on the horizon does there appear such a philosophy.

I have left until last a few brief comments about my own program for a solution in Vietnam. My previous remarks should have made clear my complete disillusionment with the course we have followed. I regard that course as a compound of all that is bad in American foreign policy. Yet as responsible citizens we should always try to answer the question "What would you do if you were making the decisions?"

Up until the present time I have always felt that, although I am a vocal dove in criticizing our Vietnam policy, I could fit within the limits of the concensus posture of the President. I have never advocated a U.S. pull-out of Vietnam. I have never urged turning the government over to the National Liberation Front. I consider our troops to be brave men doing an ugly job in the best way they can. I have accepted in good faith the President's verbal assent to the Geneva Accords as a basis for negotiations, his support of free elections, his willingness to see Vietnam re-unified if the people desire, feeling that these provided an ample basis for settlement of the conflict. My most radical proposals have been for an end to the bombing of the North, negotiation with the National Liberation Front as well as Hanoi, and a government elected in an honest election with every citizen free to run and free to vote.

The iron logic of event has convinced me that I have been naive. I believe now that the President has accepted in fact and by his actions the position of those advisors who urge a military victory and the continuation in power of our hand-picked generals as the government of South Vietnam. I believe his political strategy is to seek to win the war, thus justifying his course of action and his tremendous commitment of U.S. resources, or failing that, to intensify Vietnam next year to a full-scale war in the hope that he will survive as a war-time President—none of whom have ever been defeated—according to his research.

I would rather retire from politics than support this course.

I now call upon the President to reverse his position and take the following steps:

(1) Order our half million troops, our massive air and naval fleets, to cease fire and stand fast. Announce to the enemy and to the world that our soldiers will fire only if fired upon, but if fired upon will take all steps necessary for their own defense.

(2) Ask the Geneva Powers to re-convene, under call of the co-chairman, to a neutral site in Asia, with the National Liberation Front participating as a belligerent.

(3) Participate in good faith negotiations as long as necessary to reach a settlement, making clear that he will be guided by the basic principle that the future of South Vietnam shall be determined by the freely-expressed decisions of its own people.

(4) Insist that the final agreement be guaranteed by the great powers, and adequate enforcement machinery provided.

I believe that these steps contain all that is necessary to achieve an immediate end to the war, and a political settlement which will satisfy the great majority of the American people. It allows the United States to seize the initiative. It builds upon the precedents of previous international agreements relating to the area, fragile and unsatisfactory as they have been. It adheres to the principle of self-determination of peoples, a cornerstone of American foreign policy. It remedies the cardinal defect of Geneva, the lack of guarantees by the participants, so that when France failed to carry out her obligations, the other great powers would have filled that gap. It places the U.S. squarely back on the side of enforceable world law, rather than as the self-proclaimed policeman of the world.

Undoubtedly there will be those who will say that this course would constitute surrender to the enemy. They are completely wrong. It does constitute a recognition that there is a military stalemate in Vietnam, which cannot be broken without the commitment of an unacceptable level of U.S. manpower and resources. It does constitute a recognition that in a war that is primarily political in its nature, the course of military escalation can lead to unacceptable possibilities of greater involvement. It may constitute a recognition that the U.S. made a mistake in seeking by clandestine means to subvert the Geneva Agreements of 1954.

This course will also require that the Administration admit frankly to the American people that most South Vietnamese feel that this is an anti-colonial war, not a war of Communist aggression—that the government we are supporting has no roots among the people, and never could have as long as it consists of generals who fought for the French, and landholders and businessmen who owe their wealth to the French—that all Vietnamese are inherently suspicious of the Chinese and highly unlikely to serve as lackeys of Chinese Communism—and that the course of Communism in Asia will be determined more by how honest and dedicated to the welfare of their people the government leaders are than by how big their armies are. All of these requirements fly in the face of myths promulgated by the Administration for several years.

