellow pages (where mostly executive-types are listed) took up three and one-half pages. The same section in the "Spring 1967" issue of the directory covers ten and one-half pages.

The increase in the DoD civilian payroll over the six years of Secretary McNamara's tenure has been prodigious, both in overall numbers and in the number caliber of top-salaried workers. And, regardless of where the employees came from—whether by transfer from the individual Services or by creation of new jobs—the big work force dramatically underscores the extent to which the Secretary of Defense has brought the direction of Armed Forces activities under his centralized control.

A Capitol Hill source who has been uneasily eyeing Mr. McNamara's big build-up, recently commented: "It's true, he has accomplished a lot—but he didn't do it without assistance."

Nor, as the DoD manpower data attests, without assistants.

THE NEW SAFETY MOOD OF CONGRESS

Mr. MAGNUSON. Mr. President, Saturday's Washington Post contained another excellent article by Columnist Morton Mintz. It summarizes some of the indicators of the growing congressional concern with safety legislation. In emphasizing the importance of preventing accidents as well as properly treating them, Mr. Mintz quotes from testimony delivered by Dr. Abraham Bergman, of Seattle, at the recently concluded Commerce Committee hearings on amendments to the Flammable Fabrics Act. He also cites the Automobile Safety Act of 1966 and the bills calling for creation of a National Product Safety Commission and more adequate labeling of cigarettes as evidence of the new safety mood in Congress. These are matters with which the Commerce Committee has been particularly concerned.

Mr. Mintz has long been a conscientious and dedicated spokesman for the consumer cause, and his columns have been particularly effective in keeping attention focused on consumer problems.

This one is exceptionally fine. I ask unanimous consent that it be printed in the RECORD.

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

[From the Washington Post, May 13, 1967]

PREVENTION: IT SAVES MORE LIVES THAN TREATMENT

Vast numbers of injuries and deaths are obviously preventable. Yet our emphasis has been overwhelmingly on treatment—on building more hospitals, on training more doctors, on picking up the pieces, on giving more charity to the victims.

Prevention has gotten a good deal of lip service. But telling a drunk to drive safely is usually useless exercise; so is telling a 2½-year-old in a flammable nightgown to stay away from a space heater in a slum bedroom.

But lately the concept of prevention—a conservative, obvious and tested doctrine if ever there was one—has been undergoing a minor renaissance.

One indicator came recently when a pediatrician gave Congressmen a message opposite from the all-too-familiar one of doctors who cannot say the word "politician" without expressing disdain.

Physicians "save precious few lives—we are more in the health maintenance business," Dr. Abraham B. Bergman of Seattle said. "You Senators are in a position to save far more lives than physicians."

Dr. Bergman testified before the Senate Commerce Committee in behalf of amendments that would toughen the Flammable Fabrics Act.

Prevention "is the only answer," he said. In the last 30 years, Dr. Bergman continued, the medical profession has been able to improve the survival rate among burn victims but little. Treatment is terribly costly. And death, he said, "may be more merciful."

Most serious burns of children occur because their clothing catches afire. "Half-hearted safety slogans" do not save them, Dr. Bergman said. The great need, the pediatrician said, is to get "at the source of the injury"—the clothing—through legislation.

Another proponent of prevention is Dr. Lester Breslow, California's State Health Director, who said recently that in terms of making a "significant impact" on public health, he would have "little hesitation" in choosing a ban on the sale of cigarettes in preference to doubling the number of physicians in California tomorrow—if those were the only choices.

Here are some other indicators of a new attitude:

With a unanimous bipartisan vote, the Senate Commerce Committee approved a joint resolution for a National Commission on Product Safety. Its mission would be to investigate — with subpoena power — what could be done to decrease the annual toll of several hundred thousand accidents in and around households. In the last decade, according to a study made for the Committee by Consumer Reports, the publication has reported on 376 products which presented unacceptable hazards.

For 17 years, assorted Federal democracies talked—but did nothing to protect uranium miners from radioactivity and the fatal lung cancer that accompanies it. The other day, Labor Secretary W. Willard Wirtz, unable to bear the situation any longer, openly took some of the blame upon himself and set a standard for uranium exposure. This will help the miners; treatment after they are diseased does not.

The 1966 auto safety law was an act of prevention. It was aimed at more than 50,000 deaths and 4 million reportable injuries a year. One thing it will result in is safer interiors to protect occupants of a car hit by the drunk who didn't see the "Drive Safely" sign.

Finally, Defense Secretary Robert S. McNamara's emphasis on benefit/cost ratios has refreshed our thinking about disease, along with preventable injury and fatality.

Thus the Public Health Service has calculated, for example, that in the five years starting July 1 we could prevent fatal uterine cervix cancer in 34,000 women at a cost to the Government of $3500 each. But the direct costs of medical treatment plus the indirect costs of lost earnings would be nine times greater.

Similarly, the PHS estimated, a particular program of promoting auto safety—through increased use of devices such as safety belts and shoulder harnesses—would save $1200 for every dollar spent.

We are seeing what some regard as a waking up in public health, a kind of rationality explosion. How extensive it will become remains to be seen.

VISION CRUSADE FOUNDATION

Mr. WILLIAMS of New Jersey. Mr. President, in conjunction with my continuing advocation of preventive care for disease, I would like to bring to the attention of those here present, a letter which I received from one of my constituents concerning the fine work of a relatively new and very successful organization, the Vision Crusade Foundation. The idea for this foundation and the hard work which has made it a reality was achieved through the voluntary efforts of optometric societies and Lions Clubs in northern New Jersey. The purpose of the organization is to provide persons with free visual screenings in order to detect visual dysfunction or disease which could impair the individual's work, driving ability, or color perception. A shocking number of people were found to have previously undetected visual problems, some of whom had such limitations as to be dangerous on our highways. Vision is, without a doubt, our most strategic sense and so necessary for the most routine functions.

I would like to applaud the optometrists and the members of the Lions Clubs who have provided this valuable service. They have contributed the funds to operate the eyemobile unit; the doctors have contributed their time, their talents, and their professional skill; the Lions have contributed their administrative ability to run the unit. They have contributed all of this to make the foundation the success which it is with no compensation other than the satisfaction they receive from giving of themselves to the community at large. The only thanks they desire is to see their work continued and expanded.

Mr. President, I ask unanimous consent to have reprinted in the RECORD the letter I received from the president of Vision Crusade Foundation.

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

VISION CRUSADE FOUNDATION,
Hasbrouck Heights, N.J., March 31, 1967.

DEAR SENATOR WILLIAMS: The health and well-being of the residents of New Jersey is of concern to many Councils, Agencies, Commissions, Associations and Foundations. As a legislator you are almost daily asked to participate in discussions leading to health care legislation. Because of your interest in this subject I believe you may be interested in a relatively new and successful foundation which has been formed. This organization is the Vision Crusade Foundation.

Some two years ago, the germ of an idea was introduced. The idea of the foundation soon embraced by hundreds of optometrists from the Bergen-Passaic and Hudson County Optometric Societies and seventy-seven Lions Clubs comprising Lions International District 16A, was to design, build and operate an eyemobile. Approximately a year ago the dream became a reality.

The primary function of the unit (photograph enclosed) is to give every person in the area the opportunity to undergo a free visual screening. This screening is not to be construed as a complete examination; however, at the completion of the analysis it is possible to ascertain a number of things, such as (1) does the individual have adequate vision to function at his job efficiently, to operate an automobile, etc.; (2) does the individual distinguish colors adequately to safely operate color-coded machinery; (3) does the individual have vision which will allow him to function adequately in close-work situations; (4) is the individual suffering from a yet undetected disease such as Glaucoma, Cataracts, or does he have other identifiable pathology or dysfunction of the body.

The unit under the direction of the Vision Crusade Foundation has many functions. Primarily, it is dedicated to detecting those correctable vision deficiencies which, if left uncorrected, will render a person incapable of performing many necessary routine functions. Secondly, our efforts are directed to the prevention of blindness by early detection of those pathological disturbances which can be cured or arrested. As a result of a thorough screening we have been able to delineate the visual handicapped and recommend the necessary rehabilitory measures they should follow.

In our first nine months of operation, in excess of 10,000 residents of the three counties served by the VCF eyemobile have participated in the free screening offered to them. Thousands were turned away due to lack of time and facilities. Accurate statistics have been kept and I believe they are significant in that forty-two percent (42%) of those screened were found to possess visual problems of which they were not aware. Nearly two percent (2%) were suffering from a yet undetected disease condition. Of the licensed drivers screened a shocking twenty-eight percent (28%) were found to have visual deficiencies of sufficient magnitude as to seriously limit their performance on the highway, making them unfit and indeed dangerous to operate an automobile.

In an endeavor to provide the highest quality and to insure adequate screening techniques and evaluation of the findings VCF has never permitted anyone but licensed optometrists to staff the eyemobile. Nearly 150 doctors have contributed their time, talent and professional acumen to Vision Crusade Foundation. Their only compensation is the satisfaction of knowing that the general public is receiving the very best care available at any price.

By supplying clerical help the local Lions Clubs have provided untold hours of free time to the Foundation thus insuring its efficient operation.

Not only have the Lions and the optometrists given of their time, talent and skills but the operating funds have been donated by these same people to insure that the Vision Crusade Foundation can continue offering this vital service without pay.

A critical analysis of the work done at the end of the first year indicated that (1) the services performed by Vision Crusade Foundation were in great demand and vitally needed; (2) that our facility could only serve

a small segment of the existing population; (3) that there is a need for additional units to operate throughout the State.

Based on points two and three it is my hope that you will call attention to the work the Vision Crusade Foundation has done in your newsletter or in whatever way you deem appropriate. I am not looking for praise or glory for the Lions, the optometrists or the Foundation; rather, your efforts might serve as a guide and encouragement to other groups or organizations to emulate the example set by the Vision Crusade Foundation thus providing and spreading preventative vision care throughout the State of New Jersey. Anything you may choose to do will be appreciated.

Yours truly,

SANFORD E. KAPS, O.D.,
President.

AIR SAFETY PROBE NEEDED

Mr. BREWSTER. Mr. President, in recent months there has been an ever-growing controversy over air safety. Most of this criticism has originated among those groups deeply involved in the air safety business—airline pilots and air traffic controllers. In general, their comments have been critical of the policies and activities of the Federal Aviation Administration.

Meanwhile, the airlines, ever mindful of the fact that some potential customers may become afraid to fly because of doubts regarding air safety, have tried to remain out of the sometimes bitter and heated public controversy.

As a member of the Subcommittee on Aviation, I have taken the time to study the conflicting statements regarding air safety. I have attempted to evaluate the charges and countercharges from my position as an unbiased observer, a policymaker, and a representative of the public interest.

On Sunday, May 14, the New York Times published a front page story by Evert Clark which does much to put the air safety controversy in perspective.

The article makes several important points:

First. America's air safety record to date has been most impressive.

Second. Air traffic in the United States is growing at a faster rate than was previously expected.

Third. The control of today's traffic is an immensely complex operation requiring expensive and highly sophisticated equipment.

Fourth. More young people must be recruited and trained in the fields of air traffic control and equipment maintenance.

Fifth. Air traffic congestion is caused not only by overcrowded facilities, but by airline scheduling policies which result in "bunching up" flights at certain times of the day.

Sixth. A major controversy exists over the safety aspects of existing noise abatement procedures.

Seventh. Bad weather seriously increases the burden on pilots, air traffic controllers, and airports.

Eighth. The advantages of fast, convenient travel by air are reduced as air traffic congestion increases.

Ninth. Little agreement exists on what must be done to insure improved air safety in the coming months and years, while there is unanimous agreement that more can be done.

Mr. President, I ask unanimous consent that this perceptive article be printed in the RECORD. As frequent air travelers, Members of Congress have a special interest in seeing that air safety is more than "a pure-luck system."

I believe a careful congressional study is needed in order to distinguish the myths from the facts. The former should be destroyed while the latter should serve as a basis for action.

Congress, the CAB, the FAA, the airlines, pilots, traffic controllers, and the American public—not just the flying public—have a vested interest in determining the question: What can be done to eliminate the luck and perfect the system?

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

PILOT'S EYE STILL A PRIME FACTOR AS DRIVE FOR AIR SAFETY WIDENS

(By Evert Clark)

WASHINGTON, May 13.—A Trans World Airlines plane and a business jet collide over Ohio and 26 persons die.

A woman in a Chicago suburb complains that her parakeet is trying to commit suicide in its cage because of jet noise.

An airline pilot following the Potomac River to spare Washingtonians a few decibels says noise detours endanger his passengers.

Severe weather and the rush hour tie up New York air terminals, and flights begin to back up all across the country.

A jet pilot, scanning the skies over Newark for light planes from nearby fields, likens it to flying through a flock of geese.

An Eastern Air Lines crew, departing from New York, miscalculates the height of an inbound Pan American jet because of an optical illusion. The Eastern plane makes an evasive maneuver from which it cannot recover and crashes into the Atlantic Ocean off Jones Beach, killing all 84 aboard.

Aircraft—small, medium and large, civil and military—make 200,000 flights a day in the United States. More than 99 per cent take off, fly and land safely. But by 1971, there will be 320,000 flights a day, and by 1975 there will be 400,000.

These are the problems of air traffic control. They are not critical now, but they have been in the recent past. And the explosive growth of civil aviation is forcing the experts to give them new attention.

Concern over air traffic control began 63 years ago, at the birth of powered flight, according to Gen. William F. McKee, the Federal Aviation Administrator.

A COMPLEX WORLD

"When the first plane went up, you didn't have a problem," he said recently. "As soon as you got the second airplane up, that was the beginning of the air traffic control problem."

Air traffic control is now a remarkably complex world of electronics and human skills in which the pilot's eye is still the prime tool for avoiding a collision.

It is a controversial field, bound up in politics, economics, the laws of physics—and such human frailties as a pilot's stubbornness, a controller's carelessness or a computer's confusion.

It cannot be discussed without discussing crowded airports, higher taxes, annoying delays—and a respectable safety record that is the envy of the world, but that could be better because it is not perfect.

COLLISIONS ARE RARE

Collisions are rare. There were 25 last year. None involved airliners, and most were at uncontrolled fields. Representative Harley O. Staggers, Democrat of West Virginia, who is chairman of the House Commerce Committee, said last month after investigating recent accidents that they were widely dissimilar in terms of geographic location, weather, time of day and type of aircraft. Mr. Staggers voiced the frustration of looking for a simple answer:

"It is appalling that there is no single problem nor single solution to the need for achievement of the highest degree of air safety."

Help is on the way in the form of improved technology, more men, and even air traffic control satellites. But to keep the safety record intact, much less improve it, more delays and restrictions are in prospect.

Meanwhile, the National Association of Government Employees, an aggressive union hoping to recruit more air traffic controllers, has charged recently that the nation's airways already are so undermanned and underequipped that flight is "at public peril."

NEW MEASURES SOUGHT

The aviation agency, which operates the airways, does not agree, nor do the statistics. But a series of interviews and visits to airport towers and control centers leaves no doubt that all concerned feel it is time to take new measure of the problem.

"Past experience concerning how fast we're getting into trouble is no indication of how fast we're getting into trouble now," Oscar Baake, the director of the aviation agency's heavily populated Eastern Region, said.

He did not mean trouble in the sense of imminent mid-air collisions, but in the sense that the traffic has suddenly begun to grow faster than the system for controlling it—a potentially dangerous situation.

Men on the ground began to help men in the air in 1919, when the International Commission for Air Navigation wrote rules advising each pilot to "give way to another to avoid collision."

RADIO TOWER IN 1930

In the late 1920's, flagmen at a few airports signaled pilots when it was safe to take off or land. By 1930, a radio-equipped control tower had been installed at Cleveland.

Robert C. Schwank, now assistant chief of the world's busiest tower at O'Hare International Airport in Chicago, refers to the 1930's as the "Hi, Lindy!" days.

"They used to give the late baseball scores to the incoming Capital and Eastern crews, and the crews recited poetry: 'Over the shoreline, feeling fine, what's the time?'

"We don't have much room for that now. It's a big business. The red scarf bit and the open cockpit are gone."

305 FEDERAL TOWERS

O'Hare is one of 305 Federal towers that together handled 44,952,806 take-offs and landings last year. There are 9,368 other airports, helicopter pads and control towers. The agency also operates 28 control centers along the flight routes. At the end of 1966, it employed 17,725 controllers, maintenance men and supervisors—more than double the 8,036 of 10 years ago. Six hundred new men have been requested for fiscal 1968.

On a clear spring morning recently, a reporter stood with Mr. Schwank in the O'Hare Tower and watched a young controller direct three takeoffs and one landing in 19 seconds. The mixture of light planes and airliners used three runways.

"In the next few minutes we'll have 16 or 17 departures, all westbound and all competing airlines," Mr. Schwank said. "If you're first or second in line, you're going to make Los Angeles on time, but if you're 17th in line, you're going to have to wait. We have to put an envelope of air between each two planes."

Approaching O'Hare that morning the pilot of a jet flight from Washington, D.C.,

had announced to his passengers: "Well, ladies and gentlemen, we're not going to stop up here completely, but we are slowing down quite a bit due to traffic. As usual, there are a lot of airplanes trying to get into the same place at the same time."

"Neither the passengers in the 17th plane to Los Angeles nor those on the incoming flight realized that the jams resulted from the way the airlines competitively "bunch up" the flights on the hour or half hour.

Mr. Baake, noting that Kennedy International Airport has 14 flights scheduled at 10 A.M. and 14 at 9 P.M., called this "basically wrong, since it is physically impossible for more than one aircraft to depart on the same runway at the same time."

By directing two steady flows of huge airliners to takeoffs and landings on parallel runways, set a mile apart, O'Hare can partially offset the "bunching," or as Mr. Schwank put it:

"We can bring two streams of metal into the shop at once." Eventually there will be three pairs of parallel runways—six streams of metal. This cannot be done at Kennedy, however, chiefly because of noise restrictions.

CLEAR APPROACH AT O'HARE

O'Hare is unusual in that geography, foresight and luck have left it with relatively clear approaches. Planes often can fly directly to a landing or directly out on takeoff. Rather than twist, turn and circle as the vastly more cramped New York air space requires.

Once a month, O'Hare's tower handles more than 2,000 flights in a day. Last Jan. 3, 105,000 passengers used the field and the average is 80,000 a day—about what Grand Rapids, Mich., handles in a year.

But O'Hare is now limited at busy hours, not by traffic control but by gatepositions at the terminal. Arriving aircraft sometimes must park briefly in an area that controllers have nicknamed "the penalty box."

Thus the airport itself can become the bottleneck. The experts speak of "airport strangulation," and a Federal task force is seeking solutions to it.

TEN MAIN AIRPORTS

"It may be the very thing that keeps the explosive growth from happening," David D. Thomas, deputy administrator of the F.A.A. and a former controller, said.

"The Richmonds, the Nashvilles, the Charlottes can take it. But one-half of our air travelers originate at 10 of our largest airports."

This is a problem that reaches far beyond the 10 per cent of American adults who fly regularly. Mr. Baake has warned that New York City, which has lost people and industries as the nation's population shifted westward, will increasingly realize how "inextricably interrelated" its economy is with aviation unless congestion there is relieved.

A control tower is designed by the aviation agency as a facility for the "safe, orderly and expeditious flow of air traffic." Controllers take their duties in that order. When it is necessary for safety, they simply slow down the planes.

HANDLES THE BUSIEST

"There is no pressure on me to shave the safety margin," James Boyle, head of the control center at Ronkonkoma, N.Y., said. The center handles the busiest airways in the world, in the Boston-New York corridor.

"The airlines are talking dollars and cents when they urge an end to delays," Mr. Boyle said. "But don't get any ideas that we compromise with safety—we don't.

"I have no compunction about keeping a guy on the ground. My problem begins at the airport. If I've got no place to put them, then they stay up there or they stay on the ground."

Yet the public, including the owners of 95,000 private business and pleasure planes, have the right to expect not only safety but "orderly and expeditious handling." Most, however, would like to see only the other man's flight subject to control.

IDEAL WEATHER LIMITED

Only 10 per cent of the 200,000 flights a day are made under air traffic control in ideal weather. But all high-altitude flights—cruising military, airline and business jets—are controlled. And when the visibility is low, "it is 100 per cent," Mr. Thomas said.

After 278 people died in mid-air crashes in two years in the late 1950's, 40 to 45 Congressional committees investigated air traffic control. The number of controllers has since been doubled. Millions of dollars have been poured into electronic aids and more into research, and more control has been instituted. Military, and civil aircraft control were merged when the Federal Aviation Agency was formed.

"Yet during that period of great expansion of the system, there was no comparable increase in total air activity," Mr. Baake said.

This plateau in the aviation growth curve gave legislators and administrators second thoughts. The pressure to expand decreased. About this time, budgetary restrictions resulting from the Vietnam war began. Aviation agency officials insist that these restrictions have not compromised safety, but that more expansion is now due.

"We have tightened our belts more than we would have to have remained comfortable," Mr. Baake said.

MORE WORK AND CARE

The safety record has been maintained in two ways, he said: "You slow down the entire system," and "you're asking the individual within the system to do more." This means more work and more care from pilots and controllers.

"From a standpoint of reliability on a second-to-second basis, few occupations are as demanding as that of the air traffic controller," according to Dr. P. V. Siegel, the Federal air surgeon.

He has written that psychological testing shows the controller to "possess a higher intelligence, greater self-discipline and self-control, a tough realism, greater conscientiousness and less anxious insecurity" than the general population.

"There are very few other jobs with so much guardianship," Dr. H. W. Withers, chief of the aviation agency's aeromedical services division, said.

GREATER RECOGNITION SOUGHT

The union controllers have demanded more recognition of this in negotiations. The agency agrees with them on some points. But Mr. Schwank believes most of the 87 men in his tower are "young and healthy," and adds: "There are strains and stresses in selling cars or working in a steel mill or working for The New York Times. You can get an ulcer, too." Nevertheless, he agrees that controlling is a new field, and "we don't yet know what it does to a human being."

The average age of a controller is 35 years. Most now are recruited "off the street" since there aren't enough service-trained men. The attrition rate is high for the first two years, but despite the tensions, it is very low after that. Mr. Schwank says the "make-it age" for a controller is from 23 to 32 because "if he's 33 or more, he can't make it with the eyes."

A PURE-LUCK SYSTEM

Controllers now want the option of full retirement after 20 years. Some say they feel they are "over the hill" soon after 40. The agency officially favors the 20-year option, but many older ex-controllers do not.

"I lean toward them on this," Mr. Boyle said. "My only question is whether they can afford it."

"It would be the best thing for the agency," Mr. Thomas said, "but I'm not sure I'm personally for it. I don't think it is necessarily good for people. It comes just as you get kids in college. It can be a traumatic experience."

Last week the aviation agency ordered liberalization of some work, pay and time-off regulations. It also authorized immediate recruiting and accelerated training of new controllers. The union took credit for these actions, saying it had achieved a "fantastic victory."

One controller charged that air traffic control now is "a pure-luck system." But, like other controllers who came to a Washington press conference last March, he came by air and he came from Boston, through the toughest air corridor of all.

In dozens of interviews, no control expert denied that luck is involved but they differed on its importance.

Joseph Maggiulli, a 34-year-old controller at the New York center said:

"You multiply what we do by the month, by the year—there has to be a lot of luck, the same as driving your car, except more so. Anybody who tells you different is a liar."

MONEY SOUGHT FOR RUNWAYS

Mr. Schwank, who began controlling air traffic 25 years ago, said: "We're not trying to throw the luck out the window, but we're trying not to depend on it even a little bit. We're not trying to depend on it at all."

What can be done to eliminate the luck and perfect the system?

"It's like beautifying America," Mr. Thomas said. "There is no single dramatic thing you can do." Given a choice he would put more money into runways, immediately.

General McKee, the agency's chief, said he would like to see, in this order: A collision avoidance device on every plane; the so-called alpha-numerics (for alphabet and numbers) radar system installed and working; adequate airports, and finally, "to have us fly every day and never have an accident—but I don't ever foresee that happening."

STUDY OF TRAFFIC NEEDS

The Radio Technical Commission for Aeronautics, an association of Government and industry aeronautical groups, has just issued a long-range study of air traffic needs. Essentially, it calls for more of everything—education, men, money, technology, and concrete.

The alpha-numerics system for the first time will make radar's magic eye three-dimensional. Without it, a radarscope does not record altitude and a pilot and controller must swap information by radio. But planes not under radio and radar control now and in the future, will remain faint, annoying and potentially dangerous blips on the radar screen.

Alpha-numerics also still has many electronic bugs and, like most automation, it has temporarily increased the manual workload, though it promises greater safety and productivity later.

By 1977, the highly automated National Air Traffic System—Stage B—will be in operation. Its computers will predict "conflictions"—any entry of one plane into another's block of airspace.

Collision avoidance systems also should have been perfected by then and may be cheap enough for even the Sunday pilots.

ALMOST ALL TO BE JETS

But by then, landings and takeoffs at federally-controlled towers are expected to more than triple, and controlled or Instrument Flight Rule flights are to climb from 5.2 million to 12.4 million a year.

Twenty-nine hundred of the 3,500 airliners will be jets—including 86 supersonic transports—and the private and business plane fleet will reach 180,000, with 8,000 of them jets.

These agency forecasts assume the system can absorb this growth.

"All our predictions say in little fine print, 'provided there are no restraints,'" Mr. Thomas said.

Lawsuits follow most accidents, especially collisions, and pilots, airlines, manufacturers and controllers can be the targets.

COULD MORE BE DONE?

"What we always get sued on is not whether we followed the book, but whether we possibly could have done more," Mr. Thomas said. It is this question that is rising to the surface again as it did 10 years ago.

"Nearly everyone who doesn't own one—Congressmen, editors and so on—say, 'Get the little planes out of way'," Mr. Thomas said.

But the Volkswagen has as much right to the turnpike as the bus or truck, as 95,000 small plane owners, many of them large corporations, vocally point out.

To Mr. Thomas, the air traffic control future looks as if it will have "more delays, more regulation—but not necessarily more direct control," more automation and a higher degree of safety.

In the meantime, it may be of some small consolation to air travelers that the rush hours and the most crowded areas are the least dangerous.

Conflictions, near-misses and accidents seem to occur most when pilots and controllers are relaxed—not when the heavy traffic "and the adrenalin are flowing," Mr. Thomas said.

FEDERAL APPELLATE JURIST LAUDS BILL TO PROVIDE CONGRESS WITH OFFICIAL ADVOCATE

Mr. HARTKE. Mr. President, on March 23 of this year, I introduced a bill (S. 1384) to provide the Congress with its own official advocate, a Congressional Counsel General. The basic concept, as expressed in several speeches I addressed to the subject, is to insure the Congress is able to speak in a unified, timely, and authoritative voice on issues that vitally concern the rights of both the Congress and the people we represent.

Since introduction, the response to the bill has indeed been gratifying. Endorsements have come from private citizens, lawyers, U.S. attorneys, Federal and State bar associations, academic leaders, and from Federal appellate jurists. This response from the judiciary is particularly gratifying as cases the Congress appears in must ultimately be decided by the courts. Endorsement by a judge who must deal with issues raised by this bill indicates a desire on the part of the judiciary to welcome into its courts all evidence and points of view that are germane.

Mr. President, the Honorable John R. Brown, soon to be chief justice of the U.S. Court of Appeals, Fifth Judicial Circuit, has written me a very interesting letter. His honor points out the needless fragmentation of the Federal sovereignty when the intent of Congress is presented by several different Federal agencies, all of which have a different interpretation. He further states that in this time of relentless and rapid change it is necessary to change oneself in order to remain up to date and, most important of all, remain effective. I believe that the Congressional Counsel General would be of help to the Congress in its duties of making the laws and seeing to it that they are executed in consonance with the intent of Congress.

Mr. President, I ask unanimous consent that Judge Brown's incisive letter be inserted in the RECORD. I further wish at this time to extend to him my congratulations on his impending succession to the chief judgeship.

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

U.S. COURT OF APPEALS,
April 18, 1967.

HON. VANCE HARTKE,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR HARTKE: I was complimented when you sent me your letter of April 5 with its extract from the Congressional Record and your splendid presentation of this very interesting proposal.

We have plenty of business in the busy Fifth Circuit, but we don't have nearly as much of your kind of business as does our Sister Court in the District of Columbia Circuit. Still, I can certainly see that in this evermore complicated world the need for special legal assistance to the Legislative Branch. The fact is things are changing so much the traditional time-honored notions simply don't fit any more. Were your proposal enacted, there would undoubtedly be the usual shake-down cruise, complications, conflicts, and clashes. But I would think they would work out. I would think one thing to be guarded against is putting the Courts in a position where more than absolutely necessary they may be required to choose between the voice of the Legislative Attorney General and that of the Executive Attorney General. Of course we have to do this now, but only rarely when, say, the Interstate Commerce Commission has one view, the Attorney General's Antitrust Division has another, the Secretary of Agriculture has still another, and the Supreme Court has to decide it on its own.

I shall follow this with interest.

As I succeed to Chief Judge and its attendant administrative duties in July 1967, I shall be in Washington from time to time. I shall make it a point to see you.

Sincerely yours,

JOHN R. BROWN.

THE SOCIETY OF THE SECRET EAR

Mr. LONG of Missouri. Mr. President, this week, the Senate Subcommittee on Administrative Practice and Procedure resumes hearings on S. 928, the proposed Right of Privacy Act of 1967.

One of our witnesses will be Mr. Jack G. Day, an attorney in Cleveland, Ohio, and president of the Association of Defense Lawyers in Criminal Cases. At a recent National Civil Liberties Clearing House Conference, Mr. Day spoke on the subject of wiretapping and eavesdropping. His remarks, entitled "Some Reflections on the Society of the Secret Ear," deserve the attention of my colleagues and I ask unanimous consent to insert, at this point in the RECORD, the remarks of Mr. Day.

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

SOME REFLECTIONS ON THE SOCIETY OF THE SECRET EAR

(By Jack G. Day)

"Eaves-Droppers, or such as listen under walls or windows or the eaves of a house, to hearken after discourse, and thereupon to frame slanderous and mischievous tales, are a common nuisance and presentable at the court-leet: or are indictable at the sessions, and punishable by fine and finding sureties for their good behavior." 4 Blackstone's Commentaries 168.

"The limitations of human hearing . . . diminish its potentiality for harm. Electronic aids add a whole new dimension to eavesdropping. They make it more penetrating, more indiscriminate, more truly obnoxious to a free society. Electronic surveillance, in fact, makes the police omniscient; and police omniscience is one of the most effective tools of tyranny." [Brennan, J., dissenting in *Lopez v. U.S.*, 373 U. S. 427, 466 (1963)]

DEFINITION OF EAVESDROPPING

In approaching this question, the broadest definition of eavesdropping is adapted to include all manner of undisclosed government interventions into the privacy of persons utilizing technical equipment whether it be telephone wiretapping, dial recorders, electronic bugging devices, recording equipment, sonic techniques, parabolic microphones, or any other device or technique allowing surreptitious intrusions.

COMMON CHARACTERISTICS OF ELECTRONIC SURVEILLANCE

Whether the technique of intervention is a telephone wiretap, a tiny microphone in a room (planted or on the person of an emissary), a spike in a wall, a detectaphone against a wall, sonic flooding, an extension phone, or directional parabolic microphone, there is a common element—the secret invasion of privacy.

In addition, the invasion, almost invariably, involves a general intrusion, as contrasted with the limited excursions permitted by the Fourth Amendment.

NO DICHOTOMY BETWEEN INDIVIDUAL AND PUBLIC RIGHT

Parts of the lay public especially—but not alone—debate the propriety of electronic eavesdropping in terms of the rights of the accused and the rights of the public to protection against criminals as though there were a sharp dichotomy of interest. In a society founded on the primacy of the individual there is no warrant for a presumed separation between individual rights and those of the "Public"—a nebulous entity more easily named than defined.

CRIMINAL DEFENDANTS ARE INDIVIDUALS ONLY CHARGED WITH CRIME

The "public", whatever it is, is not monolithic on any public issue. At best there are several publics of fluid membership and in every event made up of aggregations of individuals. Not all the "public" recognize a separation of interests between the individual defendant and society. Such "publics" know criminal charges are assessed against individuals. And any individual might find himself charged under the complex laws of this complex society. For them it helps perspective to remember that you, personally, could be in the dock.

And it will not do to solace a charged person with the assurance that his basic constitutional rights are being diminished or sacrificed to the interests of society. In this connection it helps to keeps matters straight if it is constantly recalled that we are discussing the rights of persons accused of crime. The distinction between accusation and guilt is a meaningful one. Hopefully, the distance between accusation and conviction is and will remain a long way.

PRIVACY: A SIZABLE HUNK OF LIBERTY

With these propositions for a backdrop the point of view of this paper may best be summarized in an observation by the late Justice Jerome Frank of the Second Circuit concurring in *On Lee vs. United States:*[1]

[1] 193 F. 2d 306, 315–316 (2 Cir. 1951).

"A man can still control a small part of his environment, his house; he can retreat hence from outsiders, secure in the knowledge that they cannot get at him without disobeying the Constitution. *That is still a sizeable hunk of liberty—worth protecting from encroachment.* A sane, decent, civilized society must provide some such oasis, some shelter from public scrutiny, some insulated enclosure, some enclave, some inviolate place which is a man's castle." (Emphasis added)

One need only add that the "home" does not exhaust the list of legitimately private places.

Such attitudes reflect a spiritual concord with Justice Brandeis' dictum that the right to be let alone is ". . . the most comprehensive of rights and the right most valued by civilized men".[2]

THE PUBLIC APATHY

If it can be assumed that most of us will accept the advantages of privacy for ourselves, why do we encounter such waves of apathy over the proposed "legislation" of eavesdropping and over the illegal surveillance that constantly goes on? One gets the impression when a former Attorney General of the United States and the Director of the FBI have a public exchange over who authorized eavesdropping the public shows more interest in the personal controversy than in the fact of the privacy invasion.

APATHY—ILLNESS OR FEAR OR HELPLESSNESS

Apathy toward known conditions that ought to alarm suggests either illness or a repressive fear or a sense of helplessness. Are there such conditions present now to explain the relative blandness of public reaction to existing and proposed privacy invasions?[3]

Indeed, there are. For nearly forty years this nation has lived in the shadow of war—perhaps the most pervasive activity of man to distinguish him from the apes to the apes' advantage. War necessarily is anxiety inducing and creates a willingness to stomach government action in ways and in areas otherwise unendurable. Modern war is tied to ideological conflict and it is not happenstance one of the exceptions to the right of pristine privacy most persistently advanced is for matters relating to the national security, especially subversion. I pass the fact that subversion is difficult of definition and that the effort to define is frequently by political and moral idiots.

THE PARALYSIS OF HELPLESSNESS

Another explanation of the general apathy to contractions of liberty rests in what Paul Goodman, in a perceptive essay in the New York Review of Books (11/3/66), has called "The Psychology of Being Powerless". That is, the "psychology . . . that history is out of control". The condition creates a chronic climate of emergency with a neurotic, delusional reaction from authorities. And, I suggest, from the members of the public as well. Thus, national security, the increase in juvenile delinquency, and the rising crime wave are used to justify all sorts of falls from constitutional grace. As the crises deepen the justification widens and the falls are longer.

The ordinary citizen—sensitive enough to his privacy, other things being equal—is overwhelmed by justifications which make other things seem not equal. Being distant from the decisional centers and unable to sift out truth from half truth and fancy—more likely than not—he stops trying. Naturally, the privacy invaders are encouraged.

THE BALANCE OF VALUES

These things account, at least in part, for apathy. However, there are still those who find the strength to balance anxiety, fear, and the chance for effective action with constitutional rights and still achieve a reading favoring the latter.

For them the literal reading of the Fourth Amendment posits certain inflexible conditions not prorogued by crisis. The Amendment flatly states the ". . . right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures."

Furthermore ". . . no Warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."[4]

EAVESDROPPING A SEARCH

If eavesdropping can be equated with a search of places for things, the portions of the Fourth Amendment which control the search of places and seizure of things are obviously relevant. And a search and seizure even with a warrant must have four components. These are:

(1) Reasonableness.

(2) Issuance for probable cause established on oath or affirmation.

(3) A particular description of the place to be searched.

(4) A particular description of the thing or things to be seized.

IS A LEGAL ELECTRONIC SEARCH POSSIBLE?

It is readily apparent that any effort to develop a legal warrant for eavesdropping, assuming the Fourth Amendment is applicable, will encounter some constitutional difficulties with requirements (3) and (4) and perhaps (1) on the ground that *generality is proscribed*. In any event, there is a tenable argument that an electronic search is incompatible with "reasonableness" because of its intrinsic secrecy and its inability to be particular.

THE OLMSTEAD CASE

Of course, all the problems of eavesdropping may be without constitutional consequence if *Olmstead v. U.S.* 277 U.S. 438 (1928) represents the current thinking of the Supreme Court, and *if*—a very big if—the *Olmstead* principle will be extended by the Court beyond its facts to include eavesdropping tactics other than telephone wiretapping. *Olmstead*, over classic dissents, simply avoided the Fourth Amendment by the flat declaration that in the use of taps "There was no searching. There was no seizing."

SECTION 605

Congress attempts to regulate wiretapping in Section 605 of the Federal Communications Act. If it was intended to nullify *Olmstead*, the section is so worded that the dimension of the intent is most ambiguous and the success even with Federal agents has been indifferent. Cf. Hoover, *A Comment on the Article*, "Loyalty Among Government Employees", 58 Yale L.J. 401, 405 (1949). And this despite the fact that the Supreme Court said in *Nardone v. United States*, 302 U.S. 379, 380, 383–385 (1937) that the Section 605 prohibition "No person . . . shall intercept and divulge . . . such intercepted communication . . . ." included Federal officers. And evidence acquired by them in violation of Section 605 was inadmissible.[5]

The actions of state officers have been less responsive to section 605 restraint. See *Schwartz v. Texas*, 344 U.S. 199 (1952); *Pugach v. Dollinger*, 365 U.S. 458 (1961).

RECENT EAVESDROPPING ISSUES IN THE SUPREME COURT

The briefest of sketches of the subsequent history of eavesdropping in the Supreme Court of the United States demonstrates the judicial uneasiness with the problem.

The Court has found, following *Olmstead*, no Fourth Amendment violation in official placement of a detectaphone against an office wall to pick up conversation in an adjoining office, *Goldman* v. *United States*, 316 U.S. 129 (1942); no invasion of Fourth Amendment rights in admitting conversation received by a Federal agent on a radio tuned to a transmitter concealed on the person of an informer who went onto the defendant's premises and engaged him in conversation, *On Lee* v. *United States*, 343 U.S. 747 (1952); and no constitutional impediment to the use of conversion heard surreptitiously on an extension phone with the consent of the subscriber, *Rathburn* v. *United States*, 355 U.S. 107 (1957). On the other hand, the Fourth Amendment is violated when the police drive a spike through an adjoining wall, hit a heating duct and turn a whole house into a giant microphone. The Court decried deciding basic constitutional issues by reference to real property trespass concepts. Nevertheless, the physical invasion seemed to be a major point of reference. *Silverman* v. *United States*, 365 U.S. 505 (1961).[6]

A very slight physical invasion will do, *Clinton* v. *Virginia*, 204 Va. 275, 130 S.E. 2d 437, 442 (1963) ("a thumb tack to hold the small device in place") rev'd per curiam in 377 U.S. 158 (1964). Later, utilizing the Sixth Amendment's right to counsel guarantee, the Court held evidence acquired in much the same fashion as in *On Lee* subject to a motion to suppress. Right to counsel considerations were relevant because at the time of the broadcast the defendant was under indictment, *Massiah* v. *United States*, 377 U.S. 201 (1964). See also *Coplon* v. *United States*, 191 F. 2d 749, 757–759 (D. of Col. Cir. 1951).

In *Lopez v. United States*, 373 U.S. 427 (1963), the evidence of a face-to-face conversation between the defendant and a federal agent and preserved by the agent on a tape recorder was held admissible to corroborate the agent. There were strong dissents, especially by Justice Brennan who raised such questions as whether the tape was not itself third party evidence. As such, it is impermissible because of the impossibility of confrontation and cross-examination. Very recently, the majority of the Court permitted itself a curious inferential sophistry by dwelling with obvious satisfaction on advance judicial approval of a taped face-to-face conversation, *Osborn v. United States*, 385 U.S. 323 (1967).[7] Intervention by an independent magistrate between the police and any subject of electronic surveillance is, of course,

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[2] Brandeis, J., dissenting in *Olmstead v. United States*, 277 U.S. 438 (1928).

[3] See *The Eavesdroppers*, Dash, Knowlton and Schwartz, Rutgers University Press, 1959: *The Intruders*, Senator Edward V. Long, Frederick A. Praeger, Publishers, 1967, for the extend and ingenuity of eavesdropping techniques.

[4] It is plain that words as well as tangibles are within the protection of the Amendment. See *Wong Sun v. United States*, 371 U.S. 471 (1963); *Silverman v. United States*, 365 U.S. 505 (1961).

[5] A defendant may not complain of the use of intercepted communications (to which he was not a party) to induce testimony by others. *Goldstein v. United States*, 316 U.S. 114, 122 (1942).

[6] The invasion of a public telephone booth is within the physical intrusion principle, see *United States v. Madison*, 32 L.W. 2243 (D.C. Ct. Gen. Sess. 11/18/63).

[7] The majority opinion specifically said that these circumstances do not render the recording surreptitious, p. 372. And the Court seems to embrace a new procedural standard when it states the issue at p. 329:

"The issue here . . . is . . . the permissibility of using such a device [recorder] under the most precise and discriminate circumstances which fully met the "requirement of particularity" which the dissenting opinion in *Lopez* found necessary."

(bracketed material added)

Maybe so, but not the particularity which the Fourth Amendment requires.

better present than not, but a magistrate's participation does not solve the problem of interpositions necessarily indiscriminate. Nor does it reach the confrontation and cross-examination issues which even face-to-face recordings may generate under the Sixth Amendment. Nor can the general search problem be resolved by suppression of all but the germane yield from the eavesdropping. Cf. *Osborn v. United States, id.* 330. Such a solution does not satisfy the policy reasons for protecting privacy.

Should electronic scanning be deemed responsive to the Fourth Amendment then *Mapp v. Ohio,* 367 U.S. 643 (1961), extends the response to state action. And Federal standards will determine minimal constitutional requirements. *Ker v. California,* 374 U.S. 23 (1963).

This abbreviated review of the ultimate appellate court's work in this area leaves for consideration other fundamental problems of proof—problems which have their most dramatic incidence at the trial stage.

THE APOTHEOSIS OF SCIENCE—A NEW GOD IN THIS CENTURY

Faith is not the business of religion alone and for more than a hundred years a gradual apotheosis of science has been going on. It is as much the God of this century as reason was of the Eighteenth.

The difficulties posed for a fair trial by the deification of science lie in the bogus, but pervasive, reputation of scientific investigation for absolute verity. Myths die hard. But it is simply not true that the instruments and procedures of science never yield an error. And science can be perverted. The coupling of theological certainty with a capability for manipulation poses terrible danger. It is widely contended that tape and film will not lie. True enough—but liars run, splice, erase, and stage or manufacture situations on both tape and film. Undiscovered or undisclosed tape or film "processed" or "handled" for the purposes of making a trial point raise virtually insuperable problems for the side which must rebut the scientific evidence. For example, the tape corroboration of one side's human witness renders a solo human rebuttal a testimonial farce. It is apparent then that if tape or film is to be used at all in a court room, the minimal conditions for such use are the development of techniques to insure probity.

The literal situations in which tape can be used, and manipulated, for evidential purposes, takes several forms[8] and each generates a train of constitutional issues.

A MULTIPLICITY OF FACTUAL SITUATIONS

The fact patterns which will characterize evidential problems generated by technologic eavesdropping include these:

(1) Face to face confrontation between the defendant and a revealed government representative who records the conversation.

(2) The same situation as (1) except that the defendant is indicted at the time.

(3) Face to face confrontation between the defendant and an unrevealed government representative who is either surreptitiously recording or broadcasting the conversation to another agent who is:

(a) Recording verbatim;

(b) Selectively recording;

(c) Simply listening.

(4) The same situation described in (3) except that the defendant is indicted at the time.

(5) Surreptitious intervention unknown to both parties to a conversation:

(a) by telephone tapping;

(b) by laser beam, sonic flooding detectaphone or other device not involving actual physical invasion in the usual sense characteristic of trespass.

(6) Surreptitious intervention unknown to both parties to a conversation but involving a physical invasion in the usual trespass sense i.e. by going on or "into" the premises to fix the device for the surveillance.

(7) Taking any of the actions implicit in (5) or (6) and

(a) Recording verbatim;

(b) Selectively recording;

(c) Simply listening.

(8) Surreptitious intervention as to one party to a conversation with the permission of the other:

(a) by recording a telephone conversation;

(b) by tapping a telephone line;

(c) by listening on an extension phone.

In determining the admissibility of the product of surveillance under the circumstances listed (these do not necessarily exhaust the possibilities), assuming a protected place,[9] the Fourth Amendment has application in some situations,[10] arguably the Fifth is controlling,[11] and the Sixth has blocked admissibility under certain conditions.[12]

It is unlikely that the majority of the court as presently constituted, with its sensitivity to physical invasion, will react any differently than it did in *Silverman* or *Clinton,* when the physical invasion involves a planted transmitter, sonic flooding a laser beam or vibrations transmitted into sound waves through a wall. However, the court may shift its emphasis to the "unreasonable" and/or "general" quality of the search in such physical invasion cases. This would avoid even the echo of the technical trespass concept in *Silverman* and at the same time would not strain the theory to encompass new technological developments.

Under any conditions the use of recordings or tapes of surreptitious interventions must stand the test of cross-examination and confrontation on the details of acquisition in order to test authenticity. The awesome "exactness" of science cannot be allowed a linkage with chicanery to irrevocably damn the accused. On the other hand an honest recording may provide sterling corroborating evidence for either side or clearance for the defendant.[13]

It must be remembered that the usefulness of a recording to safeguard a defendant can be nullified by erasures, non-disclosure of the recording's existence or by deliberate blurring. There is always the additional possibility of erasure and splice. This can be accomplished with fair ease by re-recording on a new record or tape with electric omissions. Detection of a professional acoustical splice is virtually impossible.[14] Obviously, the persons who generally know most about such recorded material's acquisition are prosecution witnesses.

FORECAST—"FLOOD CONDITIONS"

If constitutional development does not impede secret surveillance, privacy will have little defense from police excesses. Judicial control and subject matter *inclusions* will make little difference. History bulges with evidence that the police will not exercise self-restraint. The hostile reaction of so many judges to the expansion of exclusionary rules for the purpose of controlling illegal police action does not bode well for judicial restraint upon law enforcement officials unless there is direction from the Supreme Court of the United States. Subject matter *exclusions* are apt to be so broad that the rule against invasion will be widely ineffective. Only the most optimistic will have confidence that the expansive content of exceptions for national security, prostitution, gambling, or narcotics will restrict very much. Moreover, the general nature of an invasion of electronic or sonic encroachment will inevitably involve a search for evidence. This will introduce further difficulties. An evidential search is constitutionally forbidden and "probable cause", already an amorphous concept, acquires a new and formless dimension when the search it presumes to justify is not for specific things or persons in specific places.

THE FUNDAMENTAL ISSUE

After canvassing the possible factual situations which electronic surveillance may involve and the consequent legal difficulties, there remains a compelling sense that these problems are superficial manifestations of an underlying and fundamental policy struggle.

The most crucial issues in the eavesdropping controversy seldom reach an explicit stage. For the contestants, frequently, are themselves unaware of the full implications of their respective positions. The problem is not candor but *insight.* Hardly anyone who wants to "unshackle" the police would concede a desire to amend the Constitution to authorize unreasonable or general searches and seizures or admit approval of extended electronic excursions into privacy. The civil libertarians are just as confident that they are behind law and order in the highest sense and not coddlers of burglars.

In the final analysis the resolution of the privacy issue depends upon whether per-

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[8] From here on tape will be discussed without reference to film. Nonetheless, it is apparent that although there are immense differences in the two media (some of which may make film verity easier to substantiate) there is also enough in common to make obvious the point that many sources of abuse in one inhere in the other also.