But if our real goals in this tragic war are what the President claims they are—a government of South Vietnam acceptable to its own people, and a settlement of the problems of the area in accordance with the spirit of the Geneva Agreements—we will achieve them by the program I am now advocating.

Nor will this course endanger the safety of our men in Vietnam. If I thought it did, I would not advocate it. Our present military strategy is primarily that of "search and destroy". Under this doctrine we go to enormous effort to locate enemy concentrations, exposing our troops to great hazards and tremendous casualties. Then, having located them, we rush our battalions to destroy them, almost invariably on terrain and under circumstances favorable to the enemy. If, in order to satisfy the military, I need a more warlike description of my first point than "cease-fire and standfast", I would call it "sit and destroy" rather than "search and destroy". In other words, we can select the terrain favorable to our troops, protect it to whatever extent required, and engage in constant reconnaissance. If the enemy desires to continue the fight they must do it under our conditions, concentrating where our air and artillery can destroy them, rather than the opposite. While I am convinced that they would accept the cease-fire, I see no hazards to our troops remotely comparable to the present situation if they did not.

And the very fact that a half million American troops sit permanently astride their land compels them to seek negotiations. No other course is possible, since we cannot be removed by military means.

For the U.S. to end the war in Vietnam by its own initiative, and to institute the reconvening of the Geneva Powers under reasonable prospects for successful negotiations, would have such far-reaching benefits as to require another speech to explore fully. However, in order to conclude this speech on an optimistic note, I will mention four such benefits.

First, it would effectively balance the budget, by saving 10 to 15 billion dollars this year. Second, it would eliminate the need for a Federal tax increase. Third, it would allow for planning a major attack on our domestic problems in the next fiscal year. Fourth, it might get both me and President Johnson re-elected next year.

The last reason alone makes a very strong case, as far as I am concerned.

SENATE

FRIDAY, AUGUST 4, 1967

The Senate met at 11 o'clock a.m., 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, for a hallowed moment snatched from the pressing concerns of state, we bow in reverence at this wayside altar of prayer.

We would be still and know that Thou art God. Into Thy hands we commit ourselves and our cause. Frail and fallible as we are, make us, we beseech Thee, the instruments of Thy purpose in speeding the day when hatred will be conquered by love, when fear will give way to confidence, and when the glad service of the common need will join all men everywhere in one great company of comrades.

Against all odds and obstacles may we keep our love of life, our delight in friendship, our hunger for new knowledge, our hatred of a lie, and our intolerance for what our hearts tell us is false and degrading. Quicken our love of America that we may see the shining glory of the Republic both as a heritage and a trust. We ask it in the name of that One who is the truth and the way. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, August 3, 1967, be dispensed with.

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

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Merchant Marine and Fisheries of the Committee on Commerce and the Subcommittee on Employment, Manpower, and Poverty of the Committee on Labor and Public Welfare be permitted to meet during the session of the Senate today.

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

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the calendar, beginning with Order No. 457, and that the calendar be considered in sequence.

The PRESIDENT pro tempore. (Mr.

SPONG in the chair). Without objection, it is so ordered.

DOCUMENTATION OF VESSEL "NORTHWIND" AS A VESSEL OF THE UNITED STATES WITH COASTWISE PRIVILEGES

The bill (H.R. 7043) to authorize and direct the Secretary of the Department under which the U.S. Coast Guard is operating to cause the vessel *Northwind*, owned by Wallace P. Smith, Jr., of Centreville, Md., to be documented as a vessel of the United States with coastwise privileges was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 471), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill is to restore coastwise privileges to the vessel *Northwind*.

REASON FOR THE BILL

The vessel involved in this legislation is 34 feet long and was built in Los Angeles, Calif., in 1941. Subsequent to that date, it was owned by a Swiss national, but it is presently owned by an American citizen. Under section 27 of the Merchant Marine Act of 1920, coastwise privileges are limited to American-built, American-owned, and American-operated vessels.

The purpose of restricting documentation with coastwise privileges to vessels built in American shipyards is to encourage ship construction in the United States. It has been the policy of the United States since 1789 to reserve the coastwise trade to vessels constructed in U.S. shipyards. However, from time to time and under special circumstances, Congress has passed legislation authorizing the documentation of vessels for use in the domestic trades although the vessel was built in a foreign country or otherwise lost its documentation because of a transfer to foreign registry. The committee considers each proposal for such documentation on its own merits.

This 13.82 tons gross and 11 tons net vessel is owned by Wallace P. Smith, Jr., of Centreville, Md. Mr. Smith is a citizen of the United States and he desires to use the vessel to transport passengers and/or merchandise in conjunction with a summer camp he is connected with in the vicinity of Centreville, Md. He desires to redocument the vessel for this purpose.

In view of the hardship that would otherwise be imposed and because of the limited size and employment of the vessel, the committee recommends approval of the bill. The committee believes that this exception is of such a limited and restricted nature that it will pose no threat to the general goals of our coastwise restrictions or to the American shipbuilding industry.

AMENDMENT OF THE SHIPPING ACT

The bill (S. 706) to amend section 27 of the Shipping Act of 1916 was announced as next in order.

The PRESIDENT pro tempore. 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 an amendment, to strike out all after the enacting clause and insert:

That section 27 of the Shipping Act (46 U.S.C. 826) be amended by deleting the present section and substituting therefor the following:

"SEC. 27. (a) In all proceedings under section 22 of this Act, depositions, written interrogatories, and discovery procedure shall be available under rules and regulations issued by the Federal Maritime Commission, which rules and regulations shall, to the extent practicable, be in conformity with the rules applicable in civil proceedings in the district courts of the United States. In such proceedings, the Commission may by subpena compel the attendance of witnesses and the production of books, papers, documents, and other evidence, in such manner and to such an extent as the Commission may by rule or regulation require. Attendance of witnesses and the production of books, papers, documents, and other evidence in response to subpena may be required from any place in the United States at any designated place of hearing, and persons so acting under the direction of the Commission and witnesses shall, unless employees of the Commission, be entitled to the same fees and mileage as in the courts of the United States.

"(b) Obedience to this section shall, on application by the Commission, be enforced as are orders of the Commission other than for the payment of money."

Mr. BARTLETT. Mr. President, this bill would amend section 27 of the Shipping Act, 1916, to empower the Federal Maritime Commission to adopt pretrial deposition, written interrogatory and discovery procedures to be used by parties in hearings required by statute before the Federal Maritime Commission.

Prior to 1964, the Federal Maritime Commission utilized pretrial discovery procedures pursuant to rule 12(k) of its rules of practice and procedure. That rule was patterned after rule 34 of the Federal Rules of Civil Procedure setting forth discovery authority for Federal district courts in civil proceedings. However, in a case in 1964 before the U.S. Court of Appeals for the Ninth Circuit, *Federal Maritime Commission* v. *Anglo-Canadian Shipping Co.*, 335 F. 2d 244 (1964), it was held that the Commission had no specific statutory authority for discovery procedures and could not, therefore, promulgate rules for discovery and production of documents. In lieu of petitioning the Supreme Court to grant certiorari and reverse the decision of the court of appeals, the Commission determined that the matter should be brought to Congress and specific authorization requested.

Under existing procedures, without discovery power, the only recourse available to a party—either a private party or the Commission itself—seeking proof of an allegation, is to obtain a subpena requiring the respondent to produce at a hearing every requested document having relevancy to the case. This is burdensome for the respondents, leads to legal maneuvering in court, and may cause production of great quantities of files and records at the hearing, only a portion of which may ever be offered in evidence. Furthermore, because subpenas are returnable at the hearing, delay is caused by the possibility of surprise and the necessity to postpone the proceedings for examination of documents.