[9] Cf. *Lanza v. New York,* 370 U.S. 139, 145–147 (1962) where conversations between brothers in a public jail were intercepted but the constitutional issue based on a "protected place" was not tendered because the conviction rested on a refusal to answer at least two questions unrelated to the interceptions. See also *United States v. Kahn,* 34 L.W. 2488 (DC SD NY 2/21/66) in which the use of a product of an electronic surveillance of a prisoner-attorney conference was permitted at the lawyer's trial. The prisoner had consented to the eavesdropping. The attorney was not under indictment at the time. Cf. *Smayda v. United States,* 34 L.W. 2214 (9 cir. 10/11/65) where photographic evidence procured by boring holes in the ceiling above toilet stalls was admitted. In *People v. Rial,* 34 L.W. 2422 (NY S. Ct. App. Div. 1/20/66) a planted tape recorder in defendant's hospital room yielded material used to refresh recollection of prosecution witnesses. Defendant's conviction vitiated. Hospital a protected place.

[10] E.g. situated (6) above, *Silverman v. United States,* supra; *Clinton v. Virginia,* 204 Va. 275, 130 S. E. 2d 437 (1963) reversed per curiam in 377 U.S. 158 (1958) (the "invasion" involved a thumb tack holding a microphone to the wall). Cf. the fact situation in *Irvine v. California,* 347 U.S. 128 (1954) where microphones were strung into a private home through holes bored in the roof.

[11] See Black, J. concurring in *Mapp v. Ohio,* supra.

[12] E.g. situation (4) above. *See Massiah v. United States,* supra; *Coplon v. United States,* 191 F. 2d 749, 757 (D C Cir. 1951), Brennan, J. dissenting in *Lopez v. United States,* supra, at 450 and *United States v. Coplon,* 185 F. 2d 629, 637–638 (2 Cir. 1950); cf. *On Lee v. United States,* supra but see the discussion of confrontation by Warren, C.J. dissenting in *Lopez v. United States,* id., 443–446.

[13] For example, would not a face to face inculpatory conversation under entrapment conditions nail down the entrapment defense for a defendant? However, as Justice Brennan pointed out in his dissent in *Lopez,* supra: ". . . Far from providing unimpeachable evidence, the devices lend themselves to diabolical fakery."

[14] See the report of Samuel Dash's experiments, *The Eavesdroppers,* supra, p. 368. Where the recording is accompanied by a human audition, the police have a choice between versions.

sonal freedom from official indignity is more valuable than organized government's interest in combating crime.[15] In fine, is a policemen in the bedroom preferable to a bookmaker in the neighborhood? The only affirmative answer to this question I have ever had came from a policeman's wife.

WEATHER MODIFICATION

Mr. MAGNUSON. Mr. President, the Federal Council for Science and Technology recently issued a report on the national atmospheric science program for fiscal year 1968. This report was prepared by the Interdepartmental Committee for Atmospheric Sciences. Donald Hornig is Chairman of the Federal Council, and J. Herbert Hollomon, Acting Under Secretary of Commerce, is Chairman of the Interdepartmental Committee. The preface to the report contains this statement:

Recent progress in weather modification has been the subject of intensive study by specially qualified groups and of legislation passed by the Senate last year. A special summary of the Federal support of weather modification in contained herein.

The Committee on Commerce authorized the legislation which the report mentions and which the Senate passed.

In the House, Chairman HARLEY O. STAGGERS, of the Committee on Interstate and Foreign Commerce, has taken the leadership in this effort by introducing a strong weather modification bill, H.R. 9212. I am hopeful that this year, legislation will be passed by both Houses of Congress.

Not everyone will have an opportunity to see the Federal Council's special section on weather modification; accordingly, I ask unanimous consent that it be printed in the RECORD.

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

WEATHER MODIFICATION

(Excerpt from ICAS Report No. 11, January 1967)

It is interesting to note today that the identification of and concern for Federal support of weather modification activities actually preceded similar identification and concern for atmospheric sciences research as a whole. In 1958 Public Law 85-510, which directed the National Science Foundation to initiate and support a program in the field of weather modification, also directed the Foundation to consult with agencies of Government interested in, or affected by experimental research in the field of weather control. An Interdepartmental Committee on Weather Modification was established by the Science Foundation to provide the needed consultation.

By the middle of 1959 several factors, including recognition that weather modification is closely integrated with and largely dependent upon research in all the atmospheric sciences, led to the reconstitution of this committee as the Interdepartmental Committee for Atmospheric Sciences (ICAS) under the Federal Council for Science and Technology. This formalized the interagency coordination in this area as within the Executive Office of the President and under the cognizance of his Special Assistant for Science and Technology as Chairman of the Federal Council. Weather modification activities were coordinated as part of the research program in the atmospheric sciences and given special visibility by the National Science Foundation through an annual Interagency Conference on Weather Modification.

In 1963, however, weather modification research was identified as a special category within the atmospheric sciences program. At about the same time the NSF's Fourth Annual Report on Weather Modification gave wide distribution to a comprehensive study performed by the RAND Corporation entitled, A Rationale for Weather Control Research. Among recommendations for increasing some specific areas of basic research, was one which called for at least one complete field experiment to test the efficacy of seeding orographic clouds.

The following year the Bureau of Reclamation, which in 1962 had initiated studies regarding the possibilities of orographic seeding, had its proposed program for FY 1965 increased by one million dollars by the Congress to conduct "weather modification research on orographic and convective weather systems." After considerable study ICAS recommended that a major investigation of the physical processes of orographic precipitation should be undertaken and asked the Weather Bureau and the NSF Advisory Panel on Weather Modification to make special studies and develop recommendations. The National Academy of Sciences established a special panel of scientists to examine all aspects of weather modification and the National Science Foundation established a special Commission on Weather Modification to recommend Federal courses of action.

It has been a year since the publication of the National Academy of Sciences-National Research Council Publication No. 1350, *Weather and Climate Modifications—Problems and Prospects* and the directly related report of the Special Commission on Weather Modification of the National Science Foundation, *Weather and Climate Modification*, NSF No. 66-3. Both reports represented extensive study by eminently qualified scientists and nationally recognized business and educational leaders.

Both reports recognized (1) the current capabilities in cold fog and cloud dispersal and in increasing precipitation approximately 10% under certain atmospheric conditions; (2) the current favorable prospects in lightning modification and hail suppression; (3) the current potential for productive research through numerical simulation of atmospheric circulation and processes, and changes therein; (4) the need for several large scale field experiments extending over 5 to 10 years to evaluate the effectiveness of seeding; (5) the need for intensification of research in the area of inadvertent modification; and (6) the need for the enlargement of civil research aircraft facilities to meet the needs of this intensified research activity. Both reports recommended immediate expansion of the basic supporting research in the atmospheric sciences. The Special Commission Report further recommended that responsibility for the development and test of weather modification techniques be assigned to a single agency.

Some reflection of the early acceptance of the conclusions reached in these two studies was seen in the modest rise in the Federal budget support of weather modification activities from about $7.1 million in FY 1966 to $9.1 million in FY 1967. Further extension of this support is planned for FY 1968—$13.8 million.

The direction and magnitude of the planned FY 1968 program described herein has been determined not only by the needs of the Agencies concerned to carry out their assigned missions, but also by the studies, analyses and recommendations of ICAS. These latter consisted of an analysis and evaluation of the Academy and Foundation reports by a Select Panel of ICAS, a review of the current and future plans of the agencies by the same Select Panel, and a further analysis by Dr. Homer E. Newell, NASA's Associate Administrator for Space Sciences and Applications, of these agency plans leading to the formulation of a National Weather Modification Program. The program that emerges proposes to accelerate progress in three significant areas; precipitation modification, hail suppression and inadvertent modification, each of tremendous national economic importance, and each giving promise of early returns on immediate investment of intensified research and experimentation.

The program also proposes a start in the direction of assigning major responsibilities in weather modification consistent with the Weather Modification Act of 1966 as passed by the Senate in October 1966.

In *precipitation modification* the Department of the Interior plans to expand its existing experimental field activities and conduct preliminary ecological, legal, economic and social studies. The development of special instrumentation including radar in the Department of the Interior's program will continue to be closely coordinated with complementing efforts in ESSA's Institutes for Environmental Research, the National Center for Atmospheric Research, and the Department of Defense. The Department of the Interior will continue to rely on ESSA for assistance with analyses and forecasts of storm types and the performance of special meteorological studies. ESSA will proceed with the development of and initial activities at an experimental site in the eastern United States. It is understood that continuing activities will be conducted jointly with the Department of the Interior.

In *hail suppression* both NSF and ESSA plan to commit considerable effort to implement their portions of a National Hail Suppression Plan being developed at ICAS request. National Science Foundation will support the development of specially oriented university research groups. ESSA will develop specialized instrumentation and analytical techniques. A formal coordinating mechanism will be established.

In *inadvertent modification* ESSA plans to expand its capability to monitor atmospheric CO_2 with the establishment of new stations at Boulder, Colorado, along the west coast of South America and in Antarctica. The activities at Mauna Loa Observatory including those concerned with large scale atmospheric diffusion will be expanded. Technique and equipment development will be supported jointly by ESSA and NSF. Both agencies will support increased efforts in the development of mathematical models of the circulation of the atmosphere.

In other areas the FY 1968 program continues existing efforts. The Department of Agriculture Project Skyfire will continue its increasingly successful efforts to identify and modify fire-starting lightning strokes, with support by NSF. ESSA and the Army will continue their coordinated efforts to evaluate the effects of chaff in convective cloud electrical fields. ESSA and the Navy will continue their joint Project Stormfury aimed at redistributing energy in hurricanes by cloud seeding.

In the area of fog and cloud dissipation a national plan for warm fog research is in the process of being developed at the request of ICAS by the Air Force for NSF and ICAS consideration. Meanwhile the Air Force and Navy are continuing experiments attempting to develop specific techniques. In the area of cold fog dissipation the successful techniques are being examined by the FAA, at the request of ICAS to develop a national

[15] See pp. 201-203, *The Challenge of Crime in a Free Society*, a report by the President's Commission on Law Enforcement and Administration of Justice, United States Government Printing Office, Washington, D.C. (1947).

plan indicating the Federal Government's role in this area and the need for further research.

It is important to note that weather modification research activities as identified by ICAS consist of—

a. Research involving intentional modification of any natural atmospheric process, motion, structure, or composition.

b. Research which does not directly involve intentional modification but is carried on with the *primary intent* to apply its results to category a. above.

Because of the primary intent aspects of the category b. definition, a portion of other research in such areas as physical and dynamic meteorology, and climatology will in fact contribute directly to the success of weather modification activities, but will not be identified. This is particularly true in the case of the basic meteorological research supported by NSF, NCAR, ESSA, Agriculture, the Department of Defense and AEC. Still other more general programs such as the meteorological instrumentation development programs of ESSA, NSF, and the Department of Defense, and the meteorological satellite programs of NASA and ESSA may well make significant, even vital contributions.

Allocation of Federal funding

[In thousands of dollars]

	Fiscal year 1966	Fiscal year 1967	Fiscal year 1968
Agriculture	140	140	180
ESSA	650	920	3,860
Interior	2,980	3,750	5,000
NSF	2,000	3,000	3,500
DOD	1,270	1,200	1,200
NASA	70	70	70
Total	7,110	9,808	13,810

AGENCY PROGRAMS

Department of Agriculture

Lightning Modification (FY 68—$180)—Project Skyfire will continue at approximately the same level of effort as in FY 67. Network of 30 forest fire lookout stations in Oregon, Washington, Idaho, Montana and Wyoming. Radar Surveillance by USWB and Forest Service stations near Missoula, Montana. Ground based generators and 4 A/C will seed storms. Analysis of seeded and unseeded clouds will be made in cooperation with Meteorology Research, Inc. of Altadena, California. Some expansion is planned in the analysis techniques relating types of discharge to storms. Prior year's funding assistance from NSF (approximately $70,000) will assist. Limited planning for expanding experimental areas will be continued.

Environmental Science Services Administration

	Fiscal year 1968
Precipitation modification:	
Great Lakes project	$250
Eastern precipitation project	664
Subtotal	914
Hurricane and local severe storm modification	950
Hail and lightning suppression	650
Inadvertent modification	696
Research flight facility	650
Total	3,860

Precipitation Modification.—The Great Lakes Project will be continued to determine the feasibility of redistributing snowfall relative to the shorelines. Cornell Aeronautical Laboratories will perform needed physical analyses and development of computer models, and cooperate with Penn State University in seeding experiments. State University of New York will conduct snow particle studies, measurement rates, wind vector analyses, and aerosol content studies.

The Eastern Precipitation Project will be a scientifically controlled test of the effectiveness of ground based seeding to determine the feasibility of augmenting or redistributing precipitation at an experimental site in the eastern United States. An aircraft seeding test may follow. It is planned that the project will be conducted jointly with the Department of the Interior. Project design, to include assessment of downwind effects, will be completed during FY 1967.

Hurricane and Local Severe Storm Modification.—Project Stormfury aimed at redistributing energy in hurricanes by cloud seeding will be continued and expanded as a joint ESSA-U.S. Navy effort. Seeding of tropical cumulus will also be resumed and expanded jointly with the Naval Research Laboratory to explore the natural development of the ice phase in these clouds. The development of mathematical models of hurricanes and local severe convective storms will also be intensified.

Hail and Lightening Suppression.—Strong support will be given to the developing National Hail Suppression Plan with major ESSA emphasis on clarification of modification concepts and the development of analysis methods. Efforts will include hailstone collection and analysis with mobile laboratory, intensive aerial probing of hail producing cells, and the development of specialized instrumentation such as radiometers and radar. The joint effort with the Army to develop and test the effectiveness of the chaff technique will be continued.

Inadvertent Modification.—Emphasis will continue on the monitoring of atmospheric CO_2 including the establishment of new stations at Boulder, along the west coast of South America and in Antarctica. Technique and equipment development will be jointly supported by ESSA and the NSF. Other projects will involve resumption of ozone soundings, measurement of changes in surface albedo and studies of the effect of pollution on the concentration of freezing nuclei.

A major effort will be made to increase the facilities and expand the program at the Mauna Loa Observatory aimed at studying large scale atmospheric diffusion and the role of the subtropics as a sink. Planned activities will include programs in chemical analysis, atmospheric electricity and radiation measurements supported by improved automatic-data processing and mathematical modelling.

Research Flight Facility.—One light twin research aircraft will be procured to support all areas of weather modification. The present B-57 will be modified to improve operating range, and instrumentation in it and in the two DC-6's will be improved.

Department of the Interior

	Fiscal year 1968
Experimental field activities	$3,735
Research studies	525
Planning and program definition	60
General program support	680
Total	5,000

Precipitation modification ($5,000).

Experimental Field Activities

Western South Dakota—develop beneficial weather modification procedures and techniques for the Northern Great Plains, cloud physics studies, computer modelling, climatology and instrumentation development.

Wyoming—seeding experiments with cap clouds for determining seedability criteria and evaluation.

Nevada—in cooperation with MRI's Flagstaff project development data acquisition and real time display systems, instrument development, cloud physics experiments to determine particle growth, dry ice seeding to obtain "standard value" for evaluation of these materials.

Utah Wasatch—methods to produce, detect, measure, and evaluate precipitation modification, development of telemetry instrumentation.

Colorado Park Range—studies of natural nuclei diffusion and precipitation characteristics, instrument development particularly with power spectrum.

Flagstaff—cloud seeding experiments determining plume characteristics and measurement, seeding, material testing, real time data collection and display development, bouyancy effect studies.

Southern California Sierra—development of weather modification techniques for Southern Sierra region of California, joint seeding coordination and evaluation with commercial operators and other research groups.

Washington Cascades—develop procedures and techniques to shift precipitation across the Cascade Range from areas of excess to areas of deficit.

New Mexico—develop techniques to augment precipitation in Upper Rio Grande Basin.

Montana—field investigation of downwind effects of artificial nucleation over orographic barriers.

Northwest Oregon—preliminary planning studies.

Oklahoma—preliminary planning studies.

Research Studies

Evaluation of seeding effectiveness using stream flow data.

Evaluation of results of Swiss hail suppression experiments.

Laboratory studies of the effect on silver iodide smoke of passage through a warm cloud.

Test of a cloud seeding evaluation method based on an experimental design proposed by Dr. G. P. Wadsworth of MIT.

Analysis of data from commercial projects to determine possible downwind effects of seeding projects.

Ecological, Legal, and Economic and Social studies to be performed by in-house groups including the new Office of Ecology.

Analysis and forecasts of storm types and associated meteorological studies.

Development of seeding materials and techniques, studies of condensation nuclei, and testing of seeding devices in Kern County.

Planning and Program Definition—leading to development of suitable experimental areas, concerning water availability and associated general considerations.

General Program Support

Snow course readings, instrumentation development (snow pillows).

Stream flow measurement, instrumentation development.

General instrument development and radar modification.

General program management.

Program Assistance and Coordination Activities

NCAR is actively assisting in the development and modification of radar equipment.

Continual consultation is maintained with ESSA's Institutes of Environmental Research to insure that instrument developments of each organization are mutually supporting. The technical libraries of ESSA in Boulder and Interior in Denver have been opened to both organizations. It has been agreed that Interior emphasis will be on the practical aspects of precipitation modification; ESSA's on the broad aspects of all facets of weather modification.

National Science Foundation

	Fiscal year 1968
Fog and cloud modification	$300
Precipitation modification	1,400
Hail suppression	700
Lightning modification	200
Severe storm modification	300
General circulation	300
Socioeconomic and related studies	300
Total	3,500

Complementing this program support, given mostly to university groups, NCAR is performing much directly supporting basic research in such areas as mathematical modelling, cloud physics and assistance to university groups.

Fog and Cloud Modification.—The national plan for warm fog research being prepared by the Air Force cannot be funded or become operational before FY 1969. FY 68 funding will initiate development of the research tools needed to implement the field project and to perform the detailed planning and field site preparation.

Precipitation Modification.—Existing university and commercial groups will be supported in the testing of laboratory results in the field, including the development of new observational techniques and the replacement of obsolete and worn surplus WW II equipment with modern equipment of high accuracy and reliability.

Hail Suppression.—Several new research groups will be developed and supported through existing university and commercial groups to provide a broader base of talent for field experimentation.

Lightning Modification.—Existing university groups with talent in this area will be supported in detailed studies of thunderstorm structure as it relates directly to lightning formation.

Severe Storm Modification.—Continuing support of competent university groups to refine and enlarge the mathematical models of the natural phenomena involved, generally on a mesoscale.

General Circulation.—Increase support of competent university groups in the development and refinement of mathematical models of the circulation of the atmosphere. Emphasis will be on improving understanding of problems such as inadvertent weather modification on a regional scale resulting from the growth of urban areas; i.e. the incorporation of air pollution and urban heat factors in the general circulation models.

Socio-Economic and Related Studies.—Several study groups supported in FY 1967 will be continued in order to develop social, economic, legal and biological models which will then be tested by field surveys and experiments to determine the prediction capability.

Department of Defense

	Fiscal year 1968
Fog and cloud modification	$900
Severe storms	200
Lightning suppression	100
Total	1,200

Fog and Cloud Modification.—The Air Force plans the development of a new drop size (5–100u) device, the improvement of instrumentation for condensation nuclei measurements and the development of a warm fog experimentation site. The Army plans to continue field experiments testing liquid propane and CO_2 capability for cold fog and cloud dissipation including the development of operational systems and associated instrumentation. The Navy plans considerable instrumentation development including measurements of humidity and vertical velocities in clouds, and the development of computer models of cumulus convection and for engineering weather modification experiments. Development of a network for warm fog experimentation is proceding in a cooperative effort with the Forest Service. Both the Army and the Navy are preparing analyses of the susceptibility of specific areas world wide to weather modification operations.

Severe Storm Modification.—The Navy plans to continue its joint effort with ESSA in Stormfury including the development of improved seeding agents and dispensers.

Lightning Suppression.—The Army plans to continue its experiments to develop and test the capability of chaff to prevent the development of high electrical fields in and around convective clouds. This will continue to be a joint effort with ESSA.

National aeronautics and space administration

Fog and Cloud Modification (FY68–$70).—The work of the Cornell Aeronautical Laboratory will be continued consisting of laboratory investigation of warm fog dispersal by electrification principles, evaluating the concept for preventing radiation fog and correlation of daily nuclei measurements with prior year's data.

EXTRADITION OF FRANZ PAUL STANGL

Mr. KENNEDY of New York. Mr. President, the Supreme Court of Brazil is currently considering requests by Austria, West Germany, and Poland for the extradition of Franz Paul Stangl, who commanded the Nazi death camps at Treblinka and Sobibor in Poland during World War II.

I would respectfully urge that one of the extradition requests be granted. Documents before the Brazilian court indicate Stangl's involvement in the slaughter of hundreds of thousands of Jews, Poles, and other Eastern European people at Treblinka and Sobibor. He should, therefore, be extradited and tried so that justice may be done. Poland, where the death camps were located, would appear to be the most logical place for the trial to take place.

The United Nations General Assembly recommended in a unanimous resolution in 1946 that its members arrest remaining war criminals and "cause them to be sent back to the countries in which their abominable deeds were done, in order that they may be judged and punished."

That resolution is most instructive here, and I hope that the Brazilian Government, which has traditionally been extremely protective of the rights of minority groups, will take appropriate action in this case.

Mr. President, there has recently been published in this country a book called "Treblinka," by the French journalist, Jean-François Steiner. The book graphically describes the horrors of Treblinka, meticulously collecting the facts into a chilling volume. Last Sunday's New York Times carried a review of the book by Saul Maloff, in which the role of Stangl is mentioned. I ask unanimous consent that it be inserted in the RECORD at the close of my remarks.

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

THE TECHNICS OF SLAUGHTER

("Treblinka." By Jean-François Steiner. Preface by Simone de Beauvoir. Translated by Helen Weaver from the French, "Treblinka." 415 pp. New York: Simon & Schuster. $5.95.)

(By Saul Maloff)

Genocide, like everything else, can be conducted well or badly; like any artistic problem, it is a matter of craft and technique. The failure to understand this leads to no end of confusion and unnecessary grief. The technicians of the Final Solution—the really good ones, that is—understood this instinctively. They were no ordinary bureaucrats.

Of course the applied or mechanical arts had to be served. In the first place, there were certain mathematical problems—of a low order, true, but still problems to be solved. Take a fairly routine brainbuster, for example. Sometimes, especially when there was a shortage of available trains—as during the Stalingrad campaign—there were more "heads" bound for the gas chambers than there were cattle cars to transport them in. At Treblinka, anyway, the cars, which were programed to carry 100 heads in normal periods of "production," were compelled, at times of intense pressure, to increase "output" to carry as many as 150. Now, say 20 cars were available. Well, 150 Jews times 20 cars equals 3,000 heads destined for 13 gas chambers with 200 places each.

Although you have spotted the snag by now, let us continue. Thirteen gas chambers with 200 places each equals 2,600 places. Four hundred in excess! These and other inventory problems were worked out in due course, by men who were pragmatists to their fingertips.

It is wrong to suppose that the blueprint for the holocaust was perfect in every detail in advance of the occasion. Not everything could be anticipated, not even by the Nazis, given the perversity of people, especially of Jews.

Take another problem. The death camps, as we know, were intended, like some mordant Dada joke, to be self-devouring, self-liquidating—to disappear from the earth, once their mission had been accomplished. Or rather to be returned to the earth—plowed up and smoothed over and restored green and flowering and unviolated to their original state of nature, so that no one would be left to bear witness and no one would ever be the wiser. Treblinka, having exterminated the Jews of Warsaw and any others fed into its maw, would itself be exterminated.

There had been a small mishap, to be sure: the uprising of the Warsaw Ghetto—unruly, disorderly and unexpected—had upset the timetable somewhat; but the technicians made appropriate adjustments in their plans and proceeded as usual. Treblinka, having begun modestly, expanded its facilities; and having decimated its quotas, imported inventory from the far corners of Europe—making room, even, for gypsies who happened to be passing by.

By the summer of 1943, one short year after it came into existence, Treblinka's 50 acres were a necropolis for 800,000 Jews—nothing compared to the grandeur of Auschwitz; but, in its own class, exemplary. Höss, the Commandant of Auschwitz, was contemptuous of Treblinka; but that may be discounted as a virtuoso's hubris. Himmler himself came on a tour of inspection, nodded approvingly, is said to have smiled even, the highest praise from a man who smiled seldom; and ordered it—once its mission was accomplished—to terminate. Treblinka, like a gorgeous butterfly, would, at the brilliant zenith of its brief glory, perish.

Now back to the problem. Earlier on, the means of extermination had been primitive: before the chemists hit upon the perfect gas (by the rudimentary standards of the time, it need hardly be said), the Nazis and their Ukrainian underlings used perfectly ordinary methods: bullets, the whip and club, the gallows, starvation, imperfect gases—things anyone might have thought of. The bodies had been laid away, like untidily stacked cords of wood, in ditches. The terminal problem was a tough one—a real mettle-tester: the extinction of every last trace of 800,000 corpses (the figure was in a way larger, if you consider that many were dismembered), along with the camp itself.

Cremation, obviously, you might say; but try as they might, and did, the technicians, who were, after all, only men like you and me, couldn't find the right combination. Gasoline was expensive and scarce; timber

was in short supply; Jewish flesh, like the flesh of Bonzes, burns terribly slowly; and time was of the essence. The camp commandant, the genius of Treblinka, who had created it almost singlehandedly out of next to nothing, knew, briefly, the taste of despair. Franz Paul Stangl lives in Brazil now (whence four nations are seeking to extradite him), a simple, unassuming, obscure mechanic at the Volkswagen factory there (a family man with a wife and two children); but once things were different. His was a name to be reckoned with.

He had a reputation to protect and enhance; and now, just as he stood on the threshold of his immortality under the smiling aspect of Himmler, Stangl, an SS officer who had ascended from the ranks by virtue of his gifts as a production engineer and traffic manager, found that all his know-how availed nothing against the slow burning of Jewish flesh. Shamefacedly, he had to call upon Berlin to send him their best burningman.

It turned out there was nothing to it. Some flesh burns better than some other fresh—old flesh better than young, female better than male, with children somewhere in between; it was that simple. Old ladies burned best. Accordingly, the technicians stacked them right this time, and burned them fast. "Output" picked up wonderfully.

It is impossible to go on this way, making phases and clauses out of unutterable obscenities. Jean-François Steiner, as he must, builds his narrative history of the rise and fall of Treblinka out of such materials, painfully piecing together the thousand fragments gleaned from the camp's oral traditions and the testimony of two-score survivors, the prudential Germans having destroyed all the records they had so assiduously kept. And Steiner, who was a child when his father and many members of his family were deported from France to the death camps, omits nothing, as if to omit the "smallest" detail would be to betray the solemn duty reposed with him by the dead.

Inconclusiveness is made thereby an inescapable moral obligation, as it is also the obligation of the comprehensive historian, the archivist; but whether it is consistent with the art of narrative is quite another matter. Possibly, critical categories are simply not relevant in dealing with the holocaust, are beggared and made to seem frivolous by the overpowering magnitude of the event. As with a sacred test, everything must be included; it is a holy obligation; each nail in the coffin must be recorded, and there must be no end to it. The count must go on, the roll taken, the deeds recorded long after everyone has stopped listening—as indeed everyone has; long past the time when some semblance of response was still possible. Then it must begin again, for there can be no release.

But Steiner's book is not only a mournful catalogue of the dead; it is not even essentially that; it poses problems of another order. "Treblinka" is a tale, not of defeat, but of triumph; not of extermination but of vindication and transcendence—at least in intention: an answer to the sabra's unbearable, furious and unforgiving question to their elders: How could it have happened? How could the Jews of Europe have gone to their slaughter like six million lambs, with hardly a shot fired, a Nazi throat ripped, a skull shattered? In his attempt to account for this unfathomable mystery, Steiner, apparently feeling, and rightly so, that mere history will not serve, repairs to the modes of narrative—a kind of fictionalized history; and in choosing this method, he must submit to other criteria. By those, he fails; he makes indifferent fiction of history's starkest event. History and art diminish rather than intensify each other.

If we can bring ourselves to regard the holocaust as material for art, if we can for one moment permit ourselves to indulge that monstrous prospect, however much we think it a desecration, then we must allow that Treblinka provided truly incomparable opportunities for high art. Concurrent with the extermination, a mood of revolt was developing in a handful of men, though never more than a relative few of the camp's "permanent" population of a thousand, those selected for their strength and willingness (eagerness, in some instances) to administer the will of their masters.

"Kurt Franz" (the Stangl "character"—only the names have been changed) was no simple killer. He was a physician of souls, even an artist *manqué*. (In fact he had once studied music—with a Jew, of course—in the hope of becoming a professional.) His manifest objective was to create a new breed of men—"perfect slaves" who upon their own initiative undertake to carry out the master plan of their universal death. Stangl wanted "good" slaves.

About the Judenrat—the privileged Jews who lived rather well on small favors—we already know as much as we can bear. The others, most of them, yielded to Franz's strategies of "moral disarmament," about which we have been instructed by such works as Bruno Bettelheim's "The Informed Heart": the ingenious processes of attrition, corrosion, corruption, dehumanization by which men were made wholly malleable, ready to do anything so long as it was not done to them, or not all at once, or not immediately. To achieve his end, Franz knew he had to induce what amounted to mass psychosis—the impossible belief in the face of clear and overwhelming evidence to the contrary that there was some hope that if one would only comply perfectly, he would remain the last man alive.

All this took art in both the figurative and the exact sense—creative imagination. Like any other artist, Franz took infinite pains. He wanted not only good slaves but happy ones. To create the impression that Treblinka was a place, not just a gas chamber, in fact a congenial spa set in attractive countryside, he could not allow the trains to deadend amidst the weeds, as they did.

He had a delightful station painted, complete with trompel'oeil doors and windows, in gay and pleasant colors, along with charming directional signs and a wooden clock remarkable for its verisimilitude, which read an eternal 3 o'clock. For the supreme touch, he laid in real flower beds; the whole scene resembled, Steiner reports, "a pretty station in a little provincial town."

To complete the ghastly theatrical spectacle, Treblinka was transformed into a model medieval fortified town. Genocide had become, in its consummation as art, sheer *kitsch*—bad art of the Teutonic variety: sentimental, pretty, lachrymose, cloying, nostalgic, *gemütlich*—a stage setting for Viennese opera.

Predictably, "Treblinka" exacerbated Jewish feeling upon its publication in France, in a way reminiscent of the shocked outrage over Hannah Arendt's "Eichmann." Steiner had dared to say that not all Jews were Maccabees and Bar Kochbas; that some cravenly betrayed their people; that the heroism of the Warsaw Ghetto was in scarce supply elsewhere; that the fatalistic or God-intoxicated *shtetl* Jews who were systematically brutalized and unmanned by the Nazis' demonic science were hardly capable of acts of splendor and gallantry.

For Steiner, that some Jews could revolt at all is the true miracle. But his French denouncers didn't wait to finish the book before writing their vituperative press releases and Steiner may expect more of the same here. The intolerable point is this. There is no way of "understanding" Treblinka and Steiner's attempts at an account acceptable to reason are no more adequate (though they are more admirable) than those of the official apologists.

Perhaps it is beside the point to fault Steiner's awesome book for failing to bring the dead back to imagined life on the printed page, or making great drama of their extinction. When there was nothing left to hope for, the Jews revolted, killed some Nazis and Ukrainian Fascists, and fled to the forest. Of the 600 who escaped, only 40 were still alive when the Red Army arrived a year later. The others had been destroyed, one by one, by Polish peasants, partisans of the Armia Krajowa, Ukrainian Fascist bands, deserters from the Wehrmacht, the Gestapo and special units of the German Army. The survivors are still alive to bear witness to Treblinka.

Perhaps that is the final meaning of the holocaust—to bear witness. Perhaps some events in human history can never be transformed into art. Perhaps they must remain permanently unassimilable, absolutely and ultimately resistant to the imagination—the occasion, solely, for endless, numb repetition, a permanent memorial for a perpetual day of awe. We are meant to exult in the revolt. We cannot. There is no catharsis, nor can there ever be. The final pathos and tragic irony of Steiner's terrible chronicle is not of his making. Instead of leading us back to the wisdom of the Jews—a beautiful, foolish faith in the divine fires in man and in the Messianic hope of deliverance—Treblinka, and all the literature of the holocaust, leads us back to the wisdom of the Gentiles, to a radical pessimism about human nature itself.

A NATIONAL FARM DAY

Mr. YOUNG of North Dakota. Mr. President, in the "Farmers Forum Section" of the Fargo Forum for Friday, May 12, published at Fargo, N. Dak., appears an article entitled "Why Not Set Up a National Farm Day?"

We have very appropriately established Labor Day in recognition of the great contributions labor has made and makes to our economy and society. Farmers are an equally important segment of our national economy. They produce the food and fiber that is the key to sustaining life. They work longer hours than any other major segment of our economy and for less income.

Farmers are so efficient that though their numbers have declined more than 50 percent in the last 20 years, the production of field crops has been doubled or tripled. This same efficiency is reflected in the production of almost every other agricultural commodity.

It is a widely acknowledged fact that the American consumer pays less for better food than any other consumer in the world. In fact, in 1966 it only required 8 hours of work a week to purchase the food requirements of the average American family. This is far less than in any other country of the world.

Farming is a business that involves more risk than any other major industry. A hailstorm can destroy a farmer's crop in a matter of minutes. His crop can be totally destroyed by plant diseases such as rust in wheat. Insects have plagued farmers from the beginning of time. A crop can also be lost completely through drought or many other natural hazards.

The accomplishments and contributions of American agriculture are many. The excellent article on this, written by

the farm editor of the Fargo Forum, Mr. Alf Olsen, presents a very powerful argument for the establishment of a "National Farm Day" which would recognize our country's farmers as labor is recognized by Labor Day.

Mr. President, I think so highly of Mr. Olsen's suggestion that I am seriously considering introducing a bill which would establish such a day. I ask unanimous consent that this article written by Mr. Alf Olsen be included in the RECORD as a part of my remarks.

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

WHY NOT SET UP NATIONAL FARM DAY?

(By Alf T. Olsen)

Why not a "Farm Day?"

I realize that it's a little late. But with everyone and everything else in the United States having a special day or week, isn't it about that time that the nation's farmer was recognized with a day of his own?

We have Labor Day, Law Day, Mother's Day, Father's Day, Memorial Day, Thanksgiving Day, Ground Hog Day, Columbus Day, Flag Day, Arbor Day, etc. The list is almost endless, and when you add the special weeks it is endless.

This could well be used as the best argument against another special day—there are too many of them already. But actually there are relatively few special days that mean much to the general population today.

Setting aside one day each year as Farm Day could focus the attention of the entire nation on one of the most important segments of the nation's economy—agriculture.

Without agriculture and its capacity to produce food in abundance—and of high quality—the United States would not today be considered a world leader.

It is ridiculous to assume that we as Americans would be able to maintain this position of world leadership without the farmer. Millions throughout the world owe their lives to American agricultural know-how.

The fact that the average American is better fed, better clothed, and better housed, is almost directly attributable to agriculture.

Yet, when a voice is raised on the farmer's behalf there are cries of protest . . . from housewives who say that food prices are too high . . . from businessmen who say that farmers get too much from the federal government . . . from city dwellers looking enviously at country living.

Some of these criticisms are no doubt justified—but not at the expense of the farmer. Often as not they can be laid on the doorstep of the ambitious politician or government bureaucrat, seeking to perpetuate himself in office or job.

To recite recent statistics on the decline of farm income and the increase of farm production costs is almost a useless task these days. Again and again, farm-state newspapers, farm magazines, farm organizations, etc., have pointed to the inequities in today's farm income when compared to the rest of the economy.

Why do farmers stay on the land?

Why does the sun rise in the East?

Perhaps farming is destined to make its exit as a way of life in the United States. Recent trends certainly indicate that this is a distinct possibility.

However, the history of collective farms—government operated—in the Communist countries of the world, should warn us that this type of mammoth-scale farming is not the best. Communist governments have retrenched in their collective-farming efforts and are permitting the individual farmer to have his own piece of land . . . to work for himself, not the benevolent central government, or the large corporate operator. In many instances, without this individual production, a shortage of certain foods would develop in the Communist countries.

Recognition of the farmer's contribution to our well-being is long overdue.

There have been sporadic attempts to recognize the importance of our natural resources by civic and private groups, and by private agencies. None of these have gone very far.

What's needed is one day in the year—much like Labor Day—when the nation pauses to recognize the importance of the farmer to our continued existence. Some may suggest Thanksgiving Day as already recognizing much of what has been said here. It just doesn't fit the bill.

There should be national legislation establishing Farm Day as a legal holiday throughout the land.

It could be in the spring when our agricultural abundance first emerges . . . it could be in mid-summer when the farmer's handiwork is profusely demonstrated . . . or it could be in fall as the harvest machinery begins to roll across the land.

It really doesn't make too much difference when Farm Day is. What's important is that farmers should be recognized—and perhaps in that way some of the truth about farmers will become a fact and not fiction from some urbanite's guesses on how the farmer is faring.

Why not a Farm Day?

AMERICAN BUSINESS THROUGH ITS BUSINESSMEN'S PEACE CORPS HELPS OUR FRIENDS ABROAD

Mr. HARTKE. Mr. President, in the May 1967 issue of the Kiwanis magazine, appears an article explaining the philosophy, operations and projects of the International Executive Service Corps, or IESC, as it is known.

In this era of continual denigration of Americans abroad as being grasping and self-serving, I should like to take this opportunity to indicate that the "Real American" is definitely not an "Ugly American." Here is clear evidence of dedication, service and harmonious association with friends abroad on the part of volunteers in the IESC. These top-flight executives are demonstrating that America is willing to share its know-how with developing nations and has evidenced substantial success in all areas of business management, whatever the product or service.

Mr. Frank Pace, president of IESC, is quoted in the article as saying:

> It is highly gratifying to discover how many successful American businessmen will freely give of their effort and experience to help strengthen free enterprise in the developing nations.

Mr. President, I am proud to have helped start this program and to view its present successes. I have seen tangible evidence abroad of this sharing of American business techniques and technology. This program is an unqualified success, as is most everything to which American business puts its hand. It is a success because of sound planning and implementation by dedicated professionals in their respective fields. I urge close reading of this article by all, but especially by my colleagues, as this is an example of the kind of success that could be enjoyed by all our aid programs.

Instance after instance of success is outlined in this article, and I ask unanimous consent that this well-deserved recognition of the "Real American" be printed in the RECORD.

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

RETIRED CONSULTANTS ABROAD—RETIRED U.S. EXECUTIVES ARE DOING CHALLENGING AND USEFUL WORK FOR THEIR COUNTRY AS CONSULTANTS TO BUSINESSES ABROAD

(By Duane Valentry)

Carl Anderson and his wife, Edith, were finally taking that trip they had promised themselves. Carl had shortly before retired after forty years as an executive with the A & P Food Stores, and the couple were on a plane bound for Maracaibo, Venezuela.

This was no pleasure trip, however. Carl was now a consultant in the food industry, and had agreed to go to Maracaibo as an International Executive Service Corps volunteer to help out a supermarket chain that was having difficulties. While Anderson makes $250 a day as a consultant, in Venezuela he would work for no salary, and the company he was advising would pay only his expenses.

At Caracas Carl stopped off to get the thinking of a group of men he knew well—suppliers. "Simply by talking to them and exchanging ideas," says Carl, now back home, "showing that we had an interest in their problems too, we were able to get a better deal for the grocery chain."

Today scores of Carl Andersons are acting as volunteers for IESC as short-term consultants for privately owned business concerns in newly developing nations. To fill these jobs, IESC draws upon retired American business executives with general or specialized management experience or mid-career executives who want to broaden their experience. A private, nonprofit organization directed and managed by businessmen, IESC has been formed to help improve the performance of these foreign businesses.

"Essentially in the fields of general management, production, marketing and financial control," says a brochure, "IESC makes available on request experienced executives for limited periods of time, usually three to six months, to advise the management of enterprises seeking assistance, and to help implement the recommendations made. IESC deals directly with individual businesses, and not through the governments of the United States and the host country."

At the moment projects are active or under consideration in Latin America, the Middle East, Africa, and South and East Asia. The organization has no plans to send men to the more advanced countries of Europe and other places where business has attained a reasonable degree of sophistication.

This "gray flannel peace corps" was suggested by several people, including Senator Vance Hartke of Indiana. In 1963, in a keynote address at the thirteenth International Management Congress, David Rockefeller, president of The Chase Manhattan Bank, proposed a similar idea. "It is my suggestion," he said, "that private companies in the industrialized nations—in addition to pursuing their own investment opportunities abroad—volunteer to send members of their management to work in the developing areas."

By June 1964 the IESC had been formed and was being hailed by President Johnson as an "inspiring example of sane and sensible, responsible and constructive cooperation between government and private enterprise." By March 1 of this year, nearly five hundred commercial and industrial firms in thirty-eight countries had initiated requests; 165 projects had been completed; eighty-eight were active; in fifty-eight others executives had been assigned; and 170 new projects had been accepted. Despite its youth, IESC is a success.

Funds from the Agency for International

Development (AID) have financed the venture in part, meeting some two-thirds of the costs. IESC itself raised several hundred thousand dollars from private business and industry.

IESC's full-time president is Frank Pace, Jr., a former president of General Dynamics and Secretary of the Army under President Truman. He heads a staff made up of both salaried officers and volunteers, most of them retired corporate executives who give their time to help recruit others like themselves for overseas assignments. "It is highly gratifying," says Pace, "to discover how many successful American businessmen will freely give of their effort and experience to help strengthen free enterprise in the developing nations."

Companies needing help can write to IESC headquarters at 545 Madison Avenue in New York or to their nearest IESC director. Directors are located in Mexico, Panama, El Salvador, Brazil, Chile, Colombia, Peru, Turkey, Greece, Iran, Lebanon, Thailand, Singapore, Malaysia, the Philippines, Nationalist China (Taiwan), and South Korea.

The service is not a giveaway. Firms accepting assistance must pay a fee commensurate with their ability to pay, and must also provide round-trip air fare for the volunteer and his wife. Firms receive help for about $1000 to $1500 a month, well below the normal fee charged by a commercial consultant in the US.

With names of nearly three thousand volunteers on file, IESC often finds that it has just the right man for a particular job, fully screened and ready to go. A processing system keeps the organization up to date on the new applications that come in daily.

"At the same time we are rapidly stepping up our search operations, which are designed to locate specific men for specific projects," says a staff member. "So far we have encountered no requests for executives we have been unable to fill. The quality of the men we have sent abroad is attested by the excellent letters of commendation from the client companies themselves. Finding the man for the job is sort of like playing detective—you do a lot of investigating. You pore over the files. You call everybody who might be able to help. You've got to do a lot of digging, but you finally come up with just the right man for the right job."

A request for assistance is usually followed by a visit from an IESC representative, who evaluates the project, draws up an agreement as to the type of assistance required, and prepares a letter of understanding covering such matters as the duration of the project, fee to be paid, support to be given the volunteer, and termination arrangements.

"IESC provides service only where the necessary assistance cannot be obtained locally, either because of its cost or because it is not available," says another staff member. "Experience has shown that a three- to four-month assignment is usually adequate, with a later follow-up assignment in some cases. The function of the IESC executive is only to help an enterprise, not to run it."

For most assignments, volunteers need not know a foreign language, because the managers of high-level overseas firms speak English. Nevertheless, many have found that it helps to study the language on their own before starting out, since even a smattering of the firm's national language will be appreciated by workers and aid in establishing rapport.

"A factor that could be discovered only through experience," says Pace, "is the desire on the part of American businessmen, particularly after they have retired, to do something for their country and the free enterprise system. There seems not the slightest doubt that such businessmen will be available in large numbers for service overseas in this program."

Carl Anderson was the first IESC volunteer sent out to aid the food industry of another country. Though he was 61 when he heard of IESC, it didn't take him long to agree to go to Venezuela for two months.

"I finally said yes," he recalls now. "One looks at himself and wonders if he can help. He wants to help his country, other countries, other people."

Before leaving on his assignment, Carl was completely briefed on the project, the company, the country, and the part he was expected to play. Though his forte was purchasing, after forty years in the food business he felt he knew all phases of it. Stopping off to meet suppliers gave him the "in" he needed to start off. Then he proceeded to Maracaibo to meet with officials of the company he was to serve.

"When you come in, you're suspect at first," he says. "But I just told them, 'I'm here to help you twenty-four hours a day, seven days a week.' Soon they were friendly and cooperative."

The job was no cinch, Carl soon saw, however, where the trouble lay. "Anyone experienced in business could tell where they could do better," he says. "They were very receptive to suggestions—and I always made it clear that my ideas were suggestions, not orders. After a few days they wanted to act right away, and I had to tell them to slow down a little and think over the recommendations."

Carl reviewed buying, sales, advertising, warehousing, transportation, accounting, and company records. He visited other chain stores and independents and checked their prices, suggested a company training program and a policy of promotion from within the ranks, and pointed out how the company could reduce inventory. Reorganization would have to be carried out slowly, he emphasized; time was necessary in making these changes. He also had the company subscribe to *Supermarket News*, which would suggest marketing, merchandising, and promotion ideas. Finally, Carl proposed tighter security measures to protect against the recurrence of an early robbery by a band of guerrillas.

During this time Carl's wife acted as his secretary, handling paper work and typing the 25-page report he left company officials.

IESC volunteers don't always have as easy a time of it as Carl did. "I don't believe one of the men who has gone out has had a completely clear idea of what he faced," says Frank Pace. "Adding to the difficulty is the fact that it's not easy for foreign businessmen to discuss their problems in terms their American counterparts can understand."

For example, Pace tells the story of Otto Berwind, who discovered that the Panama retail firm he was sent to advise had no credit system. During his time in Panama he had no office or secretary at his disposal, and had to live in a modest hotel. Yet he changed the management structure of the company, one of the town's leading businesses, established a credit system, and led a competing company to ask for IESC aid. He had such a good time doing it that he is now on his third IESC assignment.

Arthur K. Fox, 68 years old, found that the chief problem of the company he undertook to advise, one of Panama's largest retailers, lay in fragmentation of effort. The corporation's seven divisions were headed by the seven children of the family that owned it. Some of the divisions were not doing well, and without cooperation between them the poor ones remained poor. The corporation was going in seven different directions, and so was the family. Tact, objectivity, and business know-how acquired over decades enabled Fox to untangle the knot to everyone's satisfaction and benefit. Fox was even elected an honorary member of the family!

For most of the volunteers the excitement, adventure, and other satisfactions more than outweigh the problems. Robert E. O'Brian, in his 70's when assigned to Nicaragua, took his grandchildren along "to learn Spanish." The one-time meat packing entrepreneur, college president, and Iowa secretary of state assisted a slaughterhouse in simplifying its accounting procedures, improving its sales organization, and modernizing its buying techniques.

A 64-year-old former New England leather goods executive, Emil J. Schneider, was sent by IESC to a tannery in Tabriz in northwest Iran to advise it on modern production methods, help it lower costs, and suggest ways of expanding its market. Not only did Emil revitalize the tannery, but he and his wife had the time of their lives in Iran, a place they might never have seen but for this experience.

Henry L. Kronstadt took his shoes off when he arrived at work each day, to protect the fine wood floors of the villa that housed the Bangkok advertising company with which he worked. His office wasn't modern, but it had a "spirit house" and a statue of Buddha, and his secretary greeted him with fresh flowers every day. He and his wife and daughter enjoyed classical Thai dances and ate in Thai style while living in a fine rented house in a tropical setting, complete with swimming pool and coconut trees.

Joseph L. Rapmund, former president of Burroughs Business Machines, Limited, in Toronto, put in a three-month stint with the Industrial Mining and Development Bank of Iran, providing guidance in its evaluation of loan applicants. He then stayed on in the Middle East to serve as IESC's country director, first in Iran, then in Lebanon.

In his successful effort to help Television of Iran, Richard L. Spears, formerly with RKO General, Incorporated, set up an entirely new programing schedule and boosted revenue 60 per cent during his stay, while dropping operating costs from 2 to 3 per cent.

Perhaps the most important fact about the IESC volunteer for the average businessman abroad is that he is there just to serve, and has no material motive for giving of his time. Hence he presents an image of the American businessman vastly different from the stereotype of the grasping, self-seeking American they had come to accept.

Writes an IESC client in Sao Paulo, Brazil, about the work done for his firm by volunteer Harold F. Stebbins, retired vice-president of the Ely Walker clothing firm: "I have no doubt that the type of service offered to us by IESC would be of great value to many firms, probably the majority of companies in this country, and I am sure that once your organization becomes better known you will receive many requests for assistance."

IESC has many such letters on file, enthusiastic and filled with expressions of praise and gratitude. IESC has had warm expressions of approval on completed projects from almost every client; only rarely do personality conflicts or past mismanagement present insoluble problems.

Thus prospects for IESC seem very favorable. Frank Pace anticipates that his organization will soon be able to handle four hundred to five hundred projects a year, but he emphasizes that IESC is not playing the numbers game. "The executive volunteers we have sent abroad have set very high standards of managerial competence and personal dedication," he says, "and we do not intend to dilute these standards."

For the volunteers themselves, satisfaction is the big factor. Says Arthur Fox: "What I got out of this was the satisfaction of knowing that I am not a has-been. I am nearly 68, and I find there are places where I am a lot more useful than I ever was before. There is a tremendous satisfaction in making suggestions and having them accepted. It's better than getting a hole-in-one."

Harold Stebbins summed up the feelings of many after returning from his Brazil as-

signment to become director for Latin America on IESC's New York staff: "The rag business was very good to me. Now I have a chance to give something back. I don't want to be a flag-waver, but we are also showing that Uncle Sam can do something beside pump money into other countries."

WEST VIRGINIA HIGH SCHOOL STUDENTS RECEIVE SIGNIFICANT AWARDS AT SAN FRANCISCO'S INTERNATIONAL SCIENCE FAIR—MORGANTOWN STUDENTS ARE STARS

Mr. RANDOLPH. Mr. President, the city of Morgantown is the home of West Virginia University on the campus of which was held that institution's 98th commencement last Sunday. The university was to award 2,350 degrees to graduates at the commencement and for the occasion the city was being visited by many alumni and many parents and relatives and friends of the graduating class.

The Sunday Morgantown Dominion-Post that May 14 morning featured not only the events of commencement weekend but, also, the award-winning exploits of eight West Virginia high school students—the three stars from Morgantown High School—at the International Science Fair in San Francisco.

The newspaper account of the award-winning performances of the young West Virginians in the International Science Fair created real excitement and an obvious feeling of pride on the part of visitors from throughout the State as well as on the part of students and residents of Morgantown.

According to the Dominion-Post, there were eight West Virginia entries represented at the San Francisco event—one of the largest of the delegations from the 50 States, and by far the largest delegation on a per capita basis.

The brightest lights, according to the news account, were Morgantown High School students Dorcas JoAnne Harley, 15; her brother, John, 17; and Sharon Bloor, 17. Between them, they earned five awards—two firsts, a special merit award, a fourth, and an honorable mention. So far as could be learned through a news wire service checkup, no other high school in the world won that many awards.

In addition to the three-star participants in the science fair from Morgantown, Lawrence E. Eiselstein, of Huntington, won two awards for his metallurgical exhibit. Four other West Virginians won the honor of entering the fair, and all of them received awards.

Mr. President, the Morgantown Dominion-Post was justified, it seems to me, in leading its news article with these paragraphs:

West Virginia's image, that controversial, nebulous something-or-other has taken a horrible beating over the years, despite efforts of some of the best minds and the most astute politicians in the state.

It took a group of high school kids to give that image one of its biggest shots in the arm in years.

They did it Friday night and yesterday at the wind-up of the International Science Fair in San Francisco, outshining youngsters from all 50 states and several foreign countries

Reporting especially on the activities and awards of the Morgantown Harley sister and brother team and that of Sharon Bloor, the Dominion-Post concluded with the following eight paragraphs which I ask unanimous consent to have printed in the RECORD.

There being no objection, the portions of the news item were ordered printed in the RECORD, as follows:

Big winner for Morgantown and West Virginia was Miss Harley, a 15-year-old whiz kid who wound up as one of the top students of the 425 entries. She was awarded first place in zoology, the largest single category represented, for her display titled "Identification of 55 Naturally-Occurring Equine Blood Factors."

She also won first place in the American Veterinarians' Association competition. She will receive, in addition to scholarships, a trip to Dallas, Texas and the AVA convention.

Miss Harley received her top award from Glen Seaborg, chairman of the Atomic Energy Commission. Her picture, along with that of Paul B. Re, 17, of Sandia, N.M. High School, and Mr. Seaborg, was carried coast-to-coast on United Press International's unifax picture service.

Her brother, John 17, and his exhibit on "Spectroscopic Analysis," won a fourth in physics and honorable mention in the Optical Society of America competition.

Sharon Bloor, 17, the third Morgantown representative, won the merit award for her exhibit on "Photomicrographs of Chromosomes from Blood of Patients with Marfan's Syndrome."

The Morgantown youngsters will leave San Francisco this morning and will fly to Pittsburgh, where they will be met this afternoon by their proud parents, Dr. and Mrs. John B. Harley of Chestnut Ridge Road and Dr. and Mrs. Byron M. Bloor of South Hills.

The Harley youngsters aren't through yet. Both plan to spend most of the week boning up for some more special scholarship exams they plan to take.

Anyone want to bet that they won't win?

THE ELECTRIC POWER INDUSTRY—EMERGING RESPONSIBILITIES

Mr. MAGNUSON. Mr. President, Chairman Lee White, of the Federal Power Commission, addressed the American Power Conference in Chicago on April 25, 1967. The title of his speech was "The Electric Power Industry—Emerging Responsibilities." This provocative speech succinctly sums up the great problems and opportunities of the electric power industry, an industry that is vital to the growth, comfort, and safety of the Nation. Many of the things mentioned by Chairman White have also been of concern and study in the Committee on Commerce. 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:

THE ELECTRIC POWER INDUSTRY—EMERGING RESPONSIBILITIES

(An address by Lee C. White, Chairman, Federal Power Commission)

I am pleased to have this opportunity to address the American Power Conference, an organization which represents such a broad cross section of persons in, or closely associated with, the electric power industry. Many of you here today are involved in the actual management or operation of power systems; others I know are from the academic or research communities; and a few, like myself, represent regulatory agencies. What has brought us together here is our mutual interest in efforts of the electric power industry to continue to meet its responsibilities.

The recent years have marked the beginning of a new era in electric power. Technology has made vast breakthroughs in the arts of generation, transmission and distribution which have enabled the industry to meet the expanding demand for electric power at progressively lower costs. But as the November 1965 Northeast power failure indicated, low-cost power is not enough—the nation has grown so dependent upon electricity that even infrequent interruptions can no longer be tolerated. Finally, the increasing emphasis on aesthetics and pollution control underscores the public's growing awareness of the environmental impact of the electric power industry. Today I would like to focus on some of the emerging responsibilities of the electric power industry which these trends suggest.

RELIABILITY OF SERVICE

The most immediate of all the challenges facing the industry is that of assuring a reliable power supply. The Northeast power failure and the subsequent studies which have been conducted of the interconnected systems throughout the nation revealed deficiencies in coordinated planning, in equipment and in operating procedures. Particularly, the studies have underscored the important role which strong intersystem interconnections and coordinated planning play in preventing massive cascading type power failure.

There are some 3600 separately owned electric utilities in this country—the bulk of which are electrically linked to their neighbors by interconnections. These interconnections can help to stabilize system performance, and thereby improve the quality and reliability of service. They also open the way to economies through joint undertakings. Interconnection, backed up by sound coordination, is the only basis on which 3600 separate utilities can operate efficiently in terms of current technology and mounting demands for power.

Coordination of interconnected systems involves increasing responsibilities for the management of each electric utility. Clearly no single system can take independent action without affecting its neighbors; nor can utilities of an area or a region effectively plan without coordinating with those in neighboring areas and regions. Utility managements are aware of the improved economy and service reliability which coordinated intersystem planning, construction, and operation make possible and they are beginning to recognize the need for regional and interregional coordinated planning and operation. The Northeast Power Coordinating Council, the East Central Area Reliability Coordination Agreement, and the Western Systems Coordinating Council represent forward steps in the direction of creating organizations of the type that can meet this need.

But encouraging as the progress has been, its pace must be quickened if the industry is to continue to meet its responsibilities. Some existing interconnections do not do much more than maintain synchronous operation and many tie lines have insufficient reserve capacity for suddenly imposed extra loads. Some of the coordinating groups are too limited in purpose to serve adequately as effective instruments of coordination and others overlap in purpose, membership, and geographical areas served. In addition, all too often small systems are denied the opportunity to coordinate their planning and operation on an equitable basis. This is not to suggest that these problems are insurmountable, but rather to indicate the hurdles which I believe must be overcome if the industry is going to realize the full benefits

of economy and reliability which technology has made possible.

During the 17 months since the Northeast power failure, the Commission has been cooperating closely with the industry in an intensive analysis of system reliability. These studies have reviewed not only the situation in the area affected by the Northeast power failure, but also considered the problem of reliability in its broadest context. Our final report, which will be issued in the near future, will analyze the actions being taken by the industry to deal with the problem, and will suggest in some detail the further steps which the Commission believes need to be taken.

POLLUTION CONTROL

In addition to providing reliable service, the electric power industry must accept its share of the responsibility for pollution abatement and control. Today, electric power generation is among the major causes of air contamination. It is responsible for a significant percentage of the atmospheric pollutants in the United States, particularly in our larger cities, and in many areas is the largest single source of sulfur dioxide contamination. The increasing use of nuclear power as an alternative to the use of fossil fuels will help alleviate this problem, but with the projected growth in electric power demand it is reasonably clear that fossil fuel generation will also continue to increase substantially between now and the end of the century.

Therefore, the electric utility industry must take a more active role in reducing air contamination. Mine-mouth plants located away from urban centers do not represent a complete or permanent solution to this problem. The industry must also attempt to find and utilize more appropriate fuel sources and to improve technology so that atmospheric pollutants are kept to the minimum level which we are capable to achieving. I do not mean to suggest that considerable progress is not being made in these areas, but I do believe that greater emphasis and research investment is called for in view of the magnitude of the problems.

There are encouraging signs that practical electric powered vehicles are being developed; recently one of the the leading electrical equipment manufacturers announced the commencement of production of one such vehicle on a relatively large scale. Certainly these electric vehicles will help alleviate the acute automotive air pollution problems now confronting our large metropolitan areas. The potential market has great promise for limited range electric vehicles, and it offers another opportunity for this industry to make a contribution to the battle against dirty air.

The pollution of our rivers and streams by electric power plants is also a significant problem. Three principal contributory causes of this pollution are: (1) direct deoxygenation of water by hydro and steam plants; (2) excessive discharge temperatures of condensing water from thermal electric plants; and (3) water release schedules of hydro plants out of phase with downstream flow requirements. Technology has been developed to alleviate the water pollution which these operations cause, but the problem is to find ways of accomplishing this within reasonable cost limits. This is a task that demands an early solution.

The electric power industry is one of the nation's largest water users, making use of about one-third of the nation's daily water use. It is estimated that by 1980 it will be running about 100 million acre-feet of water through thermal power plants annually, and consuming about a million acre feet. It may find itself competing for the use of this water with other vital industries, and its ability to control pollution of the water and its willingness to do so could weigh heavily in determining whether it will be given the right to obtain needed supplies of water.

AESTHETIC CONSIDERATIONS

There has been a growing awareness that the government and industry must assume greater responsibility in maintaining and improving the aesthetics of our landscape as our population and economy continue to grow. The power industry has already taken some steps in this direction with its efforts to underground new residential distribution systems. As a result, the cost of underground distribution has fallen in the last few years to the point where it is now only about 1½ times the cost of overhead distribution facilities. It may be expected that the installation of underground facilities in new residential developments will accelerate and that costs will further decline, but there remains the larger problem of converting existing overhead distribution in older areas where conversion costs are substantially higher than for new installations. This problem cannot be bypassed forever, and the utilities should plan for an orderly conversion over a reasonable period of time.

An even more challenging facet of the effort to eliminate unattractive facilities, and one in which comparatively little progress has been made, is that of underground transmission. In 1966, there were only 1,600 miles of underground high-voltage transmission (69 kv and above) in the country. Here it is evident that new technologies will be required before large blocks of power can be transmitted long distances underground. The April 166 report of the Commission's Advisory Committee on Underground Transmission puts the cost of 138 kv underground lines in suburban areas at about nine times that of overhead lines and for 345 kv at 16 times as much. Factors causing these higher costs include expensive trenching, more costly materials, more man-hours of labor, and the need for line compensation and complex cable terminations.

The technical and economic challenges presented by underground transmission are great, but so are its potential benefits. As the suburbs continue to expand into rural areas where the relative ease of obtaining rights-of-way has resulted in the proliferation of overhead transmission lines, public pressure to place them underground will increase. Hopefully, this will create greater incentives on the part of both the manufacturers and the utilities to attack the problems involved. In any event, however, the industry must be prepared to respond to these legitimate demands.

There are other aspects to aesthetic improvement besides undergrounding of lines. The utilities are already attempting to camouflage or otherwise improve the appearance of various types of above-ground facilities. It is often difficult to recognize a structure housing a substation in a residential area from the surrounding residences, and substations in rural areas are often screened with natural vegetation or blended into the landscape. Also the architecture of power plants is becoming a more important part of their design. Certainly, these efforts to enhance the appearance of facilities make good sense.

RECREATION

The electric industry also has the opportunity, as well as the responsibility, to make a significant contribution to the social well-being of the nation by the broadest possible development of recreational facilities at hydroelectric projects. The average American has more leisure time today than ever before. This increase in leisure time makes it essential that the recreational facilities and programs available to the public be developed so as to provide the greatest benefits for the largest number of people.

As a result of Commission rulemaking actions in the past several years, FPC licensees are now required to assume primary responsibility for developing comprehensive plans and programs for utilizing project properties for outdoor recreation. In 1963 the Commission amended its regulations to require that a plan for public recreation use of lands and waters must be filed as a part of any application for a license for a hydroelectric project. This new program was designed to assure that the general public will enjoy the vast recreational potential of the lakes formed by dams built under FPC licenses. By fully utilizing project waters and adjacent project lands for recreational purposes, including facilities to supply local needs for such activities as camping, picnicking, bathing, boating and fishing, and the necessary associated trails, roads and sanitary facilities, the electric industry can increase the resources available for leisure use.

RESEARCH AND DEVELOPMENT

The electric industry must meet its emerging responsibilities with respect to service reliability, abatement of air and water pollution, recreation and aesthetics while at the same time continuing its long-time efforts to supply electric power at declining unit costs. This will require the industry to take full advantage of available technological developments through utilization of larger, more efficient generating units and higher voltage transmission networks. It will require greater coordination of planning and operation among systems and regions to obtain the advantages of reduced reserve requirements, as well as diversities in loads and in maintenance requirements. Finally, and perhaps most important, it will require a heavier investment in research and development to find new, more efficient ways of producing and distributing power and to improve methods of system operation and control.

In 1965, the electric power companies in America spent only about $45 million for research—less than half of the $105 million spent by the electrical equipment manufacturers, less than 10 percent of the $536 million spent by the Atomic Energy Commission for reactor development, and less than one-half of one percent of the total expenditures by American industry for research and development in that year, even though in terms of investment the industry is the largest in the nation. For years the electric power industry has depended largely upon the manufacturers and the Federal Government for the principal contributions to technological development. Only recently has it begun to show an awareness of its own responsibility for the support of research designed to supply reliable power in greater abundance and at declining costs. A full marshalling of the industry's resources and talent is necessary to establish a program of research and development on the scale required by the complexity and urgency of the problems.

MORE QUALIFIED PERSONNEL

Up to this point, I have talked mainly about the industry's responsibilities with respect to its physical resources. But effectiveness of the electric power industry depends not only on the performance and reliability of its physical resources, but also upon the availability of human resources of a high quality. The reservoir of expertise in design, operation, planning administration and research in the field of electric power supply is a national resource of great value. Well-trained, efficient and imaginative talent in increasing numbers is a critical requirement if the industry is to keep pace with the needs of the future.

I have gained the impression in recent months that the industry is experiencing considerable difficulty in attracting top quality graduates of universities and technical schools. In addition, it appears that the majority of colleges and universities which have technical curricula are not now offering programs in power system engineering. Although

there are undoubtedly a number of reasons for this situation, two seem to me to be especially significant: (1) the failure of the industry to make clear the extremely challenging problems which lie ahead and the high degree of sophistication necessary to deal adequately with those problems, and (2) the failure of the industry to create and support research programs either through private organizations or through university sponsored research.

As demands for power double and redouble, talent of the highest caliber will be required to assure a reliable bulk power supply and to find new and better methods and equipment. The brain drain cannot continue much longer without adversely affecting the entire industry's performance. I am hopeful that the industry, together with the academic community, can find a solution to this most vexing problem. To the extent that the FPC can be of assistance in this critical area, I can pledge our full cooperation and interest.

CONCLUSIONS

I believe that the industry has demonstrated a desire to meet its responsibilities, and htat it has or can develop the technology to cope with the new emerging responsibilities in a way which will meet the needs of the public—and at the same time providing reliable service at low rates. The Federal Power Commission will certainly continue to cooperate with the industry in identifying and meeting the challenges and responsibilities of the coming decades. To this end, the Commission recently completed a National Power Survey in cooperation with all segments of the power industry, which projected the power needs of the nation through 1980 and provided a broad outline for the comprehensive interconnection and coordination of power systems across the entire nation. We have also created six regional advisory committees to assist in the updating of the Survey. However, the primary responsibility for meeting the emerging challenges of meeting the electric power requirements of the nation rests squarely with the managements of the suppliers of electric power and electrical equipment. I have every reason to believe that they will continue to accept this responsibility and exercise it in the public interest.

EXECUTIVE SESSION—NOMINATION IN AGENCY FOR INTERNATIONAL DEVELOPMENT

The ACTING PRESIDENT pro tempore. The hour of 1 o'clock having arrived, under the unanimous-consent agreement previously entered, the Senate will now go into executive session to consider the nomination of Rutherford M. Poats, of Virginia, to be Deputy Administrator, Agency for International Development.

The assistant legislative clerk read the nomination of Rutherford M. Poats, of Virginia, to be Deputy Administrator, Agency for International Development.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BURDICK in the chair). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MANSFIELD. Mr. President, what is the pending business?

The PRESIDING OFFICER. The confirmation of Rutherford M. Poats, of Virginia, to be Deputy Administrator, Agency for International Development.

Mr. MANSFIELD. Mr. President, I do not know Mr. Poats personally. To the best of my knowledge, I have never seen him. But when his confirmation came to a vote before the Committee on Foreign Relations, it was reported unanimously by all those in attendance. As I recall, there was a quorum of 10 or 11 members present at that time. Thus, on that basis, the result was procedurally correct.

Since that time, some questions have been raised about Mr. Poats and, therefore, at this time, I should like to read, if I may, portions of letters from several persons who have indicated an interest in Mr. Poats' appointment.

One of these letters is from Representative JOHN E. MOSS, chairman of the Foreign Operations and Government Information Subcommittee of the Committee on Government Operations of the House. In his last paragraph, addressed to the chairman of the Foreign Relations Committee, the Senator from Arkansas [Mr. FULBRIGHT], he states:

In short, Senator, it is my view that the problems of Vietnam are the product of many men's mistakes and not only those of Mr. Poats. They are, I believe, the results of years of ineptness on the part of the U.S. in various aspects of the conduct of its affairs. They are the product of repeated inability on the part of the Government of Vietnam and also the result of many, many years of French failures. In spite of all this, I do not feel the situation is hopeless. In recent months considerable progress has been made by AID which has been reflected in our report and for which Mr. Poats should share in the credit. In my dealings with him—and our contacts have been repeated and close—he has conducted himself admirably. His capacity for detailed knowledge of programs in which he is involved has been impressive and he has been a fighter for improvements in all our dealings. He has labored hard and long and in my judgment is one of our more able and dedicated officials. To blame Mr. Poats for the very difficult problems in Vietnam is to do him an injustice.

It is my opinion that Mr. Poats should be favorably considered for the position of Deputy Administrator of AID.

Sincerely,

JOHN E. MOSS,
Chairman.

Then, I am in receipt of a letter from the vice president of the Ford Foundation, Mr. David E. Bell. He writes as follows:

DEAR SENATOR MANSFIELD: It is my understanding that the nomination of Rutherford Poats as Deputy Administrator of the Agency for International Development will soon be considered by the Senate. I write this letter for two purposes.

First, I should like to record my endorsement of Mr. Poats' nomination in the strongest possible terms. I was closely and continuously associated with Mr. Poats during the entire period I was with A.I.D., from December 1962 through July 1966, and I consider him a tough-minded, thoroughly able public official, of great intelligence and the highest integrity. Mr. Poats joined the government service from a successful career as a newspaperman; he has risen steadily in the government on merit. I consider him exceptionally well qualified for the position to which he has been nominated, and wholeheartedly recommend his confirmation.

Second, I note that in connection with Mr. Poats' nomination there has been some discussion of the effectiveness and efficiency with which the A.I.D. program in Vietnam has been conducted. Certainly the A.I.D. program in Vietnam is a legitimate subject for Congressional concern, and those of us who have been directly connected with it are more aware than anyone else of its shortcomings. But I trust the record will be absolutely clear on the question of responsibility. As Administrator of A.I.D., from December 21, 1962 until July 31, 1966, I was the officer responsible to the Secretary of State and to the President for A.I.D.'s Vietnam program. I took that responsibility seriously: I visited Vietnam several times; I endeavored to keep myself fully and accurately informed on the situation in Vietnam at all times; so far as I am aware, no major decision affecting personnel, policies, or any other aspect of A.I.D.'s Vietnam program was made without my express concurrence—and this specifically includes all major decisions affecting the complex policies and regulations that controlled the Commodity Import Program. In consequence, any criticism that anyone wishes to make of the conduct of A.I.D.'s Vietnam program during that period must be directed to me, and not to Mr. Poats or any of the other subordinate officers who assisted me in carrying out my responsibility.

Please feel free to place this letter in the Congressional Record, or make any other use of it that would in your judgment help to keep the record straight.

Sincerely yours,

DAVID E. BELL.

Mr. President, I also have a letter from Mr. Eugene R. Black, well known to many Senators. Mr. Black's letter reads as follows:

DEAR SENATOR MANSFIELD: I understand that the pending nomination of Rutherford M. Poats to be Deputy Administrator of AID will reach the floor of the Senate shortly. If you have occasion to speak on the matter, I would appreciate your associating me with the many others familiar with Mr. Poats' work who strongly support his nomination.

I have worked with him for the past two years in my capacity as Advisor to the President on Southeast Asian regional development. I have found him to be a man of creative intellect, sound judgment and a strong sense of responsibility. We are fortunate to have men such as Rutherford Poats willing to dedicate their talents and energy to the public service.

Sincerely yours,

EUGENE R. BLACK.

Mr. President, I ask unanimous consent to have these letters in full printed in the RECORD. I also ask that a letter I received from Representative RIEGLE, of Michigan, be printed in the RECORD at this point.

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

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., April 12, 1967.

Hon. J. W. FULBRIGHT,
Chairman, Foreign Relations Committee, New Senate Office Building, Washington, D.C.

DEAR SENATOR FULBRIGHT: As you know, Mr. Rutherford Poats appeared before your Committee on April 10, 1967, for consideration of his nomination as Deputy Administrator of the Agency for International Development. At that hearing, Senator Birch E. Bayh appeared and made a statement regarding Mr. Poats' qualifications in which he quoted extensively from a report issued by the Committee on Government Operations, Subcommittee on Foreign Operations and Government Information, of which I am Chairman. In a letter to your Committee dated February 27, 1967 I expressed my views on Mr. Poats' qualifications and would like

to again emphasize them. I would like also to place in perspective the Vietnam situation as was noted by the Subcommittee in its on-the-spot investigation in Vietnam and the hearings which were held subsequently in Washington in July and August of last year.

At the outset, I would like to say that my Subcommittee has never felt that the war itself was justification for a lack of sound management practices. Nevertheless the war is a fact of life out there—one which obviously affects the conduct of United States affairs. Also, while our report makes significant criticisms of AID, it is my opinion that blame cannot be attributed solely to Mr. Poats. If blame must be ascribed, it should be shared both up and down the line in AID, in Washington and in Vietnam, by both officials currently in the Agency and by others who no longer carry the burden. It is my opinion, also, that the difficulties described are attributable not only to failures on the part of AID, but also to the Department of Defense, the State Department, the Treasury Department, as well as that very effective agency of the Congress itself, the General Accounting Office.

I wish to also point out that while the problem of Vietnam has existed for some time, no committee of the Congress, until the issuance of the report by my Subcommittee, had undertaken an in-depth, comprehensive review of the Vietnam problem culminating in a report of such detailed considerations as our report of October 12, 1966. I believe this to be a criticism which the Congress must also bear because of its neglect in this matter which I need not point out is of such great consequence to our country's interests.

Lastly, and significantly, we have noted that the Government of Vietnam itself is at fault in no small way. Its failure and unwillingness to adequately cooperate with us over the years, through a succession of governments, has resulted in circumstances in the conduct of U.S. activities in that country so perplexing as to challenge the capacities of many of the greatest minds our country can muster. As we all know, the dilemma continues.

In short, Senator, it is my view that the problems of Vietnam are the product of many men's mistakes and not only those of Mr. Poats. They are, I believe, the results of years of ineptness on the part of the U.S. in various aspects of the conduct of its affairs. They are the product of repeated inability on the part of the Government of Vietnam and also the result of many, many years of French failures. In spite of all this, I do not feel the situation is hopeless. In recent months considerable progress has been made by AID which has been reflected in our report and for which Mr. Poats should share in the credit. In my dealings with him—and our contacts have been repeated and close—he has conducted himself admirably. His capacity for detailed knowledge of programs in which he is involved has been impressive and he has been a fighter for improvements in all our dealings. He has labored hard and long and in my judgment is one of our more able and dedicated officials. To blame Mr. Poats for the very difficult problems in Vietnam is to do him an injustice.

It is my opinion that Mr. Poats should be favorably considered for the position of Deputy Administrator of AID.

Sincerely,

JOHN E. MOSS,
Chairman.

THE FORD FOUNDATION,
New York, N.Y., April 26, 1967.

Senator MIKE MANSFIELD
U.S. Senate
Washington, D.C.

DEAR SENATOR MANSFIELD: It is my understanding that the nomination of Rutherford Poats as Deputy Administrator of the Agency for International Development will soon be considered by the Senate. I write this letter for two purposes.

First, I should like to record my endorsement of Mr. Poats' nomination in the strongest possible terms. I was closely and continuously associated with Mr. Poats during the entire period I was with A.I.D., from December 1962 through July 1966, and I consider him a tough-minded, thoroughly able public official, of great intelligence and the highest integrity. Mr. Poats joined the government service from a successful career as a newspaperman; he has risen steadily in the government on merit. I consider him exceptionally well qualified for the position to which he has been nominated, and wholeheartedly recommend his confirmation.

Second, I note that in connection with Mr. Poats' nomination there has been some discussion of the effectiveness and efficiency with which the A.I.D. program in Vietnam has been conducted. Certainly the A.I.D. program in Vietnam is a legitimate subject for Congressional concern, and those of us who have been directly connected with it are more aware than anyone else of its shortcomings. But I trust the record will be absolutely clear on the question of responsibility. As Administrator of A.I.D., from December 21, 1962 until July 31, 1966, I was the officer responsible to the Secretary of State and to the President for A.I.D.'s Vietnam program. I took that responsibility seriously: I visited Vietnam several times; I endeavored to keep myself fully and accurately informed on the situation in Vietnam at all times; so far as I am aware, no major decision affecting personnel, policies, or any other aspect of A.I.D.'s Vietnam program was made without my express concurrence—and this specifically includes all major decisions affecting the complex policies and regulations that controlled the Commodity Import Program. In consequence, any criticism that anyone wishes to make of the conduct of A.I.D.'s Vietnam program during that period must be directed to me, and not to Mr. Poats or any of the other subordinate officers who assisted me in carrying out my responsibility.

Please feel free to place this letter in the Congressional Record, or make any other use of it that would in your judgment help to keep the record straight.

Sincerely yours,

DAVID E. BELL.

NEW YORK, N.Y., *April 26, 1967.*

Hon. MIKE MANSFIELD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MANSFIELD: I understand that the pending nomination of Rutherford M. Poats to be Deputy Administrator of AID will reach the floor of the Senate shortly. If you have occasion to speak on the matter, I would appreciate your associating me with the many others familiar with Mr. Poats' work who strongly support his nomination.

I have worked with him for the past two years in my capacity as Advisor to the President on Southeast Asian regional development. I have found him to be a man of creative intellect, sound judgment and a strong sense of responsibility. We are fortunate to have men such as Rutherford Poats willing to dedicate their talents and energy to the public service.

Sincerely yours,

EUGENE R. BLACK.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., May 16, 1967.

Hon. MICHAEL MANSFIELD,
Majority Leader, U.S. Senate, Washington, D.C.

DEAR SENATOR MANSFIELD: I am concerned to learn that the Senate has suddenly decided to act today on the long-delayed nomination of Rutherford Poats as Deputy Director of AID.

I would assume that you are aware that the Foreign Operations Subcommittee of the House Appropriations Committee is to resume its questioning of Mr. Poats today on the foreign aid program in Vietnam after a two-week delay. As one subcommittee member, I have compiled, in preparation for Mr. Poats' appearance, a substantial number of specific questions that will require Mr. Poats and AID to, once and for all, set the record straight on the issue of severe criticism and alleged mismanagement of the Vietnam AID program.

The line of questioning I am planning to pursue with Mr. Poats is based on the following documents, some of which raise many questions about the soundness of the management of the AID program in Vietnam:

1. Program and Project Data—East Asia/Vietnam—FY 1968
2. Moss Report—Investigation of U.S. Economic and Military Assistance Program—October 12, 1966
3. AID Proposed FY 1968 Program—Summary presentation
4. Columbia Broadcasting System T.V. Interview—shown 7/23/66 on Walter Cronkite
5. Wiedler Report—November 1966—Port of Saigon
6. Herder Report—December 1965—Management Survey Team
7. GAO Report—Management of AID Commodity Programs—April 27, 1967
8. GAO Report—Survey of Internal Audits Inspections—August 18, 1966
9. Letter—J. H. Edwards, Deputy Director AID Mission Saigon—11/9/65.
10. Testimony—William P. Bundy, Asst. Secretary of State—4/26/67.
11. Spreyer-Anderson Report—Galvanized Steel— April 1966.
12. Testimony—William S. Gaud, Director AID—April 24, 1967.
13. Testimony—Rutherford M. Poats, Assistant Administrator, Bureau for Far East—April 27, 1967.
14. News Analysis—Jame J. Kilpatrick—Evening Star—Poats Promotion—April 27, 1967.
15. Eytan Report—Changes in CIP Regulations—March 14, 1967.
16. Pharmaceutical Report—Admission Vietnam—September 20, 1966.
17. Testimony—Rutherford M. Poats—Vietnam Program Annex—4/26/67.
18. News Analysis—The Role of AID, Helen Bentley—February 27, 1967.

It is my expectation that Mr. Poats' testimony will establish—for the record—the exact circumstances surrounding the controversial AID program in Vietnam and will bring all the relevant facts to light.

Certainly many people will have reason to wonder as to the motives behind the sudden decision to bring the Poats nomination to the Senate floor, just before a House Subcommittee is scheduled to comprehensively examine the U.S. foreign aid program in Vietnam.

Based on an intensive examination of the data on the Vietnam AID program and the alleged questions about its mismanagement, I personally feel it is in the public interest to hear Mr. Poats' side of the story.

After the House Foreign Operations Subcommittee completes its questioning we will all have more factual evidence on which to judge objectively, Mr. Poats' fitness to serve in the important capacity of Deputy Director of AID.

Sincerely,

DONALD W. RIEGLE, Jr.

Mr. BAYH. Mr. President, I am about to embark upon a task which is, without question, the most unpleasant one in my 13 years of legislative experience—five in which I have had distinguished privilege and honor to serve in this body,

and eight in which the people of my home district in Indiana chose me to serve in the Indiana State Legislature.

Most of my colleagues are aware by now, I think, that I am opposed to the confirmation of Mr. Rutherford Poats as Deputy Administrator of the Agency for International Development.

The task which I pursue this afternoon is made difficult for several reasons. First, because of the very nature of the debate in which we are now involved, and in which we have been involved for the past several weeks—indeed, for several months.

One of the rewarding aspects of serving in the Senate, or serving in a legislative body, is the fact that honest men can have honest differences of opinion that do not in any way affect the personalities involved.

It is frequently the case that two Members of this body can argue heatedly for the best part of an afternoon, differing over the issues in question, and still share the friendships which we have the opportunity to develop here.

The question today is not what is right or wrong about a given issue. Regrettably, it is one that must deal with the qualifications of the prospective nominee. It has been necessary for me to speak about the qualifications of a person—a most distasteful task for me to undertake. It is made more difficult by the fact that many whose judgment I respect, strenuously disagree with me. At the top of this list is my warm friend, the distinguished majority leader. It is never easy to disagree with him. Seldom do I have occasion to do so.

It is equally difficult to disagree with some of my colleagues, such as the distinguished Presiding Officer [Mr. BYRD of Virginia], and the junior Senator from Virginia [Mr. SPONG], as well as others, who have expressed their strong personal support for this man. Opposing a nominee who now resides in their State is extremely difficult. Nevertheless, some time ago I determined that there is no honorable alternative except to oppose this nomination, feeling as I do. I intend to follow through with this difficult task.

In February of 1966, I started raising questions about the administration of our AID program to the strife-torn nation of South Vietnam. For a time, very frankly, little was written, and probably a great deal less was heard, about some of the concern which was expressed. Slowly but surely, there has developed a general awareness of the fact that we have problems in the administration of AID in South Vietnam, problems that need to be dealt with.

I for one want to compliment the President of the United States for recognizing that it is entirely possible for us to win a military victory in South Vietnam and yet lose the economic and political struggle which is the foundation for any lasting peace in South Vietnam. The steps he has recently taken indicate, in my judgment, the full awareness on the part of the White House that top level management and ability to get the job done must be brought to bear on the administration of the pacification program and the disbursement of AID funds in South Vietnam.

We are talking now about a program which this fiscal year will amount to about $720 million. There is an increasing awareness of and growing concern over the fact that there has been mismanagement in the handling of large sums of money.

No doubt anyone who opposes a Presidential nomination will be subjected to a tremendous amount of criticism. Frankly, I was a bit naive in underestimating the criticism which would be directed at me. I suppose this is to be understood in the Senate, but there have been some well-meaning members of the press who have, in all good conscience, taken me to task. I do not question their right to do this. The unfortunate aspect of this whole matter is that they have not been able to capture in print my real feelings, my true motives, on this subject; and thus, unfortunately, have attributed to me purposes which I would not dare attribute to any of my colleagues; that is, that I am serving vested interests; that I am a political opportunist; that I am vindictive and spiteful and foolish; and, indeed, in one recent editorial, that I was worse than foolish.

Mr. President, I stand ready to endure these attacks, now, tomorrow, and in the months to come if necessary, if only my colleagues in this body will consider the real reasons for my opposition to Mr. Poats. It is my firm belief that once these reasons are considered and Members of this body have an opportunity to understand all the facts, they will regard these reasons as compelling and the Senate will refuse to consent to this nomination, which is the consequence of poor and misleading advice to the President of the United States.

I should like, for those who are here or who will read the RECORD, to recount the disclosures which have led me to the very distasteful task in which I am presently engaged.

First, since November of 1963, the nominee, Mr. Poats, has been in direct charge of the AID program for the Far East. For some months before that time, Mr. Poats was second in command of the Far East AID program. In these positions he was cited, in a recent issue of Fortune magazine, as one of this Nation's 12 top policymakers administering the total U.S. effort in Vietnam.

It seems obvious to me Mr. Poats is not a mere puppet, dangling at the end of somebody's string. He is, and has been, the primary adviser to the AID Administrator and the President on AID programs in Vietnam.

Indeed, Mr. Bell, as a very able administrator, pointed out that he was ultimately responsible for what happened in the Vietnam AID program during his tenure of office. This is true, but it seems to me we can more realistically focus the finger of attention on Mr. Poats and Mr. Gaud, who had primary responsibility for directing the AID program in Vietnam.

Mr. Poats is the man who helped formulate AID policy for Vietnam; and, more significantly, he is the man who has been expected to implement AID programs there with maximum efficiency in order to best achieve our goals.

While this body may not be unanimous in its views on our presence in Vietnam, I believe we can agree that our goal in giving millions of dollars of economic aid to that Nation is to help win a lasting peace.

As I mentioned a moment ago, the way in which economic aid will be handled in the future will, in my judgment, have a direct bearing on how quickly we can solve the problems facing Vietnam.

I should like the Senate to review with me very quickly the record of the program over which the nominee had direct charge. How has this program assisted the long-range effort to help solve the problem of Vietnam? Let us look at the record Mr. Poats has compiled. On the basis of this information the Senate is being asked to elevate him to second in command of AID, where he would have jurisdiction over $3 billion a year.

Occasionally we are asked to advise and consent to the nomination of a man who lacks previous Government experience. This is not the case with Mr. Poats. His record of accomplishment or lack thereof is available for over 5 years as an administrator.

My first direct encounter with Mr. Poats was in February of 1966. It involved, as some columnists have pointed out, the procurement policies in Vietnam concerning galvanized sheet steel.

Galvanized steel is used in the pacification program for building huts and schoolhouses.

I have been accused by some members of the press of rushing into this matter because my State has a significant amount of steel production.

If it is a sin for a Member of the U.S. Senate to be concerned about Government policies which adversely affect a significant element of his constituency, then, Mr. President, I stand accused. But let me say that the reason for my concern then and the reason for my concern now goes far beyond the particular steel interests which we are proud to have, Mr. President, throughout the State of Indiana.

In February of 1966, after a series of letters and telephone calls to AID's Far East Bureau here in Washington—letters and telephone calls which, I hasten to add, never were adequately answered—I believed that the only way we could get action was to treat it like the squeaky wheel. I had tried to prevent stirring up controversy through recommendations by telephone, personal visits, and by letter, but these efforts obtained no results; and, remembering the adage about the squeaky wheel getting the grease, I did finally publicly charge that AID policy on steel procurement for South Vietnam was resulting in millions of American dollars being wasted on kickbacks in the purchase of Japanese-made, Korean-galvanized steel of extremely poor quality.

I contended that this Nation could save approximately $15 million anually by purchasing American-made steel and thus averting the system of kickbacks and collusion that was infesting Asian steel interests at the American taxpayer's

expense. One thing that we uncovered was that steel, originally made in Japan as black plate, was shipped to the galvanizing mills in Korea, and then to Saigon, where it was purchased with our foreign-aid dollars. This resulted in a charge of about $96 per ton above what the same steel would bring anywhere else in the world. Additional money was being squandered because the steel was of inferior quality. It was inadequately galvanized and about twice as thin as the normal standard for comparable products in this country. The result was that instead of lasting 10 to 12 years, as a good, substantial product should, it was lasting only 8 to 12 months. That, of course, resulted in additional loss to the taxpayers.

Both privately in my office, and publicly through the newspapers and in testimony before Senate committees, Mr. Poats denied each and every one of my allegations.

On March 14, 1966, while testifying before a Senate appropriations subcommittee chaired by the distinguished senior Senator from Rhode Island [Mr. PASTORE] Mr. Poats claimed that the American Iron & Steel Institute was "content" with the procedure of buying Japanese-made steel. He denied that the price of steel sheet sold to AID was inflated. He contended that my allegations on the cost of the steel "was one instance of a distress offer, a dumping transaction. It was not made. It was just an offer." He continued: "That is a rather flimsy basis for price comparison."

Mr. President, I do not think there is any need to go back over a debate which the Senate has heard on three different occasions; but anyone who was present at the time or who has read the RECORD will recall that a direct message from the American Iron & Steel Institute—printed in the RECORD for anyone who wants to read it—shows that the American Iron & Steel Institute vigorously objected to the Poats' steelbuying policy, and stated its opposition clearly before Mr. Poats misrepresented its position. That message sets the record straight, in stating that the institute objected very much to the misrepresentation by Mr. Poats of its position.

But, more important, on April 20, 1966, the Comptroller General of the United States sent a report to me after investigating AID files at my request.

I should tell the Senate frankly how this came about. I was convinced that my information was correct, but Mr. Poats continued to deny its accuracy. Finally, we asked the Comptroller General and the General Accounting Office to see if they could determine whether this information was true or not.

This investigation of AID's records revealed, among other things—and this is all a matter of record—that the price of steel sheets sold by Korean companies to AID rose from $179 a metric ton in 1963 to $270 a metric ton in 1964 and declined to $259.50 a metric ton in 1965. The report continued:

> Our review of (AID) records has not as yet disclosed information indicating that the Agency questioned the sharp price increase when it occurred in 1964.

The report continued further by saying:

> The price of Japanese black plate (which was purchased by Korean companies, galvanized, and sold to AID in Vietnam) actually decreased in 1964—at the very time the price being charged AID went up.

The report, most of which remains shrouded in secrecy, points out that the Korean companies were making a handsome profit when they were selling steel sheet for $179 a ton; and, as one might expect, an even handsomer profit when they increased the price to $270. The report further pointed out that part of the increase was due to kickbacks paid to importers in Vietnam; and the report went on to substantiate the charge that the steel was of inferior quality.

In addition, we had other documentary evidence verifying the facts at the very time Mr. Poats was denying to me and to the Senate committee the existence of these atrocious practices. This report was prepared by a French firm which had been hired to investigate the matter. It showed the situation was even much worse than the junior Senator from Indiana had alleged.

In September, 1966, Congress passed into law an amendment to the foreign aid bill which corrected these glaring problems—all of which had been repeatedly denied by Mr. Poats.

Mr. President, to those of my fellow Senators who are now present, let me state that I have been extremely sensitive—perhaps I have not been justified—about some of the criticism in the newspapers, which have alleged that my opposition to Mr. Poats is the result of a personal feud, of bad blood, and is a spiteful use of senatorial privilege.

I have been here 5 years. I shall let my fellow Senators judge whether that attitude would be characteristic of me. As a participant in all types of sports, I have experienced many personal defeats. As a boxer I have been knocked down a number of times, but was always able to get up and shake hands with my opponents.

The Senate on three occasions—and on one of them the vote was 64 to 14—has supported my contention that the AID steel program should be changed. That is past history.

I do not want to resurrect it. I mention the statement here today merely to indicate my firsthand experience in dealing with the nominee.

Mr. ERVIN. Mr. President, will the Senator yield so that I can give him a little consolation?

Mr. BAYH. Mr. President, I am glad to yield to the Senator from North Carolina.

Mr. ERVIN. Mr. President, the Bible says:

> Woe unto you when all men shall speak well of you.

So the fact that the Senator from Indiana has been criticized would indicate that perhaps he is entitled to the blessing implicit in those words of the Scripture. I say that for his consolation.

Mr. BAYH. I thank my colleague, the Senator from North Carolina. We serve on the Judiciary Committee together and the Senator knows the great respect I have for him, not only as a person but also for his ability.

I wish I had had the wisdom to seek his counsel about a week ago because I needed an uplift at that time, and I need it now. I appreciate it very much.

My reference to the steel procurement policy was made only because it enables the Senate to gain a better perspective of the nominee's qualifications.

It was my contention that we ought to have an American product, or at least a product that was not inferior, wherever it came from, and one that was not subject to the kickback system which exists in South Vietnam. In opposition, Mr. Poats claimed that American companies could not compete with Asian steel producers. Later events proved that his judgment was erroneous.

To illustrate his underestimation of the American steel industry, let me point out that the first lot of steel sold under the amendment adopted as a result of my disclosure was a consignment of 20,000 tons purchased from the Wheeling Steel Corp., in West Virginia. This highly superior product was purchased for $300,000 less than had been paid a year earlier for the paper-thin, Asian-made product.

For the first time American tax dollars did not have to be spent to provide kickbacks for shady manufacturers and importers.

A quick calculation of the amount of steel that was purchased last year by AID for this purpose shows that we would have saved $10 million had the particular measure which had been passed by the Senate, and later by the House, been in effect. It is estimated that it will save us in excess of $5 million this year.

Mr. Poats did not make the decision to avoid the kickbacks and buy a better product more cheaply. The decision was made for him by the Congress of the United States.

Mr. Poats did make a statement, however, as soon as I had raised these questions—a statement that I noted was attributed to him as of the 29th day of April—that all purchases of Japanese-made, Korean-galvanized steel sheet were halted pending an investigation.

He made a similar statement to the Comptroller General about the same time.

The truth is that more than $2 million has been spent on these inferior, overpriced products from the time I had raised the question until the present.

If anyone doubts that, I suggest that he look at the files in the Government Accounting Office or the AID postaudit procedures. Ask the Comptroller General for proof of the fact that $2 million was spent on the inferior, overpriced products even after the issue had been raised in the Senate.

But this is only the beginning. This is what opened my eyes to the probability that, if Mr. Poats' credibility and management ability could be seriously questioned pertaining to the purchase of a single commodity, and that if a saving of $5 million a year could be realized by a simple change in policy, this gross absence of managerial skill

would characterize the whole commodity import program.

In May 1966 the Moss committee, headed by Representative JOHN MOSS, of California, went to Vietnam. A member of that committee was Representative ROBERT GRIFFIN, who is now the distinguished junior Senator from Michigan. The Moss committee examined the problem of AID management in Southeast Asia.

Upon its return, the committee held extensive hearings, most of them behind closed doors. But much new information resulted from the hearings, and in November 1966, the committee published what appears to be some shocking findings. Their report is entitled "An investigation of the U.S. Economic and Military Assistance Programs in Vietnam, 42d Report by the Committee on Government Operations."

The committee reported that no audit had been conducted by AID since 1961—this despite repeated warnings dating back at least to July 1964 when the General Accounting Office warned of kickbacks and diversion of imports, and despite the fact that this year, alone, the United States is spending $720 million for economic assistance to Vietnam.

The committee reported that—

> Since the GAO study was completed, other studies have been made by officials of AID and the Treasury Department and the same deficiencies have been identified repeatedly. As a result, sweeping changes have been recommended on numerous occasions. It was not until the subcommittee initiated its investigation, however, that AID took aggressive action to implement such changes.

I wish to read one paragraph from the Moss report, because in my judgment it is difficult to see how the distinguished chairman of this commitee, Representative Moss, could have indicated his support, which was appropriately entered into the RECORD by the distinguished majority leader, absolving Mr. Poats of responsibility in any way and recommending he be promoted, when the report contains this damning accusation:

> These consumer goods, comprising about 70 percent of the nonmilitary aid provided to Vietnam, were being pumped into the country at the time of the subcommittee's investigation (*a*) without any determination as to whether the quantities imported were excessive and could be properly and efficiently absorbed into the Vietnamese economy, (*b*) without any determination as to whether certain types and grades of commodities were luxurious under current conditions in Vietnam, (*c*) without any determination as to the quantity of stocks on hand and in the supply pipelines, (*d*) without any determination as to whether the commodities programed were likely to be hoarded, diverted, or used for purposes incompatible with U.S. objectives, and (*e*) without verification and adequate surveillance of the use made of commodities previously delivered under the CIP. These deficiencies in addition to the unrealistic rate of exchange and lack of effective monetary and fiscal controls encouraged speculation, windfall profits and corruption, fed inflation, and deprived the United States of maximum benefit from its assistance programs.

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

Mr. BAYH. I yield.

Mr. CHURCH. I am sorry to interrupt the Senator's thought at this moment. It had been my intention to support this nomination, and I had so indicated, some months ago, to officials of the AID agency. For that reason, I feel obliged to make a public explanation of my present position.

I deplore the highly derogatory attacks that have appeared recently in the press against the distinguished Senator from Indiana in the personal position he has taken. Not only has he raised questions of substance, but he has been most conscientious in the misgivings he has expressed.

I believe that the insulting description of the Senator's motives, the demeaning attacks upon him which we have seen recently in the press, have been of a character I cannot possibly justify. They are totally unwarranted. Because of my high personal regard for the Senator from Indiana, and because of my sense of outrage at the way he has been abused, I shall vote with him, should a recommittal motion be offered; and I want him to know the reason why I have changed my position.

Mr. BAYH. I am extremely grateful to my friend, the Senator from Idaho. I appreciate his support, as a member of the Committee on Foreign Relations and as a man who has studied the whole problem of AID, whether in Vietnam or elsewhere. I appreciate his comments.

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

Mr. BAYH. I am glad to yield.

Mr. MANSFIELD. Mr. President, I had not intended to say anything until the distinguished Senator from Indiana had completed his speech; but I want him to know that so far as I am concerned, and I am sure so far as the entire Senate is concerned, there is nothing but affection, respect, and admiration for the fight which the Senator has been carrying on, regardless of how each of us may vote on this nomination.