The deposition and discovery process avoids such delays by enabling a litigating party to examine witnesses and review books, documents, and records of another party, before trial, and copy those which have evidentiary value.

Procedures for prehearing deposition and discovery in Federal district courts have existed since 1948, under Federal Rules of Civil Procedure, and experience has shown that these procedures have well served the interest of justice and equity. The deposition and discovery authority given to the Federal Maritime Commission under this proposed legislation would be similar to the deposition and discovery authority now available to parties in civil proceedings in the Federal district courts.

The Administrative Conference of the United States, chaired by Circuit Judge E. Barrett Prettyman, in its report, Senate Document No. 24, 88th Congress, urged increased use of pretrial discovery in administrative proceedings, pointing out that such procedures would—

First. Guarantee fair treatment of the parties;

Second. Accelerate hearings by eliminating excessive continuances which frequently result from surprise when evidence is first introduced at hearings; and

Third. Render existing pretrial devices more meaningful and effective.

Prior to 1964 when the Commission used pretrial procedures under its rule 12(k) the examiner and parties were generally successful in reaching voluntary agreements on production of documents, without serious delays due to disputes and litigation. However, in Commission proceedings since 1964, there have been delays and postponements which might have been avoided or reduced if pretrial discovery procedures had been available. In a number of cases there were long delays because of refusal to comply with subpenas requiring subsequent court action.

Other agencies including the Interstate Commerce Commission, Federal Power Commission, Federal Communications Commission, and Civil Aeronautics Board have prehearing discovery procedures similar to that which would be authorized by this proposed legislation.

A fair procedure for prehearing deposition would streamline and expedite Federal Maritime Commission proceedings without impinging upon the rights of the parties regulated by the Commission.

Mr. President, I ask unanimous consent to have excerpts from the committee report on S. 706 printed in the RECORD at the conclusion of my remarks.

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

AGENCY COMMENTS

FEDERAL MARITIME COMMISSION,
OFFICE OF THE CHAIRMAN,
May 5, 1967.

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

DEAR MR. CHAIRMAN: In response to your letter of February 1, 1967, asking for comment on S. 706, a bill to amend section 27

of the Shipping Act, 1916, we are happy to furnish the following:

The proposed bill would empower the Federal Maritime Commission to adopt pretrial discovery procedures. Prior to 1964, the Federal Maritime Commission was utilizing pre-trial discovery pursuant to its Rule 12(k). The need for clear statutory authorization for such discovery procedures, however, arose as a result of a decision of the United States Court of Appeals for the Ninth Circuit in *Federal Maritime Commission* v. *Anglo-Canadian Shipping Company*, 335 F. 2d 244 (1964). That decision held that the Commission could not promulgate rules for discovery and production of documents. In lieu of seeking a grant of certiorari and reversal of the decision of the Court of Appeals, it was determined that the feeling of the Congress should be ascertained and that clear statutory authorization should be obtained.

The Federal Maritime Commission has always sought to streamline and expedite proceedings whenever to do so would not interfere with performance of regular functions and responsibilities and would not impinge upon the rights of segments of the industry regulated. To this end, promulgation of rules of procedure for pre-hearing deposition and discovery would be consistent. The Federal Rules of Civil Procedure providing for pretrial discovery procedures have without doubt well served the interests of justice and equity. Applicability of the same practices in agency proceedings is obvious.

Under present conditions, hearings and investigations undergo considerable delay while parties spar over production of materials. Not infrequently hearings must be spread over a considerable period of time, in situations in which the delay could be abbreviated through the use of pre-trial discovery practices. The increasing delay, expense, and complexity attendant upon administrative hearings in which vast records are compiled has been a matter of growing concern. In all probability, pre-trial discovery would reduce the size of the administrative records while at the same time insuring that relevant material upon which administrative review may bear is included.