I am sorry to note that the Senator has been the subject of slander and vilification, because I can state that the Senator has been most cooperative in the course of Senate consideration of the Poats nomination.

He has asked for very little delay. The delay in large part has been caused because of the calendar and matters to which the Senate had to attend, which were of greater importance than a nomination.

I would hope that the Senator would be aware of the high esteem in which he is held in this body, by Members on both sides of the aisle. I also hope he is aware of the fact that so far as any Senator is concerned, the Senator from Indiana is carrying out his rights and his responsibilities as he sees fit, in accord with the rules and procedures of this body, and that is all one can expect of any Senator. The fact that we are in disagreement on this matter is immaterial, of no consequence. Speaking as the majority leader, I wish to express my great admiration, my deep respect, and my affection for my distinguished colleague.

Mr. BAYH. I thank my friend, the Senator from Montana, for his extremely gracious statement, which, although appreciated, was certainly not necessary. He has been very forthright with me. We have differing opinions on this matter.

I appreciate the fact that the distinguished majority leader has mentioned that I have not been insisting on delay.

Indeed, I have been ready to vote on this issue for some time, and will, very frankly, be glad when the occasion presents itself, so that this issue can be dispensed with properly.

I have read the Moss committee statement about the conditions that existed. It is inconceivable to me that a man with any management capability whatsoever can let conditions exist in which no effort is made to ascertain whether a product is needed, in which no effort is made to see how it is utilized once it gets into the country, in which no effort is made to see whether it gets into the hands of the enemy, and no effort is made to try to stop some of the spiraling inflation until accusations are made by a congressional committee.

Mr. President, for example, one of real problems in determining whether a man is responsible for failure or not is his place in the chain of command. Indeed, some have said the the burden should fall on the President, the Secretary of State, or the AID Administrator. Others would say: "You cannot blame an administrator in Washington; you should blame the man at the grassroots level." Really, here is where the fallacy occurs. I would agree to this, were it not for exhibit 4 before the Moss committee, which is a letter from Mr. J. H. Edwards, who was then Deputy Director of the U.S. AID mission in Saigon, who wrote a letter to Mr. Poats as far back as November 9, 1965.

The letter is addressed to Mr. Rutherford M. Poats, Bureau for Far East, Agency for International Development. Apparently Mr. Edwards knew Mr. Poats well enough to communicate with him by addressing him by his nickname of "Rud" and not "Rutherford." The letter, which is from a man on the scene, starts out as follows. If he were negligent and did not recognize the shortcomings, then I would say Mr. Poats could be relieved of the responsibility.

> DEAR RUD: At least once a week I have written to you a long diatribe on the problems created by the hasty and emotional approach to assistance to Vietnam. Fortunately, so far I have recovered enough self-control to destroy these prior to mailing. Suffice it to say that I don't like, nor approve, what we are doing here.

Then, he finally gets around to the reason for mailing the letter to Mr. Poats:

> It is at the same time both unconscious and unconscionable. Let me only make these comments without the lyrics.

Here he makes a 12-point accusation; point by point, of things needed to be done. I invite Senators to look at page 101 in the Moss report for their late evening reading, if there are any doubters here.

After his 12-point accusation, Mr. Edwards proposes 10 suggestions of what should be done. This letter is dated November 9, 1965. The Moss committee was there the middle of the following year

and still had the same complaints to make about the program that had been made by Mr. Edwards of the Saigon mission, so that although apparently Mr. Poats knew about them, no steps had been taken to improve the management.

It is interesting to note that after the letter was ignored Mr. Edwards quit in disgust and returned to private business. A year later, when the Moss committee made the letter public, Mr. Poats was quoted as saying that Mr. Edwards did not have much Government experience; that he was just a businessman. It is also interesting to note that Mr. Edwards' experience with AID began just 4 months after Mr. Poats joined the agency; that Mr. Edwards, after a distinguished career in business, was deputy director of AID's mission in Seoul, Korea, then was deputy director of AID's mission to Djakarta, Indonesia, before becoming deputy director of the AID mission in Saigon.

Just a year ago, I wrote a letter to Mr. David Bell—a man I highly respect and who, at the time, was Administrator of AID. In that letter, I suggested that what we needed in Vietnam were businessmen—people who knew the problems of supply and distribution and who could look into the problems of steel, drugs, cement, fertilizer, or oil and determine whether they were being properly handled or not.

At the time I did not know of Mr. Edwards and his efforts to approach the problem of the Vietnam import program on a businesslike basis. It is clear Mr. Edwards' efforts fell on deaf ears, and the American taxpayers are the worse for it.

Just last week, Mr. President, I disclosed how, because of the absence of everyday management procedures, millions of dollars worth of drugs imported to Vietnam under AID auspices may have been diverted to the Vietcong, the North Vietnamese and even perhaps to the Chinese Communists. In this report there is thorough documentation of almost total mismanagement through an entire group of years and months in Vietnam. Today, let me hasten to add, there are procedures to avoid such shocking and indefensible bungling. Some progress has been made but the question we must ask today is: How did this change come to pass?

I shall tell the Senate. For as many years as we have been importing drugs to Vietnam, there have been no controls of any kind. In May of 1966, when the Moss committee was in Vietnam, the question of the absence of such controls was raised. On May 22, 1966, the Parke-Davis Co., an American pharmaceutical firm, wrote a letter to AID suggesting that, in its opinion, the company was selling entirely too much of a highly potent drug called chloramphenicol for export to Vietnam.

In other words, AID was not policing it, but we had an American drug company which was concerned with what was going on. The company suggested that the size of South Vietnam and other factors would indicate there were imports of about 10 times as much of this drug as the country could use.

In July of 1966, after the Moss committee had hearings and interest had begun to be generated, Mr. Poats was called before the Moss committee. An investigator was dispatched to look into the drug program. His findings resulted for the first time in the establishment of reasonable controls and checks on the import of drugs to Vietnam. His report also indicated that large quantities of some drugs were being pipelined to the North Vietnamese and Chinese Communists to combat epidemics in those lands, at the unwitting expense of the American taxpayer, and that some importers were realizing profits of up 300 percent on resale of these drugs to the Vietnamese people.

Here again, who is responsible? In testimony before the Senate Judiciary Committee, in July of 1965, Mr. Poats said he was aware that drugs were piling up in Saigon; that there was free access and free sale—yet, it took a year and the prodding of Congress before he sent someone with knowledge of the drug industry to investigate.

Mr. President, I might add that the major culprit in this entire despicable drug situation was a major French drug firm, Roselle, which built a shiny new plant. I am told by drug experts that anyone who would look at it could tell that it was far in excess of the plant capability needed. In my judgment, it is time that we held this French firm responsible. I should add one thing about American industry blowing the whistle on mismanagement in South Vietnam. Perhaps the Administrator in charge of that area was unaware of what was going on. One product being sold was Unicel 100.

It is a product produced by Du Pont to sell and make profits for the taxpayers. Du Pont alerted AID to the fact that normally large quantities of this commodity were going into the country. It is used for the rubber industry as an antiblowing agent. Du Pont said that Vietnam has very little of this industry and there is very little need for it at all. When AID finally got around to investigating it several months later, it found some rather strange things. First, it was discovered that large quantities had been imported, and second, coincidentally, Unicell 100 had the explosive power equal to if not a little bit greater than TNT.

Just a few weeks ago, a committee chaired by the distinguished senior Senator from Arkansas [Mr. McCLELLAN] uncovered a case in which, due to the lack of any management system on the part of AID, a would-be inventor bilked AID and the American taxpayer for $386,000 for some worthless powder that was sold under the unlikely names of "White Magic" and "Spe-D-Magic" and was supposed to be a product that could make a car battery last for 10 years, or inhibit the formation of rust, or be used as a solder. Where in the world, Mr. President, can you or I purchase a product that can make our car batteries last for 10 years? Yet, no questions were asked until the stuff had been bought and paid for—because there exists no system under Mr. Poats' leadership in which such questions can be asked. I am certain that this committee has many other questions to ask Mr. Poats, however, in the weeks ahead. One key question is why Mr. Poats took no action against this "inventor" even though his bureau was warned a year ago—by a Florida attorney whose client was asked to finance this deal—that the whole business looked highly suspicious.

In other words, an interested citizen brought this matter to the attention of AID, which did nothing about it.

Another question is why was there no system which could have prevented paying this "inventor" $10,000 in March of 1967—months after the FBI had reported the fraud to AID? In my judgment, the true picture of the scandalous mismanagement of the Vietnam AID program will not come to light until the senior Senator from Arkansas once again has had the opportunity to demonstrate his tenacity to get to the truth of a situation costing us millions of dollars—and a situation which may well be prolonging the war in Vietnam.

Early this afternoon, I learned from the office of the Senator from Arkansas [Mr. McCLELLAN] that he was in Arkansas. I called him and received permission from him to say to the Senate that he believed it would be wise, under the circumstances, to return Mr. Poats to the Committee on Foreign Relations so that it could make a further study of his qualifications and some of the ramifications concerning mismanagement of the AID program in Vietnam.

Mr. President, I see little to be gained by proceeding at too great a length on this subject. But I have received much information from many people who, I am sure, have the best of motives, concerning some of the things which have been going on in Vietnam. Some of these accusations have proved to have merit. Some have not.

I am not accustomed to making accusations of mismanagement just to get headlines. For that reason, I have not previously made, and do not intend to make, full disclosure at this time until we have had an opportunity to look more closely into the situation.

Presently, we are looking into the situation in which AID appears to be doing business with firms whose clients include Chinese Communists. I am gathering data in which still another firm has been permitted to sell substandard milk to Vietnamese citizens at huge profits; I am looking into a deal in which importers have been able to fix specifications for commodities so that only one seller can meet them—provided he comes across with a sufficient kickback. And all this, I add, under the auspices—unwitting though they may be—of the Agency for International Development and under the management of Mr. Poats.

I am sure that the brief recitation of possible wrong-doing only touches the surface which the distinguished Senator from Arkansas [Mr. McCLELLAN], once he has brought the full weight of his committee to bear on the conduct of this program, will disclose, things it will be hard to believe have been going on.

Mr. President, it seems clear to me that this body has a responsibility and an obligation to exercise its power of consent to appointments; it seems clear to

me that we have the responsibility and the obligation to exercise our role of legislative oversight; it seems clear to me that to act hastily on this nomination in the midst of one disclosure after another would be an irrevocable act that we might later regret bitterly.

All I ask, Mr. President, is that the Senate Committee on Foreign Relations, which ordered this nomination reported before it had the opportunity to consider these recent disclosures, be given a chance to study their implications, and take another look at the kind of management which this nominee has brought to bear on our AID programs in Southeast Asia. I, for one, am willing to accept what one has called the "heavy burden of responsibility" for delaying this appointment, although I have tried to get a vote so that the Senate could express itself. I, for one, am willing to be slandered as an opportunist, spitefully seeking to revenge the innocent individual who has been portrayed as simply carrying out the orders of his superiors. I, for one, stand ready to absorb the malicious abuse of those who believe that the President of the United States, and not Mr. Poats, should be responsible for setting up things like market levels for drug imports to Vietnam, or a cardex system to keep track of those imports, in order that such products should not reach the Chinese Communists.

This is not the responsibility of the President. It is the responsibility of the man charged with administering the program in Vietnam to establish basic management criteria.

I believe, Mr. President, that it is utter nonsense to suggest the President of the United States must spend his time with the detailed minutiae of implementing programs effectively. If he is, then we could dispense with thousands of top-ranking Government officials immediately and let the President do it all himself. And if it is immoral and improper to challenge one such official who may be promoted on the basis of his obvious failures, then we might well dispense with 100 men and women who compose the Senate of the United States. For it is our responsibility to assent to nominations and determine whether they are meritorious.

Mr. HOLLINGS. Mr. President, I am pleased, as one of the Senators from South Carolina, to advise and consent to the nomination of Mr. Rutherford Poats as Deputy Administrator for the Agency for International Development.

Mr. Poats, a native of South Carolina, grew up in a university village at Clemson. His neighbors there recommend him as a man of unquestioned integrity.

The Foreign Relations Committee has looked into the competence and integrity of Mr. Poats and has unanimously endorsed him for this post. The President and the Director of the Agency for International Development, Mr. William S. Gaud, recommend him for the position, and Congressman JOHN E. MOSS, of the House Subcommittee on Foreign Operations and Government Information, which investigated the U.S. economic assistance program in Vietnam, recommends Mr. Poats for this position.

To all of these testimonials, the Senator from Indiana appears and says, and I quote:

> I am not here to oppose Mr. Poats because of what he is or because of who he is. I am certain, in fact, that Mr. Poats is among that large cadre of men and women with whom our Nation is blessed . . . men and women who are sincere, dedicated and intelligent public servants. I am here for one reason and one reason only. I am here because I believe that a better qualified man can be found for the job in question.

It is interesting to note that by this statement, the Senator does not fault Mr. Poats' honor or integrity but rather places him as one of a group of "dedicated and intelligent public servants." I have pursued the Senator's objections to determine wherein Mr. Poats was incompetent.

The 12-page statement is an indictment of the foreign aid program in Vietnam as unsuccessful. Assuming this to be true, there are no facts given to show that the unsuccessful policies and programs were exclusively those of Mr. Poats. We know deficiencies exist in the program. In fact, until about a year ago the entire operation in Vietnam, both military and economic, was deficient.

Under the Senator's reasoning we could have approved no one to command in Vietnam because until the tide began to turn a year ago, the operation would have to have been characterized as "unsuccessful." And so it is with all foreign policy. Employing the Senator's logic, this body would never approve of a Secretary of State because there are glaring inadequacies and failures in America's foreign policy. Poor Dean Rusk would never be approved and the airport at Dulles would have been unnamed as well as unused.

Mr. President, Mr. Poats is a man of honor. Obviously the President, the Administrator, and our colleagues on the Foreign Relations Committee consider him a man of competence, and I urge most sincerely that the Senate confirm his appointment.

Mr. METCALF. Mr. President, I would like to add my voice to that of the distinguished junior Senator from Indiana [Mr. BAYH] in questioning the nomination of Rutherford Poats to become Deputy Administrator of the Agency for International Development.

Like the Senator from Indiana, I, too, take seriously the Senate's responsibility to advise and consent to executive appointments. This is no minor appointment; it involves a position in which some of our most sensitive policies regarding Vietnam are formulated.

It is clear that the nominee's record of performance is open to question. In the past few weeks, disclosures of a serious nature have been made which reflect directly upon the nominee's ability to manage and direct a sizable and politically delicate program of foreign aid.

While it may be true that every deficiency in our aid program to Vietnam cannot be traced directly to the nominee, the reflection upon his ability as a manager is inescapable and certainly injects enough doubt in my own mind to oppose his promotion to the No. 2 position in AID.

At stake here, it seems to me, is the future of the entire foreign aid program—a program that has come under ever-increasing criticism from the people and from Congress in the past few years.

I find it difficult to justify to the people of Montana and the United States the promotion of an individual whose past record is seriously scarred with documented accounts of mismanagement and obvious ignorance of sound business practices.

I find it difficult to justify the promotion of a man whose record as director of a $700-million-a-year program has resulted in millions of dollars of waste and diversion due to continuing lack of simple controls and audits.

To use Mr. Poats' record as the basis for promotion to a position in which he will oversee the expenditure of $3 billion a year of tax funds seems a contradiction in terms. Surely, such a promotion can only create deeper and more widespread opposition to foreign aid in general.

At the very least, it seems to me that while we have a foreign aid program, it should be conducted with maximum direction and minimum waste. This, it seems, the nominee has not succeeded in doing as director of our Vietnam aid program, and I see no compelling reason to grant him a significant promotion at this time.

Mr. McGEE. Mr. President, I agree with Senator BAYH's expressed objective—to insist on good management of AID. I am sure the President and the AID Administrator share this objective. That is why they decided late last year to set up a separate bureau of AID for Vietnam, with its own commodity management and surveillance staff and a full-time Assistant Administrator of AID at its head.

The opposition to the Poats nomination to be Deputy Administrator of AID has blocked this vital management improvement for nearly 6 months. He has forced AID to do without a deputy administrator since last October. He has forced Mr. Poats—the man whose management ability he questions—to manage two jobs, Vietnam and the other East Asia aid programs, all that time. Now he proposes to prolong this dangerous understaffing of the senior management of AID even longer, by further deferring Senate action on this 7-month-old nomination twice approved by the Foreign Relations Committee.

I suggest that the Senator's position is not consistent with his declared objective.

Senator BAYH believes that Mr. Poats is not up to the job of being Bill Gaud's deputy. The President and Mr. Gaud disagree. The Senator has had 7 months to present evidence to support his case against Mr. Poats. He presented much of it to the Foreign Relations Committee on April 10. The committee recommended confirmation of the nomination.

Subsequently, he has cited further examples of inadequate audit and commodity management staffs and systems in the Vietnam aid operation. These criticisms refer to the period of the rapid buildup of U.S. military and economic action to save South Vietnam in 1965–66. They refer to Vietcong acquisition of

U.S. economic and military supplies, deplorable but in some degree unavoidable in a war among Vietnamese without lines or fronts, with Vietcong infestation in the lifeblood of the economy of South Vietnam. They refer to profiteering by unscrupulous Vietnamese businessmen and their American or other suppliers in AID's commercial import assistance program, cases which were found by AID's own auditors, investigators and specialists. They cite self-criticisms prepared by or for AID to find problems and their solutions.

There has been waste and loose management in our emergency assistance to Vietnam, economic and military. War is wasteful. The decision to expand the AID program rapidly, despite known weaknesses in the Vietnamese Government's capacity to prevent theft and other abuses and despite known shortages of AID specialists and auditors to police it, was made at the highest levels of the administration. It was the right decision. The cost of failure to provide the aid would have been far greater.

All who have examined the AID operation in Vietnam have complimented the many measures taken since early 1966 to bring the program under control, reduce the opportunities for abuse and give it the best staff that an essentially volunteer, civilian recruiting system can provide in a war zone.

All who are familiar with Mr. Poats' work in other Far Eastern programs are high in his praise. During his tenure as Assistant Administrator for the Far East, the successful program in Taiwan was phased out ahead of schedule; Korea has become a model of self-help performance; Thailand, Laos, and the Philippines have, with AID's help, turned more of their attention to constructive rural development through enhanced local government and other popular institutions; Indonesia has started a come-back from the Sukarno disaster, with AID taking a minority share in a multilateral arrangement for support of Indonesian recovery; in Southeast Asia as a whole, we are taking creative steps, looking beyond the war in Vietnam, to help build regional unity through economic cooperation among countries of different political systems. Mr. Poats has been a leading contributor to these encouraging Far Eastern developments. This is why he has such wide support inside the administration and among such close observers as Eugene Black.

The President considered the matter at length before he resubmitted this nomination in the face of Senator BAYH's announced opposition. The AID Administrator, Bill Gaud, knows the man and the circumstances which produced the problems Senator BAYH has cited. So does Dave Bell, who was Poats' immediate boss for nearly 3 years. Both of them are firm in their continued endorsement. Mr. Bell calls Mr. Poats "exceptionally well qualified" to be the Deputy Administrator of AID and has detailed this view to those who have inquired. Members of the House of Representatives who have closely examined AID programs in the Far East have volunteered their endorsement of Mr. Poats.

It is simply not correct, therefore, to say that the Senate has not had adequate opportunity to judge the merits of this nomination. On the contrary, it has been more closely examined and has won more explicit endorsement than any nomination to a position of this rank in recent memory.

Further postponement of confirmation of this nomination is unwarranted and could serve no useful purpose. It would impose an intolerable burden on the AID Administrator to delay further the staffing of his principal subordinate positions, Deputy Administrator, Assistant Administrator for East Asia, and Assistant Administrator for Vietnam. A vote for further delay is, therefore, tantamount to rejection.

It is time for the Senate to act.

I urge approval of this nomination.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, after conferring with the distinguished Senator from Indiana [Mr. BAYH], and the distinguished minority leader [Mr. DIRKSEN], and with the concurrence of both, I am about to propound a unanimous-consent request.

I ask unanimous consent that the vote on the pending nomination occur at 4 o'clock, and that in the meantime the time be equally divided between the distinguished Senator from Indiana [Mr. BAYH] and the Senator from Montana or whomever they may designate.

Mr. JAVITS. Mr. President, if the Senator will yield, will there be time after that to transact routine business?

Mr. MANSFIELD. Yes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. MANSFIELD. So the vote will take place at 4 o'clock.

The PRESIDING OFFICER. The time is equally divided. Who yields time?

Mr. MANSFIELD. Mr. President, if the Senator from Indiana has concluded for the time being, I yield myself 2 minutes.

Earlier today I requested that several letters be incorporated in the RECORD. One was a letter I received from the Honorable DONALD W. RIEGLE, JR., a Representative from the Seventh District of Michigan.

In the course of the letter received from Representative RIEGLE he stated:

> I am concerned to learn that the Senate has suddenly decided to act today on the long-delayed nomination of Rutherford Poats as Deputy Director of AID.

Furthermore, on the second page of Representative RIEGLE's letter—and I would prefer not to bring in anybody in the other body—but I do so most respectfully—I do not have any choice, since it has been referred to on the ticker tape—he states:

> Certainly many people will have reason to wonder as to the motives behind the sudden decision to bring the Poats nomination to the Senate floor, just before a House Subcommittee is scheduled to comprehensively examine the U.S. foreign aid program in Vietnam.

May I say most respectfully that this nomination was before us last year and, at the request of the distinguished Senator from Indiana [Mr. BAYH], it was not brought up during the second session of the 89th Congress. It has been before this body for over a month. It has been cleared on all sides that the nomination be brought up. So I point out we are not acting suddenly, and this is not a sudden decision. I appreciate Congressman RIEGLE's concern and, had I received his letter before it was announced to the Senate on yesterday that we would take up the pending nomination today, I would, of course and as a matter of courtesy, give his request every possible consideration. With this explanation I hope the Congressman will understand and appreciate the position of the leadership in this instance.

Mr. TOWER. Mr. President, will the Senator yield for a question?

Mr. MANSFIELD. How much time does the Senator want?

Mr. TOWER. Ten seconds.

Mr. MANSFIELD. I yield 2 minutes to the Senator.

Mr. TOWER. Does the consent agreement permit a vote before 4 o'clock if both sides yield back their time?

The PRESIDING OFFICER. No, it provides for the vote at 4 o'clock.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, regardless of the type of motion which the distinguished Senator from Indiana [Mr. BAYH] wants to make, it be valid notwithstanding the prior unanimous consent agreement.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

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

Mr. MANSFIELD. I yield.

Mr. BAYH. I have made it clear to the distinguished majority leader that I do not want to prolong this debate. I have indicated that, before the appointed hour, I will make a motion to recommit. If it is defeated, I see no reason to prolong the debate on the final vote for confirmation.

Mr. MANSFIELD. As always, the Senator is most considerate.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is that on the nomination? The motion has not been made, so the yeas and nays could not be requested on the motion.

Mr. MANSFIELD. The nomination is pending.

The PRESIDING OFFICER. Is the request for the yeas and nays on the nomination?

Mr. MANSFIELD. Yes. The yeas and nays on the nomination are requested.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, I

yield such time to the Senator from Georgia [Mr. RUSSELL] as he may need.

AUTHORIZATION FOR APPROPRIATIONS DURING FISCAL YEAR 1968 FOR CERTAIN PROCUREMENT FOR THE ARMED FORCES

Mr. RUSSELL. Mr. President, as in legislative session I wish to ask for a conference with the House on S. 666.

The PRESIDING OFFICER. Without objection it is so ordered.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 666) to authorize appropriations during the fiscal year 1968 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces, and for other purposes, which was, to strike out all after the enacting clause and insert:

TITLE I—PROCUREMENT

SEC. 101. Funds are hereby authorized to be appropriated during the fiscal year 1968 for the use of the Armed Forces of the United States for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, as authorized by law, in amounts as follows:

AIRCRAFT

For aircraft: For the Army, $768,700,000; for the Navy and the Marine Corps, $2,527,100,000; for the Air Force, $5,770,000,000.

MISSILES

For missiles: For the Army, $769,200,000; for the Navy, $625,600,000; for the Marine Corps, $23,100,000; for the Air Force, $1,343,000,000.

NAVAL VESSELS

For naval vessels: For the Navy, $1,872,900,000, of which amount $249,600,000 is authorized only for the construction of two nuclear powered guided missile frigates. The contracts for the construction of the two nuclear powered guided-missile frigates shall be entered into as soon as practicable unless the President fully advises the Congress that their construction is not in the national interest.

Notwithstanding any other provision of law, no naval vessel may be constructed in any foreign shipyard with funds authorized to be appropriated by this Act, unless specifically authorized by law.

TRACKED COMBAT VEHICLES

For tracked combat vehicles: For the Army, $424,700,000; for the Marine Corps, $5,100,000.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 201. Funds are hereby authorized to be appropriated during the fiscal year 1968 for the use of the Armed Forces of the United States for research, development, test, and evaluation, as authorized by law, in amounts as follows:

For the Army, $1,539,000,000;

For the Navy (including the Marine Corps), $1,910,118,000, of which sum $46,000,000 shall be used only for antisubmarine warfare programs, giving due regard in all such research programs to benefits which may accrue therefrom to the American Merchant Marine;

For the Air Force, $3,313,514,000, of which amount $51,000,000 is authorized only for the development of an advanced manned strategic aircraft;

For the Defense agencies, $464,000,000.

SEC. 202. There is hereby authorized to be appropriated to the Department of Defense during fiscal year 1968 for use as an emergency fund for research, development, test, and evaluation or procurement or production related thereto, $125,000,000.

TITLE III—GENERAL PROVISIONS

SEC. 301. Subsection (a) of section 401 of Public Law 89-367 approved March 15, 1966 (80 Stat. 37), is hereby amended to read as follows: "Funds authorized for appropriation for the use of the Armed Forces of the United States under this or any other Act are authorized to be made available for their stated purposes to support (1) Vietnamese and other free world forces in Vietnam, (2) local forces in Laos and Thailand; and for related costs, during the fiscal year 1968, on such terms and conditions as the Secretary of Defense may determine."

TITLE IV

SEC. 401. Section 3034(a) of title 10, United States Code, is amended to read as follows:

"The Chief of Staff shall be appointed by the President, by and with the advice and consent of the Senate, for a period of four years, from the general officers of the Army. He serves during the pleasure of the President. In time of war or national emergency hereafter declared by the Congress he may be reappointed for a term of not more than four years."

SEC. 402. Section 5081(a) of title 10, United States Code, is amended to read as follows:

"There is a Chief of Naval Operations, appointed by the President, by and with the advice and consent of the Senate, to serve at the pleasure of the President, for a term of four years, from officers on the active list in the line of the Navy, eligible to command at sea and not below the grade of rear admiral. In time of war or national emergency hereafter declared by the Congress he may be reappointed for a term of not more than four years."

SEC. 403. Section 8034(a) of title 10, United States Code, is amended to read as follows:

"The Chief of Staff shall be appointed for a period of four years by the President, by and with the advice and consent of the Senate, from the general officers of the Air Force. He serves during the pleasure of the President. In time of war or national emergency hereafter declared by the Congress he may be reappointed for a term of not more than four years."

SEC. 404. Section 5201(a) of title 10, United States Code, is amended to read as follows:

"There is a Commandant of the Marine Corps, appointed by the President, for a term of four years, by and with the advice and consent of the Senate, to serve at the pleasure of the President, from officers on the active list of the Marine Corps, not below the rank of colonel. In time of war or national emergency hereafter declared by the Congress he may be reappointed for a term of not more than four years."

SEC. 405. The foregoing provisions of this amendment shall take effect as of January 1, 1969.

Mr. RUSSELL. Mr. President, I move that the Senate disagree to the amendment of the House to S. 666; that it request a conference with the House of Representatives; and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. RUSSELL, Mr. STENNIS, Mr. SYMINGTON, Mr. JACKSON, Mrs. SMITH, and Mr. THURMOND conferees on the part of the Senate.

ORDER FOR ADJOURNMENT UNTIL 11 A. M. TOMORROW

Mr. MANSFIELD. Mr. President, as in legislative session, I ask unanimous consent that when the Senate completes its business tonight, it stand in adjournment until 11 o'clock tomorrow morning.

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

RECOGNITION OF SENATOR PEARSON TOMORROW

Mr. MANSFIELD. Mr. President, as in legislative session, I ask unanimous consent that at the conclusion of the prayer, the distinguished Senator from Kansas [Mr. PEARSON] be recognized for 30 minutes tomorrow.

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

NOMINATION OF RUTHERFORD M. POATS IN AGENCY FOR INTERNATIONAL DEVELOPMENT

The Senate resumed the consideration of the nomination of Rutherford M. Poats, of Virginia, to be Deputy Administrator, Agency for International Development.

Mr. MANSFIELD. Mr. President, I yield 5 minutes to the Senator from South Carolina [Mr. THURMOND].

Mr. THURMOND. Mr. President, I rise in support of the nomination of Rutherford M. Poats, of Virginia, to be Deputy Administrator, Agency for International Development.

Mr. Poats was born in South Carolina. I have not had the pleasure of knowing him well, but I have looked into his record, and it is good.

I wish to call just a few points to the attention of the Senate.

Mr. Poats' tenure of office in Vietnam was during the time of the most rapid increase in the foreign aid program in South Vietnam. I think it is generally conceded that the staff of AID, to handle this rapid buildup, both in Washington and in South Vietnam, was grossly inadequate to the task in terms of the number of men available.

In my judgment, Mr. Poats cannot be held solely responsible for the difficulties which arose as a result of this set of circumstances.

It might be of interest to the Senate to know that Chairman JOHN E. MOSS, of the Foreign Operations and Government Information Subcommittee of the House Committee on Government Operations, has gone on record in support of Mr. Poats, even though his subcommittee issued a report which was highly critical of the AID operation in South Vietnam.

Congressman Moss wrote two letters to Chairman FULBRIGHT, of the Senate Foreign Relations Committee, endorsing the nomination, the first on February 27, 1967, and the second on April 12, 1967. The April 12 letter was made available by Congressman Moss to all Members of the Senate.

I would like to quote an excerpt or two from these letters. In the letter of February 27 to Senator FULBRIGHT, Congressman Moss stated in the first paragraph:

> I personally consider him well qualified for the job.

In the third paragraph he stated:

The Subcommittee's final report was critical of the AID Vietnam program in a number of respects and some people have taken these criticisms as a reflection on the competency of Mr. Poats. This is definitely not the case.

In the last paragraph Congressman Moss stated:

I believe Mr. Poats to be a man of great ability and integrity.

In the next letter, dated April 12, 1967, written by Congressman Moss to Senator FULBRIGHT, he stated, in the second paragraph:

While our report makes significant criticisms of AID, it is my opinion that blame cannot be attributed solely to Mr. Poats. If blame must be ascribed, it should be shared both up and down the line in AID, in Washington and in Vietnam, by both officials currently in the Agency and by others who no longer carry the burden.

And on the second page of his letter, in next to the last paragraph, Congressman Moss stated to Senator FULBRIGHT:

It is my view that the problems of Vietnam are the product of many men's mistakes and not only those of Mr. Poats.

He further states in that paragraph:

In recent months considerable progress has been made by AID which has been reflected in our report and for which Mr. Poats should share in the credit. In my dealings with him—and our contacts have been repeated and close—he has conducted himself admirably. His capacity for detailed knowledge of programs in which he is involved has been impressive and he has been a fighter for improvements in all our dealings.

The PRESIDING OFFICER. The time of the Senator from South Carolina has expired.

Mr. BYRD of West Virginia. Mr. President, I yield 2 additional minutes to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 2 additional minutes.

Mr. THURMOND. I continue to read from that paragraph:

He has labored hard and long and in my judgment is one of our more able and dedicated officials. To blame Mr. Poats for the very difficult problems in Vietnam is to do him an injustice.

As I stated, Congressman Moss' committee investigated this matter, and these are the statements made by Congressman Moss after the conclusion of the investigation.

It appears to me that Mr. Poats is being singled out here as a scapegoat. Certainly his record is not perfect. Certainly there were shortcomings in the program in Vietnam. But we must consider the big buildup going on there, the lack of personnel, and the prevailing circumstances which made it extremely difficult, if not impossible, to cope with all the problems involved.

I think we have to consider other things, too. There were those in positions of authority above him over there who made decisions, as well as here in Washington. I think it would be unfair to Mr. Poats to say, "You and you alone are responsible for what happened in Vietnam."

Mr. Poats has a reputation for being a man of character and integrity. I hope the Senate will see fit to confirm him for the position to which the President of the United States has appointed him—to be Deputy Administrator of the Agency for International Development.

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

Mr. THURMOND. I am pleased to yield to the Senator from Indiana.

The PRESIDING OFFICER. The time of the Senator from South Carolina has expired.

Mr. BAYH. I yield myself 3 or 4 minutes. As the statements I am about to make are in opposition to the nomination, in all fairness they should come out of my time.

I recall that the Senator from South Carolina is a man who has long fought against waste and mismanagement.

Mr. THURMOND. I thank the distinguished Senator.

Mr. BAYH. I agree with the Senator from South Carolina that it would be wrong to single out Mr. Poats as the only one who has been involved in any way in the discrepancies in our Vietnam AID program. Unfortunately, the Senate does not have the opportunity to pass on the relative merits of anyone other than Mr. Poats. In fact, even now, we do not have the opportunity to investigate fully Mr. Poats' past experience as an administrator. We are asked only to say whether his past performance has been sufficiently good to recommend him for promotion.

This will be a rather long question, and I ask the indulgence of the Senator from South Carolina. Let us assume that the Senator from South Carolina is the owner of a chain of supermarkets, and he is considering the manager of one of the stores for promotion. Let us assume, further, that this manager had made no effort to try to determine what the community needed; that he had made no effort to check the supplies to see whether they were being pilfered; and had made no effort to see whether the person who ran the cash register was involved in any under-the-counter operations. If such operations were going on in this supermarket, would the Senator recommend the manager of that store for promotion to vice president of the chain of supermarkets?

Mr. THURMOND. Mr. President, I think the Senator's question answers itself. I do not think that the Senator can put Mr. Poats in that position here. If I had placed him there and he were indeed guilty of the mismanagement alleged, I would not be supporting his confirmation. Although he was born in my State, he is now a citizen of the great State of Virginia. I am not supporting him just because he was born in South Carolina.

I would presume that the distinguished Senator from Indiana would consider that the head of his party, the President of the United States, used reasonable care and judgment in trying to select the man for this position. Of course, it is the duty of the Senate, if they find that the President has made a mistake, to correct it by refusing to confirm. But as I understand, the chief attack being made upon Mr. Poats is based upon the way he conducted the program in Vietnam.

As I have brought out, the House committee of which Representative Moss is chairman went into that program very carefully; and Representative Moss concludes, in his letters——

Mr. BAYH. If the Senator will yield, the majority leader has placed that letter in the RECORD, and I agree that the Senator from South Carolina has stated its contents accurately.

But in all fairness to JOHN MOSS, whom I respect, I cannot see how anyone can make an objective assessment of the inadequacies, at the managerial level in Saigon, and in the whole Vietnam AID program, and still come to the conclusion that the man who was charged with the administration of that program has all the excellent qualities which Representative Moss attributes to him.

Mr. THURMOND. Representative Moss states in this letter that—

His capacity for detailed knowledge of programs in which he is involved has been impressive, and he has been a fighter for improvements in all our dealings.

I do not know all the details about the way he handled the program, or all the details about Mr. Poats' personal life. But unless something is brought out here against a man's character or his ability, or showing his inability to perform properly, then it has been my policy to try to support the nominee of the President of the United States, to try to permit him to have the people he wants to run his programs.

If there is anything against the man's character, if there is anything against his ability, or if he has proved inefficient to such an extent that he would not make a good administrator under the program, that is another thing. I assume that the distinguished Senator from Indiana is taking the position that he has proved incompetent in administering the program in Vietnam, and therefore the Senator is opposed to the confirmation.

I have cited the letter of a man who has gone into the matter in more detail than I have; and I have talked with some of the people involved about these programs. They tell me that you cannot put your finger on Mr. Poats over there and, in justice to him, say, "You are the man responsible," because there are others involved in the programs who have a part in them also.

The PRESIDING OFFICER. Does the Senator from Indiana yield further to the Senator from South Carolina?

Mr. BAYH. Mr. President, I should like to state again one observation which the distinguished occupant of the chair [Mr. HOLLINGS] and the distinguished senior colleague did not hear, because they were absent. Let me repeat that this task has been extremely difficult because of the personal feeling both of them seem to display for the nominee.

I was not trying to ridicule and certainly not trying to impugn the motives of the senior Senator from South Carolina by my reference to the chainstore example. What I was saying is that the very accusations I made about that chainstore manager—principally the lack of managerial controls—would be applicable to our assessment of what was needed in Vietnam. There has not been an audit since 1961. There has been no effort to trace these commodities once

they were sold to see whether they ultimately reached the Viet Cong or the Red Chinese.

We have had some indication that hundreds of thousands of dollars worth of these drugs have reached the Red Chinese. All of these conditions have existed in South Vietnam.

Representative Moss says so. The General Accounting Office says so. The Wagner report says so. Mr. Edwards says so in a personal letter to Mr. Poats entitled "Dear Rud."

Yet, despite this total lack of management, we attribute to the man in charge all of the wonderful things contained in the Moss letter—but the Senator from Indiana does not concur in this assessment.

Mr. THURMOND. Mr. President, in reply to the Senator from Indiana, I think that very point in itself shows that those who have been investigating these matters have found deficiencies in the program in Vietnam and have also found that Mr. Poats was not the man who was solely responsible.

Certainly, there could have been some possible improvement in the program. However, the people who have done the investigating say that this man should not be singled out. Representative Moss says that, and others who have looked into the matter say that.

We must remember that Mr. Poats took orders from Washington. He took orders from the Deputy Ambassador at the Embassy there. Mr. Poats was taking orders from a number of people.

It seems to me that it would be very unfair to single him out and say to him: "You cannot now be promoted, although you have worked hard and faithfully. You will be held responsible for the deficiencies in some one program, even though you may not have made the decisions in that program."

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

Mr. BYRD of West Virginia. Mr. President, I yield 2 minutes to the Senator from Wyoming.

The PRESIDING OFFICER. The Senator from Wyoming is recognized for 2 minutes.

Mr. McGEE. Mr. President, I add my voice to the plea made by the Senator from South Carolina.

I have known Mr. Poats for a long time. I think I know a little about the AID program in Vietnam.

I first inspected AID, alone, in 1959, when there was not a war going on.

I can testify that even without a war, the headaches, the uncertainty, the complications are incredible in that particular place. I defy anyone to find an omniscient personality that could unravel the multitude of complexities that exist there.

I think, on the other hand, that the impact of the war—with the very rapid explosion of the demands made in Southeast Asia—likewise is a matter of considerable effect on the economy.

What impresses me, I say to my friend, the Senator from South Carolina, and to my friend, the Senator from Indiana, is that I doubt if the President wants to make Vietnam any more difficult. I doubt that the Director of AID, Mr. Gaud, wants to make the administration of the program any more difficult. Certainly Dave Bell, his predecessor, did not want to do so. Yet, these men who have to take the consequences of the administration of the program stand by the capabilities and the integrity of Mr. Poats.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, I yield an additional 3 minutes to the Senator from Wyoming.

The PRESIDING OFFICER. The Senator from Wyoming is recognized for an additional 3 minutes.

Mr. McGEE. Mr. President, I think this is really what ought to be the substance of our attempt to pass judgment on this nominee.

I simply want to join my voice to that of the Senator from South Carolina in saying that I believe that this is the time to act and that this is the time to sustain a strong administration.

Heaven knows that we have learned a great deal in the AID program.

We find it increasingly difficult to attract some of the strongest people into the programs. We have strong people engaged in the program now. I think we would place in jeopardy the prospects of continuing its chances if we were to vote adversely on this simple administrative proposal that is backed completely by its administrators who themselves must take the consequences of the appointment.

I think that is good enough for me.

Mr. THURMOND. Mr. President, I cannot imagine the President appointing Mr. Poats when he, the President, had all the information before him and knew he would be the man who would have to bear the brunt of the criticism if the program were not ably administered.

The program is part of this administration. The administration is responsible, and they cannot escape that responsibility.

If Mr. Poats fails to deliver, the criticism will be on President Johnson's neck.

I cannot imagine an Administrator of that program wanting the assistance of a man who is incompetent and unqualified, and about whose integrity there could be any suspicion that might reflect on not only the President, but also the Administrator of the program.

I do not know all of the many details concerning this matter. However, I do know that those who have investigated the matter have said that there have been and are deficiencies in Vietnam. But they do not blame it on Mr. Poats, or certainly not all of it.

The President has said: "I have chosen this man. I want this man to help me administer the program."

It has always been my procedure, as a Senator, unless there were serious grounds for objecting, to attempt to support such a nomination if I could.

I disagree with the President on many matters. However, this is his program, and this is the man he wants.

Nothing has been shown that would reflect against this man's character or ability, and certainly what Mr. Poats has been charged with here cannot be placed solely at his feet.

Mr. BAYH. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 3 minutes.

Mr. BAYH. Mr. President, the Senator from Wyoming was also absent when I made the statement—it has been made twice and I will now make it a third time, and perhaps another time or two—that one of the aspects that has been extremely difficult is that there are those whose judgment I respect—and the Senator from Wyoming is apparently one of those who has known Mr. Poats in a personal way—who feel that he is a fine individual.

I must say that it would be a lot simpler for me and a lot less frustrating if I had had a similar experience. The only experience I have had has been to see the man administer the program and try to explain away, in my office, in committees, and in front of the press the inequities that deal with the program.

We are in a rather unique situation here. The Washington Post stated the other day that the mess in Vietnam is the President's responsibility. Dave Bell says it is his responsibility.

Representative Moss blames it on the French. We are ready to blame everybody but the men charged with the administration of the program.

For heaven's sake, let us be a little realistic.

The Senator from South Carolina stated that this is the President's nomination. That fact has not been absent from the mind of the junior Senator from Indiana. Surely, it is the President's nomination.

I am a great admirer of Lyndon Johnson. I have the greatest sympathy in the world for what he is faced with in Vietnam.

But I think we understand that we are not completely isolated from the way these decisions are made. How does the President decide whom he is going to choose as the No. 2 man in AID? I do not think he even knew Rutherford Poats when the nomination came up. I would be willing to wager that he did not. But what did he do? He called in the chief man in AID, Mr. Gaud. He probably said, "Bill, whom do you recommend to come up to fill the spot that has become vacant because you have moved up?"

Bill Gaud happens to think that the sun rises and sets on Rud Poats, so he suggested to the President that Poats was the man.

I think the President has been the recipient of some extremely bad advice. I have told Mr. Gaud this. I throw this thought out to the Senator from Wyoming, although, reasonable man that he is—I have talked with him and understand his viewpoint—he probably feels justified in believing that he is right, that I am wrong, and that Mr. Poats is a capable administrator. But one of my main concerns was to act openly. I first called Mr. Gaud and said I intended to try to have the Poats nomination held up. I did not try to do it behind the scenes. I told Mr. Gaud before I said anything to the majority leader or spoke of it on the floor of the Senate.

I said:

Those of us who feel there is an important place in the world for foreign aid had better recognize some hard realities, some hard facts of life.

The PRESIDING OFFICER. The time of the Senator from Indiana has expired.

Mr. BAYH. I yield myself 2 minutes.

One of those hard facts of life is the very obvious one that in my constituency, as I imagine it is also in the constituency of the Senator from Wyoming, foreign aid is not the most popular thing going. It is extremely unpopular. Let those who want to be realistic try to champion something that is not popular. How in the world can we explain to our constituents that the only man capable of filling the No. 2 post is a man who is responsible for all the mismanagement in the AID program? He was responsible for the program; now it is proposed to promote him to the No. 2 post.

Mr. BYRD of West Virginia. Mr. President, I yield 5 minutes to the Senator from Wyoming.

Mr. McGEE. I say to my colleague, the Senator from Indiana, that while we split on this issue, we do so in mutual respect for each other's judgment.

I would contend with my constituency, in which the foreign-aid program is no more popular than it is in his, in Indiana, for the very point that he makes that I would consider that I had placed the program in jeopardy if we were to knock out of service in this program a man of Mr. Poats' long experience in this area.

We have had a tendency to talk quite extensively about Vietnam, about the details in Vietnam. If I may submit the thought, the issue in this instance really is not Vietnam; it is a much bigger issue than that. The issue is Mr. Poats' role in AID and, out of that role, the confidence that he has inspired among those who have to take the rap for what he does or fails to do. This is the key thing.

I know Bill Gaud very well, and Bill Gaud is not about to erode or undermine his chances to try to do a good job by coddling somebody, or by trying to bring in someone who has a completely incapable record.

I believe that, given the system with which we must operate, where we in the Senate cannot possibly canvass the market in America to try to locate the most capable people, we must leave that job to the man at the top. In this case it is the director of the mission.

In my judgment, barring some things that are not known yet—about which none of us can know—I would say that we are really rather substantially bound, short of some other great capability, to sustain the proposal to bring Mr. Poats into the agency in his role.

When I say that the issue really is much bigger than Vietnam, I believe that we must bear in mind that during his tenure as the Assistant Administrator for the Far East, many of the substantive reforms that the Committee on Foreign Relations, the Committee on Appropriations, and other groups in the Senate were instrumental in bringing about were carried out.

When we take a look at the ultimate phasing-out of the rather successful programs in Taiwan, the advancement of the program in the Philippines, the performance of the program in Thailand and in other parts of Southeast Asia, we find some of the better credentials, on the whole, that can be associated with the AID program. Surely, as we may blame a man for something that goes wrong, we can also credit him with some of the things that go right. He happened to be the boss man then. Maybe somebody else did it, but I believe we should play the game by the same rules. By that token, I submit that Poats' performance in Southeast Asia as the Assistant Administrator for the Far East has indeed been an outstanding one. That alone should give us pause to take hasty action or harsh action because of some of the unpleasant things that have transpired in South Vietnam.

As I mentioned at the opening of my comments a few minutes ago, even in 1959, when there was no so-called war in Vietnam, the tasks that faced any Administrator of AID in any phase of the program were overwhelming.

As a result of what has transpired since then, we have learned many things. But, given the sudden infusion of manpower, supplies, equipment, and money of all sorts, and the distortions that war always produces, it is amazing that things have gone as well as they have.

With all these thoughts in mind, I respectfully take issue with my colleague, the Senator from Indiana, and express the hope that this body will see fit to end the delays that have plagued the administration of the overall AID program. I believe they should get moving with this matter, and that we should not penalize the program in this way.

If, at any time, some incriminating criminal kind of negligence should be turned up which makes it within the responsibilities of this body to call into question a Presidential appointment, that would be the time for this body to act. Meanwhile, it is important that we get on with the desperately important business at hand—the problem of adequately staffing the administrative end of the AID program, which has enough difficulty without our dragging it down with matters such as this.

For that reason, Mr. President, I hope that the Senate will see fit to go along with Mr. Poats, and with the request of the President and the director of the program.

Mr. BAYH. Mr. President, I yield myself 2 additional minutes.

As I said, I have the greatest respect for my friend, the Senator from Wyoming. I trust that he is familiar with the actual day-to-day operations of the Southeast Asia AID area. I trust that he knows that in all the countries to which he referred, the mission director was given almost total latitude, with very little management. But it was in Vietnam that Mr. Poats maintained almost singular control from his office in Washington.

This is another area in which I may be unduly sensitive, but I have been sensitive about some accusations made by some well-intentioned friends of the press that what I am really trying to accomplish, I am defeating by delay. The fact is that we have created a new office and raised it to an area level, and Mr. Bullitt has already been confirmed by the Senate. His sole responsibility is not Southeast Asia, but Vietnam. So if the people at AID want to get a job done, they have the man to do it with right now, without Mr. Poats.

I cannot agree with my friend, the Senator from Wyoming, that we must find something criminal against a man before we vote against his qualifications. I am not saying that there is anything criminal about Mr. Poats. In fact, I have heard that he has been a splendid newsman, and I am sure he is qualified in that area. All I am saying is that the record shows that he has done a very poor job in the area of managing Vietnam. I do not believe we are a court, so far as criminal activities are concerned. We are attempting to judge a man's ability, and the only way we can judge it is to look at the job he has done.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BAYH. I yield myself 1 additional minute.

I should like the Senator from Wyoming, after this matter has been concluded—because I do not believe he will have time to do it now—to look on my desk, where there is a General Accounting Office report—not to the junior Senator from Indiana. It is a report submitted by the Comptroller General in 1964 under the auspices of the General Accounting Office—Mr. Poats was there then—and it points out no audits.

All incidents of mismanagement that are alluded to and specified in the Moss report were brought out in 1964 by the General Accounting Office. There is another account on my desk by Mr. Herter, with similar accusations in 1964. Earlier in 1966, before the Moss report, we have the Widener report, which specifically looked into port facilities, and concluded that particular activity was marked by mismanagement. In addition, there is the report on failures in the drug import program and the GAO steel report showing that kickbacks were more common than I said. All of these matters are not my accusations. They are supported by people who are supposed to know their business.

Mr. McGEE. Mr. President, will the Senator yield 1 minute to me?

Mr. BYRD of West Virginia. Mr. President, I yield 1 minute to the Senator from Wyoming.

Mr. McGEE. Mr. President, I wish to have this discussion close on a note of reaffirmation of my respect for my friend, the Senator from Indiana. I would be the last person to charge him with delaying this matter at all. He has been very forthright and straightforward; there have been no sneak attacks; and he has been open and aboveboard. I commend the Senator for that.

The area where we differ, probably, is where one fixes the blame for not being some kind of omnificent, all-seeing soul in Vietnam. Without intending to be sacrilegious, I would suggest that someone close to the Lord himself would have

difficulty. We should have a considerably more charitable view of any efforts of any of our people who are trying to come to grips with the problem.

At the same time we have to view the larger picture, and the larger picture shows that those who have to take the consequences want this man and they are willing to depend upon this man in the administration in the larger sphere of this program.

Mr. President, in my judgment, we must consider all of these matters in approving Mr. Poats today, and I believe the record calls for his approval in this administrative role.

I thank my friend, the Senator from Indiana, for his dialog on this particular question.

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

Mr. BYRD of West Virginia. Mr. President, I yield 2 minutes to the Senator from Texas.

Mr. TOWER. Mr. President, I wish to make known my support of the nomination of Mr. Rutherford M. Poats to be Deputy Administrator of the Agency for International Development.

Mr. Poats had to deal with extremely difficult problems, some of which the agency has had no precedent for handling. I do not think he should be blamed for some of the grievous problems we have had in connection with some of our AID administration in Southeast Asia.

As we know, the President submitted the name of Mr. Poats last year for the post of Deputy Administrator of AID—the second highest position in an agency with over 12,000 employees. Since this is an extremely important position, and one which has been vacant for over 6 months now, the matter is acquiring a sense of acute urgency. The lack of a man in this position throws heavy added responsibilities on the head of the Agency and on the immediately lower echelons.

This nomination was unanimously approved by the full Foreign Relations Committee of the Senate last year and the name was submitted to the Senate on the last day of the 89th Congress in 1966. Unanimous consent, required for full Senate consideration on such short notice, was withheld. Thus, Mr. Poats could not then be confirmed.

Now, several months later, the Senate is asked once again to consider confirmation, confirmation of the same name, Rutherford M. Poats, submitted by the President as the man he deems best qualified for the post; the man wanted by William S. Gaud, AID chief, and also the man supported by the Secretary of State, Mr. Rusk.

Today I wish to state in clear terms my support of Mr. Poats for the position of Deputy Administrator. We have now had ample time to check on details mentioned previously as being derogatory of Mr. Poats' administration of our Vietnam aid program. Our Senate Permanent Subcommittee for Investigations has also had ample opportunity to check previous charges of loose administration in assistance procedures as well as irregularities in the operation of the commodity-import program for Vietnam.

Also, the House Foreign Operations and Government Information Subcommittee has had time to investigate, at firsthand, procedures in aid administration in Vietnam. In addition, our Senate Foreign Relations Committee has held hearings on the nomination of Mr. Poats and has confronted him with the irregularities revealed in our aid program in Vietnam while he was there and also since he assumed charge of all our south and Southeast Asia programs.

Now, just a short while ago, we have had notice of a report, dated November 1966, done by the firm, Area Studies of California; a report highly critical of our Vietnam aid program and apparently naming names of many people, determined by those making the study, to be responsible for certain failures and deficiencies of our AID mission in Vietnam.

Mr. President, in all these investigations, and in reports and press allegations of mismanagement of our overall AID program in South Vietnam, certain relevant facts are often forgotten or overlooked. I refer to them just briefly:

First. Saigon and Saigon Harbor are both in the war area. The military must have priority for men, materiel, and foodstuffs.

Second. Concomitant with our war commitments, our Government also decided to initiate a large commodity import program, Public Law 480 food shipments, deflationary procedures, and other methods of helping the economy of South Vietnam. This program was superimposed and inextricably interwoven with the war effort.

Third. Our military effort and civilian goods effort were dumped on a city, a harbor, and a people completely unequipped to absorb or handle these dual efforts.

Fourth. We gave the South Vietnamese Government and military a more important part to play in the disbursement of aid supplies than they proved capable of assuming. Unscrupulous officials and profiteers took advantage of our own Government until such time as we were able to impose our own requirements of bookkeeping, audit, supervision and management.

Fifth. Given such handicaps as the limited facilities, the small number of experienced American officials, sometimes inept foreign officialdom, in a debilitating climate, often in doubtful situations where friend and foe were indistinguishable, under enormous pressure from us here at home to achieve tangible results, both military and civilian, it seems meritorious to me that our AID people have achieved as much as they have.

Sixth. Mr. Poats was in charge of a vastly accelerated and intricate program. His schedule called for speedy, massive, economic assistance. Our Departments of Defense and State as well as AID knew the risks and urgency. Mr. Poats got the message—got the job done—and he did it well under the circumstances at hand.

Seventh. Under his management our AID mission accomplished the following:

Today there is largely economic stabilization; runaway inflation has been checked; medical care and facilities are generally very good; education is being improved; agriculture is being rehabilitated; the commodity import system has been liberalized; procurement of bulk commodities has been consolidated; physical port facilities have been expanded; port management has been improved; stealing, graft, and corruption have been contained; and, finally, our aid program is on solid ground insofar as management, surveillance, cooperation, and results are concerned.

Mr. President, in my capacity as a member of the Armed Services Committee, I have been in Vietnam on three different occasions over the past 18 months, I have seen firsthand the difficult tasks faced and met headon through much dedication and diligent effort by our very able AID personnel.

Mr. President, in conclusion, I would like to again point out that in my opinion, in doing his appointed task, Mr. Poats has shown himself to be a man of integrity; able to make sound decisions; of good administrative ability; able to inspire confidence in fellow employees; able to deal with men here and abroad on the highest levels; and a man who can well be entrusted, I believe, with all aspects of this office. He has, in my opinion, acquired himself well in both Vietnam and later as head of all our aid efforts in south Asia.

Mr. Poats has proved himself in an onerous task. I support his nomination as Deputy Administrator of AID and feel that he will live up to the confidence we will place in him in confirmation.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum and I suggest that the time be equally charged to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BAYH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Who yields time?

Mr. BAYH. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 2 minutes.

Mr. BAYH. Mr. President, difficult as the task may be, we in the Senate are charged with the responsibility of advising and consenting on presidential nominations.

In listening to the good faith efforts which have been made on the part of my colleagues who, I personally feel, sincerely believe in their arguments, it is difficult for me to understand how we in the Senate can fully accept this responsibility given us by our constitutional fathers if we do not make a concerted effort to investigate the qualifications of the nominations sent up to us by the President.

On most nominations, I must admit, it is a perfunctory effort on my part to vote "yea."

I suppose I could almost say it is very

much like the song which my 11-year-old practices on the piano—when I can get him to practice—about the good old Duke of York. He had 10,000 men. He marched them up to the top of the hill, and then he marched them down again. So it is with most presidential nominations. They are marched up, and then they are marched down again, and they are consented to by unanimous vote in this body.

It seems to me that an important point we have to recognize is the responsibility we have as Senators not to accept the philosophy which is given to us barrelful after barrelful by the agencies who make these self-serving professions of innocence for those they recommend.

I cannot in good conscience look at the pile of reports on my desk, in which I have no pride of authorship, because I was not responsible for one word written therein. As I have said repeatedly, these reports go back to 1964, and the one, main damning criticism that I have premised them on is that there has not been so much as one single, simple audit, a simple little accounting of the money expended, amounting to $720 million for this fiscal year. There has not been an audit of the millions and millions of dollars we have pumped into Vietnam since 1961.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. To be attributed to the Senator's time?

Mr. BAYH. I ask unanimous consent that the time be divided evenly between the two sides.

The PRESIDING OFFICER. Without objection, it is ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MANSFIELD. Mr. President, I yield myself the 2 minutes remaining on this side.

The PRESIDING OFFICER. The majority leader is recognized for 2 minutes.

Mr. MANSFIELD. Mr. President, I rise at this time only to compliment and commend the distinguished Senator from Indiana for the long, hard, and determined fight he has made in an attempt to make known his strong views on the nomination of Mr. Rutherford Poats.

The Senator has acted within his rights and under the rules and procedures of the Senate. He has felt very emphatically that this is a matter which should be given a great deal of consideration. He has backed up his feelings with figures and facts and statements for the RECORD. And, regardless of how the pending vote comes out, I want the Senator from Indiana to know that he has our respect and admiration and affection, and that, while at times he may have felt alone in this particular effort, there are other times when other Senators have had similar experiences. However, when they feel they are right, they feel they are mighty, even while acting alone.

So, I am glad that this matter is coming to a head. I appreciate the consistent courtesy and graciousness shown by the distinguished Senator from Indiana.

I assure the Senator and the press that the Senator has not unduly delayed the consideration of this nomination but, on the contrary, has been most cooperative and understanding at all times.

Mr. BAYH. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 9 minutes remaining.

Mr. BAYH. Mr. President, at this time I move to recommit the pending nomination to the Committee on Foreign Relations. I send the motion to the desk and ask that it be stated.

The PRESIDING OFFICER. The motion will be stated.

The assistant legislative clerk read as follows:

The Senator from Indiana (Mr. BAYH) moves to recommit the pending nomination to the Committee on Foreign Relations.

Mr. BAYH. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BAYH. Mr. President, in return for the kind thoughts expressed by the majority leader, I express my deep appreciation.

Mr. President, while this matter has been extremely difficult and I am afraid, a bit embarrassing to the majority leader, the senior Senator from Montana has always shown deep respect for me. I am extremely grateful for that and for his tolerance displayed in this situation.

The matter before us concerns whether a man who has been charged with the responsibility of directing the AID program in Vietnam should be promoted to the number two spot for the Agency for International Development.

I agree with those of my colleagues—and there were two or three—who pointed out that administering any type of program in faraway Vietnam with a war going on is difficult.

This, in my judgment, is absolutely true. However, given the circumstances which exist in Vietnam, it seems to me that an administrator, if he were worthy of his salt, and indeed if he were worthy of a promotion to an even higher post, has a greater responsibility to bring to bear top level managerial capabilities. Yet, the record of mismanagement is plentiful. And I have attempted to report them for the record.

As far back as 1964, it was not only the junior Senator from Indiana who voiced concern about what was going on in South Vietnam concerning AID. It was the Government Accounting Office and the Comptroller General. They were the ones who said there had not been an audit in Vietnam since 1961. They were the ones who pointed out that no effort was made to try to determine whether goods were needed in the country before the goods were imported.

They were the ones who reported, as far back as 1964, that no effort was made to see how the funds were utilized and that no safeguards were taken to keep the funds from reaching the enemy and to keep the commodities from reaching the enemy.

Likewise, the Herter report in 1964 mentioned inequities with specific reference to port facilities.

Other investigations resulted in the Wagner report, which was an all-encompassing treatment of the problems existing in Vietnam, and the Moss report, which is one of the most thorough congressional documents that we have seen on the subject.

I have the Moss report here. It consists of 130 pages. It points out the inequities and the inefficiencies of the program and the total lack of management in South Vietnam with relation thereto.

The Tamblyn report is on my desk. It consists of several dozen pages and points out the misuse of drugs and that drugs shipped willy-nilly throughout the countryside were also unlabeled. We do not know how many thousands of people were injured because they did not have proper warning. Prescriptions were not required. The drugs could have reached the enemy.

I could point out a whole list of inequities that existed during the past several years.

If a man were a good administrator, he would have harkened to that first report in 1964. He would have then implemented the managerial techniques which were necessary to make that program function expeditiously.

History shows that it was not until Members of Congress started applying the hot iron of criticism, and it was not until members of the press brought the white heat of publicity to bear, that any effort was made by AID to correct these deficiencies.

If we are going to promote someone, I personally think it is extremely important that it be a man who will be candid and willing to admit to making mistakes and possess the capability of correcting such mistakes.

I must say that the experience I have personally had with this man made me determine that I could not in good conscience vote for his nomination.

When we were trying to find out what could be done to improve the situation with relation to steel—an issue in which the Senate voted 64 to 14 in support of our position—and when we were trying to find out what was going on in Vietnam, this nominee came to my office and sat in a chair in my office and repeatedly, time after time, denied accusations that I made concerning what was going on.

I felt compelled to ask the Government Accounting Office to subpena his files, and they did.

What did they find? We found that despite his denials the record contained reports that had come from Saigon which conflicted with his statements. A French firm had been hired. The reports were in the AID files at the time I was asking him questions.

The report stated that the situation there was even worse than I had dared to anticipate.

Mr. President, I leave with my colleagues one last thought. It has not been very long since I first came to the Senate, but I have been in sympathy with those who have voiced increasing concern over the fact that the Senate has relegated

too much of its responsibilities to the Executive. We hear the criticism time and time again that the U.S. Senate is naught but a rubberstamp.

The Constitution provides that the Senate shall advise and consent on Executive appointments and Executive nominations. We have a chance now to determine whether we believe that we have the responsibility to demand top-notch performance before a person is to be promoted, or whether we will merely accede to a nomination because a top official of AID seems to feel that one man is indispensable to him.

I have suggested that the nomination be recommitted to the committee. This suggestion has the support of the chairman of the committee, the Senator from Arkansas [Mr. FULBRIGHT]; it has the support of the senior Senator from Arkansas [Mr. MCCLELLAN], who is conducting an investigation; and when the senior Senator from Arkansas has finished, we will all be surprised at what is going on with respect to AID in Vietnam.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). All time has expired. The question is on agreeing to the motion of the Senator from Indiana to recommit the nomination to the Committee on Foreign Relations. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAKER (when his name was called). On this vote, I have a pair with the senior Senator from Arkansas [Mr. MCCLELLAN]. If he were present and voting, he would vote "aye"; if I were permitted to vote, I would vote "nay." I therefore withhold my vote.

The legislative clerk resumed and concluded the call of the roll.

Mr. LONG of Louisiana. I announce that the Senator from Connecticut [Mr. DODD], the Senator from Louisiana [Mr. ELLENDER], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Georgia [Mr. TALMADGE] are necessarily absent.

I also announce that the Senator from Hawaii [Mr. INOUYE] is absent because of illness.

I further announce that the Senator from Massachusetts [Mr. KENNEDY] is absent on official business.

On this vote, the Senator from Louisiana [Mr. ELLENDER] is paired with the Senator from Florida [Mr. SMATHERS].

If present and voting, the Senator from Louisiana would vote "yea," and the Senator from Florida would vote "nay."

Mr. KUCHEL. I announce that the Senator from New Jersey [Mr. CASE] and the Senator from Colorado [Mr. DOMINICK] are absent on official business.

The Senator from Oregon [Mr. HATFIELD] and the Senator from Idaho [Mr. JORDAN] are necessarily absent.

The Senator from Utah [Mr. BENNETT] is detained on official business, and, if present and voting, would vote "nay."

On this vote, the Senator from Idaho [Mr. JORDAN] is paired with the Senator from Colorado [Mr. DOMINICK]. If present and voting, the Senator from Idaho would vote "yea" and the Senator from Colorado would vote "nay."

The result was announced—yeas 42, nays 43, as follows:

[No. 118 Ex.]

YEAS—42

Bartlett	Fong	Miller
Bayh	Fulbright	Monroney
Boggs	Griffin	Morse
Brewster	Gruening	Mundt
Brooke	Hansen	Murphy
Byrd, Va.	Harris	Pearson
Byrd, W. Va.	Hartke	Prouty
Cannon	Hruska	Randolph
Church	Jackson	Ribicoff
Cooper	Lausche	Scott
Cotton	Long, La.	Stennis
Curtis	Long, Mo.	Tydings
Eastland	Magnuson	Williams, Del.
Fannin	Metcalf	Young, Ohio

NAYS—43

Aiken	Hollings	Pastore
Allott	Javits	Pell
Anderson	Jordan, N.C.	Percy
Bible	Kennedy, N.Y.	Proxmire
Burdick	Kuchel	Russell
Carlson	Mansfield	Smith
Clark	McCarthy	Sparkman
Dirksen	McGee	Spong
Ervin	McGovern	Thurmond
Gore	Mondale	Tower
Hart	Montoya	Williams, N.J.
Hayden	Morton	Yarborough
Hickenlooper	Moss	Young, N. Dak.
Hill	Muskie	
Holland	Nelson	

NOT VOTING—15

Baker	Ellender	McClellan
Bennett	Hatfield	McIntyre
Case	Inouye	Smathers
Dodd	Jordan, Idaho	Symington
Dominick	Kennedy, Mass.	Talmadge

So Mr. BAYH's motion to recommit was rejected.

The PRESIDING OFFICER. The question now recurs: Will the Senate advise and consent to the nomination of Rutherford M. Poats, of Virginia, to be Deputy Administrator, Agency for International Development.

Mr. AIKEN. Mr. President, is comment on this matter in order at this time?

The PRESIDING OFFICER. No further debate is in order at the moment. All time has expired.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAKER (when his name was called). On this vote I have a pair with the Senator from Arkansas [Mr. MCCLELLAN]. If he were present and voting, he would vote "nay"; if I were permitted to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from Connecticut [Mr. DODD], the Senator from Louisiana [Mr. ELLENDER], the Senator from Arkansas [Mr. MCCLELLAND], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Florida [Mr. SMATHERS], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Georgia [Mr. TALMADGE] are necessarily absent.

I also announce that the Senator from Hawaii [Mr. INOUYE], is absent because of illness.

I further announce that the Senator from Massachusetts [Mr. KENNEDY], is absent on official business.

I further announce that, if present and voting, the Senator from Louisiana [Mr. ELLENDER], and the Senator from Florida [Mr. SMATHERS], would each vote "yea."

Mr. KUCHEL. I announce that the Senator from New Jersey [Mr. CASE] and the Senator from Colorado [Mr. DOMINICK] are absent on official business.

The Senator from Oregon [Mr. HATFIELD] and the Senator from Idaho [Mr. JORDAN] are necessarily absent.

The Senator from Utah [Mr. BENNETT] is detained on official business, and if present and voting, would vote "yea."

On this vote, the Senator from Colorado [Mr. DOMINICK] is paired with the Senator from Idaho [Mr. JORDAN]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Idaho would vote "nay."

The result was announced—yeas 61, nays 24, as follows:

[No. 119 Ex.]

YEAS—61

Aiken	Holland	Nelson
Allott	Hollings	Pastore
Anderson	Jackson	Pearson
Bible	Javits	Pell
Brooke	Jordan, N.C.	Percy
Burdick	Kennedy, N.Y.	Proxmire
Byrd, Va.	Kuchel	Randolph
Byrd, W. Va.	Lausche	Russell
Carlson	Long, Mo.	Scott
Church	Long, La.	Smith
Clark	Magnuson	Sparkman
Dirksen	Mansfield	Spong
Eastland	McCarthy	Stennis
Ervin	McGee	Thurmond
Gore	McGovern	Tower
Gruening	Mondale	Williams, N.J.
Harris	Monroney	Yarborough
Hart	Montoya	Young, N. Dak.
Hayden	Morton	Young, Ohio
Hickenlooper	Moss	
Hill	Muskie	

NAYS—24

Bartlett	Fannin	Miller
Bayh	Fong	Morse
Boggs	Fulbright	Mundt
Brewster	Griffin	Murphy
Cannon	Hansen	Prouty
Cooper	Hartke	Ribicoff
Cotton	Hruska	Tydings
Curtis	Metcalf	Williams, Del.

NOT VOTING—15

Baker	Ellender	McClellan
Bennett	Hatfield	McIntyre
Case	Inouye	Smathers
Dodd	Jordan, Idaho	Symington
Dominick	Kennedy, Mass.	Talmadge

So the nomination was confirmed.

Mr. MANSFIELD. Mr. President, I ask that the President be notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the President will be notified.

Mr. BAYH. Mr. President, the Senate has spoken, and I would like the RECORD to show that the Senator from Indiana hopes with all his heart that his judgment of the nominee was in error. I trust he will demonstrate to the Senator from Indiana and his 41 colleagues who supported the motion to recommit that he can be the topflight No. 2 man in AID. If that is the case, I want to apologize for any embarrassment that this confrontation may have caused the nominee, for it was not an easy ordeal.

Mr. MANSFIELD. The Senator from Indiana is most gracious. I am sure Mr. Poats will take to heart what has been said and done in this matter.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate return to legislative session.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

PUBLIC BROADCASTING ACT OF 1967

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 213, S. 1160. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1160) to amend the Communications Act of 1934 by extending and improving the provisions thereof relating to grants for construction of educational television broadcasting facilities, by authorizing assistance in the construction of noncommercial educational radio broadcasting facilities, by establishing a nonprofit corporation to assist in establishing innovative educational programs, to facilitate educational program availability, and to aid the operation of educational broadcasting facilities; and to authorize a comprehensive study of instructional television and radio; and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, with amendments, on page 2, line 1, after the word "Public", to strike out "Television" and insert "Broadcasting"; in the subhead in line 5, after the word "Educational", to strike out "Television" and insert "Broadcasting"; on page 3, line 10, after "1934", to strike out "2" and insert "47"; in line 21, after the word "in", to strike out "such"; in the same line, after the numeral "(1)", to insert "(D)"; on page 5, line 16, after the numeral "(1)", to insert "by inserting 'noncommercial' before 'educational television purposes' in paragraph (2) thereof,"; in line 20, after the word "in", to insert "such"; in the same line, after the numeral "(2)", to strike out "thereof"; at the beginning of line 22, to strike out "2" and insert "47"; on page 6, line 1, after the word "after", to insert "necessary for"; in line 11, after the word "Act", to strike out "2" and insert "47"; on page 8, line 5, after the numerals "398", to insert "and redesignating section 394 as section 397 and"; in line 7, after the numerals "398", to strike out the comma and "and redesignating section 394 as section 397"; in line 8, after the word "above", to strike out "the" and insert "its"; in line 9, after the word "heading", to strike out "thereof"; in the subhead in line 14, after the word "Public", to insert "Broadcasting"; in line 15, to strike out "Television"; on page 10, line 21, after the word "of", to insert "noncommercial"; on page 11, at the beginning of line 4, to insert "Broadcasting"; in the same line, after the amendment just above stated, to strike out "Television"; in line 12, after the word "members", to insert "of which nine shall be"; in line 14, after the word "Senate", to insert "and six shall be elected by the members so appointed"; on page 12, at the beginning of line 7, to insert "or elected"; at the beginning of line 9, to insert "appointed or"; in line 12, after the word "appointment", to insert "or election"; in the same line, after the amendment just above stated, to strike out "five at the end of two years, five at the end of four years, and five at the end of six" and insert "as follows: the terms of three of the appointed members and two of the elected members shall expire at the end of two years, the terms of three of the appointed members and two of the elected members shall expire at the end of four years, and the terms of three of the appointed members and two of the elected members shall expire at the end of six"; on page 13, at the beginning of line 2, to strike out "appointments were" and insert "appointment or election was"; in line 5, after the word "appointed", to insert "or elected"; on page 14, line 5, after the word "Chairman", to insert "of the Board"; on page 15, line 10, after the word "of", to strike out "a system" and insert "one or more systems of noncommercial educational television or radio broadcasting and one or more systems"; after line 16, to strike out:

(C) assist in the establishment and development of one or more systems of noncommercial educational television or radio broadcast stations throughout the United States.

At the beginning of line 21, to strike out "(D)" and insert "(C)"; on page 16, line 24, after the word "maintain", to strike out "a library" and insert "libraries"; on page 17, line 1, after the word "and", where it appears the second time, to strike out "develop public awareness of and"; at the beginning of line 4, to strike out "various means, including the"; in line 6, after the word "or", to strike out "nonprofit"; in line 20, after the word "demonstrations", to strike out "or" and insert "and"; on page 18, line 3, after the word "network", to insert "or community antenna television system"; in line 4, after the amendment just above stated, to strike out "on" and insert "or"; in line 12, after the word "services", to strike out "to grantees of or contractors with the Corporation and local" and insert "for"; in line 14, after the word "radio", to strike out "broadcast stations" and insert "services"; on page 19, at the beginning of line 21, to strike out "a study of instructional television, including its relationship to education television broadcasting and such other aspects thereof as may assist in determining whether Federal aid should be provided therefor and the form that aid should take, and which may aid communities, institutions, or agencies in determining whether and to what extent such activities should be used", and insert "a comprehensive study of instructional television and radio (including broadcast, closed circuit, community antenna television, and instructional television fixed services and two-way communication of data links and computers) and their relationships to each other and to instructional materials such as videotapes, films, discs, computers, and other educational materials or devices, and such other aspects thereof as may be of assistance in determining what Federal aid should be provided for instructional radio and television and the form that aid should take, and which may aid communities, institutions, or agencies in determining whether and to what extent such activities should be used."; on page 20, after line 14, to strike out:

CONTENT OF STUDY

SEC. 302. Such study shall be comprehensive in nature and shall cover particularly such items as—

(1) the quality and content of existing programs and how they can be improved;

(2) the financial factors involved in use of instructional television in educational institutions;

(3) the relative advantages or disadvantages of using instructional television as compared with other media;

(4) the advantages and disadvantages of closed circuit television;

(5) the relationship between instructional and educational television; and

(6) new technology not now available, including flexible teacher-controlled scheduling of programs based on videotapes, discs, films, and other materials or devices.

On page 21, at the beginning of line 10, to change the section number from "303" to "302"; in line 12, after the word "before", to strike out "January 1" and insert "June 30"; and, at the beginning of line 14, to change the section number from "304" to "303"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Public Broadcasting Act of 1967".

TITLE I—CONSTRUCTION OF FACILITIES

EXTENSION OF DURATION OF CONSTRUCTION GRANTS FOR EDUCATIONAL BROADCASTING

SEC. 101. (a) Section 391 of the Communications Act of 1934 (47 U.S.C. 391) is amended by inserting after the first sentence the following new sentence: "There are also authorized to be appropriated for carrying out the purposes of such section, $10,500,000 for the fiscal year ending June 30, 1968, and such sums as may be necessary for the next four fiscal years.".

(b) The last sentence of such section is amended by striking out "July 1, 1968" and inserting in lieu thereof "July 1, 1973".

MAXIMUM ON GRANTS IN ANY STATE

SEC. 102. Effective with respect to grants made from appropriations for any fiscal year beginning after June 30, 1967, subsection (b) of section 392 of the Communications Act of 1934 (47 U.S.C. 392(b)) is amended to read:

"(b) The total of the grants for any fiscal year made under this part for the construction of noncommercial educational television broadcasting facilities or noncommercial educational radio broadcasting facilities in any State may not exceed 12½ per centum of the portion of the appropriation for such year available for such grants."

NONCOMMERCIAL EDUCATIONAL RADIO BROADCASTING FACILITIES

SEC. 103. (a) Section 390 of the Communications Act of 1934 (47 U.S.C. 390) is amended by inserting "noncommercial" before "educational" and by inserting "or radio" after "television".

(b) Subsection (a) of section 392 of the

Communications Act of 1934 (47 U.S.C. 392 (a)) is amended by—

(1) inserting "noncommercial" before "educational" and by inserting "or radio" after "television" in so much thereof as precedes paragraph (1);

(2) striking out clause (B) of such paragraph and inserting in lieu thereof "(B) in the case of a project for television facilities, the State educational television agency or, in the case of a project for radio facilities, the State educational radio agency,";

(3) inserting "(i) in the case of a project for television facilities," after "(D)" and "noncommercial" before "educational" in paragraph (1)(D) and by inserting before the semicolon at the end of such paragraph ", or (ii) in the case of a project for radio facilities, a nonprofit foundation, corporation, or association which is organized primarily to engage in or encourage noncommercial educational radio broadcasting and is eligible to receive a license from the Federal Communications Commission; or meets the requirements of clause (i) and is also organized to engage in or encourage such radio broadcasting and is eligible for such a license for such a radio station";

(4) striking out "television" in paragraphs (2), (3), and (4) of such subsection;

(5) striking out "and" at the end of paragraph (3), striking out the period at the end of paragraph (4) and inserting in lieu thereof "; and", and inserting after paragraph (4) the following new paragraph:

"(5) that, in the case of an application with respect to radio broadcasting facilities, there has been comprehensive planning for educational broadcasting facilities and services in the area the applicant proposes to serve and the applicant has participated in such planning, and the applicant will make most efficient use of the frequency assignment."

(c) Subsection (c) of such section is amended by inserting "(1)" after "(c)" and "noncommercial" before "educational television broadcasting facilities", and by inserting at the end thereof the following new paragraph:

"(2) In order to assure proper coordination of construction of noncommercial educational radio broadcasting facilities within each State which has established a State educational radio agency, each applicant for a grant under this section for a project for construction of such facilities in such State, other than such agency, shall notify such agency of each application for such a grant which is submitted by it to the Secretary, and the Secretary shall advise such agency with respect to the disposition of each such application."

(d) Subsection (d) of such section is amended by inserting "noncommercial" before "educational television" and inserting "or noncommercial educational radio broadcasting facilities, as the case may be," after "educational television broadcasting facilities" in clauses (2) and (3).

(e) Subsection (f) of such section is amended by inserting "or radio" after "television" in the part thereof which precedes paragraph (1), by inserting "noncommercial" before "educational television purposes" in paragraph (2) thereof, and by inserting "or noncommercial educational radio purposes, as the case may be" after "educational television purposes" in such paragraph (2).

(f)(1) Paragraph (2) of section 394 of such Act (427 U.S.C. 394) is amended by inserting "or educational radio broadcasting facilities" after "educational television broadcasting facilities," and by inserting "or radio broadcasting, as the case may be" after "necessary for television broadcasting".

(2) Paragraph (4) of such section is amended by striking out "The term 'State educational television agency' means" and inserting in lieu thereof "The terms 'State educational television agency' and 'State educational radio agency' mean, with respect to television broadcasting and radio broadcasting, respectively,", and by striking out "educational television" in clauses (A) and (C) and inserting in lieu thereof "such broadcasting".

(g) Section 397 of such Act (47 U.S.C. 397) is amended by inserting "or radio" after "television" in clause (2).

FEDERAL SHARE OF COST OF CONSTRUCTION

SEC. 104. Subsection (e) of section 392 of the Communications Act of 1934 (47 U.S.C. 392(e)) is amended to read as follows:

"(e) Upon approving any application under this section with respect to any project, the Secretary shall make a grant to the applicant in the amount determined by him, but not exceeding 75 per centum of the amount determined by the Secretary to be the reasonable and necessary cost of such project. The Secretary shall pay such amount from the sum available therefor, in advance or by way of reimbursement, and in such installments consistent with construction progress, as he may determine."

INCLUSION OF TERRITORIES

SEC. 105. (a) Paragraph (1) of section 394 of the Communications Act of 1934 is amended by striking out "and" and inserting a comma in lieu thereof, and by inserting before the period at the end thereof ", the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands".

(b) Paragraph (4) of such section is amended by inserting "and, in the case of the Trust Territory of the Pacific Islands, means the High Commissioner thereof" before the period at the end thereof.

INCLUSION OF COSTS OF PLANNING

SEC. 106. Paragraph (2) of section 394 of the Communications Act of 1934 is further amended by inserting at the end thereof the following: "In the case of apparatus the acquisition and installation of which is so included, such term also includes planning therefor."

TITLE II — ESTABLISHMENT OF NONPROFIT EDUCATIONAL BROADCASTING CORPORATION

SEC. 201. Part IV of title III of the Communications Act of 1934 is further amended by—

(1) inserting

"SUBPART A—GRANTS FOR FACILITIES"

immediately above the heading of section 390;

(2) striking out "part" and inserting in lieu thereof "subpart" in sections 390, 393, 395, and 396;

(3) redesignating section 397 as section 398, and redesignating section 394 as section 397 and inserting it before such section 398 and inserting immediately above its heading

"SUBPART C—GENERAL"

(4) redesignating section 396 as section 394 and inserting it immediately after section 393;

(5) inserting after "broadcasting" the first time it appears in clause (2) of the section of such part IV redesignated herein as section 398 ", or over the Corporation or any of its grantees or contractors, or over the charter or bylaws of the Corporation,".

(6) inserting in the section of such part IV herein redesignated as section 397 the following new paragraphs:

"(6) The term 'Corporation' means the Corporation authorized to be established by subpart B of this part.

"(7) The term 'noncommercial educational broadcast station' means a television or radio broadcast station, which, under the rules and regulations of the Federal Communications Commission, is eligible to be licensed or is licensed by the Commission as a noncommercial educational radio or television broadcast station and which is owned and operated by a public agency or nonprofit private foundation, corporation, or association.

"(8) The term 'interconnection' means the use of microwave equipment, boosters, translators, repeaters, communication space satellites, or other apparatus or equipment for the transmission and distribution of television or radio programs to noncommercial educational television or radio broadcast stations."

(7) inserting after section 395 the following new subpart:

"SUBPART B—CORPORATION FOR PUBLIC BROADCASTING

"Congressional Declaration of Policy

"SEC. 396. (a) The Congress hereby finds and declares—

"(1) that it is in the public interest to encourage the growth and development of noncommercial educational radio and television broadcasting, including the use of such media for instructional purposes;

"(2) that expansion and development of noncommercial educational radio and television broadcasting and of diversity of its programing depend on freedom, imagination, and initiative on both the local and national levels;

"(3) that the encouragement and support of noncommercial educational radio and television broadcasting, while matters of importance for private and local development, are also of appropriate and important concern to the Federal Government;

"(4) that it furthers the general welfare to encourage noncommercial educational radio and television broadcast programing which will be responsible to the interests of people both in particular localities and throughout the United States, and which will constitute an expression of diversity and excellence;

"(5) that it is necessary and appropriate for the Federal Government to complement, assist, and support a national policy that will most effectively make noncommercial educational radio and television service available to all the citizens of the United States;

"(6) that a private corporation should be created to facilitate the development of noncommercial educational radio and television broadcasting and to afford maximum protection to such broadcasting from extraneous interference and control.

"Corporation Established

"(b) There is authorized to be established a nonprofit corporation, to be known as the 'Corporation for Public Broadcasting', which will not be an agency or establishment of the United States Government. The Corporation shall be subject to the provisions of this section, and, to the extent consistent with this section, to the District of Columbia Nonprofit Corporation Act.

"Board of Directors

"(c)(1) The Corporation shall have a Board of Directors (hereinafter in this section referred to as the 'Board'), consisting of fifteen members of which nine shall be appointed by the President, by and with the advice and consent of the Senate and six shall be elected by the members so appointed.

"(2) The members of the Board (A) shall be selected from among citizens of the United States (not regular full-time employees of the United States) who are eminent in such fields as education, cultural and civic affairs, or the arts, including radio or television; (B) shall be selected so as to provide as nearly as practicable a broad representation of various regions of the country, various professions and occupations, and various kinds of talent and experience appropriate to the functions and responsibilities of the Corporation.

"(3) The members of the initial Board of

Directors shall serve as incorporators and shall take whatever actions are necessary to establish the Corporation under the District of Columbia Nonprofit Corporation Act.

"(4) The term of office of each member of the Board shall be six years; except that (A) any member appointed or elected to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed or elected for the remainder of such term; and (B) the terms of office of members first taking office shall begin on the date of incorporation and shall expire, as designated at the time of their appointment or election, as follows: the terms of three of the appointed members and two of the elected members shall expire at the end of two years, the terms of three of the appointed members and two of the elected members shall expire at the end of four years, and the terms of three of the appointed members and two of the elected members shall expire at the end of six years. No member shall be eligible to serve in excess of two consecutive terms of six years each. Notwithstanding the preceding provisions of this paragraph, a member whose term has expired may serve until his successor has qualified

"(5) Any vacancy in the Board shall not affect its power, but shall be filled in the manner in which the original appointment or election was made.

"Election of Chairman; Compensation

"(d)(1) The President shall designate one of the members first appointed or elected to the Board as Chairman; thereafter the members of the Board shall annually elect one of their number as Chairman. The members of the Board shall also elect one or more of them as a Vice Chairman or Vice Chairmen.

"(2) The members of the Board shall not, by reason of such membership, be deemed to be employees of the United States. They shall, while attending meetings of the Board or while engaged in duties related to such meetings or in other activities of the Board pursuant to this subpart be entitled to receive compensation at the rate of $100 per day (or such other rate as may be determined by a vote of more than two-thirds of the full membership of the Board), including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, equal to that authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently.

"Officers and Employees

"(e)(1) The Corporation shall have a President, and such other officers as may be named and appointed by the Board for terms and at rates of compensation fixed by the Board. No individual other than a citizen of the United States may be an officer of the Corporation. No officer of the Corporation, other than the Chairman and any Vice Chairman of the Board, may receive any salary or other compensation from any source other than the Corporation during the period of his employment by the Corporation. All officers shall serve at the pleasure of the Board.

"(2) No political test or qualification shall be used in selecting, appointing, promoting, or taking other personnel actions with respect to officers, agents, and employees of the Corporation.

"Nonprofit and Nonpolitical Nature of the Corporation

"(f)(1) The Corporation shall have no power to issue any shares of stock, or to declare or pay any dividends.

"(2) No part of the income or assets of the Corporation shall inure to the benefit of any director, officer, employee, or any other individual except as salary or reasonable compensation for services.

"(3) The Corporation may not contribute to or otherwise support any political party or candidate for elective public office.

"Purposes and Activities of the Corporation

"(g)(1) In order to achieve the objectives and to carry out the purposes of this subpart, as set out in subsection (a), the Corporation is authorized to—

"(A) facilitate the full development of educational broadcasting in which programs of high quality, obtained from diverse sources, will be made available to noncommercial educational television or radio broadcast stations;

"(B) assist in the establishment and development of one or more systems of noncommercial educational television or radio broadcasting and one or more systems of interconnection to be used for the distribution of educational television or radio programs so that all noncommercial educational television or radio broadcast stations that wish to may broadcast the programs at times chosen by the stations;

"(C) carry out its purposes and functions and engage in its activities in ways that will most effectively assure the maximum freedom of the noncommercial educational television or radio broadcast systems and local stations from interference with or control of program content or other activities.

"(2) Included in the activities of the Corporation authorized for accomplishment of the purposes set forth in subsection (a) of this section, are, among others not specifically named—

"(A) to obtain grants from and to make contracts with individuals and with private, State, and Federal agencies, organizations, and institutions;

"(B) to contract with or make grants to program production entities, individuals, and selected noncommercial educational broadcast stations for the production of, and otherwise to procure, educational television or radio programs for national or regional distribution to noncommercial educational broadcast stations;

"(C) to make payments to existing and new noncommercial educational broadcast stations to aid in financing local educational television or radio programing costs of such stations, particularly innovative approaches thereto, and other costs of operation of such stations;

"(D) to establish and maintain libraries and archives of noncommercial educational television or radio programs and related materials and disseminate information about noncommercial educational television or radio broadcasting by publication of a journal;

"(E) to arrange, by grant or contract with appropriate public or private agencies, organizations, or institutions, for interconnection facilities suitable for distribution and transmission of educational television or radio programs to noncommercial educational broadcast stations;

"(F) to hire or accept the voluntary services of consultants, experts, advisory boards, and panels to aid the Corporation in carrying out the purposes of this section;

"(G) to encourage the creation of new noncommercial educational broadcast stations in order to enhance such service on a local, State, regional, and national basis;

"(H) to conduct (directly or through grants or contracts) research, demonstrations, and training in matters related to noncommercial educational television or radio broadcasting.

"(3) To carry out the foregoing purposes and engage in the foregoing activities, the Corporation shall have the usual powers conferred upon a nonprofit corporation by the District of Columbia Nonprofit Corporation Act, except that the Corporation may not own or operate any television or radio broadcast stations, system, or network, or community antenna television system, or interconnection or program production facility.

"Authorization for Free or Reduced Rate Interconnection Service

"(h) Nothing in the Communications Act of 1934, as amended, or in any other provision of law shall be construed to prevent United States communications common carriers from rendering free or reduced rate communications interconnection services for noncommercial educational television or radio services, subject to such rules and regulations as the Federal Communications Commission may prescribe.

"Report to Congress

"(i) The Corporation shall submit an annual report for the preceding fiscal year ending June 30 to the President for transmittal to the Congress on or before the 31st day of December of each year. The report shall include a comprehensive and detailed report of the Corporation's operations, activities, financial condition, and accomplishments under this section and may include such recommendations as the Corporation deems appropriate.

"Right To Repeal, Alter, or Amend

"(j) The right to repeal, alter, or amend this section at any time is expressly reserved.

"Financing

"(k)(1) There are authorized to be appropriated for expenses of the Corporation for the fiscal year ending June 30, 1968, the sum of $9,000,000, and for the next fiscal year such sums as may be necessary, to remain available until expended.

"(2) Notwithstanding the preceding provisions of this section, no grant or contract pursuant to this section may provide for payment from the appropriation for the fiscal year ending June 30, 1968, for any one project or to any one station of more than $250,000."

TITLE III—STUDY OF EDUCATIONAL AND INSTRUCTIONAL TELEVISION BROADCASTING

STUDY AUTHORIZED

SEC. 301. The Secretary of Health, Education, and Welfare is authorized to conduct, directly or by contract, and in consultation with other interested Federal agencies, a comprehensive study of instructional television and radio (including broadcast, closed circuit, community antenna television, and instructional television fixed services and two-way communication of data links and computers) and their relationship to each other and to instructional materials such as videotapes, films, discs, computers, and other educational materials or devices, and such other aspects thereof as may be of assistance in determining what Federal aid should be provided for instructional radio and television and the form that aid should take, and which may aid communities, institutions, or agencies in determining whether and to what extent such activities should be used.

DURATION OF STUDY

SEC. 302. The study authorized by this title shall be submitted to the President for transmittal to the Congress on or before June 30, 1969.

APPROPRIATION

SEC. 303. There are authorized to be appropriated for the study authorized by this title such sums, not exceeding $500,000, as may be necessary.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to query the distinguished majority leader about the program. I wish to ask the distinguished majority leader what the business is for tomorrow and the remainder of the week.

Mr. MANSFIELD. Mr. President, in response to the question raised by the

distinguished minority leader, the Senator from Illinois, the calendar is practically clean, but the pending business, S. 1160, will be taken up tomorrow morning after the distinguished Senator from Kansas [Mr. PEARSON] uses up his half hour. Then a brief morning hour will be followed by the educational TV bill.

Following that bill, the Senate will turn to the consideration of the appropriations bill for the Interior Department.

If we finish that bill tomorrow, we will come in Thursday, but I state flatly that the supplemental appropriation bill will not be taken up on Thursday, but will be taken up on Friday. On Thursday we will clear up whatever odds and ends are available. I would hope it would be possible to finish action on the supplemental appropriation bill on Friday, because if we do not, it is very possible we will come in on Saturday, so we can clear the decks for the situation which confronts the Senate next week.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, do we have an order for the Senate to come in at 11 o'clock tomorrow morning?

The PRESIDING OFFICER. Yes.

Mr. MANSFIELD. It is my understanding that tomorrow the distinguished Senator from Kansas [Mr. PEARSON] will be recognized immediately after the prayer for not to exceed one-half hour. Is that correct?

The PRESIDING OFFICER. That is correct.

PUBLIC OPINION AND THE CITIZEN-SOLDIER—ADDRESS BY SENATOR MILLER

Mr. DIRKSEN. Mr. President, last evening the junior Senator from Iowa, Senator MILLER, spoke at the annual Air Force ROTC dinner at Coe College in Cedar Rapids, Iowa. His address, "Public Opinion and the Citizen Soldier" contains a timely and important message, and I ask unanimous consent that it be printed in the RECORD.

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

PUBLIC OPINION AND THE CITIZEN-SOLDIER

(By U.S. Senator JACK MILLER (Republican of Iowa)[1]

Some years ago, I was a member of a similar ROTC group, which was given an opportunity, not unlike that which you have received, to achieve a better understanding and appreciation of the problems of peace in the world, to recognize the threats to our national security, and to better serve our country when that security requires military action.

Then it was the totalitarianism of Hitler and Mussolini which was upsetting the world. Today it is the threat of Communist aggression.

The names have changed. The dangers have not.

I learned some good lessons from my ROTC classes, and later from classes at the Command and General Staff College and the National War College. I learned even more from my experience in World War II.

But I suppose it has taken service in the Congress plus the war in Vietnam to bring home to me a realization of the decisiveness of public opinion in matters of great importance to our nation, especially our national security policy.

Probably this is as it should be in a democratic society. Perhaps it should be a self-evident proposition. Long ago Thomas Jefferson recognized it when he wrote: "Consent alone can confer legitimacy upon the powers of government, but consent is only a necessary, not a sufficient condition. Enlightened consent is the necessary and sufficient condition."

In our system of government, consent there will be. But whether it will be "enlightened" is the challenge; and each of you here, with the opportunity which has been given you, has an added responsibility in seeing that this challenge is met.

Those who hold high public office know the importance of public opinion which, after all, determines whether or not they will be continued in office. Members of the press, especially news commentators and columnists, are equally aware of it. They know that in their pens or microphones they hold the power to influence public opinion, and many of them deliberately set on a course to do so. Conceding the worthiness of their motives, the effect of some of their comments on public opinion is anything but enlightening; and it is very damaging.

Educators hold a special responsibility in influencing public opinion—not only for the long-range insofar as their students are concerned, but immediately in their writing and speaking. A university campus is a ready-made forum for the expression of ideas.

When one considers the number of people directly or indirectly involved in influencing public opinion, it is somewhat shocking that so few of them have had an opportunity to acquire a thorough understanding of the Cold War and how it affects our national security. This places the added burden on you—one that I am sure you gladly accept, but one that has become increasingly vital to our national security.

"Peaceful co-existence" between a free society and a communist society, such as that in the Soviet Union and in Red China, is merely a nice-sounding cliche which—to the Communists—does not mean what Americans usually think it means. To the Communists it means a condition which enables them to achieve their aggressive goals by non-military means—subversion, lying, cheating—anything goes. This, of course, accords with their "end justifies the means" ethic.

And yet, there are an amazing number of people in influential positions who speak of "co-existence with communism" as though it were a part of our foreign policy—and should be. They ought to read the book, "Peaceful Coexistence—A Communist Blueprint for Victory," published by the American Bar Association. But they haven't—or they won't. They use the detente with Yugoslavia as an example of how we can co-exist with the Soviet Union; but at the same time are highly critical of anyone who fails to make a distinction between types of Communist states.

Publicity—and I might suggest that it has been undue and inaccurate publicity—over Red China was beginning to have its effect on public opinion until the crisis raging inside the "Bamboo Curtain" broke into the open. But last year, before news of this turmoil leaked out, a survey by one national pollster indicated that a majority of the American people had moved from being unfavorable to being favorable to the admission of Red China to the United Nations. I found it difficult to accept the accuracy of such a survey; but even discounting it somewhat, it would seem that there were far too many of our fellow citizens who were not well-informed on this issue. Those who are informed may be left behind if they do not do their part in the struggle for public opinion.

No one knows the importance of public opinion (not only in our country but so-called "world public opinion") better than our enemies. Eight years ago, while I was attending the National War College, we were warned that we had a long way to go to catch up to the Communists in the techniques and appreciation of psychological warfare. I think we have made a little progress since then, but never before have the American people been subjected to so much psychological warfare as is the case today with the war in Vietnam. Many good, conscientious Americans have fallen victim to it. Some, not so conscientious, are actively participating in it. Its strategy is to weaken our national will to resist aggression—weaken our national will to use our military and economic power to prevent a nation or group of nations which does not possess our military and economic power from attaining objectives that are contrary to our national purpose.

Debate of the issues of this war on their merits is one of the hall-marks of a "free society". However, freedom of debate should not be confused with license to distort the facts to partake of irresponsible speech and actions. I would condemn those who would equate responsible debate with disloyalty. At the same time, if criticism lends aid and comfort to the enemy and tends to prolong the war, the critics should not object if our military commanders so advise them. If it is the critic's son or husband who might die because the war was prolonged one minute more, this realization should accompany his decision on whether and in what manner to publicize his criticism.