The Administrative Conference of the United States has contended that increased use of discovery rules would (1) guarantee fair treatment of the parties, (2) accelerate hearings by eliminating excess continuances which frequently result from surprise when evidence is first introduced at hearings, and (3) render existing pre-trial devices more meaningful and effective.

Accordingly, the Federal Maritime Commission recommends that Congress act favorably upon S. 706.

The Bureau of the Budget has advised that there would be no objection to the submission of this letter from the standpoint of the Administration's program.

Sincerely yours,

JOHN HARLLEE,
Rear Admiral,
U.S. Navy (Retired), Chairman.

OFFICE OF THE SECRETARY
OF TRANSPORTATION,
Washington, D.C., May 15, 1967.

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

DEAR MR. CHAIRMAN: Reference is made to your request for the views of this Department on S. 706, a bill to amend section 27 of the Shipping Act, 1916.

The proposed bill would empower the Federal Maritime Commission to adopt pre-trial discovery procedures along with its existing power to issue subpoenas in adjudicatory proceedings under section 22 of the Shipping Act. The need for this bill apparently stems from the ambiguity of the present statutory authority of the Commission to issue rules for discovery and production of documents.

The other regulatory agencies: Interstate Commerce Commission, Federal Power Commission, Civil Aeronautics Board, and the Federal Trade Commission presently have similar authority that S. 706 would give to the Federal Maritime Commission. It would appear that the procedural technique of discovery should facilitate adjudicatory proceedings before the Commission and contribute to a fair and speedy resolution of cases. For these reasons, the Department would support this legislation.

The Bureau of the Budget advises that from the standpoint of the Administration's program there is no objection to the submission of this report for the consideration of the Committee.

Sincerely yours,

JOHN L. SWEENEY,
Assistant Secretary for Public Affairs.

GENERAL COUNSEL OF THE DEPARTMENT OF COMMERCE,
Washington, D.C., May 8, 1967.

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

DEAR MR. CHAIRMAN: This is in reply to your request for the views of this Department with respect to S. 706, a bill to amend section 27 of the Shipping Act, 1916.

The bill would amend section 27 of the Shipping Act, 1916 (46 U.S.C. 826) by deleting the present section and substituting a new one which would empower the commission to adopt pretrial discovery procedures along with its existing power to issue subpoenas in all adjudicatory proceedings under section 22 of that Act, which provides that any person may file with the board (now the Federal Maritime Commission), a sworn complaint setting forth any violation of the Act by a common carrier by water, or other person subject to this Act, and asking reparation for the injury, if any, caused thereby. The new section would provide that depositions and discovery shall be available and would permit the Federal Maritime Commission by subpoena to compel attendance of witnesses and the production of books, papers, documents, and other evidence, in such manner and to such an extent as the Commission may by rule or regulation require. Attendance of witnesses in response to subpoena would be required from any place in the United States at any designated place of hearing, and the witnesses so acting would be entitled to the same fees and mileage as in the courts of the United States. Subsection (b) would provide that obedience to this section would on application by the Commission be enforced as are orders of the Commission other than for the payment of money.

The need for clear statutory authorization for discovery arose as a result of the decision in *Federal Maritime Commission* v. *Anglo-Canadian Shipping Co. Ltd. et al.* 335 F2d 255 (1964). In that case the Court held that Rule 12(k) of the Federal Maritime Commission's Rules of Practice, which provided for discovery and production of documents, was invalid because it lacked a proper statutory basis.

We would recommend favorable consideration of the bill inasmuch as it would provide a means of developing facts, encouraging settlements, limiting issues, and lessening the expense of litigation. This authority would be similar to existing authority of other regulatory agencies.

We have been advised by the Bureau of the Budget that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

ROBERT E. GILES,
General Counsel.

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., February 16, 1967.

B–158610.

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

DEAR MR. CHAIRMAN: This is in reference to your letter of February 1, 1967, requesting our comments on S. 706, a bill to amend section 27 of the Shipping Act, 46 U.S.C. 826. The amendment would empower the Federal Maritime Commission to adopt pretrial discovery procedures along with its existing power to issue subpoenas in certain adjudicatory proceedings.