All of us in the Congress, and I am sure the President too, have felt the abuse of the word "escalation" by those who ought to know better. When thousands of North Vietnamese pour into the South, any bombing of the North to stop this invasion of troops is called "escalation". When more troops, ammunition, and supplies are forthcoming, the bombing of more important logistics targets to impede the flow is called "more escalation." Seldom, if ever, do these people refer to the "escalation" of the enemy. You understand that, instead of escalating, we are undertaking an effective response to the enemy's escalation; but there is some confusion in the public mind about it. The challenge is to see to it that misuse of the word "escalation" comes to their attention. I have long supported the stated goal of avoiding a widening of the war, while at the same time urging that the war be shortened, rather than prolonged, through more effective application of our air and sea power.

I would be remiss if I were not to mention the so-called "credibility gap" between the Administration and the American people. This has a bearing on the role of public opinion in national security. It is not a problem that will go away if it is not mentioned or discussed. Too much has been said about it to ignore it. I have stated that this "gap" has arisen more from what the Administration's spokesmen have not said than from what they have said. For example, there has been a great silence on the reasons why we have not taken steps to deny the port facilities at Haiphong to the enemy. The American people should be told the reasons; and if they do not agree with the reasons, perhaps the Administration will conclude that these reasons are not valid. The Administration's silence has caused widespread confusion and dissatisfaction, and it is this reaction of public opinion which frequently

[1] Annual "Dining In" Dinner, Coe College, A.F.R.O.T.C., Cedar Rapids, Iowa, Monday Evening, May 15, 1967, Senator Miller is a member of the Senate Committees on Armed Services, Agriculture, Joint Economic, and Problems of the Aging.

manifests itself in criticism of a credibility gap. I should add, in all fairness, that reports issued by our Military Command Headquarters in Saigon have, to the best of my knowledge, been reasonably accurate. At the same time, I would not wish to imply that there have never been some inaccurate or misleading statements attributed to Administration spokesmen and carried in the press. There have been. These have been aggravated by "trial balloons" which have appeared to "test" the public reaction to certain possible Administration moves. But it is the silence and failure to inform fully the people on some very important matters which, in my judgment, has laid the foundation for uncertainty and mistrust.

You have learned that Communists do not react to things the same way that we do; that action on our part to bring about a thaw in the Cold War may, if not most carefully exercised, cause Communist leaders to consider this a sign of weakness on our part; and that firmness and strength are the only language they understand. This does not imply belligerence on our part. It certainly should not preclude certain *quid pro quo* relationships, as long as our guard is up. Nor does it imply a pessimism that Communist leaders will never change from their "end justifies the means" ethic. We can hope for this. But until that day comes, we know better than to risk our security with unilateral action.

There will be increasing pressures in the years ahead relating to nuclear agreements. The limited nuclear test ban treaty was widely heralded as a "shift of light" in the darkness. Maybe it was. Maybe it wasn't. It will be some time yet before we will know, and, as of now, I doubt that any realist would say that it has resulted in improved relations between the United States and the Soviet Union. Efforts are being made to secure an underground nuclear test ban, with effective inspection and controls. There are some who would take a risk with our national security by concluding such an agreement without on-the-spot inspection. Some scientists suggest that this is not needed, and they have their followers. I doubt that a two-thirds majority of the Senate would ratify such a treaty, but public opinion—informed or uninformed—will be decisive.

When one enters the high level of national security policy, he very soon realizes that decisions are not easily reached. The facts and circumstances do not make for black and white cases. Indeed, the President has said that he never has the black and white cases to decide. It is the gray area that is the big and troublesome one. And if this is troublesome at the Washington level, how much more so must it be for the average citizen with his limited information. Those whose policies would lead to a peace at any price or to a "better red than dead" result are not stupid people. Many of them are highly sophisticated thinkers. They have reasons for their positions, and some of these reasons are decent. But their basic premises are not sound, and frequently their facts are not straight. It takes a great amount of patience to deal with them. Some of them are moved more by emotion than anything else, and it is difficult to deal with emotionalism. What I am suggesting to you is that your task is going to be much more difficult than you probably think, and it can become very discouraging. When your patience wears thin and you are discouraged, it will help you to keep going if you realize that it will be your ideas or the others which will prevail, and yours simply must prevail for the good of our country.

There is a great deal of talk about survival. In the nuclear age, survival is a common denominator between the Free World and the Communist World, it is said, and therefore we must surely get together. But I would suggest that survival alone is a rather sterile objective. Moreover, its overemphasis can lead to a "better red than dead" position. Our national purpose does not speak of survival alone. It has been stated by many Presidents—"a strong, free, and virtuous America, in a world where there is a just and lasting peace, with freedom and respect for the integrity of the individual." Survival with these conditions—not just survival—is our goal.

The leaders in the Kremlin and in Peiping are convinced that we are a decadent people; that given the proper dosage of psychological warfare, public opinion will enable ex-Premier Khrushchev's prediction to come true: "Your grandchildren will live under Communism." As you know, they believe in the "wave of the future"—that it is the necessity of history that this will come to pass. They have read their history books and are familiar with the famous historical cycle through which so many other great civilizations have passed: From bondage to spiritual faith, from spiritual faith to courage, from courage to freedom, from freedom to abundance; and then from abundance to selfishness, from selfishness to apathy, from apathy to dependence, from dependence back to bondage.

I first heard that cycle eight years ago, and I thought at the time: "Where are we as a people in that cycle?" I looked around and saw abundance, but I also had the feeling there was selfishness, a great deal of apathy, and an increasing tendency towards dependence. I wish today that I could say that the trend has been the other way, but the record will not permit it.

Selfishness is reflected in the impatience of our people. Desire for the better things of life is not being tempered with the willingness to wait until we can afford them and, all too often, with the hard work needed to earn them. For example, our national indebtedness—federal, state, local, and private—has gone well over the one-trillion-dollar mark.

It was significant that a newly elected President said at his inaugural in 1961: "Ask not what your country can do for you, but what you can do for your country." And yet, since that time, a law has passed giving free medical care to anyone over 65, regardless of his financial need. There is a movement on today to provide a minimum annual income to everyone, regardless of whether he is willing to earn it.

I could not say there is any less dependence today in view of the mass of legislation which has poured out during the last few years—especially at the federal government level—not in a spirit of self-reliance and initiative, but in response to feelings of uncertainty, doubt, and insecurity. But those feelings have persisted and are increasing—not going away.

Of equal concern is apathy. There seems to be less public respect for law and order than ever; and the fact that in the last 10 years our national major crime rate has increased five times the rate of our population growth shows it. Many voters stay away from the polls. Some of them say that they don't want to vote because they don't know about the candidates and the issues. But how much better it would be if they would take the time and trouble to inform themselves and then go to the polls, and thereby exert a positive influence on public opinion!

We need leaders of public opinion—not followers of public opinion. Each of you someday should be in the position—because you have been given the opportunity—to help lead public opinion, to influence it constructively, to strengthen it, to get it on the right track and keep it there.

This, along with your service in uniform in your country's hour of needs, is the contribution you must make as citizen-soldiers. In making that contribution, I wish you many happy landings and every success.

OCEAN PROGRAM PRIORITIES AND THE PACIFIC NORTHWEST

Mr. MAGNUSON. Mr. President, the first report of the National Council on Marine Resources and Engineering Development justifies the anticipations of those of us in the 89th Congress who sponsored the legislation that created the Council, and of the Senate and House of Representatives which unanimously approved it.

The report recognizes the opportunities that await the Nation on, in, and under the high seas, the Great Lakes, our estuaries and our Continental Shelf; points up the challenges that face us in developing these opportunities for the benefit of our citizens and for mankind; and proposes specific programs to meet these challenges and seize these opportunities to advance our oceanographic goals.

Composed of top department and agency officials, the Council, preparatory to its initial report, evaluated the national marine scientific and technological problems, weighed capabilities and the requirements in this area devolving on the Federal Government and its agencies, and selected nine programs for immediate attention and special emphasis, but without curtailing the Nation's traditional oceanographic activities.

As pointed out in the report, these priority programs have certain common characteristics, among them:

First. They contribute to the attainment of broad national goals enunciated in the Marine Resources and Engineering Development Act of 1966.

Second. The means of implementing these programs are immediately available and the benefits clear.

Third. They will produce multiplier effects by deploying existing capabilities more effectively.

Fourth. The priorities represent a consensus of senior Government officials responsible for marine science affairs.

Fifth. They are approved by the President.

Total funding asked by the Council and the Bureau of the Budget for marine science and technology activities, education, and training during fiscal year 1968, which begins July 1 of this year, amount to $462 million, an increase of $53 million or 13 percent over the present fiscal year.

Of this increase, $40.5 million is earmarked for the priority programs. The remaining increased funding, $12 million plus, is to finance necessary growth of long-established activities of the national oceanographic program.

Five of the nine priority programs are essentially new, although built, as the report states, on a foundation of somewhat limited past accomplishment, and, as the report implies but does not state explicitly, with inadequate status and funding.

Priorities also are given to four established programs which will receive immediately augmented emphasis and substantially increased funding.

While designed to benefit and strengthen the Nation and its maritime regions as a whole, each of these priority programs will have a special appeal

to the Pacific Northwest, and particularly those which the Council has designated as essentially new, and which it lists as, first, "food from the sea"; second, "seagrant programs"; third, "estuary study"; fourth, "subpolar oceanographic research"; and fifth, "data system study."

The same Pacific Northwest interest and eagerness to participate and cooperate is true of the four priority programs described by the Council as "continuing" but deserving of sharpened emphasis.

These are: first, "international cooperation"; second, "surveys of mineral resources"; third, "ocean observation and prediction"; and fourth, "deep ocean technology."

Initial leadership in a majority of these programs has been provided by the Pacific Northwest as will be detailed later in my remarks.

And no State is in a better position to take advantage of the Council's priority designations than the State of Washington, natural center for research and marine resources development in the North Pacific.

Broad and constructive as it is, the national oceanographic program is not static. As the Council proceeds in its work and in the preparation of the oceanographic budget for fiscal year 1969, the program undoubtedly will be enlarged.

The Council and the Nation will profit greatly from the special knowledge and experience of the Commission on Marine Science, Engineering, and Resources, created under the same act as the Council.

Headed by Dr. J. A. Stratton, a native of Seattle, chairman of the board of the Ford Foundation and former president of the Massachusetts Institute of Technology, the Commission will project both present and future oceanographic needs and will recommend what it considers a perfected plan for Government organization.

The Commission will function independently of the Council. Its members drawn principally from industry and from major scientific or administrative fields, the Commission will make its own study and recommendations, and will submit its own proposals in a separate report.

Complementary to each other, the Council and the Commission will each contribute to the policy objectives stated in the Marine Resources and Engineering Development Act and its primary pledge: "preservation of the role of the United States as a leader in marine science and resource development."

The nine priority projects designated by the Council represent an advance commitment on that pledge. They affect the United States as a nation and they affect every marine environment.

States and regions can, and undoubtedly will share in many of these priority programs, among which there are some that will have particular appeal to certain States and areas. This is especially true of my home State of Washington, where the legislature recently enacted a measure to establish a State Commission on Oceanography and an Oceanographic Institute of Washington and where business and industrial leaders 2 years ago organized a strong and active Oceanographic Study Committee which has published several voluminous and detailed reports.

Several other States have created commissions similar to that of Washington. All can be of value in attaining maritime goals, and in helping to carry out Council priorities.

First priority in the report of the National Council on Marine Resources and Engineering Development is given to international cooperation in seeking new opportunities for promoting the peaceful uses of the ocean.

In the Pacific Northwest, important steps in international cooperation have long been taken. They include the conventions arrived at and observed by member nations of the North Pacific Fisheries Commission, the International Pacific Halibut Commission, and the Pacific Salmon Fisheries Commission. Similar international commissions operate in other marine areas near or adjacent to the United States.

An unprecedented opportunity for international cooperation presently exists through the proposed international conference on fishery conservation, on which preparatory work is being undertaken by the Bureau of Commercial Fisheries, the State Department, and the Food and Agriculture Organization of the United Nations.

Such a conference, my distinguished Senate colleagues will recall, was urged in Senate Resolution 192, adopted in the 87th Congress. As this resolution applies directly to the Council's second priority program—food from the sea—and touches also on priority No. 5—estuary study—I shall take the liberty of quoting it at this point in my remarks:

S. RES. 192

Whereas, the increasing world population and the consequent growing demand for animal protein, together with industrial and economic development in all parts of the world have resulted in remarkable expansion of world fishing effort; and

Whereas technological developments have vastly improved man's ability to harvest the living resources of the sea; and

Whereas estuarine resources, to which little attention has been devoted on a world wide basis in spite of their increasing importance as a source of human food, present unique and scientific conservation problems the solution of which would best be approached on a worldwide basis; Now, therefore, be it—

Resolved, That it is the sense of the Senate that the President should propose an International Conference on the Conservation of Fishery Resources to consider the technical, economic, and scientific problems relating to the conservation, utilization, and regulation of living marine resources in the high seas and estuarine waters of the world, and that government, industrial, scientific, and technical participation in such Conference on as wide a basis as may be practical should be encouraged.

The administration, as you know, Mr. President, is following through on this resolution, and with the cooperation of the Food and Agriculture Organization there is reason to believe that this conference will take place in the not-too-distant future.

The high priority given by the Council to international cooperation should serve to expedite this important conference and to greatly strengthen the effectiveness of the Council's second priority—food from the sea. This program, made feasible through S. 1720 of the 89th Congress and approved by the President in November of last year, offers opportunity for the United States to utilize living resources of the oceans as a relatively untapped source of protein for the undernourished of the world through conversion to fish protein concentrate.

The bill, S. 172, introduced by the senior Senator from Alaska [Mr. BARTLETT] and which I cosponsored, authorized development by the Secretary of the Interior of this valuable marine product, and plants to produce and demonstrate its value as a nutritious and wholesome food supplement for human use.

I know of no finer endorsement, of fish protein concentrate, Mr. President, than that given by the Marine Resources Council in its report, which states in part:

FPC is bacteriologically and biochemically safe and stable without refrigeration or other special processing. It can be incorporated into cereal products at a five to ten per cent level with no detectable "fishy" flavor. Its protein is easily digestible and biologically available. Ten grams will provide adequate animal protein to meet the daily requirements of one child, at an estimated daily cost of less than a penny.

This endorsement, Mr. President, will have wide appeal not only to the undernourished millions abroad, but to the Nation's fishery industry. It is personally gratifying that, as Secretary Udall has advised me, the first FPC demonstration plant will be located in the Pacific Northwest, which spearheaded this high-priority program.

Of special interest also to the Pacific Northwest is the priority given by the Council to multipurpose estuarine studies relating to fish, shellfish, health, recreation, commerce, and the preservation of scenic beauty.

Puget Sound is America's largest estuary, and its economic and defense value to the Nation is unsurpassed.

Chesapeake Bay, which many consider the Atlantic counterpart of Puget Sound, has been selected for the eastern, and initial, pilot study, largely because, I am advised, of peculiar and immediate pollution problems. Although the Puget Sound area is relatively unaffected by such problems, I am hopeful that our own premier Pacific estuary, because of its rich food and commercial potential, and because of its great strategic importance to the defense of our Nation, will also have the benefit of early intensive study.

Important priority also has been given in the Council report to surveys of the mineral resources of the Continental Shelf. This program, on which a beginning already has been made, should be particularly applicable to the marine areas adjacent to the Northwest States of Washington, Oregon, and Alaska.

Both Washington and Oregon, in contrast to their neighbor on the south, have broad continental shelves sloping away from mineralized terrestrial areas.

Alaska's Continental Shelf is tremendous, embracing more than half of our million-square-mile shelf.

Geologists envision the western shelf as a potential source of many critical and strategic metals, of gold, tin, and platinum deposits and of petroleum and natural gas, with much of the exploratory work in the Northwest.

The Council, it is gratifying to note, also has designated for special emphasis the recently enacted sea-grant college program, designed to encourage and assist increased education and training in marine science and technology. The act will be implemented by the National Science Foundation.

On a modified matching fund basis grants will be made through the National Science Foundation to institutions of higher education and laboratories that qualify under a criteria developed by the Foundation.

The University of Washington, the first State University in the Nation to recognize oceanography as a major science field, and the first to offer training and research opportunities in every discipline of marine science, is actively seeking to participate in this program.

As early as 1904, the university was offering courses in marine biology, followed in a few short years by instruction in marine chemistry by the late, great Prof. Thomas G. Thompson. In 1919 the university established the only college of fisheries in the United States.

Graduates of this richly staffed college hold positions of eminence in industry, government, and higher education not only in every coastal region of the United States, but also in other countries and in the Food and Agriculture Organization of the United Nations.

The Friday Harbor Laboratories of the University of Washington, offering graduate instruction in marine sciences and related atmospheric disciplines, were established in 1923.

The Laboratory of Radiation Biology, a component of the College of Fisheries, was established in 1943, pioneering in this distinctive field almost from the beginning of nuclear energy development at Hanford. The Laboratory received strong support from the Atomic Energy Commission and has conducted important field investigations in the South and Central Pacific and in the Arctic.

The University of Washington's Department of Oceanography has the largest enrollment in marine science of any institution of higher education in the United States, and was the first to offer bachelor of science degrees in addition to graduate degrees in oceanography.

The department of oceanography has the third largest graduate enrollment in the United States, and if the number of graduate students in the department, and those in the College of Fisheries are added the University of Washington leads the Nation in graduate enrollment.

The Applied Physics Laboratory of the University of Washington for the past 24 years has been one of the Nation's foremost laboratories specializing in military oceanography. Its staff includes 70 professional scientists about equally divided between physicists, electrical engineers, and deep ocean engineers. Engaged in highly sophisticated programs for the Navy, much of the work of this laboratory is classified.

Actively engaged also in oceanographic training, research, and technology at the university are the colleges of engineering, the department of atmospheric sciences, concerned with air-sea exchange and related phenomena, the school of law, with courses in ocean resources law, international law and natural resources law; the departments of zoology and botany, and the economics department which specializes in the economics of fishery management, weather forecasting and modification, pollution control, and recreational use of water, all areas of high interest to the Council.

Dr. James E. Crutchfield of the university's department of economics, is a member of the Commission on Marine Science, Engineering and Resources and heads its Panel on Marine Resources.

Recently, for purposes of greater coordination of the university's numerous and varied oceanographic activities, the board of regents has established a new division of marine resources. The division will initiate new activities, will encourage joint planning and operation of facilities with agencies and institutions outside the university, and is looking forward to developing more effective cooperation between the university and industry in the area of marine resources.

Although the new Division will conform with the objectives of the National Sea Grant College and Program Act of 1966—

The board of regents announced—

the Division will not be limited by these criteria.

We will be responsible to the needs and interests of the University and Pacific Northwest region in developing our activities, particularly emphasizing teaching, research, and the application of research results to the development of marine resources—

Supplemented Dr. George W. Farwell, assistant vice president of the university, and appointed acting director of the new division.

Mr. President, no institution in the United States in my opinion more conclusively meets the criteria of the National Science Foundation for designation as a sea-grant college provided the State meets the rather modest matching requirements of the act.

This criteria, and I quote from the National Council's report, includes:

1. Location in a region with a marine-related industry.
2. Full-time program director/coordinator.
3. Evidence of support of host institution.
4. Regular, full-time participation of faculty from allied departments.
5. Defined study curriculum.
6. Planning devoted at least partly to regional problems such as utilization of local marine resources.
7. Programs of applied research.
8. Related public information activities, including workshops, seminars, etc.
9. Provision for multi-institutional collaboration.

State and community support also is a factor, the Federal Government's contribution being limited to two-thirds and the grantee providing one-third of the support of the program.

The Department of Atmospheric Sciences bears a significant relation to priority No. 7 of the Council's report—"Ocean Observation and Prediction."

Purposes of this priority include studies of the effects of the marine environment on weather, improved prediction of near-shore weather and severe storms to protect life and property in shore communities and industry, and prediction of the state of the ocean to more effectively support resource exploitation.

Exposed to the broad Pacific, the Pacific Northwest may expect enormous industrial, economic, and community benefits from this priority program.

Particularly applicable also to the Pacific Northwest is the priority given by the Council to Subpolar Oceanographic Research. Puget Sound historically has been the Pacific gateway to the northland. The great circle route over which moves the bulk of our shipping to the Orient touches the southern periphery of the subpolar region. Great strategic importance attaches to the subarctic seas, and the Aleutian Islands are the only parts of our hemisphere domain on which an enemy has set foot in the past 150 years.

The subpolar region produces much of our food from the sea, much of our mineral wealth, and has a tremendous potential in other marine resources and riches.

The University of Washington, the Coast Guard, the Navy and the Coast and Geodetic Survey have conducted most of the oceanographic research the United States has made in the western subarctic, yet many of the marine phenomena in this harsh and unique environment still is little known.

Certainly, the Council is to be congratulated for including subpolar oceanographic research in its list of priorities for immediate increased emphasis, and most of this research, I submit, definitely should be based in the Pacific Northwest.

Listed also for priority in the Council report is a study of oceanographic data systems and requirements. The University of Washington, which maintains an up-to-date data center will, I am sure, be happy to cooperate in carrying out this priority.

Priority also is given by the Council to "deep ocean technology."

A new program to develop deep-ocean technology will be initiated—

The Council report states—

which, with the current Navy effort in deep submergence will strengthen the future capability for recovery of lost equipment and provide a deep ocean engineering capability.

I am hopeful, Mr. President, that the Pacific Northwest will be included in this priority program. To date most of this work has been centered in the Atlantic or at the Southwest extremity of our continent, areas geographically remote from a potential enemy.

The only deep submersible in the Pacific Northwest is based in British Columbia and was constructed in Canada with private funds, although with considerable consultative and engineering assistance from Seattle scientists and technicians.

The Northwest has many industries, engineers, and technologists with superior capabilities for participating in this priority program, as in each of the other priorities designated by the Council.

Congress, when it enacted the law establishing the National Council on Marine Resources and Engineering Development, intended that it be truly national. To be a national oceanographic program each and every marine region—and this includes the Great Lakes—is entitled to share according to its scientific and technological interests, enthusiasm, and capabilities subject to budget limitations.

The Council has established excellent priorities. It is the responsibility of the administration, the departments and agencies represented in the Council, and the Congress which provides the funding, to now see that these priorities are equitably carried out.

CONSUMER RIGHTS: THE BATTLE CONTINUES

Mr. MAGNUSON. Mr. President, Sidney Margolius is one of the ablest writers on consumer affairs in the country today. His columns on consumer problems appear nationally and are syndicated in the labor press. In the current issue of the American Federationists, the official magazine of the AFL–CIO, Mr. Margolius has written an excellent article entitled "Consumer Rights: the Battle Continues." This article first calls attention to some of the forces opposing effective consumer legislation, and then focuses on the progress which has nevertheless been made at the private, State, and Federal level to give adequate representation to consumer interests. He concludes with a summary of some of the legislation which is needed today to protect American consumers. I ask unanimous consent that the full text of Mr. Margolius' article appear in the RECORD, and I invite each Member of the Senate to examine his comment closely.

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

CONSUMER RIGHTS: THE BATTLE CONTINUES

A great deal of activity affecting consumers has taken place in the last three years, sometimes even a confusing amount. But the results in terms of consumer protection have been noticeably smaller.

Undoubtedly the nation's conscience has been aroused by exposures of the many ways moderate-income families are exploited as consumers—from the millions of garnishments levied on workers' paychecks each year to the blatantly-overpriced processed foods and medicines housewives are lured into buying.

But the business backlash has been unusually sharp and surprisingly effective. Business opposition proved successful in diluting the truth-in-packaging law; in blocking truth-in-credit legislation and in watering down efforts to remedy obsolete state credit laws which give high-pressure sellers the actual tools for deceiving and exploiting working families.

The businessmen's campaign has reached a hysterical pitch that would be ludicrous if it had not proved so successful. Take, for example, Woodrow Wirsig, former editor of Printer's Ink and now President of the New York Better Business Bureau. Wirsig, one of the most inflammatory campaigners against consumer legislation, recently warned an advertising trade conference that the pro-consumer efforts are really a conspiracy against business, calling these efforts:

"A deep, radical and dangerous trend toward the separation of business from every other value in life. . . . If legislation proceeds as it is going, we will inevitably have a controlled economy with a controlled society." (Emphasis his.)

More restrained in their language, but perhaps even more influential in their opposition to the efforts on behalf of consumers, have been the officials of several large food and soap corporations. The most notable have been W. B. Murphy, President of the Campbell Soup Co. and until recently chairman of the Business Advisory Council, and Neil McElroy, a former Eisenhower cabinet member and now head of Procter and Gamble.

President Johnson has continued to support proposed legislation despite the business backlash and has continued the post of Consumer Assistant at the White House level. But the business opposition has been so stubborn that it has become difficult to win any significant legislation except when actual safety is involved. Thus, except for the partial truth-in-packaging law, the only recent major consumer legislation enacted at the federal level have been the laws concerned with car safety, with protection against hazardous toys and with safety in other children's articles.

There has been, however, a number of advances in consumer organization and protection.

One is the unusual number of consumer associations organized in the past two years and the noticeably greater consciousness of many citizens that they are consumers as well as wage-earners and need to defend themselves on both flanks. There are now some 16 state consumer associations and almost as many city-wide groups. Labor unions and individual labor officials have been noticeably active in helping to organize these associations, along with representatives of credit unions; consumer co-ops; church groups; the leading Negro organizations; women's groups such as the American Association of University Women and Catholic, Jewish and Negro women's councils; state and local attorneys general; university economists and other community and political leaders and groups.

Similarly, a number of local "Housewives for Lower Prices" and other boycott groups that spontaneously picketed supermarkets during the food-price upsurge last fall have continued in existence.

The national Consumer Assembly held in Washington last year already has been followed by a similar assembly in New York City, with others expected to follow in other localities. The national Assembly, sponsored by 32 organizations, including the AFL–CIO, and representing a total membership of 50 million Americans, was credited by one state consumer official with persuading Congress to pass at least the diluted packaging bill.

A new vigor also is noticeable in the two major federal agencies concerned with consumer protection—the Food and Drug Administration and the Federal Trade Commission. Under a determined new administrator, Dr. James L. Goddard, the FDA ordered off the market a number of products considered not effective or of doubtful usefulness, including antibiotic throat lozenges and several time-release aspirin products and other analgesics. The FDA also initiated, for the first time, seizure actions under the prescription advertising provisions of the Kefauver-Harris Drug Act. Perhaps even more significantly, the FDA has warned drugmakers that it will not tolerate misleading or incomplete drug advertising at either the consumer or professional levels (to doctors).

Similarly, the FTC announced new tire advertising guidelines to end some of the long-standing deceptive selling in that field. And it proposed regulations to require credit sellers to tell the full cost of products in their ads, not merely the monthly payment.

Another significant FTC activity is its current exploration, along with the Antitrust Division of the U.S. Attorney General's office, of the potential monopoly effect on consumer prices of heavy advertising expenditures by a few dominant corporations.

The third major advance is that state, county and municipal officials have been stirred into seeking to provide more adequate consumer protection, both through legislation and through establishment of state and local consumer councils and consumer protection bureaus.

In some cases, these new bureaus are an expansion of the traditional weights and measures departments. Now some seven states have consumer agencies of either the council or bureau type, similar proposals are pending in other states and consumer bureaus have been established or proposed in Cook County, Illinois; Nassau County, New York and other areas.

The progress in developing consumer representation at the state level has not been without setbacks. In California, as soon as he took office, Governor Ronald Reagan fired Helen Nelson, California's capable Consumer Counsel, chopped the office's budget almost in half and named a real estate man's wife to be Consumer Counsel, with an order to investigate the usefulness of the agency and whether it should continue.

The main need at this point is for effective legislation at both federal and state levels to discourage the current exploitation of working families as consumers. "Exploitation" is not too strong a word to describe the present consumer situation, from children manipulated by TV ads and teenagers by disc jockeys to parents manipulated into habitual installment buying at high charges for the financing and often for the merchandise.

The result is a massive waste of family money and a diversion of both family and national resources that helps to frustrate such goals as higher education, the rehabilitation of the cities, better housing and more adequate health care.

Despite the business opposition, the public's heightened consumer consciousness and the growing interest of federal and state legislators provide an opportunity to eliminate some of the most prominent abuses. Even some of the more reasonable business leaders, largely as the result of Mrs. Esther Peterson's persuasive efforts during her years as the President's Consumer Assistant, recently have told their fellow businessmen that some consumer protection may be necessary. Fair rules for the treatment of consumers would, of course, benefit the more scrupulous business organizations as well as the nation.

Nor is there any doubt that legislation is needed. Seeking to solve current consumer problems primarily through "consumer education," which some business officials have proposed as an alternative to legislation, is like trying to swim in a sea of molasses.

For one reason, the families most susceptible to exploitation are the low and moderate-income wage earners, and those only a generation away from the non-cash world of the farm or the simpler, if deprived, money world of the poor. These people are the hardest to reach with consumer education.

For another reason, family money problems have become too complex to be solved simply with information. A family would need to become expert in shopping, nutrition, interest rates, mortgages and many

other facets of today's complicated consumer world.

Here is where consumer protection is most urgently needed and the status of current efforts to provide it:

CREDIT AND INSTALLMENT PLANS

This is the area of most severe exploitation. It takes the form of deception leading often to garnishment and, surprisingly often, the loss of jobs and homes. And it is a constant drain on family income to pay needlessly high finance charges, even when financial tragedy does not result.

Both federal and state laws are being sought. On the federal level, Senator William Proxmire (D-Wis.) has taken up the battle for a true interest rate law led by former Senator Paul H. Douglas. The bill has prospects of passing this time, Senator Proxmire believes. It has been tempered slightly to answer some industry objections but still would serve the needed purpose of telling consumers just how much they do pay for credit in terms of easily-comparable annual interest rates.

The true-interest rate bill also is the main proposal of direct economic help to consumers backed by the President in his 1967 Consumer Message to Congress.

When one observes that consumers now owe a total of $95 billion in debts, of which $75 billion is for installment credit, and pay finance charges of $13 billion a year on these debts, the paramount importance of this bill becomes clear.

On the state and provincial level, Massachusetts, Saskatchewan and Nova Scotia already have enacted their own truth-in-lending laws. In Massachusetts, however, stores are not required to tell the true annual rate on their revolving-credit or "budget charge" accounts—a serious loophole since stores can merely switch to this type of credit from the more-traditional installment plans.

Senator Warren Magnuson (D-Wash.) also has proposed a "Fair Credit Advertising Act," which would require that credit ads tell the total credit cost instead of merely the weekly or monthly payments required, as well as the true annual interest.

But labor and other consumer-interest organizations also are increasingly concerned about the need for changes in present state laws governing installment practices. These stem from the days credit was not as widely used and they protect mainly the seller.

These laws have become widely abused to exploit unknowing buyers. The present garnishee and repossession laws actually serve as twin levers of financial coercion. In most states, credit sellers can both garnishee and repossess. Thus, fantastically enough, sellers can repossess installment goods and still compel the buyer to keep on paying even after he no longer has his goods. Many garnishees today are of that very nature—garnishees for deficiency judgments on repossessed purchases. The present effort at state levels is to change present laws to let sellers garnishee or repossess, but not both.

Even the threat of a garnishee often is enough to compel a workingman to pay for a deceptively-sold purchase because he fears the loss of his job. Notoriously, too, states which have harsh garnishee laws allowing creditors to seize a large part of the debtors' wages usually have most consumer bankruptcies. California, which permits garnishment of up to 50 percent of wages, has a bankruptcy rate five times that of New York, which permits only 10 percent.

In a half dozen states, unions are seeking laws to bar firings because of garnishment. In New Jersey, for example, such a bill has been introduced year after year without enactment. In Ohio, too, unions have been seeking similar relief for years. In New York, in 1966, unions broke through the legislative barricade of the credit-industry lobby to win passage of the first such law—a modified version which bars employers from firing because of one garnishee in a 12-month period.

Other tools of deception presently written into the law in various states, which require correction, include the "cognovit" or "confession of judgment" installment contracts permitted in some states by which a buyer signs away his right to any court defense, and the "add-on" installment contracts permitted in most states. These make previous purchases security for new purchases, even though older purchases may be paid up.

TRUTH IN PACKAGING

The law finally passed by Congress turned out to be more a "clear labeling" law than the law originally proposed by Senator Philip Hart (D-Mich.). The original Hart bill would have eliminated the fractional ounces and other chaotic packaging practices now making it difficult to compare values. It now will be easier for shoppers to locate the statement of net contents on package labels. But you still have to try to compare the cost per ounce of, for example, different brands of tuna fish containing 5¾, 6½ and 7¼ ounces.

The new packaging law does establish a significant principle. The preamble says the nation's economy depends on informed choice. For the first time, Congress has said that how the consumer spends his money, or is led to spend it, affects the nation's welfare.

SERVICE AND GUARANTY PROBLEMS

This is an area Mrs. Peterson was exploring on a voluntary basis with industry spokesmen before she returned to fulltime duty as an Assistant Secretary of Labor. Senator Magnuson has entered this difficult but necessary area of consumer protection in two ways. His consumer subcommittee, established in the closing days of the 89th Congress last year, is investigating hazardous appliances and other household equipment. Senators Magnuson and Norris Cotton (R-N.H.) have proposed the establishment of a National Committee on Hazardous Household Products to study these dangers.

Senator Magnuson's committee also is investigating the costs and problems involved in guarantees and service on household appliances in general—a source of great irritation and tension in the marketplace.

DRUG PRICES

Despite the Kefauver-Harris Drug Act, the problem of high prices of vital medicines still plagues consumers and now has become a problem in financing medicare and other health plans. A number of senators and congressmen have become determined to encourage the use of generic drugs both for medicare-insured patients and the general public. Drugs under their generic names cost only a fraction of the same drugs under brand names.

FOOD PRICES

This remains one of the knottiest and also politically-sensitive problems for which neither the Administration nor Congress has proposed any far-reaching or overall solutions. The problem will come to a head again late this summer, when food prices are expected to rise after the winter dip.

CONSUMER REPRESENTATION

The proposal by Rep. Benjamin Rosenthal (D-N.Y.) to establish a federal Department of Consumers has evoked discussion of the need for permanent consumer representation at the top levels of government. Whether this representation should take the form of a full-fledged department or an independent consumer counsel office, it obviously is needed to defend the consumer interest on a permanent basis, making it less vulnerable to the attacks of soap kings and soup magnates.

Mr. MAGNUSON. Included in Mr. Margolius' article was a summary of consumer legislation supported by the AFL-CIO Executive Council in a statement that council issued on February 24, 1967. Since this is such an exceptionally fine statement, I request unanimous consent, Mr. President, that its full text also appear in the RECORD.

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

STATEMENT BY THE AFL-CIO EXECUTIVE COUNCIL ON CONSUMER LEGISLATION

High on the list of items which demand immediate and extensive attention from the 90th Congress are the problems of the American consumer.

Of primary concern to consumers are the specific products bought for personal use. Consumers need and should have adequate protection against fraudulent practices, assurance that the products are safe to use, and that product and price information is adequate and accurate.

In testing the current state of affairs by these standards, we find that much Congressional concern and action is needed. Specifically we will seek:

1. Action to remedy the exploitation of consumers by those who provide consumer credit.

Consumers are indebted for loans and installment sales purchases in an amount totaling $95 billion. They are paying finance and interest charges at the rate of $13 billion a year on this debt. A first step toward consumer self-protection in this area is the enactment of the long-standing "Truth-in-Lending" Bill to require all credit vendors to tell the borrower what the dollar cost of the finance charges will be on his credit and to state these charges in terms of a true annual interest rate.

Legislation is also needed to end misleading price advertising of articles sold on credit, where the reader is told only the monthly payment required and not the total actual cost of the article if bought on time.

High pressure door-to-door salesmen frequently sign up buyers on the spot for products they may not really want and for costly credit obligations they cannot carry. Legislation should be enacted to give buyers a legal "breathing spell" to change their minds.

The tangled field of consumer credit is not limited to these abuses. We urge the Congress to undertake or authorize a comprehensive study of consumer credit laws and practices.

2. A general investigation by the Congress of the insurance industry in all its aspects.

There is mounting evidence of excessive charges for credit life insurance in consumer credit contracts, fraud in the sale of mail-order insurance, and automobile insurance that is overpriced, often capriciously cancelled, and of consumer losses from liquidations of "high risk" insurers. Congress should devise and enact legislative remedies for these conditions and bring the entire industry under federal regulation.

3. Action on the over-pricing of key consumer products.

We ask for a re-opening of general investigations into the pricing of prescription drugs with a view to framing new legislation to curb excessive costs to the buying public and to government purchasing agencies. Special legislation is needed to prevent overcharging and overprescribing by physicians with a direct financial state in the products they prescribe.

In the past year the rising price of food has caused widespread public concern. We ask that the food price situation be thoroughly reviewed, with special emphasis on the built-in, cost-plus effect of excesses in advertising games, trading stamps and other promotional gimmicks. Congress should maintain a continuing review of the facts on the market structure and competitive situation in the food industry.

4. Legislation to provide consumers with unbiased product information to aid in the wise purchase of consumer products and to end misleading, false or fraudulent information about consumer products including the sale of land.

Appropriate support should be given both to strengthening the authority and to increasing the appropriations of the Federal Trade Commission as the public's principal agent against frauds, swindles and misleading advertising in interstate commerce.

The Department of Agriculture, which now administers a voluntary food grading system, should be authorized to establish a compulsory consumer grading system for basic food products. Such a system would aid in the economical and satisfying procurement of these necessities of life based on knowledge rather than promotional claims.

We are convinced of the value of consumer education to supply impartial information about consumer products and product characteristics for the myriad of items competing for the consumer's pocketbook. We support increased government effort to make information available and we will continue the AFL–CIO's own efforts in this area that are conducted by our Community Services Department.

5. Swift action to insure the safety of consumer products and to prevent accidental death and injury to those who buy them.

The Food, Drug and Cosmetic Act should be tightened to insure that all drugs sold for human use actually meet prescribed standards of safety, quality and efficacy, that cosmetics are tested for safety before sale to the public, and that medical equipment and devices are safe and effective before being prescribed by doctors. Accidents from consumer misuse of drugs, cosmetics and pressurized food containers can be reduced by requiring clear and adequate warning labels. Indiscriminate distribution of "drug samples" should be brought under control as a further safety measure.

In the food field, consumer safety requires inspection for wholesomeness and cleanliness of all meat and poultry, whether or not the meat crosses interstate lines.

The Flammable Fabrics Act needs updating to reach beyond its limited coverage of flammable clothing.

A National Commission on Product Safety, as proposed in a bill sponsored by Senator Warren Magnuson, should be established to study the need for compulsory safety standards in the design of other household equipment and appliances.

6. Establishment of formal governmental machinery to help assure that consumer problems will receive the attention they deserve and that solutions will not only be devised but aggressively promoted both by the Congress and the Executive Branch.

We welcome the formation of consumer subcommittees as parts of existing standing committees of the Congress. In the Executive Branch, we endorse of the long-standing proposal for the creation of either a Department of Consumer Affairs or a statutory Office of Consumer Affairs.

President Johnson has focused the attention of the Congress and the nation on the problems of the consumer in his far-reaching message to the Congress last week.

The AFL–CIO, which is probably the largest organized group of consumers in the nation, is delighted that the President has signaled out the problems of the consumer for concerted action.

The Administration intends to make this a major legislative undertaking and so do we. The 90th Congress can—and should—become the consumer-conscience Congress and we are going to do our part to make sure that it does.

ELECTRIC VEHICLES

Mr. MAGNUSON. Mr. President, the Committees on Commerce and Public Works recently held hearings on proposals to promote electric vehicles. Such vehicles would offer many advantages to the consumer whose needs would be met by the first generation of electrics: long life, low cost, and ease of operation. The vehicles would also offer solutions to to the problems of congested, mechanized 20th century America. Electric vehicles would give off no pollutants and would help ease the transportation problem within cities.

This optimism was not shared by all witnesses at the hearings, but the pessimistic witnesses offered no alternatives that would provide as many advantages as the electric. Unfortunately, some of these pessimists were representatives of the executive branch.

Other nations are not as complacent as ours. It will be an ironic turn of events if this car-conscious nation must import its first mass-produced electrics, to the detriment of both the economy and the balance of payments. I ask unanimous consent that the following report from Great Britain be printed in the RECORD at this point.

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

BRITAIN MAKING MAJOR EFFORT TO DEVELOP ELECTRIC CAR

(By B. J. Cutler)

LONDON.—A major effort in Britain to develop an electric car for use as a town and commuter vehicle is being encouraged by several government departments. Development work is being done at a multi-million-dollar annual rate by several large corporations, including some with U.S. ties. Behind all the activtity is the conviction that no matter where an efficient electric car is first developed—in the U.S. or here—Britain will prove to be a better market for the battery-driven vehicle. The major drawback of electric cars is limited range. With relatively short distances to be traveled here, lack of range will not be the handicap to sales in Britain that it would be to sales in the sprawling U.S. Britain also has other factors favoring electric cars. They include a good secondary road system, easy availability of power for recharging batteries, heavy traffic which makes noise and air polution a problem, and a widespread awareness of the dangers of polluted air.

Within the last week, the future of electric cars received two official boosts:—The Ministry of Transport said it would finance a serious research program into electric taxis as an aid in solving city traffic and air pollution problems.—The Electricity Council, which runs Britain's nationalized power industry, called for bids on three types of battery-driven passenger vehicles. The council wishes to buy and test some 60 vehicles. It has asked for prices on an electric bicycle or tricycle to carry one passenger at 20 mph.; a two-seat, two-door light passenger car with a top speed of 40 mph.; and a four-seat sedan or station wagon with a 35 mph. cruising speed. In each case, the Electricity Council has specified that the cars be able to travel 40 miles on a single battery charge.

The council's interest in electric cars is clear. If they ever catch on, it would have a profitable market for off-peak-hour electric sales. It is assumed that most batteries would be recharged overnight when there is less demand for power. One car that the council wants already exists. This is Scottish Aviation's tiny two-seater, the Scamp, which can hit 35 mph. The Electricity Council, will buy about 10 Scamps and turn them over to its local electric boards for field testing by meter readers, service men, and representatives. Most of the cars now planned are powered by the conventional lead-acid batteries now used for starting in gasoline-powered cars. The drawback of these batteries is that they are heavy for the amount of power they produce and have to be recharged frequently.

UNDERGROUND TRANSMISSION: AN IMAGINATIVE PROPOSAL

Mr. MAGNUSON. Mr. President, the transmission of electric energy is of increasingly vital concern to the Nation. It becomes more important with the construction of each new large central-station nuclear powerplant. It is important in solving the problems of reliability raised by the series of blackouts and curtailments in the last year. One of the solutions to these problems, in its simplest form, is more transmission capability.

Today, this means more overhead transmission, and most likely, more overhead AC transmission. This, however, creates its own problems. One problem is the economic and aesthetic loss to the Nation, as more and more transmission lines dissect the communities and countryside of America. The other problem is the energy loss that occurs in long distance AC transmission.

An imaginative solution to both of these problems was recently suggested in the April 1967, proceedings of the IEEE. The provocative article proposes a large capacity superconducting line. Not only would this line, if found to be feasible, transmit huge blocks of energy with practically no line losses, but it could also be underground, thus making further savings possible. As the article suggests, such lines are not as infeasible as many would like us to believe. I ask unanimous consent that the abstract and the conclusion of the article be printed at this point in the RECORD.

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

SUPERCONDUCTING LINES FOR THE TRANSMISSION OF LARGE AMOUNTS OF ELECTRICAL POWER OVER GREAT DISTANCES

(R. L. Garwin and J. Matisoo)

Abstract—As an application of high-field, high-current superconductors we sketch the design of a power transmission line to carry 100 GW (10^{11} watts) of direct current over a distance of 1000 km. (It is interesting to note that the present peak power generating capacity of the United States is approximately 200 GW, or just twice the capacity of the proposed line.) Such a line, in contrast to one made of ordinary metal, would dissipate none of the power transmitted through it, although it is necessary to tap power from the line for refrigeration. The consequences of negligible transmission loss are substantial: power transmission would be more economical than the present practice of shipping coal to the region in which electricity is generated and consumed; generating plant site selection could be made almost entirely on economic considerations; at the same time, thermal and air-pollution problems could be minimized; novel power sources could be considered.

The power line would be made of Nb_3Sn and would be refrigerated to 4 K. The power must be transmitted as direct current, rather than as alternating current, because the very large (comparatively) alternating-current losses would require excessive refrigeration capacity.

Specifically, we shall discuss a line at 200 kV carrying 0.5×10^6 A. The investment in the line will be approximately $806 million, or $8.06 kW. Of this, some $6.06/kW is line cost, the remainder being converter cost, which, of course, is the same for an ordinary dc line. In comparison with the shipping of coal, the investment cost would be repaid in ten months.

We have investigated in some detail the problems of refrigeration along the line, including those of heat leak through the wires which deliver power to customers at room temperature. The efficiency of the line is greater than 99.9 percent (power transmitted less the power drawn off to run refrigeration equipment, all divided by transmitted power).

While the technical discussion is probably correct, the cost figures do not include engineering expenditures and do not consider in detail the costs involved in providing the redundancy and safety factors for, say, a failure rate of one per ten years with a time of a few seconds to restore power.

This is not an engineering study but rather a preliminary exploration of feasibility. Provided satisfactory superconducting cable of the nature described can be developed, the use of superconducting lines for power transmission appears feasible. Whether it is necessary or desirable is another matter entirely.

SUMMARY AND CONCLUSIONS

We summarize the design characteristics of the line as follows.

Power capacity: 100GW(10^{11} W).
Voltage (dc): 200kV(2×10^5 V).
Current (dc): 0.5×10^6 A.
Line temperature: 4.2°K (liquid helium).
Radiation shield: 77°K (liquid nitrogen).
Length of line: 1000km.
Refrigerator spacing: 20km.
Gas-liquid separator spacing: 50m.
Booster pump spacing: 500m.
Vacuum pump spacing: 500m.
Thermal expansion bellows 1.5m long (superconductors wound helically) spacing: 500m.
Fraction of power dissipated in line and leads: $<10^{-7}$.
Fraction of power used for refrigeration: $<10^{-3}$.

We have offered another solution to the problems of economical electrical energy transmission, by sketching a design for a large-capacity, long-distance superconducting line and estimating the capital and operating costs for such a line. If our cost estimates are not too much in error, it is clear that the most economical solution to the over-simplified power transmission problem posed in the Introduction is a superconducting line of the general design described. This becomes particularly apparent when annual costs are examined. Thus, coal transportation cost is approximately $1 billion a year, ordinary EHV transmission losses—$340 million a year, while the superconducting-line "losses" amount to only—$5 million a year. Even the capital costs may favor the superconducting line over conventional EHV. The capital investment in EHV transmission is—$1 to $1.5 billion, whereas the superconducting line cost is—$606 million. (The converter costs are the same for EHV dc and superconducting line and therefore have not been included in the comparison.)

The superconducting line has essentially fixed annual operating costs; i.e., the refrigeration cost is almost independent of the current-carrying capacity of the line. Also, the capital costs associated with the refrigeration system are the same regardless of line capacity (assuming fixed 4.2 K operating temperature). What does scale is the superconductor cost (and converter cost) which varies directly with the power capacity of the line. With ordinary EHV transmission, as the power capacity is reduced there comes a point at which ac transmission becomes practical (eliminating converters). Losses then scale with power level, as does the capital investment in the line.

Thus, for sufficiently low power levels and over sufficiently short transmission distances, it will undoubtedly be more economical to use conventional ac EHV transmission. However, there will exist a power level and distance beyond which superconducting lines will prove more economical. Clearly, detailed engineering design and cost analysis is necessary to determine exact cross-over points. We have shown, however, that circumstances may be such as to favor the novel approach of a superconducting power line.

THE SUPERSONIC TRANSPORT PLANE

Mr. MAGNUSON. Mr. President, on April 29, the President announced that he was authorizing that contracts be signed for the prototype construction of an SST and that he was sending Congress an appropriation request for fiscal 1968. I commend the President for taking this major step forward, which will maintain our world leadership in civil aviation.

Under the contracts that were signed last week, the Government will continue to share in the developmental cost of the plane. Both the manufacturer and the major U.S. airlines are significant partners in the venture and will have substantial investment in it. By the end of the prototype phase, for example, the Boeing Co. and General Electric will have invested nearly $300 million in contract items, new facilities and other items. Ten U.S. airlines have also agreed to put up $52 million risk capital to help finance prototype construction.

President Johnson consistently has stated that the country would only proceed with the SST program if the plane were safe, superior to any other aircraft, and economically profitable to build and operate. I think that it is most significant that the President's Advisory Committee, chaired by Secretary McNamara, unanimously recommend that this country proceed with the prototype construction of a supersonic transport. This committee is composed of leaders in the Government and from private industry. They are Henry Fowler, Secretary of the Treasury; Alan S. Boyd, Secretary of Transportation; William F. McKee, Administrator, FAA; James E. Webb, Administrator, NASA; John T. Conner, former Secretary of Commerce; Eugene R. Black, John McCone, Stanley deJ. Osborne.

The President's Advisory Committee has focused upon the financial and economic issues involved in the SST program. They have considered many proposed financial plans and the economic feasibility of building an SST which is economically profitable to operate. I know their conclusions are the result of much study and deliberation.

I have just received a letter from Secretary Boyd attaching a number of economic studies which have been performed by the FAA and its consultants. In recent weeks there have been charges by some Members of Congress and in certain editorials that the FAA has been suppressing these economic reports. This is not true. In my inquiries to the FAA concerning this, I was told that it was intended to release the reports when a final decision about the program had been made. I agree that release of these reports prior to a Presidential decision would have been inappropriate.

I understand that these reports present different views on the SST program. This is to be expected, and I am glad that the President's Advisory Committee and FAA had the opportunity to consider all aspects of the problem.

I ask unanimous consent that the letter from Secretary Boyd be included in the RECORD at this point. I also ask unanimous consent that the President's statement on the SST be included in the RECORD.

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

MAY 15, 1967.

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

DEAR MR. CHAIRMAN: In making the unanimous recommendation that this country proceed with prototype construction of the supersonic transport, the President's Advisory Committee on Supersonic Transport (PAC) based its conclusions upon the judgment and information currently available. The decision of the Administration to proceed with prototype construction was made only after a thorough analysis of the economic feasibility of the program.

In late 1965 the President's Advisory Committee assigned the Federal Aviation Administration responsibility for studies on the economic and profitability of the SST. A special economic staff established the Office of Supersonic Transport Development in FAA has had the responsibility for the effort.

The purpose of the studies was to provide sufficient detailed analysis on the supersonic transport economics for decision making in the Executive and Legislative Branches of the Government. The conclusions reached are contained in the enclosed report, "U.S. Supersonic Transport—Economic Feasibility Report," by the Economic Staff of the Office of Supersonic Transport Development. These conclusions are as accurate and objective as economic research and forecasting are able to make at this time. The report concludes that the SST will be a program in which the airlines and manufacturers will make a profit consistent with their risks and the Government should recover its investment.

As part of the economic studies, several research organizations were commissioned to perform independent support research. This supporting work was conducted primarily by: Institute for Defense Analyses, which performed the demand and balance of payments investigation; Research Analysis Corporation, which performed the operating cost study; Booz, Allen Applied Research, in cooperation with Resource Management Consultants, which analyzed development and production costs; Planning Research Corporation, which investigated the additional investment requirements for airport and en route facilities; and Booz, Allen & Hamilton, which studied program financing. Copies of these reports are also enclosed.

The advice and consultation of a number of recognized authorities have also been sought. Dr. Edmund Learned of the Harvard Business School has served as a consultant throughout the course of the study. Dr. Gerhard Colm of the National Planning Association, Dr. Walther Lederer of the Department of Commerce, Dr. Charles Kindleberger of the Massachusetts Institute of Tech-

nology, and Dr. John Meyer of Harvard University provided special assistance in various study areas.

During the course of the study, FAA also conferred frequently with other Government agencies, major U.S. air carriers, and the four competing manufacturers. Comprehensive economic analyses have also been made by the airlines and manufacturers.

I believe it is important to recognize the studies necessarily contain a large number of variables because our projections are for an unusually long time period (25 years); nevertheless, different viewpoints expressed in the report have been carefully analyzed. While conclusions reached in our study are the result of the very best judgment and information available at the present time, we are continuing studies on the economic and financial profitability of the program.

I will be glad to provide a full detailed briefing for you and members of the committee.

Sincerely,

ALAN S. BOYD.

STATEMENT BY THE PRESIDENT ON THE SUPERSONIC TRANSPORT

Today, I am pleased to announce that this Nation is taking a major step forward in the field of commercial aviation.

I am authorizing the Secretary of Transportation to sign the contracts for the prototype construction of a commercial supersonic transport.

I am also sending to the Congress on Monday a request for $198 million to finance the government's share of the next phase of the development of this transport aircraft.

These funds and this action will help to bring the supersonic transport from the drawing boards into the air for prototype testing and evaluation.

This new prototype test phase is the culmination of many months of a resourceful and intensive design competition. Out of that competition two firms were selected to proceed with the development of the aircraft—the Boeing Company for the airframe, and the General Electric Company for the engines.

This project, in which I have been proud to participate, is an outstanding example of creative partnership between your government and American industry.

That partnership is evidenced by the arrangements which will carry the project through to its next phase: The Government will continue to share in the cost of development with industry. The airlines and the manufacturers will invest substantial capital in this project.

Although the promise of the supersonic transport is great, the program still carries high technical and financial risks. Industry's willingness to share those risks is a clear sign of its confidence in the program. This participation will also help assure that sound business judgments are exercised throughout the development of the supersonic transport.

With a successful program, the Government will recover its investment with interest. The taxpayers of this Nation will benefit.

The impact of the supersonic transport program will be felt well beyond our own shores. Jet aircraft have already brought the world closer to us. Commercial supersonic transports—traveling at 1800 miles an hour or even faster—will make South America and Africa next-door neighbors. Asia will be as close to us as Europe is today.

Only by sustaining the highest levels of business-government cooperation will we reach that stage of progress. Only through that cooperation can we achieve the goals which I affirmed at the beginning of this program: the development of a supersonic transport which is safe for the passenger; superior to any other commercial aircraft; and economically profitable to build and operate.

THE 175TH ANNIVERSARY OF FOUNDING OF THE NEW YORK STOCK EXCHANGE

Mr. JAVITS. Mr. President, today marks the 175th anniversary of the founding of the New York Stock Exchange. From an original group of 24 merchants who had agreed to meet daily branch offices of member firms who exchange has grown to include 3,800 branch offices of member firms who exchange some 86,000 orders representing $579 million in stocks on an average day. The growth of America has been mirrored in the New York Stock Exchange, and I think it is fitting that we take a moment to recall that growth here. For this reason I ask unanimous consent to have inserted in the RECORD an article from the New York Times on Sunday, May 7, which depicts this growth.

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

EXCHANGE THAT BROUGHT FAME TO BUTTONWOOD TREE WILL MARK 175TH ANNIVERSARY

(By Alexander R. Hammer)

It all started on May 17, 1792, when 24 merchants and auctioneers agreed to meet daily under a buttonwood tree on Wall Street to buy and sell securities among themselves.

This laid the foundation for the birth of the New York Stock Exchange, the world's largest securities market place. This year the exchange is celebrating the 175th anniversary of the "buttonwood agreement."

The 24 original members of the exchange traded in a mere handful of issues, including an $80-million bond issue that consolidated the nation's Revolutionary War debts. Among the other traded issues were shares of insurance companies, Alexander Hamilton's First United States Bank, the Bank of North America and the Bank of New York.

Today, the exchange mirrors the nation's business tempo and the hopes and trepidations of millions of investors and provides the market place for the flood of securities which finance America's growth.

On an average day, 3,800 branch offices of exchange member firms funnel into the exchange some 86,000 buy and sell orders, representing $579-million in stocks.

The value of shares traded on the exchange in a single hour often exceeds the $80-million in securities that were consolidated by Treasury Secretary Alexander Hamilton to pay the Revolutionary War debts.

Listed shares on the exchange now total 11 billion, with a market value of more than $520-billion. About 500 of the approximately 1,300 companies with common stock listed on the Big Board, or about 40 per cent, have joined the list in the last 10 years.

Before the "buttonwood agreement," stock trading in New York was carried on in various coffee houses, auction rooms and offices, but it was mostly unorganized. People were hesitant to invest because they had no assurance they could sell their securities readily.

The exchange changed locations frequently during its early life. In 1793 the Tontine Coffee House was completed at the northwest corner of Wall and William Streets and the 24 signers of the agreement moved indoors. Later, the exchange moved into an office across from the home of Alexander Hamilton on Wall Street and during the yellow fever epidemic of 1819 it moved as far north as Broadway and Beale Street.

A fire that destroyed much of lower Manhattan in 1835 started a further series of moves to larger quarters. But by 1865 the exchange had settled on part of the site of its present building at Broad and Wall Streets.

It is doubtful whether trading in securities kept the brokers of the exchange very busy durng the first two decades of its existence. The economy was basically a mercantile-agrarian one and there were few enterprises large enough to permit public financing.

It was not until after the War of 1812 that the United States really started to flex its economic muscles. The tempo of business quickened as the country headed into a postwar boom. Commercial activity thrived, new enterprises multiplied and speculation was in the air.

New York State bonds, issued to pay for the Erie Canal and other canal stocks, joined the new issues traded on the exchange in the 1820's, and the railroad issues began trading in the 1830's. The rails dominated the list until well past the turn of the century. Today railroad stocks make up only 2.2 per cent of the 11 billion listed shares traded on the exchange, a telling indication of their decline as an economic force.

FIRST RAILROAD TRADED

The Mohawk & Hudson Railroad, later a part of the New York Central System, was the first railroad whose securities were traded on the exchange.

Because of the increase in new issues and trading activity, the exchange made efforts to bring more orderly standards of business behavior to the stock market in the 1820's and 1830's.

These attempts at self-regulation were often elementary and amusing compared with present standards. Among the penalties in effect in that time were fines of $5 to $25 for a member who stood on a chair during trading, knocked off another member's hat or threw paper missiles.

The Civil War opened the modern era in American finance. It was helped by the new fortunes that had been accumulated during the war, by the rail net that was soon to link the East and Far West and by the rebuilding of the South.

REGULATION STIFFENED

To keep pace with the industrial revolution, the exchange between 1860 and 1875 inaugurated significant moves in self-regulation. The call system of trading, whereby each stock on the list was called for bids and offers by brokers at set times during the day, proved no longer adequate and was abandoned for a continuous auction.

Early in 1869 the exchange began to take a more vigorous stand in listing standards. In January of that year, the exchange delisted the shares of the Erie Railroad when the carrier failed to comply with a regulation requiring the registration of all outstanding shares.

Later that year a committee on stock listing was established by the exchange and rules providing for transfer agents, registrars, engraving and printing standards were written. At the same time, the exchange began formulating its policy of asking for fiscal information about the companies whose securities were traded.

Today, any corporation that seeks to list its securities on the exchange knows that this will involve public disclosure of pertinent financial information.

THE FIRST TICKERS

The appearance of the first stock tickers in 1867 and the installation of telephones 11 years later the added impetus to the exchange's position as the nation's central securities marketplace.

In the 1890's a new outgrowth of the industrial revolution began to make itself felt on the exchange—the trading of shares of modern corporations. The turn of the cen-

tury also brought the formation of the nation's first billion-dollar enterprise, the United States Steel Corporation.

Volume on the exchange continued to increase as a result, and in 1903 the present exchange building was erected. By 1906 average daily volume exceeded a million shares. This was not equaled again until after World War I.

The postwar period again increased activity on the exchange because of heavy demands for capital to finance economic expansion. At the end of 1924 433.4 million shares were listed on the exchange with a market value of $27-billion.

However, by the close of 1929, 1.1 billion shares were listed with a market value of $64.7-billion. In that year an exchange seat sold for $625,000, a figure that has not been equaled since. The latest seat sale on the exchange was made for $330,000 on April 14.

The exchange faced its most critical test in the fall of 1929. On Tuesday, Oct. 29, the worst price crash in the exchange's history occurred as more than 16 million shares were traded, an all-time record.

The market upheaval, part of a worldwide economic depression, helped pave the way for passage by Congress of the Securities Acts of 1933 and 1934, which increased controls over the securities markets.

Four years later, in a sweeping reorganization, William McChesney Martin Jr. was appointed the exchange's first full-time paid president at a salary of $48,000 yearly. Emil Schram succeeded him in 1941 and 10 years later Keith Funston was elected president. Last month, Robert W. Haack was elected to succeed Mr. Funston and he is expected to step up into his $125,000-a-year post by early autumn.

STANDARDS TOUGHENED

In recent years the exchange has pursued with gusto a policy of self-regulation. Membership qualifications have become more stringent. Listing and disclosure requirements for companies have been increased and the qualifications of securities salesmen upgraded.

However a number of tough problems remain that must be faced by Mr. Haack when he assumes command of the Big Board. Among them are commissions. The Securities and Exchange Commission has suggested that institutional investors should get a volume discount.

The costs and revenues committee of the exchange is now studying the entire commission structure as it pertains to member firms of the exchange. The exchange sets the minimum commission rates that are charged by its member firms to its customers. Naturally quite a few member firms are opposed to the S.E.C.'s recommendation, since it would reduce their profits.

A spokesman for the exchange said last week there was no telling at this time what change, if any, will be suggested by the costs and revenues committee.

Mr. Haack will also have to tackle the issue of possible public ownership of Big Board concerns. Public ownership has been studied by a special committee appointed by the governors of the exchange in September, 1964.

Such a report is expected to be made perhaps this summer. The decision ultimately would rest with the exchange's membership if the governors decide to put it to a formal vote.

Last October Mr. Funston advocated public investment in securities firms as a future goal of the exchange. The chief advocate for public ownership has been Merrill Lynch, Pierce, Fenner & Smith, Inc., the nation's largest brokerage house.

The smaller Big Board firms have been mostly opposed to the plan since they believe that such a move might place them at a competitive disadvantage with the larger concerns.

Another headache facing Mr. Haack is housing. The rapid rise in the volume of trading has been straining the present facilities of the exchange for some time and is expected to get worse as time goes on.

For instance, in the first quarter of this year volume soared to 615,441,169 shares, compared with 540,736,560 shares in the period last year. In the first quarter of 1967, the exchange had 32 days in which 10 million shares or more were traded. During the entire previous history of the exchange, there had been only 29 days when volume exceeded 10 million shares.

To help overcome the housing problem, the exchange disclosed in February it is planning to enlarge its trading floor by extending it into the adjoining building at 20 Broad Street. The expansion, which is expected to be completed by mid-1969, will increase the effective working facilities on the floor by about 20 per cent.

However, Mr. Funston, noted that the planned extension was only a "short-term solution to our housing problem" that has confronted the exchange for a number of years.

MOVE WAS STUDIED

The expansion plan next door may have shelved the exchange's announced intention to leave New York State because of an increase in the stock transfer tax.

Last year the controversy over the stock transfer tax led the Big Board to scrap plans for a new $80-million complex at a nearby Battery Park site. The board of governors also ordered the staff at that time to begin studying the possibility of moving all or part of the exchange's facilities out of New York State.

As originally envisaged by New York City authorities, the stock transfer tax would have been raised by 50 per cent. Instead, a compromise increase of 25 per cent was made after consultation with the exchange.

The transfer tax is levied upon the seller of stock and the proceeds go to New York City. The current rate ranges from 1¼ cents a share for stocks priced at less than $5 a share to a maximum of 5 cents a share when the price of the stock is $20 or more a share. The increase, which took effect last July 1, is due to expire in mid-1968.

Despite a lack of space, automation and other innovations have kept the exchange abreast of its growing volume. The first computer was installed at the exchange in its stock clearing operation in 1959.

The exchange operates one of the world's largest privately owned computer and electronic systems centers, under the direction of John Bermingham, vice president of the exchange.

Its market data system has fully automated the dissemination of stock quotas and prices from the floor. Computers drive the exchange's international stock ticker network and produce an index of all listed stocks every half hour during the trading day.

In an interview last week Mr. Bermingham noted that five years ago the exchange had about $2-million of automated equipment. He said it now had more than $17-million of such equipment.

Mr. Bermingham said the exchange's computerized central certificate service, which will start operation later this year, will eventually eliminate up to 75 per cent of listed stock certificate handling for member firms.

DELIVERY MAY END

The exchange vice president said the new service would permit clearing members to deliver securities to other brokers by bookkeeping entries, rather than physical delivery, in much the same manner as a checking account eliminates the physical transfer of cash.

In addition it will eliminate the physical servicing involved in storing and handling large numbers of stock certificates, relieve clearing firms' auditors of the burden of physical counting and inspection of certificates, and reduce dividend claim problems. The service will be mutualized, with its expenses paid through charges to users.

Later this year the exchange will also introduce a computer accounting-service facility to provide a full range of computerized back-office accounting services for Big Board member firms for a fee.

The new service will include the calculation of stock purchase and sale data, the printing of confirmations and statements, margin accounting and bookkeeping for users' securities business on all exchanges and over-the-counter markets.

Keith Funston, in a recent speech, visualized the exchange trading floor of the future as a place where brokers and specialists could conduct the auction market electronically. A specialist is an exchange member whose function it is to execute orders entrusted to him by other members and to maintain, as far as is reasonably practicable, fair and orderly markets in the stocks he services.

KENNEDY ROUND OF NEGOTIATIONS

Mr. JAVITS. Mr. President, last night after 4 years of negotiations the Kennedy round was concluded, and despite numerous contrary indications, the negotiations resulted in major achievements: agreement to an average one-third cut in tariffs; an increase in the floor price of wheat exports from $1.45 to $1.73 a bushel; guaranteed access for the United States for 11 percent of the Common Market's grain market; a major annual food aid program to developing countries, with the Common Market shouldering 22 percent of the burden and the United States 40 percent; a two-part agreement to reduce most chemical tariffs by 50 percent; and alinement of the world's steel tariffs at about 6 percent compared with current average tariffs of about 7 percent in the United States, 10 to 12 percent in Britain, and 9 percent in the Common Market.

I want to take this opportunity to congratulate the U.S. negotiating team which brought about the successful conclusion of these negotiations—Christian Herter, who until his recent death headed the U.S. delegation, William M. Roth, who took over for Mr. Herter and led our negotiators during the difficult concluding phase of these talks, and Michael Blumenthal, who handled the on-the-spot negotiations over the entire 4-year period—for doing an excellent job.

The trade in the products on which concessions had been agreed on is estimated to amount to $40 billion or about eight times more than the previous round of world tariff negotiations 6 years ago and involving about 60,000 items. The United States alone has reportedly 6,300 products and $15 to $16 billion in trade involved. Almost 50 countries accounting for 80 percent of the world's trade participated in these negotiations.

I am particularly pleased that an antidumping code has been agreed upon. Congressman THOMAS B. CURTIS, of Missouri, and I and other minority members of the Joint Economic Committee have long urged this step as a means to pre-

vent worldwide escalation of restrictions on trade by tightening up national antidumping laws and regulations.

From Mr. White's statement it appears that with respect to commodities affecting developing countries agreements affecting them have fallen short of what these countries hoped. I deeply regret this, as I believe this was the most promising way industrialized nations could help developing countries. Although I doubt that agreement can be reached within the next few weeks on this if it proved impossible during the past 4 years, I am pleased to note that the participants of the negotiations are continuing their efforts in this regard and hope to reach it in time for the signing of the protocol which will embody the results of the trade negotiations.

The exact results for the United States from these negotiations will not be known for some time. Congress will have an opportunity to evaluate them when the President makes his formal report to Congress on the results of the negotiations. Both the grain and the chemical agreements have been concluded without express congressional legislation but under the President's authority to conclude international agreements, subject to congressional approval. I very much hope that before we condemn our negotiators for concluding such agreements we will carefully assess the benefits as well as the possible injury that these agreements may result in for the American economy. Let us remember, for example, that the United States sells more than $2 billion of chemicals abroad annually—three times as much as it imports. And, most importantly, let us not forget that most American consumers stand to benefit substantially from these negotiations.

It is very important that we begin to plan at once about the future of U.S. trade policy and what steps this country should take to continue world trade liberalization. I believe a careful look should be given to the adjustment assistance provisions of the Trade Expansion Act. This provision should be liberalized to make possible effective Federal assistance to industries that may be hurt over the next 5 years as a result of tariff concessions made in the Kennedy round.

I also believe that further negotiations should be undertaken for the reciprocal removal of remaining nontariff barriers such as sanitary regulations and methods of valuing imports for customs purposes. Also, the industrialized nations must take effective action to improve the deteriorating trade positions of developing countries. It makes little sense to provide billions of dollars of development assistance to these countries and then make it difficult and sometimes impossible for them to export these manufactured and semimanufactured products that result from a higher level of development.

I very much hope that before American industry, agriculture, and Members of Congress condemn the results of these negotiations, they carefully evaluate the net effect of these negotiations for them and for the U.S. economy.

I ask unanimous consent that several articles from today's New York Times and the Wall Street Journal on this subject be printed at the conclusion of my remarks.

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

[From the New York Times, May 16, 1967]

KENNEDY ROUND SUCCEEDS—50 NATIONS TO CUT TARIFFS, LIBERALIZING WORLD TRADE—DUTIES DOWN 33 PERCENT—PROGRAM OF FOOD AID FOR HUNGRY LANDS ALSO PROVIDED

(By Clyde Farnsworth)

GENEVA, MAY 15.—The major trading nations reached agreement tonight in the Kennedy round of tariff negotiations, paving the way for the most ambitious attempt ever made to achieve the liberalization of international trade.

After more than four years of negotiations, nearly 50 countries, accounting for about 80 per cent of world trade, agreed to an average one-third cut in their tariffs; liberalization of trade in agriculture and a program of food aid for the hungry nations.

The agreement probably will lead to a sharp increase in world trade. It also could mean, over the five-year staging of the tariff cuts, somewhat lower prices for much imported merchandise.

Trade in the products on which concessions have been agreed amounts to some $40-billion. This is about eight times more than the previous round of world tariff cutting negotiated in 1960–61.

A DAY PAST DEADLINE

The final agreement was achieved almost 24 hours after the Sunday midnight deadline had passed. Negotiators failed to reach the elusive accord earlier because of snags in chemicals and agriculture and the wilting physical endurance of the delegates. They had gone without adequate sleep for days. Today they renewed their efforts to reach success.

Eric Wyndham White, the high international trade official who is steering the Kennedy round of talks, called the four key negotiators to his headquarters at 11 a.m. to submit a formal package of compromises.

The four, known in Kennedy round lingo as the "bridge club" are William M. Roth of the United States, Jean Rey of the European Common Market, Sir Richard Powell of Britain and Kiichi Miqazawa of Japan.

They met again at 5 p.m. with Mr. Wyndham White, but no decision was taken on the proposals. Most of the delegations, including the American, were in touch with their capitals.

By early night, all that was barring successful conclusion to the negotiations appeared to be differences between the United States and the European Economic Community (as the Common Market calls itself) over the extent to which the community should make chemical tariff cuts conditional on repeal by Congress of highly protective legislation in chemicals.

A meeting of the steering committee, a somewhat wider group than the bridge club, which as directed procedure in the negotiations, was scheduled for 11:30 tonight.

Reports that agreement had been reached in the late afternoon were denied by American and common market sources, though Mr. Rey did say after the 5 p.m. meeting that agreement would come this evening.

After he spoke, however, common market sources let it be known that Mr. Rey was considering calling a meeting of the community's Council of Ministers tomorrow in Brussels if the accord was not reached tonight.

This apparently was designed to put pressure on the Americans to be more flexible on chemical tariffs this evening.

Technically, the clock was stopped at midnight last night because of a communiqué issued earlier in the week saying that if the accord did not come by Sunday all would agree the negotiations had failed.

[From the New York Times, May 16, 1967]

TEXT OF GATT STATEMENT

GENEVA, May 15.—*The following statement was issued by Eric Wyndham White, director-general of the General Agreement on Tariffs and Trade, to announce the successful conclusion of the Kennedy round:*

The essential elements in the Kennedy round have now been successfully negotiated.

Almost 50 countries, accounting for around 80 per cent of world trade, have participated in the negotiations, which have been wide-ranging and comprehensive and the most ambitious attempt ever made to achieve the liberalization of international trade. The results are of a far greater magnitude than those obtained in any previous trade negotiation. Through the operation of the most-favored-nation rule, all GATT countries stand to benefit from these results.

In the industrial field, the negotiations have been based on a working hypothesis of a linear tariff reduction of 50 per cent by major industrialized countries and have resulted in important tariff cuts over a very wide range of industrial products. In many areas, reductions of 50 per cent have been agreed.

DIFFICULT PROBLEMS

It has been estimated that trade in the products on which concessions have been agreed amounts to some $40-billion. Among the most difficult problems dealt with multilaterally have been those related to chemicals and steel; on these, we have reached agreements of outstanding importance.

In the agricultural field, the basic elements to be incorporated in a grains arrangement have been agreed upon after difficult and intensive negotiations. Agreement has been reached on basic minimum and maximum prices of wheats of major importance in international trade. A major innovation is the provision for food aid to developing countries to an amount of 4.5-million metric tons of grain annually.

While, in other areas, results of agriculture have been more modest, there have, nevertheless, been some significant results.

An antidumping code has been agreed upon in the course of the negotiations.

Agreement has also been reached on action to be taken with respect to certain other nontariff barriers to trade.

Some developed countries have offered substantial tariff cuts on tropical products, certain of which are being immediately implemented.

In a number of cases, the action taken falls short of the expectations of the developing countries.

Some participants are considering possible further improvements in their tariff offers.

In respect of many tropical products, it is not possible to reach agreement at this stage on the elimination or reduction of tariffs because of the existence of preferential arrangements.

It has been recognized that to achieve the objective of duty-free entry, both the developed and developing countries will have to address themselves to reaching agreement on the best form of action that would permit the removal of these preferences.

In the course of the trade negotiations, tariff cuts have been agreed on many other products of principal, or potential, export interest to the developing countries.

PERIOD OF YEARS

The tariff reductions agreed in the trade negotiations will, in general, be phased over a period of years. The participants in the negotiations have, however, recognized that, for the developing countries, the immediate

implementation of such tariff cuts would be of great value in maximizing the benefits to them of these negotiations.

It has, therefore, been agreed by participants that efforts must continue to secure the best advance implementation of such concessions. All participants have declared their determination to reach a decision on this point by the time the protocol embodying the results of the trade negotiations is open for signature.

Participating developing countries have stated that the solutions found to this question will be a major determining factor in their over-all appraisal of the concessions received.

Participating developing countries have urged that those requests for tariff reductions on items of special importance to them, which had not been fully met by participating developed countries, should be favorably reconsidered and that further concessions on these items be made.

The question of compensation for loss of preferences resulting from the trade negotiations will be pursued further.

The participating developed countries declare their willingness to continue to examine to what extent they could improve access for products exported by developing countries which have special characteristics such as handicrafts and handloomed fabrics.

Much work remains to be done on matters of detail arising from the negotiations as a whole. The results of negotiations have also to be embodied in legal instruments. Only after participants have completed any necessary legal or constitutional procedures will the detailed results of the negotiations be fully known.

[From the New York Times, May 16, 1967]

TRADER, NOT DIPLOMAT—WILLIAM MATSON ROTH

WASHINGTON, May 15.—For almost four years, William Matson Roth, the wealthy, civic-minded Californian has been dealing in the Byzantine intricacies of the Kennedy round of trade negotiations.

Far more than any other American, including President Johnson, William Roth is responsible for the result, for better or worse.

A quiet-spoken man, whose career was business but whose interests are intellectual, Mr. Roth was appointed by President Kennedy in September, 1963, as deputy to the late Christian A. Herter, the President's Special Representative for Trade Negotiation.

The office had been established by the 1962 Trade Expansion Act to end the dominance of the State Department in trade matters, and Mr. Roth has subsequently told a Congressional committee with pride, "We are traders, not diplomats."

Mr. Herter, who had long been unwell, was able to keep up a keen interest in negotiations, which began four years ago, until he underwent heart surgery in April, 1965. From that time on, for practical purposes, it was Mr. Roth's show.

After Mr. Herter's death last December, the President nominated Mr. Roth to the post of Special Representative, and the Senate readily confirmed him early this year.

Mr. Roth, now 50, has been accustomed to wealth all his life. His mother was a Matson of the shipping family, and most of his business career was spent with the Matson Navigation Company, in San Francisco, though for three years prior to his coming to Washington he was chairman of the Pacific National Life Assurance Company.

Close to former Gov. Pat Brown, he was named a regent of the University of California, a post he still retains. Mr. Roth is a liberal member of that controversial body, which recently fired Clark Kerr as president of the university over the opposition of Mr. Roth's group. He has flown back to California nearly every month to attend meetings of the regents.

Before coming to Washington, he was also active in an almost endless list of civic ventures, including a prominent role in urban renewal in San Francisco.

But outside of his activities, Mr. Roth's interests are in books and art and he has a collection of what one friend calls "way-out modern art." As evidence of his interest in books, he was, before coming to Washington, a director of the Atheneum Publishing Company in New York.

William Roth, though he has proved a tough negotiator, does not present a forceful appearance. His voice is low and soft, and he speaks slowly and carefully. Some observers of the long negotiations regard him as "unimaginative" and perhaps too narrowly involved in the technical trade questions concerned. It is obvious that he did not have the worldwide reputation and stature of Mr. Herter, a former Secretary of State.

But Mr. Roth saw from the beginning that Congress would insist on a hard-headed, fully reciprocal trade deal and was becoming less enchanted with the original political aim of the Kennedy round of creating a "partnership" between the United States and a United Europe.

And thus, Mr. Roth pledged on several occasions to walk out of the talks rather than accept an unbalanced deal.

"You can't play poker unless you're willing to pull out your chips," he said, with a somewhat inexact analogy. Perhaps his main difficulty has been in persuading the Europeans that he meant what he said.

Congress does not have to approve the Kennedy round, except for one subsidiary package involving chemicals. But Mr. Roth will soon learn what the members who take an interest in trade think about the deal he has negotiated. His troubles on the trade front may not be entirely over.

Mr. Roth is married to the former Joan Osborn, a New Yorker. They have three daughters, Jessica, 19, Maggie, 17, and Ana, 9.

[From the Wall Street Journal, May 16, 1967]

KENNEDY ROUND TARIFF-CUTTING PACT SET AFFECTING OVER $40 BILLION IN WORLD TRADE—INDUSTRIAL DUTIES WOULD FALL AN AVERAGE OF 33 PERCENT TO 35 PERCENT; SOME SNAGS STILL POSSIBLE

(By Ray Vicker)

GENEVA.—After three years of discussion, two broken deadlines and a month of frantic horse-trading, the U.S. and 52 other nations at the Kennedy Round of tariff-cutting negotiations agreed late last night to a new world-trade package.

The tariff reductions add up to the biggest in history, affecting about 60,000 items and more than $40 billion in world trade. The U.S. alone has 6,300 products and $15 billion to $16 billion in trade involved.

Only a handful of items, such as carpets, watches, glass, lead, zinc and petroleum products won't be affected by the agreement.

Customs duties on hundreds of items will be reduced to "nuisance" levels of 5 percent or less; other trade barriers may be lifted as well.

The Kennedy Round derived its name from the fact that U.S. authority to participate was granted by Congress during the Kennedy Administration. The negotiations, in which tariff cuts of up to 50 percent were sought, were held under the auspices of the General Agreement on Tariffs and Trade (GATT), the international trade agency that conducted the five previous tariff-cutting rounds since the end of World War II.

Among other salient points in the agreement are:

Reductions on world industrial tariffs averaging about 33 percent to 35 percent.

A minimum wheat export price of $1.73 a bushel, up from a current floor price of about $1.45 for hard red winter wheat, the reference grain, shipped from Gulf Coast ports. Also, an annual food-aid program to less developed countries of 4.5 million metric tons.

A two-part deal that will reduce most chemical tariffs of major nations by 50%.

Liberalization of trade in fruits, vegetables and other non-cereal products.

Alignment of the world's steel tariffs at about 6%, compared with current average tariffs of about 7% in the U.S., 10% to 12% in Britian and about 9% in the Common Market. Britain still refuses to consent to align her tariffs with those of other nations, but last night was promising at least a 20% reduction on steel duties.

NEGOTIATION SPEEDUP

The pace of the negotiations proceeded at a relatively leisurely level until early this year. With U.S. authority to participate due to expire June 30, however, the pressure began to mount; unless the agreements were struck by early May, it was felt, there wouldn't be enough time left to codify the new tariff schedules and sign the accords. The pace of the talks began to quicken, especially between negotiators from the U.S. and the Common Market, the two largest trading blocs. Agreement between these two came yesterday after two weeks of desperate, round-the-clock bargaining.

As it developed, the major stumbling block to the success of the Kennedy Round was disagreement between the Common Market and the U.S. over chemical tariffs. At one point yesterday, negotiators stormed out of Villa le Bocage, GATT's headquarters, in a fury over their inability to win concessions from each other on chemical duties.

An earlier area of sharp disagreement had been over grain trade. The U.S. sought guarantees for at least 13% of the Common Market grain market, but the European Economic Community, as it's formally called, refused to grant access to more than 11% of their market. A compromise suggested by GATT's director-general, Eric Wyndham White, was finally accepted: In addition to raising the minimum price for exported wheat, the Common Market would shoulder 22% of a substantial food-aid program to less developed nations. The U.S. would carry 40% of the aid program. The drain on European stocks, it was reasoned, would provide U.S. farmers with a considerable "replacement" market in Europe itself.

Both the grain and chemical agreements may yet hit a snag. They are the only two trade areas on which authority to remove trade barriers wasn't granted to the negotiators by Congress; hence, they must be approved by Congress. Rep. Curtis (R., Mo.) warned in a speech last weekend that the abandonment of a guaranteed U.S. access to EEC grain markets has "caused much concern."

"AMERICAN PRICE" ISSUE

Moreover, the chemical agreement is contingent upon Congressional repeal of the so-called American selling price, a system devised as a primitive measure against Germany after World War I and in effect since 1922. The American selling price system uses domestic price levels to determine the duty on certain imported benzenoid chemicals, rather than the importer's price. The EEC insisted it would reduce chemical tariffs only 20% until the system was repealed; the U.S. countered with a demand that the EEC reduce chemical tariffs 30%. In either case, the U.S. would lower tariffs 50% immediately and the EEC would make full reductions contingent on repeal of the American selling price. The EEC position was finally accepted by the U.S.

In the U.S., the agreement drew an immediate, angry reaction from a segment of the chemical industry most directly affected.

James D. Mahoney, a vice president of Monsanto Co. and president of the Synthetic Organic Chemical Manufacturing Association, said: "Our industry was promised reciprocity and instead is now being offered one of the most blatantly one-sided bargains in the history of American trade negotiations."

Failure to reach an accord on chemical tariffs would have caused a collapse of the entire round.

It's nonetheless expected that both EEC and Congressional approval will be given the chemical accord. The U.S. sells more than $2 billion of chemicals abroad annually, three times as much as it imports. U.S. negotiators here thus feel that the chemical package will bring the U.S. at least as much as it surrenders over the short-term.

Proponents of liberalized tariffs note that U.S. exports soared to $29.4 billion in 1966, from slightly more than $2 billion in 1931–35. Imports have also grown, to $25.6 billion last year from a 1931–35 average of $1.7 billion.

Not every U.S. industry benefits from trade liberalization, of course. Rubber footwear, motorcycle and silverware manufacturers are among those who will feel a strong draft from reduced tariffs. But, the 1962 Trade Liberalization Act, which helped launch the Kennedy Round, provides Federal assistance to industries that are harmed, and the impact may be further lessened by the fact that the tariff reductions will be implemented over a five-year period beginning next Jan. 1.

The successful conclusion of the negotiations continued a trend stretching back more than three decades. In 1931–35, the average U.S. tariff was 50% of an item's imported value. By the time the Kennedy Round began, this had shriveled to about 11%.

Most American consumers stand to benefit substantially. A $1,700 foreign car like a Volkswagen will cost about $55 less after the agreements made here take full effect. An imported fishing reel worth $20 will have about $2.50 knocked off the price tag; the $25 duty on a $100 camera will be reduced to $12.50; and the tariff on a silver brooch will drop to 27½% of its value from 55%.

THE CEASE-FIRE ON BUDDHA'S BIRTHDAY—AN OPENING TO PEACE

Mr. CLARK. Mr. President, last Thursday, in a statement of deep despair, Secretary General U Thant expressed his fear that "we are witnessing the initial phase of world war III." On the same day Ambassador Bunker announced that responsibility for the pacification effort would be transferred from civilians to our military forces. On the surface these developments may appear to be unrelated, but this shift of responsibilities reflects an increasing reliance on the military to solve a problem which I believe can only be resolved by diplomacy. The last few weeks have witnessed a series of steps which widen the scope and dangers of this war, with the world appearing to be on an escalator heading for the conflagration U Thant envisaged, with the button stuck in the "up" position—and no one around who can find the switch to turn off the current.

This afternoon's Philadelphia Evening Bulletin contains the two-column headline on its front page, "War Inevitable if United States Sticks to Present Policy, Chinese Premier Says." This is the headline of the third of a series of articles by Simon Malley, a reputable reporter who has recently returned from Peking. To paraphrase his article, he says that Chinese leaders talk grimly about an inevitable war with the United States, and predict it may come about as a result of U.S. escalation in Vietnam.

Prime Minister Chou En-lai, in his first interview with any foreign correspondent in 2 years, told Mr. Malley how he expects the fighting to begin. He is quoted as having said:

> Sooner or later the U.S. will find itself in a situation where the realization of its imperialistic objectives will require the violation of our sovereignty and territorial integrity. And that day a military showdown will have become inevitable.

Chou En-lai talked about sending volunteers to Vietnam, an act that the Communist Chinese regard as likely, and stated that in the event of an American attack, which they also consider likely, Chinese soldiers would be sent pouring into Thailand, Korea, Laos, or any other country harboring bases for U.S. attacking forces.

Chou En-lai is further quoted as having said:

> "If war comes, there shall be no frontiers, and we shall leave no sanctuary for our aggressors," Chou said.
>
> "If our enemies mobilize one million, we will mobilize 10 million," Chou added coolly. His impassive face betrayed neither emotion nor his 71 years. "If they mobilize 10 million, we will mobilize 100 million.
>
> "In our strugle for national survival, no power on earth will be capable of defeating us. And if atomic weapons are used, let them remember that we, too, have an atomic arsenal."
>
> But Chou also said China "never will start a war against the United States. We do not seek war, not even 'preventive' wars."

Mr. President, I ask unanimous consent that the full text of this article be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. CLARK. I understand that today's issue of Look magazine contains statements made by Secretary of State Rusk and General Wheeler, the Chairman of the Joint Chiefs of Staff, indicating their view that the United States will remain in Vietnam and in Southeast Asia for many years to come.

In recent months attitudes have become more hardened on both sides while the prospects for negotiations which once glimmered brightly have grown dimmer than ever. The war grows in fury and intensity with escalation matching escalation. With the change in the pacification policy, it is now more than ever an American—not a Vietnamese—war. Only last January Secretary McNamara told a Senate committee that American forces had taken on the burden of search and destroy operations, while "the main weight of the effort of the South Vietnamese armed forces should be placed on clear and secure operations in support of the revolutionary program." It was the thought only 5 months ago that the South Vietnamese would turn the major part of the fighting over to the Americans, and would confine themselves to pacifying areas which the Americans had succeeded in taking from the Vietcong. Shortly thereafter, American troops went for the first time into the Mekong Delta. It now appears that the major burden of fighting in that hotly disputed area has been taken over by American boys from the hands of Asian boys, in contradiction to the hope expressed by the President during the 1964 campaign. One wonders what the South Vietnamese forces will do now that the U.S. military has taken over the responsibility for pacification. I doubt that many, if any, American officers are willing to rely on the Vietnamese for protecting their troops who will be involved in the program.

Mr. President, observing—to be sure from a distance—and reading—to be sure only news dispatches—one begins to wonder whether the forces of General Ky are not gradually becoming spectators of this war. It is true that a number of them are still being killed and wounded. But increasingly, as the ineffectiveness of the South Vietnamese Army as an aggressive force becomes more and more apparent, American forces have taken over the main burden of the fighting, and are now assuming the additional burden of pacifying that part of the countryside which the fighting of our American boys from time to time renders secure for the civilian population of South Vietnam against Vietcong sabotage, terrorism, looting, pillaging, and attack.

When we were debating the supplemental authorization bill in the Senate 2½ months ago, there were some 410,000 U.S. troops in Vietnam. The number is now approaching 450,000 and there are reports that General Westmoreland—who has been assured by the President that he will get all the troops he needs—has asked for a total of 600,000.

It is my understanding that the requirement for additional American troops arises from the fact that in the I Corps area near the 17th parallel, the American Marine division is being hard pressed by regular troops of North Vietnam. Those Vietnamese troops have now acquired Russian mortars with a considerably longer range than the more primitive mortars which were used in earlier stages of the war; and it has, therefore, been necessary to move reinforcements from the Mekong Delta to the area just south of the 17th parallel. This, in turn, has weakened the search-and-destroy operations in which we were engaged in the Mekong Delta; and if those operations—which I have always deplored because of the excessive loss of life and the inconclusive results, in the long run, which follow from search-and-destroy tactics—are to be continued, there will have to be a massive reinforcement of American troops in that area.

Over 3,000 American servicemen have made the ultimate sacrifice in Vietnam since the beginning of this year, with deaths now running at the rate of about 175 a week, and the number of wounded is many times the number of the dead. According to Department of Defense statistics at the beginning of this year, there were 275,000 enemy forces in South Vietnam, of which 45,000 were North Vietnamese. The Department estimates that 286,000 enemy troops are

now in South Vietnam—a net increase of 11,000, in spite of the fact that our forces have killed a total of 31,000 so far this year. As of now, according to the Department, only 50,000 of the enemy forces are North Vietnamese regulars. The repeated statements we have heard over the last 2 years that the other side is scraping the bottom of the manpower barrel do not seem to be borne out by the statistics.

There seems to be a common belief that we can escalate the war with impunity and that the Communist world will not react more forcefully than merely by sending supplies.

I point out that all sources agree that Ho Chi Minh has a significant number of trained North Vietnamese divisions in North Vietnam which he has not yet committed.

Of course, this misconception presupposes that the Soviet Union and Communist China will sit back and watch a capitalist power humble a Communist ally without intervening to save it. If the shoe were put on the other foot, I doubt whether Americans, for example, would long put up with political leaders who sat back and watched while Formosa was regularly bombed and shelled by the Chinese Communists.

As the escalator to general war moves upward, the cries for finding a suitable excuse for attacking China will become louder. Already the Harris and Gallup polls indicate that an increasing number of Americans are indulging themselves in the folly of thinking that we should get this matter over with quickly by attacking China, little appreciating that the result would almost inevitably be to commit to combat against us in North and South Vietnam millions upon millions of Asian soldiers. With the limited manpower available to the United States, it would be impossible for us to match the number of soldiers which the Chinese could throw against our troops.

Two years ago the last Republican presidential candidate put the proposition quite bluntly by saying:

> I rather pray that Red China would give us provocation to attack her military and atomic installations.

It appears from the polls that Mr. Goldwater does not stand alone in that point of view. And yet, to my way of thinking, it would be manifest folly either to attack Red China or to provoke her into sending down masses of volunteers against our forces, as was done in Korea, given the excuse that we were preparing to humble a Communist ally.

I question whether the responsible administration officials are sufficiently concerned about the possibility of Chinese involvement, either by design or accident. General MacArthur took the view that the Chinese would not intervene in the Korean war, and we know all too well the tragic results of that error in judgment.

It is not without pertinence that one of President Truman's key advisers at that time was the present Secretary of State, Dean Rusk, who was then Assistant Secretary of State for Far Eastern Affairs.

He, too, was quoted in the newspapers a day or two ago as having confessed that he did not believe at that time that Chinese volunteers would appear in Korea.

Mr. Rusk is fond of using the phrase "wiggle room." He has suggested on various occasions that with respect to Chinese and Russian intervention, or even with respect to massive intervention from North Vietnam, we still have plenty of wiggle room, and therefore a flexibility of choice.

I suggest to the Secretary of State, for whom I have a great personal admiration and indeed affection, that he is running out of wiggle room and that he would be well advised to recognize it.

We know from history that President Truman's advisers were not infallible in trying to fathom Chinese intentions, and President Johnson's advisers have even less reason to assert such a claim. The track record of those who have shaped our Vietnam policy over the years leaves much to be desired.

Members of Congress and the public must keep this record of false hopes and rosy predictions in mind in appraising official estimates about what may or may not happen in Vietnam. Despite the view taken by the President's advisers that this war can be contained, I see the escalator steadily ascending to the massive Asian land war which military men such as Generals Bradley, MacArthur, Ridgway, and Gavin have warned us against.

The President desires peace as much as any man in this Nation. No thinking American wants to continue this war of attrition any longer than is absolutely necessary.

The President wants peace. So do I.

The President wants to end the war through a negotiated settlement. So do I.

The President does not want to maintain South Vietnam as an American colony. Neither do I.

The President is willing to settle for a neutral Vietnam. So am I.

On these broad basic objectives the President and I and those Members of the Senate who yesterday took to the floor to warn him against further escalation are in full agreement. If there is any one phrase which states the position of most Americans today, it is "peace with honor."

But how is that elusive goal to be achieved?

I cannot say that I possess the solution which will break the present impasse and lead to the conference table. But I am convinced that the present course is not likely to achieve a lasting peace in Vietnam and is all too likely to result in what U Thant warned us against last Thursday, when he said:

> We are witnessing the initial phase of world war III.

Next week the United States will have what may be one of the last genuine opportunities to move back from the brink of a far wider war. On May 23 it appears likely that there will be a 1-day truce in Vietnam in honor of Buddha's birthday. Saigon has announced its willingness to join in a 1-day truce and the United States has agreed to stop bombing North Vietnam for that day. The Vietcong have counterproposed a 2-day truce, but Saigon has refused to discuss this offer, saying that they will deal only with the North Vietnamese about the possibility of a longer truce. There the matter stands. I propose that we use this occasion to demonstrate in a tangible way that the United States is sincere in its desire for peace.

I urge the President to overrule the more belligerent of his advisers and to announce a general and indefinite cease-fire, with our forces firing only if fired upon, beginning May 23. I urge him also, as a part of that cease-fire, to halt the bombing of North Vietnam and to bring to bear all of our diplomatic resources in an effort to influence North Vietnam and the Vietcong to follow suit.

I would hope that the members of the International Control Commission, Secretary General U Thant, Premier Kosygin, Prime Minister Wilson, and other parties who have played a part in trying to bring about negotiations would press the other side for a favorable response. At the same time, the United States should use all of the leverage it has available to influence the Ky government to deal directly with the Vietcong, in simple recognition of the fact that the Vietcong are a political factor which must be reckoned with if a genuine and lasting political settlement is to be reached.

There is no problem about getting in touch with the Vietcong in the field. The French did it after Dienbienphu, through the medium of walkie-talkies in the jungle—with a suggestion that shooting stop, that an effort be made to achieve a lasting truce. This could be done again.

Moreover, the political leaders of the Vietcong are known to General Ky, to General Westmoreland, and to our diplomats in Saigon and elsewhere. It would be perfectly feasible to get in contact with them, either directly or through an intermediary, in order to explore the possibility of a cease-fire.

However, let me stress that my proposal contemplates stopping the shooting before the negotiations begin. If we can once stop the guns from firing and the bombs from being dropped, there will, in my judgment, be a very real chance that we can begin negotiations which will end in an honorable settlement. Those negotiations are likely to be long; but the difference between the 14 points which we will have proposed and the four points which Hanoi and the Vietcong have proposed as a basis for a settlement are not so far apart that in due course a satisfactory arrangement for a neutral Vietnam can be achieved, in which all forces, all sides, all shades of opinion, would be protected from violence. Certainly, this is not beyond the potential of an aggressive and intelligent diplomacy.

In my opinion, one of the greatest deterrents to a truce, cease-fire, and negotiation, is status and face. We like to think of the Chinese—or orientals in general—as being the only people in the world who lay great stress on face. But I suspect that Americans, who call it by another word—status—are all too often guilty of a similar immaturity. I would hope that we would not let the desire for status, whether it be on the domestic

political scene or on the wider international scene, interfere with those objectives which President Johnson has so clearly stated—namely, a just and honorable peace under which the people of South Vietnam will be protected from Communist aggression and will have an opportunity, jointly perhaps with their fellow countrymen of North Vietnam, to work out a form of government to which they can all agree and under which they can live in peace.