We have no special information that would assist in the consideration of S. 706, and therefore have no comment to offer.

Sincerely yours,

FRANK H. WEITZEL,
Assistant Comptroller General
of the United States.

CHANGES IN EXISTING LAW

In compliance with subsection 4 of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic and existing law in which no change is proposed is shown in roman):

SHIPPING ACT, 1916

(39 Stat. 728, Chapter 451, approved Sept. 7, 1916)

* * * * *

SEC. 26. The board shall have power, and it shall be its duty whenever complaints shall be made to it, to investigate the action of any foreign Government with respect to the privileges afforded and burdens imposed upon vessels of the United States engaged in foreign trade, whenever it shall appear that the laws, regulations, or practices of any foreign Government operate in such a manner that vessels of the United States are not accorded equal privileges in foreign trade with vessel of such foreign countries or vessels of other foreign countries, either in trade to or from the ports of such foreign country or in respect of the passage or transportation through such foreign country of passengers or goods intended for shipment or transportation in such vessels of the United States, either to or from ports of such foreign country or to or from ports of other foreign countries. It shall be the duty of the board to report the results of its investigation to the President with its recommendations and the President is hereby authorized and empowered to secure by diplomatic action equal privileges for vessels of the United States engaged in such foreign trade. And if by such diplomatic action the President shall be unable to secure such equal privileges, then the President shall advise Congress as to the facts and his conclusions by a special message, if deemed important in the public interest, in order that proper action may be taken thereon.

[SEC. 27. That for the purpose of investigating alleged violations of this Act, the board may by subpoena compel the attendance of witnesses and the production of books, papers, documents, and other evidence from any place in the United States at any designated place of hearing. Subpoenas may be signed by any commissioner, and oaths or affirmations may be administered, witnesses examined, and evidence received by any commissioner or examiner, or, under the direction of the board, by any person authorized under the laws of the United States or of any State, Territory, District, or possession thereof to administer oaths. Persons so acting under the direction of the board and witnesses shall, unless employees of the board, be entitled to the same fees and mileage as in the courts of the United States.

Obedience to any such subpoena shall, on application by the board, be enforced as are orders of the board other than for the payment of money.]

Sec. 27. (a) In all proceedings under section 22 of this Act, depositions, written interrogatories and discovery procedure shall be available under rules and regulations issued by the Federal Maritime Commission, which rules and regulations shall, to the extent practicable, be in conformity with the rules applicable in civil proceedings in the district courts of the United States. In such proceedings, the Commission may by subpoena compel the attendance of witnesses and the production of books, papers, documents, and other evidence, in such manner and to such an extent as the Commission may by rule or regulation require. Attendance of witnesses and the production of books, papers, documents, and other evidence in response to subpoena may be required from any place in the United States at any designated place of hearing, and persons so acting under the direction of the Commission and witnesses shall, unless employees of the Commission, be entitled to the same fees and mileage as in the courts of the United States.

(b) Obedience to this section shall, on application by the Commission, be enforced as are orders of the Commission other than for the payment of money.

SEC. 28. That no person shall be excused on the ground that it may tend to incriminate him or subject him to a penalty or forfeiture, from attending and testifying or producing books, papers, documents, and other evidence, in obedience to the subpoena of the board or of any court in any proceeding based upon or growing out of any alleged violation of this Act; but no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing as to which, in obedience to a subpoena and under oath, he may so testify or produce evidence, except that no person shall be exempt from prosecution and punishment for perjury committed in so testifying.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

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

AGRICULTURAL PRODUCERS MARKETING ACT OF 1967

The Senate proceeded to consider the bill (S. 109) to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes which had been reported from the Committee on Agriculture and Forestry with an amendment to strike out all after the enacting clause and insert:

That this Act shall be known as the Agricultural Fair Practices Act of 1967.