Buddha's birthday may be the last occasion when a cease-fire can be arranged without putting either side in the position of appearing to have capitulated. I can offer no assurance that this proposal will succeed, but the times call for boldness in the search for peace. A wider war awaits next week, next month, perhaps next year, and possibly for many years thereafter, unless we are as bold in seeking peace as our soldiers are bold in battle. No greater disservice could be done to our brave servicemen in Vietnam than for their leaders not to exhaust every reasonable prospect for bringing an end to the shooting and a settlement of the war at the conference table.

It is true that such a cease-fire involves a calculated risk, but it is a risk which we, as the greatest military power the world has ever seen, can afford to take. Far from jeopardizing the lives of our fighting men, such a cease-fire may well offer our last best hope of saving the lives and limbs of those thousands who unquestionably will be killed and wounded if the war is allowed to drag on and on, and become larger and fiercer.

The mutual cease-fire which I envision would be the precursor, not the product of negotiations. Hopefully, it would permit us to create a calmer atmosphere in which the parties would be able to sit down and negotiate mutually acceptable means for bringing about the attainment of our common objective—a genuinely neutral Vietnam.

We simply must not surrender to the course of events. We must not let U Thant's foreboding of world war III become a reality. Instead, we must demonstrate to the world the boldness for peace that the times demand.

EXHIBIT V

WAR INEVITABLE IF UNITED STATES STICKS TO PRESENT POLICY, CHINESE PREMIER SAYS

(By Simon Malley)

Chinese leaders talk grimly about an "inevitable" war with the United States and predict it may come as the result of U.S. escalation in Vietnam.

Prime Minister Chou En-lai, in the first interview with any foreign correspondent in two years, told me how he expects the fighting to begin.

Seated in his headquarters in Peking's Forbidden City, the 71-year-old Chinese leader said he is certain that the path now being followed by the U.S. will lead her into a war against China.

Chou said:

"Sooner or later the U.S. will find itself in a situation where the realization of its imperialistic objectives will require the violation of our sovereignty and territorial integrity. And that day a military showdown will have become inevitable."

The clash could come, Chinese leaders told me, after Peking sends "volunteers" to Vietnam, an act they regard as likely.

Also reflecting this judgment, Foreign Minister Chen Yi told me:

"If we give such assistance to our Vietnamese friends, this should not and cannot be considered as an attack against anyone. Our volunteers would go to assist a friendly country to resist and repel an aggression. We would not be the aggressors."

Expecting American attack, Chinese leaders said it was "no secret" that China has built underground installations for its atomic plants. Probably U.S. space satellites have observed this.

The Chinese leaders expect to throw everything they have into a war with the Americans. But they rely on China's 750 million people, nearly one-fourth of the world's population, as their main weapon.

Chou En-lai said that, in the event of American attack, Chinese soldiers would be sent pouring into Thailand, Korea, Laos, or any other country harboring bases for U.S. attacking forces.

"If war comes, there shall be no frontiers, and we shall leave no sanctuary for our aggressors," Chou said.

"If our enemies mobilize one million, we will mobilize 10 million," Chou added coolly. His impassive face betrayed neither emotion nor his 71 years. "If they mobilize 10 million, we will mobilize 100 million."

"In our struggle for national survival, no power on earth will be capable of defeating us. And if atomic weapons are used, let them remember that we, too, have an atomic arsenal."

But Chou also said China "never will start a war against the United States. We do not seek war, not even 'preventive' wars."

The Chinese leaders worry about what the Russians would do, in case of a Chinese-American war. Several of them told me they are sure Washington would not attack until it was sure Moscow would sit it out.

As acting chief of staff Yang Chen-wu told me, however, the U.S. must always consider the possibility that such a war would set off a return to Stalinist pro-Peking rule in Moscow.

"We have absolutely no doubt," Yang said, "that in case of U.S. aggression against our country, the present Soviet revisionists will just sit by and watch.

"But such an aggression will have to be the result of collusion between the U.S. and the USSR, because nothing would frighten the U.S. more than the prospect of a revolution in Russia which would return that country to its policies before the revisionists took over."

I asked Chou En-lai if he saw any openings for better relations with the U.S. This theme was taken up by Chen Yi.

"It is not for us to make the first move," Chen Yi retorted.

"The hostility against China was begun by the U.S. It is not we who are sending our men to fight wars in other lands."

He cited also U.S. refusal to recognize the Communist government of China, and charged that Washington has prevented recognition of "our international rights at the UN."

"The list of U.S. hostile and aggressive acts against China is a long one," Chen Yi said. "The Americans have surrounded our territory with their military bases. They have established puppet regimes in several countries which are committed to aid the U.S. against China. Our air space is continuously violated by U.S. planes against all internationally accepted conventions."

After hearing such sentiments often repeated, I asked whether China intends to continue the series of talks with the U.S. ambassador stationed in Warsaw, Poland.

High Chinese officials indicated sensitivity on the Warsaw meetings. They told me the Russians have circulated rumors of "Chinese-American deals." In rebuttal, these Chinese offered to publish the full Warsaw record.

I was told that Peking values the Warsaw talks as a channel for telling the Americans "the conditions under which really fruitful talks could take place." But one top official said that because of the rumors, spread by the Russians, the Warsaw talks may be ended.

"We have to determine whether their limited usefulness outweighs the risks they involve in creating false impressions," this man told me. "A decision is expected quite soon."

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. CLARK. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 11 a.m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 8 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, May 17, 1967, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate May 16, 1967:

DIPLOMATIC AND FOREIGN SERVICE

William J. Porter, of Massachusetts, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Korea.

NATIONAL LABOR RELATIONS BOARD

Arnold Ordman, of Maryland, to be General Counsel of the National Labor Relations Board for a term of 4 years (reappointment).

ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

Subject to qualifications provided by law, the following for permanent appointment to the grades indicated in the Environmental Science Services Administration:

To be lieutenants

Terry C. de la Moriniere
David J. Lystrom
James L. Ogg
Leonard D. Goodisman
Keith A. Boe
Jeremy R. Hutt

To be lieutenants (junior grade)

Willis J. Kircik
Charles Y. Molyneaux, Jr.
Phillip B. Clark
Donald R. Askew
Fred S. Long
Melvin N. Maki
Robert H. Johns
Thomas C. Kalil
James E. Andrews
Richard J. Wenstrom
Leslie H. Perry

To be ensigns

James M. McClelland
Roderick S. Patwell
John E. Colt
William B. Knight, Jr.
Charles L. Hardt
Roger T. Olack
Brent H. Traughber
John B. Courtney
William H. Dvorachek, Jr.
David K. Rea
William G. Wills
Bruce C. Renneke
William W. Spychalla
Hugh B. Milburn
Terry E. Bryan
David N. Daniel
Sebastian A. Sora
Gerald W. McGill
John C. Veselenak
Jimmy A. Lyons
Dennis L. Graves

IN THE AIR FORCE

The following officers to be placed on the retired list in the grade indicated under the provisions of section 8962, title 10 of the United States Code:

In the grade of general

Gen. Kenneth B. Hobson, FR616 (major general, Regular Air Force) U.S. Air Force.

In the grade of lieutenant general

Lt. Gen. Herbert B. Thatcher, FR634 (major general, Regular Air Force) U. S. Air Force.

Lt. Gen. Charles B. Westover, FR1351

(major general, Regular Air Force) U.S. Air Force.

Lt. Gen. Paul S. Emrick, FR1801 (major general, Regular Air Force) U.S. Air Force.

The following-named officers to be assigned to positions of importance and responsibility designated by the President in the grade indicated, under the provisions of section 8066, title 10 of the United States Code:

In the grade of general

Lt. Gen. Thomas P. Gerrity, FR1613 (major general, Regular Air Force) U.S. Air Force.

In the grade of lieutenant general

Maj. Gen. Robert G. Ruegg, FR1620, Regular Air Force.

Maj. Gen. John C. Meyer, FR4496, Regular Air Force.

Maj. Gen. Jack J. Catton, FR4719, Regular Air Force.

Maj. Gen. John W. O'Neill, FR4155, Regular Air Force.

Maj. Gen. Earl C. Hedlund, FR4170, Regular Air Force.

IN THE ARMY

The following named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

Maj. Gen. Claire Elwood Hutchin, Jr., O21092, Army of the United States (brigadier general, U.S. Army), to be lieutenant general.

CONFIRMATIONS

Executive nominations confirmed by the Senate on May 16, 1967:

MINT OF THE UNITED STATES

Hyman A. Friedman, of Pennsylvania, to be assayer of the mint of the United States at Philadelphia, Pennsylvania.

AGENCY FOR INTERNATIONAL DEVELOPMENT

Rutherford M. Poats, of Virginia, to be Deputy Administrator, Agency for International Development.

EXTENSIONS OF REMARKS

A Ball for Mrs. Richman

EXTENSION OF REMARKS

OF

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1967

Mr. EILBERG. Mr. Speaker, in our sports-minded country the season of major league baseball is well underway and the 1966–67 major league basketball season is gone. With your permission, however, I would like to regard it as being not so far gone that we cannot observe a human interest story that reflects credit on a team, a truly great player and a man no longer with us who made it possible for Philadelphia to have another national championship.

The story has been told in the press. It bears repeating here.

Over the last several years Philadelphia has known no more devoted fan of the game of basketball than the late co-owner of the Philadelphia 76'ers, Isaac "Ike" Richman, a respected attorney and man of community affairs. Richman gave freely of himself and his money to bring and keep this team in his city. Then he gave more to develop it into the best the game had ever seen.

Last year, he almost achieved a championship. But last year the championship aura of unselfishness and team play had not yet been developed. That takes more time than Ike Richman had.

He died while watching a late-season game in Boston. His team went on to win the eastern division title. It would have been fitting had they gone on to win the playoffs, but they did not.

Things were different this year. From the start the team truly played like a team, led by its coach, Alex Hannum, and perhaps the greatest player the game has ever known, Wilt Chamberlain.

Through the season, Chamberlain defended and passed instead of shot. Greer and Jones, Walker and Jackson, Cunningham and Goukas—everyone of the team—played together instead of individually. They won more games than any team in professional basketball history. Again they won the eastern division title. But this time they swept the playoffs, too.

When the last game and the last title had been won in San Francisco recently, it fell to Coach Hannum to present the winning game ball to the one he thought most worthy of the honor. He chose, of course, Chamberlain.

But the big star chose again. The one man really responsible for everything, he said, was no longer around. He brought the ball home to Mrs. Claire Richman.

Greenhouse Vegetables on House Restaurant Fare

EXTENSION OF REMARKS

OF

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1967

Mr. VANIK. Mr. Speaker, I am proud to call to the attention of the House that vegetable produce from the largest greenhouse farming project in the United States will be made available to diners in the House of Representatives Restaurant tomorrow, May 17, 1967.

This fine greenhouse industry, located in my district, the 21st Congressional District of Ohio, has now under cultivation over 400 acres of land, with 2.4 million square feet of glass, which produce between 75 and 100 tons per acre of the finest vegetables to be purchased.

Over 1,000 people are employed in this industry, with an annual production of over $15 million. The vegetables which are being served in the salads in the House of Representatives Restaurant are being provided through the Cleveland Greenhouse Vegetable Growers Cooperative Association. The members of this association are now cultivating over 235 acres of land area under glass. The work of this active association is to be highly commended. The vegetables which are produced from their hard labor are proof positive of the careful attention given to this immense greenhouse farming activity so close to the center of a great urban metropolis.

I also want to direct attention to the fact that this fine industry, operating 400 acres of greenhouses, is principally a small business operation, conducted by over 150 small businessmen. It is especially significant that this industry operates without the benefit of any Federal subsidies, Federal loans, or Federal crop insurance program. In addition, this industry is burdened by paying for Federal inspection services which are required. Further, this industry has contributed the sum in excess of $350,000 for agricultural research programs carried on by the State of Ohio over the past decade. It is, in all respects, a self-sustaining industry, built on hard work, skill, and ingenuity. It is also significant that this industry has attracted young men in my community. The operators of these greenhouses have an average age of 35.

I wish also to call to the attention of the House the fact that the Greater Cleveland Greenhouse Vegetable Week will be celebrated in Cleveland the week beginning June 4, 1967. The public will, at that time, be able to view firsthand the methods by which these fine vegetables are cultivated at selected greenhouses in Cleveland. My heartiest congratulations to the men and women of this fine Cleveland industry.

Pay of Postal Workers

EXTENSION OF REMARKS

OF

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1967

Mr. BRASCO. Mr. Speaker, the valuable segment of our population employed in postal work has been badly neglected for some time now, and that neglect is beginning to take its toll on both the performance of these workers, and the efficiency of postal operations.

Postal employees, not having the right of striking to protect their interests, must depend upon Congress to eliminate any present inequities in their working conditions. Economically, the postal workers have been reduced to second-class citizens, while employees of private industry continue to pace their salary scale with the rising cost of living. This financial handicap is having

a very demoralizing effect on postal employees, which manifests itself in a rapid turnover of personnel. This turnover, of approximately 25 percent, is draining Government funds used in the training of new personnel, as well as decreasing the efficiency of postal operations.

In the event that the Post Office Department is converted into a nonprofit corporation, as the Postmaster General has proposed, it will be imperative that postal employees be granted economic weapons enjoyed by similar workers in outside industry. Meanwhile, for the welfare of both the postal workers, and for the economy as a whole, a postal wage increase, making the salaries of postal employees comparable to those of their counterparts in private industry, must be forthcoming.

The Supersonic Transport Program

EXTENSION OF REMARKS

OF

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1967

Mr. BROOKS. Mr. Speaker, over the years the United States has maintained its leadership in the aerospace industry. Recently, however, our preeminence in the field of air transportation has been challenged from abroad, and for this reason our decision to proceed with the supersonic transport program is both timely and welcome.

It is no secret that the Soviet Union is actively engaged in building a supersonic transport plane on their own. So are the British and French. But I am certain that our American plane will be second to none.

The importance of the decision to go ahead with this project is made clear by the fact that for 30 years the United States has dominated the world market for commercial aircraft. Today, 80 percent of all commercial jets in service everywhere in the free world are products of the U.S. aerospace industry. This industry has served our Nation well. Through care and leadership, this industry has not only proved profitable but technologically rewarding in many spin-off areas as well. And, needless to say, our aerospace industry has provided good jobs for hundreds of thousands of skilled American workers. But progress demands new challenges and new horizons to conquer for a dynamic industry. And air transportation thrives on these challenges. For these reasons, it is imperative for us to proceed quickly and decisively with the supersonic transport development program. Any delay in launching this program can seriously hamper our competitive position with other countries which are now working at full speed in the hopes of capturing the world market in supersonic commercial aircraft.

With the proper support by the Congress, the SST program will become one of the most successful ventures in the history of American commercial aviation. Economic surveys prepared by FAA reveal that at least 500 SST's will be needed by 1990 to serve transocean routes alone. Moreover, if these supersonic aircraft will be permitted to operate over land, as many as 1,200 could be sold by 1990. The meaning of these surveys—both in economic and technological terms—is self-evident. The SST will be built on a unique Government-industry partnership in which our Government will invest in American industry's proven genius, while industry works full throttle to help maintain American technological leadership in the world. This is a partnership that has proven its ability to work miracles in the past. And I see no reason why it will not continue to work these very same miracles in the future.

The SST would not be viewed as an end in itself. The development of this marvelous transport plane can become the key to future development—much of it still undreamed of—that will insure transportation progress for future generations of Americans. The nation that builds SST successfully will be a nation with the proven technology to build the hypersonic transport, or whatever vehicle comes next from human genius.

Our Government's willingness to share the high technical and financial risks with the aerospace industry has been made clear. This project will serve, as President Johnson noted recently, as "an outstanding example of creative partnership between our Government and American industry." This partnership will be just as cooperative and successful as the one that has reached for the stars in our brilliant space program. This participation by the public and private sectors will help to assure that sound business judgments are exercised in the development of this program.

We have every reason to be hopeful and enthusiastic about the final outcome of this SST program, and I am confident that my feelings are shared by the majority of my colleagues in the 90th Congress. America needs the SST program. And we in Congress must deliver to the American people the means to get this plane into competition on time.

Model Cities and Rent Supplement

EXTENSION OF REMARKS

OF

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1967

Mr. TENZER. Mr. Speaker, I support the two programs under debate in the House today, which have unfortunately become subjects for partisan attack—model cities and rent supplement.

Drastic reductions in the appropriations for these worthwhile demonstration programs, have already been made in committee yet the threat of a partisan debate and a partisan vote, threatens and places in jeopardy these two programs designed to meet, perhaps one of the most urgent problems facing the Nation's cities and towns.

The rent supplement program will encourage private enterprise and private lenders to participate in a broad program to provide housing for poor families—housing for our elderly citizens and many living on fixed incomes. Within recent weeks a low-income couple and their two children crowded into a slum structure moved to a pleasant, clean, upgraded apartment on the lower East Side of New York City at 633 East Fifth Street. The couple had paid a monthly rental of $110 at the former site, but now they pay only $73 a month—or one-quarter of their family income—for decent housing.

We are just beginning to learn how the rent supplement program will work and it is estimated that by the end of June 1967, some 5,220 families will be moved into rent supplement apartments and by June 1968, the program will reach an estimated 14,000 families.

The "instant rehab" programs sponsored by the Department of Housing and Urban Development hold out hope for those families now living in substandard housing—slum housing without adequate water and heating facilities. The Department's request for the rent supplement program has already been cut from $40 to $10 million, yet another attack on this inadequate amount is taking place in the House.

I realize, as does every Member of the House, the limitations which the Vietnam conflict is placing on our resources, but I do not accept the position advanced by some that human needs in the fields of education, housing, health must be delayed, postponed, or sacrificed. I also cannot understand the arguments offered by some that defeat of this appropriation—certainly a modest amount—can somehow be in the interest of fiscal responsibility.

The model cities program is another in which appropriations have already been substantially reduced in committee. The responsibility of government to encourage the construction and rehabilitation of decent housing is clear. We have heard much about "creative federalism" and we have heard the same voices who argue today against this appropriation call for reliance on our local government to solve these problems.

I call on the critics of the model cities program to ask their local mayors and planning boards about the model cities program. Hundreds of applications for Federal assistance under this program are now pending and hundreds more are being completed in cities and towns throughout the United States.

Without Federal funds the cities and towns cannot meet their responsibility to upgrade their communities. Without Federal funds the partnership between the Federal Government and local communities will crumble. The continuation of these programs is essential to the needs of the people—the needs of the communities—the needs of the cities—and vital to establish the research needed in this area for a massive attack on slums, when the funds are available.

I urge my colleagues to put partisan politics aside, think only of the people and decide the issues on the merits and in the context of the priorities which the Congress must establish for funding programs designed to meet human needs.

It is easy to explain to our constituents that we voted against this or that appropriation to save money, but it is our responsibility to establish priorities. We are duty bound to vote adequate funds for programs which will make available Federal programs to solve the major problems facing our cities and towns.

The appropriation requests before the House today are modest. Without our approval, thousands of citizens will be deprived of a chance to live in decent housing, their children will be denied the opportunity to live decently—to live a life with hope and pride. I urge you to support the appropriation request.

Leavenworth, Kans., Chamber of Commerce Hears Senator Frank Carlson at Its Golden Jubilee Banquet

EXTENSION OF REMARKS

OF

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1967

Mr. MIZE. Mr. Speaker, the Leavenworth, Kans., Chamber of Commerce observed 50 years of service to the Leavenworth community on May 10 by holding a golden jubilee banquet at which the senior Senator from Kansas, the Honorable FRANK CARLSON, delivered the principal address. Senator CARLSON's remarks on this occasion have a significance beyond the Leavenworth community. His words of wisdom carry a message for all of us in these critical times.

Under leave to extend my remarks, I wish to call attention to Senator CARLSON's address, and in so doing pay tribute to the leaders of the Leavenworth community who are responsible for the progress which is being made there today. Their names are included in the program. The fruits of their efforts in just 1 year of the 50-year history of the Leavenworth Chamber of Commerce are recorded in the highlights of the 1966–1967 regime.

The program, the highlights, and Senator CARLSON's address follow:

PROGRAM—GOLDEN JUBILEE BANQUET, LEAVENWORTH CHAMBER OF COMMERCE, WEDNESDAY, MAY 10, 1967, OFFICERS' CLUB, FORT LEAVENWORTH

Master of Ceremonies, E. Bert Collard, Jr.; Invocation, the Reverend Harold S. Strickland, Pastor, St. Paul's Episcopal Church; Welcome, Major General Michael S. Davison; Introductions—Guests, E. Bert Collard, Jr.; Introductions—Officers, directors, staff, Vic Shalkoski, Jr.; Remarks of outgoing president, J. Sanford Bushman; Remarks of incoming president, Leslie V. Olm; Introduction of speaker, Senator Edward Reilly, Jr.; Address, Honorable Frank Carlson, Senator—State of Kansas; Adjournment, E. Bert Collard, Jr.

Music, Leavenworth High School dance band.

HIGHLIGHTS, 1966–67

The letting of a contract to build a new four-lane divided highway from Lansing south to the Turnpike. The direct result, after nine years of your Chamber's relentless efforts teamed with the tenacious insistence of Chamber Director Harry "Bud" Timberlake to obtain a safe modern entrance and exit for your City.

Met with State Highway Director John Montgomery and State officials regarding a connecting road to the new Mid-Continent International Airport, and a highway due west out of Leavenworth to U.S. 75, Junction City and the City of Manhattan, Kansas.

State Senate Bill No. 130—co-sponsored by Honorary Chamber Director, Senator Edward F. Reilly, Jr., that provides for a new modern express highway starting in Galena, Kansas, and terminating in Leavenworth.

Fathered the idea that resulted in Leavenworth City and County joining the Kansas City Metropolitan Planning Commission.

Your Chamber optioned and later purchased a 131-acre tract of ground from Col. Ralph B. Stewart. After six months of negotiations this property was selected by Hallmark Cards, Inc., as the site for their new multi-million dollar Production Center.

Many hours were spent in obtaining options, coordinating meetings with City Officials, Waterworks Board, and Utility Companies for Select Products Co., Inc. Result: The announcement by this Company to expand their plant in Leavenworth in the amount of $400,000.00.

A combined effort with the Leavenworth Times resulted in more than 400 civilian and military families locating a place to live in the Leavenworth area.

Forty-four new members joined the Chamber to help make this a better community in which to live, work and play.

Co-sponsored with Fort Leavenworth—an enormous fourth of July Fireworks Display attended by approximately 17,000 people.

Farewell reception for Lt. Gen. and Mrs. Harry Lemley.

Sponsored a coffee for the new officers of the two Associate Courses and the Regular Course of the Command and General Staff College.

Reception for the new Kansas Highway Director John Montgomery.

Held a series of Saturday Legislative Luncheons for the General Public during the State Legislative Session.

A welcome stag honoring Major-General Michael Davison, Brig. General Robert Taber and Brig. General James K. Terry.

Governor William "Bill" Avery dedicated the new three block mall in the downtown area.

Conducted the Annual Fat Stock Show that resulted in Sales amounting to $18,000.00 going to the 4-H'ers participating.

Mimeographed more than 25,000 copies of special materials for members of the Chamber of Commerce and other local organizations in Leavenworth; distributed more than 25,000 brochures on Leavenworth, and more than 6,000 City maps.

Your Chamber furnished information regarding our City by phone, walk-in, or letter to more than 60 people each day.

Entertained more than 20,000 children through the Santa Land Magic Merry-Go-Round promotion.

Purchased new Chrismas decorations for the downtown area in the amount of $1,700.00.

Attended Governor Docking's State Conference on Economic Development, and numerous other meetings, seminars and clinics conducted by State and U.S. Chambers of Commerce.

SPEECH BY SENATOR FRANK CARLSON

It is an honor and privilege to be invited to participate in the Golden Anniversary Program of the Leavenworth Chamber of Commerce.

An anniversary is an occasion. A fiftieth anniversary is a special occasion. The half-century milestone gets the memory cells to working as we try to reconstruct the past and savor again those eventualities and especially those pleasant experiences of the years gone by.

While we observe the 50th anniversary of your Chamber of Commerce, let us remind ourselves that Leavenworth—your city—observed its 50th anniversary in 1904—sixty-three years ago.

The Good Book reads, "Where there is no vision people perish". During these 113 years of history, your city has grown and prospered through the sacrifice and dedication of men and women with vision and courage.

We are faced with what seem to be almost unsurmountable problems—both domestic and international.

In Congress, we are wrestling with such domestic problems as taxes, deficit financing—balance of payments—inflation—international trade and the Great Society.

We also face international pressures and problems on every continent on the globe. The prayers and desires of our citizens are for peace—yet as we observe conditions in 1967, there are wars, threats of war and civil strife all over the world.

While our immediate concern is our war in Vietnam, we cannot overlook or underestimate the conflict between India and Pakistan—the Congo and Rhodesia in Africa—the general deterioration of NATO in Europe—unrest in Latin America—and, closer home—the festering sores in Cuba and Santo Domingo.

It cannot be said too often that the business of being a great world power is not easy. Great power involves greater responsibility and sometimes greater risks. This is especially true in an atomic age.

It is quite true that Americans want an end to the war. It is quite true that most of their friends around the world want it ended too—but it is not true that Americans and their friends could accept peace terms which would humiliate the United States and destroy South Vietnamese hopes for freedom.

There is a great uneasiness in this country about the war in Viet Nam. The fact that is contributing to the uneasiness is the feeling that the Americans are gradually being sucked into a larger and larger war under conditions and tactics highly favorable to the enemy.

While I fully support the President in his actions in Viet Nam, that does not mean that I fully approve of every action taken. I am hopeful that negotiations can be achieved at an early date.

I do believe that we should be prepared to pay a very large price of patience for peace. We should be prepared to pay a substantial price of economic and educational assistance for peace. We should be prepared to pay an extraordinary price of diplomatic endeavor—of pioneering—of leadership efforts in the United Nations—and of thoughtfulness for the differences of cultures—aspirations—and circumstances of other peoples—all for peace.

FISCAL PROBLEMS

April 15 has just passed and it again reminded us of our tax burdens—both national and state. As a result of the ever increasing tax burden, our citizens are questioning the size of the budget—the effect of the tax burden on our economy—and the possibility or need for a Federal tax increase.

This year the President, in his budget, is requesting an expenditure of approximately $135 billion for the coming fiscal year.

Since the government's last surplus in fiscal 1960, budget expenditures have climbed from $77 billion to an estimated $135 billion for fiscal 1968—a gain of over 75 per cent. The overall deficit for these eight years amounts to $48 billion.

Meanwhile, trust fund payments have doubled and spending by state and local governments has risen almost as fast. As a result, cash outlays by all governments will exceed $240 billion in fiscal 1968, versus $133 billion in 1960 and $61 billion in 1950.

It seems hard to believe, but annual government spending at all levels is now equal to $4,000 for every household in the country.

Not many decades ago, our Nation experienced its first one billion dollar budget. We have come a long way since then.

We are at war—and in time of war and national emergencies—every citizen realizes his obligation to meet any budgetary requirements requested by the Federal Government for prosecution of the war.

Our citizens will fully support any costs that our Nation is required to assume to preserve the opportunities and the freedoms that we enjoy. The question is whether we should expand many of the Great Society Programs at this time.

The Bureau of Internal Revenue was established by Congress in 1862—over 100 years ago. It is interesting to note that the first tax collection of the Bureau in 1866 was $310 million. In 1966—or last year—the Bureau collected over $140 billion—not million.

In 1866 the per capita tax was $8.49 and last year the per capita tax was over $600.00.

Taxes can destroy or taxes can build. We must not let taxes get so high that they destroy the free enterprise system—or stifle initiative—or penalize investment.

There is an old tax axiom which reads: "The history of every decadent nation is one of oppressive taxation that first destroys private initiative and then the very government itself".

It is interesting to note what has happened to tax exemptions. For instance, in 1932 tax exemptions were $2,500 for a married couple and $1,000 for each dependent. Today—even though the country is bigger and richer—the exemption is only $600 per person.

It is estimated that the average person actually has to work from January until the end of April each year before he can call his pay his own. With new taxes and increased Federal spending, you may soon have to work from January until June—to pay off your tax bill—before you can call your year's wages your own.

While it is vital that we maintain strong Federal, State and Local Governments with our tax moneys—it is essential that we keep in mind that taxes can become so high that they destroy the very governments that are so important to our every-day life.

It has been a privilege and pleasure to have been with you on your 50th anniversary. It is doubtful that I will be with you as you celebrate your 100th anniversary—50 years from now—but if I am, keep in mind that I would like very much to be invited back.

Democratic Party Accomplishments

EXTENSION OF REMARKS

OF

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1967

Mr. BROOKS. Mr. Speaker, 1 week ago the Democratic congressional committee held a most successful fundraising dinner. One of the highlights of the evening was the remarks of our beloved Speaker JOHN MCCORMACK.

Recognizing that the audience was strongly partisan, the reception accorded him was a good indication of the esteem and deep respect which he enjoys. The Speaker's fighting speech, outlining the accomplishments of our party and the Democratic Congresses, although unintended, was in large part a tribute to the efforts of JOHN MCCORMACK of Massachusetts.

That his remarks were well received was made eminently clear by the many times he was interrupted by applause. The interlineation, "the members rising and applauding," would have been most appropriate and accurate.

The program, with remarks by President Johnson, Vice President HUMPHREY, and Senator MUSKIE, also included a well-earned presentation to our distinguished colleague from Ohio, the Honorable MICHAEL J. KIRWAN, who has served us exceptionally well as chairman of the Democratic congressional committee. It was a most pleasant and, incidentally, profitable evening.

So that all of my colleagues can have an opportunity to enjoy Speaker MCCORMACK's remarks, including those Members who were not present at the dinner, the text of his statement follows:

REMARKS OF SPEAKER JOHN MCCORMACK AT THE DEMOCRATIC CONGRESSIONAL DINNER, MAY 10, 1967

Mr. President and Mrs. Johnson; Mr. Vice President and Mrs. Humphrey; Mr. Chairman; the Reverend Clergy; my friend the Senate Majority Leader, Mike Mansfield; my distinguished colleagues of both branches of the Congress of the United States; ladies and gentlemen; and fellow Democrats; and above all, fellow Americans.

In speaking for the Democratic Members of the House and Senate, I am expressing our sincere thanks to all of you who have made this dinner a great success. You are enabling the Democratic Members of the House and the Senate to go forward in 1968, under the banner and the leadership of our great President and Vice President, to victory in the coming Presidential election. I have served for 39 years in the Congress of the United States—a long while. In confining myself to that period, I am proud of the record of the Democratic Party. I am proud to be a Democrat. I never apologize for my Party. We may have differences on this or that bill, but the Democratic Party is a National Party—North, East, South and West. It is vitally important for us in 1968 to band together with that unity which will bring about another victory for the people.

Ever since the days of Jefferson, the founder of our Party, and the Democratic Presidents since, and particularly if I might confine it to the last 30-odd years without ignoring other great Presidents who have been elected as Democrats, this Country and our people have seen the greatest progressive program ever conceived by the minds of men and enacted into law.

I can remember in the 1930's, as can our beloved President, in the days of Franklin Roosevelt, when we were fighting for social security, minimum wage, unemployment compensation, low-cost housing; followed by Harry Truman with his great progressive program; followed by John Fitzgerald Kennedy with the New Frontier; culminated and extended by Lyndon B. Johnson and the Great Society.

The real conservative is the sound progressive, because a sound progressive looks to the future to see what conditions exist and what legislation is necessary, in the interest of our people, to be enacted into law. The Democratic Party has enacted into law these great programs. All for the best interests of the people of our Country.

In the last 30-odd years, the people of America have given to the White House, as our Chief Executive, four great Presidents who are Democrats. And I admired and respected President Eisenhower very much as I do now. But in confining myself to the presidents selected on the Democratic ticket—great men, great leaders, men of vision, men of courage, and one of the most courageous Presidents that we have ever had in the history of our Country is the man who sits to my right, President Lyndon B. Johnson. I have sat in every meeting with Presidents of the United States since 1940 where high policy was made. I've seen all, and the courage and the determination of Lyndon Johnson will go down in history as giving to our Country the leadership that in terms of history was not only for the best interests of our Country, but for the best interests of a future world of peace.

Our Republican friends call themselves the party of the "loyal opposition." I call them "blind opposition." In the first place, they do not know Constitutional Government when they term themselves the party of "loyal opposition." There should not be a party of "loyal opposition" under a Constitutional Government. The party of "loyal opposition," if I studied my history correctly, exists under Parliamentary Government. But for 38 years, they have been a party of blind opposition—the great majority of them. If the Republicans had their way, we would not have had social security; we would not have had unemployment compensation; we would not have had low-cost housing; we would not have had minimum wage and other progressive measures. Look the record over. We would not have had the great program of the last Congress, enacted under the leadership of our President, elected as a Democrat.

The Democratic Party, from the time of Jefferson, has been the Party of the people—fighting always for the people's interest—fighting always in the cause of all segments of American society; trying to improve and build up, not to tear down. Building up from the bottom and not the trickling down theory which trickles down very slightly on the part of our Republican friends.

And I am watching the Republicans in this Congress to see if they are still going to be a party of "blind opposition." If they are going to try and think in terms of the 1960's and 70's and 80's or whether they are going to continue to think in terms of 1860 and 1870. This record . . . we're watching and we're going to observe, and people will observe.

Now we had an election last year. We didn't take a defeat. There were Democrats defeated—true. But it was an off-Presidential year. And in every off-Presidential year there is a loss on the part of the party in control. True, we would like to see many of them and all of them re-elected. But the fact is, the people elected 248 Democratic Members of the House—and that is the second largest majority in an off-Presidential year ever elected since 1936, with the exception of one other off-Presidential year.

And in 1966, our Republican friends campaigned negatively. They appealed to every dissatisfaction, t› every emotion, to every gripe. They took the line of least resistance. But in 1968, they've got to stand for something. They've got to take a position, they've got to take a position in foreign affairs, they've got to take a position on domestic affairs, and the position they take has got to be established during the present 90th Congress. But if they continue as they have in the past, the party of "blind opposition," they are going to be another asset to us in 1968, the same as they have in the past elections.

So my friends, with this wonderful gathering, we can look forward to 1968 with confidence. Let us unite, let us tell the people what we have done for them. We have the issues, we have the legislation, we have everything in our favor, we can go ahead affirma-

tively telling the people what the Democratic Party has done. And in 1968, we will have the election of a Democratic President and Vice President and another election of a Democratic House and Senate in the Congress of the United States.

I have every confidence that we are the united Party. Oh, we don't have to agree on everything, but we can unite in the great principles of the Democratic Party: what it stands for in the light of the people of our Country—not only today, but in the future.

And having talked longer than I was permitted to talk, for which I ask the President and the Vice President and you to forgive me, I have a very pleasant duty to perform. I'm reading an inscription on a plaque. And I am going to read it and then tell the name of the gentleman to whom it will be conferred. "In recognition of his outstanding leadership, as Chairman of the Democratic National Congressional Committee for 20 years, thus setting an all-out time precedent of the longest tenure of service as Chairman of this Committee in the history of the Congress and further as a stalwart Democrat, whose record of continued and dedicated service to his fellowman, he epitomizes the highest tradition of an able and respected legislator who has served in the United States Congress for over 30 years." I am presenting this in the name of you and the Committee and I know of the President and the Vice President to our great friend, our dear friend, Congressman Michael J. Kirwan.

Remarks of Chairman Rivers Before the Hampton Roads Maritime Association

EXTENSION OF REMARKS

OF

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 16, 1967

Mr. DOWNING. Mr. Speaker, last Thursday evening nearly 600 business and maritime leaders in the tidewater section of Virginia jammed the Hampton Roads Maritime Association annual dinner at the Hotel Monticello, Norfolk, Va., to hear our colleague, the gentleman from South Carolina, L. MENDELL RIVERS. Never in the history of this maritime association, has there been such a huge, enthusiastic, and responsive audience. Scores of people had to be turned away due to lack of space. The reason, of course, was MENDEL RIVERS.

Congressman RIVERS delivered an address which was interrupted time after time by applause. He expressed, in forceful terms, his concern over what is happening in America today, and very obviously this same concern is shared by many Americans.

Congressman PORTER HARDY, of Virginia, as a ranking member of the Armed Services Committee of the U.S. House of Representatives, introduced Chairman RIVERS with great eloquence.

Under unanimous consent I insert both his introduction and the main address in the CONGRESSIONAL RECORD. The address is as follows:

INTRODUCTION OF REPRESENTATIVE RIVERS BY PORTER HARDY OF VIRGINIA

It has been my privilege to introduce a number of your speakers during the past twenty-one years, but in no case have I felt such a keen personal pleasure as I feel tonight.

When I became a member of the Armed Services Committee almost twenty years ago I was in #14 position, and occupying the #7 position on the committee was the gentleman from South Carolina who is our speaker tonight. It took sixteen years for him to move those seven seats to the position of chairmanship and for me to move up to #6.

Like every member on our committee, I am completely happy with my chairman. We have been good friends during the more than twenty years we have served together in the Congress. On occasion after occasion we have found it mutually advantageous to work together. And I have been grateful to him many times for his helpfulness with matters concerning all of us in the tidewater area.

But I have been grateful to him particularly for the leadership he has provided as chairman of our committee. He is a truly outstanding chairman, He is a champion of the people. He is dedicated to the constitution. He is determined to retrieve for the Congress the constitutional prerogatives which, through the years, have been steadily eroding and taken over by the executive branch. In his endeavor to further this effort he caused to be made a plaque which he installed on the front of the committee desks in a position where no witness can avoid seeing it. The plaque quotes from the constitution:

"The Congress shall have power to raise and support armies—to provide and maintain a navy—to make rules for the government and regulation of the land and naval forces."

As I said before, our speaker—a native of South Carolina, a brilliant lawyer, an outstanding chairman—is dedicated to safeguarding these provisions of the constitution. He is dedicated to the constituency of his district. He is dedicated to the men and the women in our military services. He is dedicated to the people of the United States. He is committed to protecting the integrity of the Congress—to protecting the safety and security of our Nation. It gives me pleasure to present to you my chairman—my leader—and my good personal friend, the Honorable L. Mendel Rivers.

ADDRESS BY THE HONORABLE L. MENDEL RIVERS, DEMOCRAT, OF SOUTH CAROLINA, CHAIRMAN, ARMED SERVICES COMMITTEE, HOUSE OF REPRESENTATIVES, TO THE HAMPTON ROADS MARITIME ASSOCIATION, NORFOLK, VA., MAY 11, 1967

Mr. Chairman, distinguished guests, ladies and gentlemen, when one of your distinguished representatives in the Congress, Porter Hardy, asked me if I would speak to the Hampton Roads Maritime Association, he used the typical Hardy approach.

Porter, as you may know, is Chairman of our Special Investigating Subcommittee, and he would have made one of the great prosecuting attorneys in the history of the nation if he had been an attorney.

He didn't say to me "Mendel, could you come to Norfolk and talk to the Hampton Roads Maritime Association?" He looked me straight in the face and said, "What time will you arrive on May 11th to deliver an address to the Hampton Roads Maritime Association?" And being a very humble and meek person, I said, "Whatever time you want me, Porter."

And that is why I am here tonight.

I am always amazed when I come into this area and find that it is still growing. And I am not being obsequious when I say that I know of no area in America which knows better how to take advantage of progress and prosperity.

When they closed down the Army Terminal, the City of Norfolk leased it and now they are going to expand it.

You are deepening the channel in Hampton Roads.

You are building a seven and a half million dollar cargo pier in Newport News and putting up a $7.2 million cargo pier in Portsmouth.

The Newport News Shipbuilding and Drydock Company, one of the world's great shipyards, is engaged in a large modernization program.

Likewise, through increase in facilities the Norfolk Shipbuilding and Drydock Company, headed by Mr. Roper, is expanding its services in the repair field and into new shipbuilding also.

Modernization of our shipyards, as you know, is a subject dear to the hearts of the Armed Services Committee. We know that modern private yards and modern Navy yards are vital to our future.

So we think the Department of Defense should build at least a couple of Fast Deployment Logistic ships, but we have imposed restrictions on the building of them insofar as the further expansion of the program is concerned.

As a matter of fact, we probably would have two nearing completion now if the Navy had asked the greatest private yard in America—Newport News—to build them.

We also want to know about some positive plans for modernizing our Navy shipyards.

We want to make sure we get a new or modernized yard and we also want to be sure that government-owned cargo vessels will not be used in competition with our Merchant Marine.

But beyond that, we want to see a specific plan for rebuilding our Merchant Marine.

I suppose the saddest, and in a sense the most inexcusable, blot on the accomplishment of the last five administrations of this country is the failure, the utter, absolute failure, to restore America as the number one maritime nation of the world.

Something has got to be done about it.

You have the facilities here to handle ships of all sizes. You also have something here in this area that doesn't bother me, but makes me scratch my head a little.

Hampton Roads is the site of 23 major military commands, and that includes the largest concentration of Naval installations in the world. And yet, I represent Charleston, South Carolina.

Now, I get accused every once in a while by a variety of well wishers of putting more in the First Congressional District of South Carolina than the district can hold.

I even saw one statement the other day that accused me of authorizing cemeteries. They have even given me credit for the base at Parris Island, which goes back to the 19th Century—before I was born.

Well, I must admit I have done my best for Charleston and I am not going to apologize to anyone. At least, if the people of Charleston like it, I am not going to apologize.

To paraphrase Winston Churchill, I wasn't elected from the First Congressional District of South Carolina to preside over the liquidation of Charleston and I can assure you that Tom Downing and Porter Hardy aren't serving you in the Congress of the United States to preside over the liquidation of this area.

But I am a little bit envious when I look around and see not only the oldest, but also the largest, Naval shipyard. The Hampton Roads area is the home of the Atlantic Fleet, the NATO Atlantic Supreme Command, the Fifth Naval District Headquarters, the Fifth Coast Guard District Headquarters, the Army Transportation Center, the U.S. Continental Army Command, and the U.S. Army Engineering District Office.

And if you just raise your eyebrows a

little bit, you will also see Langley Field, Little Creek, Oceana, and Yorktown.

Well, I think you see what I mean. You have got an important military complex here and a mighty important industrial complex, and parenthetically, you should be mighty proud of the people you send to Congress. I don't know of a better team in Congress than Tom Downing and Porter Hardy. They think alike, work together, and even exchange constituents.

But while you are expressing your pride in the accomplishments of the Hampton Roads area and your representation, let me share with you my concern over what is happening in America.

While American boys are dying in Vietnam to preserve freedom, beatniks, do-gooders, ultra-liberals, pinkos and others of like ilk, are doing their best to destroy America. Honest criticism is one thing, but I wonder if those who are criticizing our action in Vietnam have so soon forgotten those immortal words of Stephen Decatur: "Our country! In her intercourse with foreign nations may she always be in the right; but our country right or wrong," spoken right here in Norfolk, one hundred fifty one years ago.

What has happened in America to make patriotism so out of date for a new class of pseudo Americans?

What is responsible for an atmosphere which pervades a good part of this country that is frightening? Youngsters from good homes being arrested for destroying public property—pure wanton destruction, just for the sake of destroying.

Crime rates are soaring in all of our large cities; magazines and columnists publish articles aimed at destroying our intelligence collecting activities and take pride in such disclosures; and elected public officials attempt to form the foreign policy of this nation when that responsibility is vested in the President of the United States.

Even some of our courts have lost their sense of duty and honor and patriotism. You cannot even question a suspect without advising him of his rights and checking his psychiatric background. That's all we hear are:

Rights! Rights! Rights!

That is the modern password—what are my rights?

Will somebody remember the word obligation? Will some court in this land express a concern for the victim of a crime instead of bleating about the rights of the accused.

I wrote a law not long ago that made it a crime to willfully destroy or burn a draft card.

One circuit court upheld it as being constitutional. Another circuit court in Boston said that it was unconstitutional.

And the chief argument for that latter decision was that you can destroy a draft card by burning it in a public demonstration because it is symbolic action.

And I presume that this same court would decide that their own court records could be destroyed in this same symbolic action, even though there are federal laws against such action.

And I guess this same court would pat on the back anyone who wants to burn an American flag as a symbolic act.

This is the extent to which freedom of speech has gone, as interpreted by a court which is long on theory and short on practice.

It's time to recall those words of President Johnson, spoken just a few days ago, "We must guard every man's right to speak, but we must defend every man's right to answer."

It is time for the American people to reexamine where we are and where we are going.

In some educational institutions trustees and educators no longer control college policy. The students are seeking to run these schools. Walkouts, boycotts and demonstrations—these are the symbols of our times.

I noticed in the paper the other day that a group of Hampton Institute students have turned in their Reserve Officer Training Corps uniforms as a protest against the compulsory military training program at the school. And I suppose Hampton Institute will, like the rest of the universities in the country, meekly submit to such a demonstration.

We had a similar event at Howard University not long ago, and when the school attempted to discipline the demonstrators, other demonstrators broke into the meeting.

And it is not confined just to Hampton or Howard; it also happened at Harvard and Berkeley.

And if this continues, it may not be long before each regiment, or division, or crew of a ship, will hold an election to decide which battle they will fight or whether they will fight at all.

We even have a case in the courts now where a captain says he is opposed to the war in Vietnam and that he has the right to choose the war in which he wants to fight.

And we have a heavy weight boxer who claims to be a conscientious objector as a member of a religious order which objects to the war. And we are told that final criminal action against him may take as much as two years.

I think it is time to say to those who oppose war in any form and who object to serving their nation "You can demand your rights, but first meet your obligations."

Let's give the sunshine patriot a choice of losing his citizenship or serving his country. I see no reason on God's green earth why your sons and mine should go to Vietnam to protect a fly speck in this country who says "I don't like this war because I worship a flower pot and that pot says I don't have to serve."

Let's put a quid pro quo into citizenship! Let's stop mollycoddling these people.

I read the other day in the Congressional Record a statement by your distinguished Senator Harry F. Byrd, Jr., quoting from the Staunton, Virginia, Leader, that a magazine has revealed regulations recently issued by the Department of Labor "which permit a convict, solely as the result of work while serving a prison sentence, to establish his eligibility for unemployment benefits and to qualify for Social Security," and that "Civil Service also gives retirement credit for time served in prison."

Say it isn't so!

I hope someone will tell me that that is wrong! I don't want to believe that! I find it almost inconceivable that it could be true.

If it is true, I would like to find the idiot who wrote the regulation, and if the regulation is based on the law, then I will have to accept partial responsibility of being idiotic enough to vote for—or not vote against—a law that permits such a ridiculous result.

Are we heading down the path to our own destruction?

We are giving away our resources to nations who demand our aid. We used to have food surpluses in this nation. Soon there may be shortages.

And there will be no one around to help us when we go down the drain.

I am concerned about America!

I am worried about people who demand their rights with a total disregard for their obligations. I am concerned that people want more pay for less hours of work. I don't like to see this nation running into a constant type of inflation that is going to make life almost unbearable for millions of older people. I am concerned that we have developed a welfare state and that eventually the federal government will control every aspect of your life.

But I am encouraged when I come to an area such as this and see successful businessmen working hand in glove with skilled labor and intelligent labor leaders surrounded by dedicated military personnel who, all working together, can produce this clear example of progress and prosperity.

This is the type of demonstration city the rest of the nation can look to. You have achieved much and I rather suspect that this is only the beginning.

SENATE

WEDNESDAY, MAY 17, 1967

The Senate met at 11 o'clock a.m., and was called to order by the Acting President pro tempore (Mr. METCALF).

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

Eternal God, in times heavy with crisis, Thou hast called us, as servants of the people, to play our part in one of the creative hours in human history. In the midst of the startling changes of our day, may we be delivered from the paralysis of pessimism and cynicism.

Strengthen our hearts and minds, that we may worthily measure up to the role we are called to play in these solemn days, as in the name of a free people ours is the high privilege of signing anew, with our own dedication and sacrifice, the immortal declaration crimsoned with the devotion of the Founding Fathers, as for the perpetuity of this Union we mutually pledge to each other our lives, our fortunes, and our sacred honor.

We ask it in the name of the Prince of Peace. Amen.

THE JOURNAL

On request of Mr. BYRD of West Virginia, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, May 16, 1967, was dispensed with.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

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

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. BYRD of West Virginia, and by unanimous consent, all committees were authorized to meet during the session of the Senate today.