LEGISLATIVE FINDINGS AND DECLARATION OF POLICY

SEC. 2. Agricultural products are produced in the United States by many individual farmers and ranchers scattered throughout the various States of the Nation. Such products in fresh or processed form move in large part in the channels of interstate and foreign commerce, and such products which do not move in these channels directly burden or affect interstate commerce. The efficient production and marketing of agricultural products by farmers and ranchers is of vital concern to their welfare and to the general economy of the Nation. Because agricultural products are produced by numerous individual farmers, the marketing and bargaining position of individual farmers will be adversely affected unless they are free to join together or not to join together in cooperative organizations as authorized by law. Interference with these rights is contrary to the public interest and adversely affects the free and orderly flow of goods in interstate and foreign commerce.

It is, therefore, declared to be the policy of Congress and the purpose of this Act to establish standards of fair practices required of handlers and associations of producers in their dealings in agricultural products.

DEFINITIONS

SEC. 3. When used in this Act—

(a) The term "handler" means any person engaged in the business or practice of (1) acquiring agricultural products from producers or associations of producers for processing or sale; (2) grading, packaging, handling, storing, or processing agricultural products received from producers or associations of producers; (3) contracting or negotiating contracts or other arrangements, written or oral, with producers or associations of producers with respect to the production or marketing of any agricultural product; or (4) acting as an agent or broker for a handler in the performance of any function or act specified in clause (1), (2), or (3) of this paragraph.

(b) The term "producer" means a person engaged in the production of agricultural products as a farmer, planter, rancher, dairyman, fruit, vegetable, or nut grower.

(c) The term "association of producers" means any association of producers of agricultural products engaged in marketing, bargaining, shipping, or processing as defined in section 15(a) of the Agricultural Marketing Act of 1929, as amended (49 Stat. 317; 12 U.S.C. 1141j(a)), or in section 1 of the Act, entitled "an Act to authorize association of producers of agricultural products," approved February 18, 1922 (42 Stat. 388; 7 U.S.C. 291).

(d) The term "person" includes individuals, partnerships, corporations, and associations.

(e) The term "agricultural products" shall not include cotton or tobacco or their products.

PROHIBITED PRACTICES

SEC. 4. It shall be unlawful for any handler or association of producers knowingly to engage or permit any employee or agent to engage in the following practices:

(a) To coerce any producer in the exercise of his right to join and belong to or to refrain from joining or belonging to an association of producers, or to refuse to deal with any producer because of the exercise of his right to join and belong to such an association; or

(b) To discriminate against any producer with respect to price, quantity, quality, or other terms of purchase, acquisition, or other handling of agricultural products because of his membership in an association of producers; or

(c) To coerce or intimidate any producer or other person to enter into, maintain, breach, cancel, or terminate a membership agreement or marketing contract with an association of producers or a contract with a handler; or

(d) To pay or loan money, give any thing of value, or offer any other inducement or reward to a producer for refusing to or ceasing to belong to an association of producers, or for terminating an agreement with a handler; or

(e) To make false reports about the finances, management, or activities of associations of producers or handlers; or

(f) To conspire, combine, agree, or arrange with any other person to do, or aid or abet the doing of, any act made unlawful by this Act.

DISCLAIMER OF INTENTION TO PROHIBIT NORMAL DEALING

SEC. 5. Nothing in this Act shall prevent handlers and producers from selecting their customers and suppliers for any reason other than a producer's membership in an association of producers, nor prevent handlers and producers from dealing with one another individually on a direct basis, nor require a handler to deal with an association of producers.

ENFORCEMENT

SEC. 6. (a) Whenever any handler or association of producers has engaged or there are reasonable grounds to believe that any handler or association of producers is about to engage in any act or practice prohibited by section 4, a civil action for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order, may be instituted by the person aggrieved. In any action commenced pursuant hereto, the court, in its discretion, may allow the prevailing party a reasonable attorney's fee as part of the costs. No restraining order or preliminary injunction shall issue except upon the giving of security by the applicant, in such sum as the court deems proper, for the payment of such costs and damages as may be incurred or suffered by any party who is found to have been wrongfully enjoined or restrained.

(b) Whenever the Secretary of Agriculture has reasonable cause to believe that any handler, group of handlers, or association of producers has engaged in any act or practice prohibited by section 4, he may request the Attorney General to bring civil action in his behalf in the appropriate district court of the United States by filing with it a complaint (1) setting forth facts pertaining to such act or practice, and (2) requesting such preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order against the handler, handlers, or association of producers responsible for such acts or practices. Upon receipt of such request, the Attorney General shall immediately file such complaint.

(c) Any person injured in his business or property by reason of any violation of, or combination or conspiracy to violate, any provision of section 4 of this Act may sue therefor in the appropriate district court of the United States without respect to the amount in controversy, and shall recover damages sustained. In any action commenced pursuant to this subsection, the court may allow the prevailing party a reasonable attorney's fee as a part of the costs. Any action to enforce any cause of action under this subsection shall be forever barred unless commenced within two years after the cause of action accrued.

(d) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the aggrieved party shall have exhausted any administrative or other remedies that may be provided by law.

(e) The foregoing provisions shall not be construed to deprive the proper State courts of jurisdiction.

SEPARABILITY

SEC. 7. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

Mr. AIKEN. Mr. President, on January 6, 1965, at the beginning of the 89th Congress I introduced a bill, S. 109, aimed at protecting the rights of farmers to join cooperatives without fear of any subsequent retaliatory action by buyers

simply because of their membership status.

The bill was distributed widely, and was studied carefully, and discussed by all concerned. On June 14, 15, and 16, 1966, almost a year and a half after introduction, hearings were held by the Subcommittee on Agricultural Research and General Legislation.

Subsequently, and as a result of the suggestions received during the hearings, an amendment in the nature of a substitute was developed and submitted to the committee for its consideration. The subcommittee conducted hearings on the substitute on September 28, 1966. Witnesses representing the Department of Agriculture recommended several amendments at these hearings, which were incorporated in the new S. 109 introduced by me in the 90th Congress on January 11, 1967.

The Subcommittee on Agricultural Research and General Legislation conducted hearings on the current bill on May 2, 4, and 11, 1967. All hearings have been printed.

The measure before the Congress today is the result of intensive study and careful deliberation. Witnesses were in general agreement in favoring the objectives of the bill, but differed as to the mechanics and language by which those objectives could be achieved. Many proposals were advanced and all of them carefully considered by the subcommittee and by the committee. The committee has recommended an amendment in the nature of a substitute, which it believes will accomplish the purpose of the bill most effectively; makes it clear that normal and proper dealings not designed to restrict the producer's freedom of choice are not prohibited; and is fair to producers, associations of producers, handlers, and any others who may be affected by its provisions.

This bill is important to the freedom of our farmers and to the future of agriculture. It is designed to protect the agricultural producer's right to decide, free from improper pressures, whether or not he wishes to belong to a marketing or bargaining association.

It consists of seven sections.

Section 1 provides a short title, the "Agricultural Fair Practices Act of 1967."

Section 2 contains a legislative finding that interference with the rights of farmers to join together or not to join together in cooperatives adversely affects interstate and foreign commerce; and declares the policy of establishing fair practices for handlers and associations.

Section 3 defines "handler," "producer," association of producers," "person," and "agricultural products."

Section 4 prohibits coercion, discrimination, intimidation, bribery, falsehood, and conspiracy designed to influence a producer's election as to joining a cooperative or otherwise marketing his produce.

Section 5 is a disclaimer of any intent to prohibit proper dealings between producers and handlers or to compel dealings between handlers and associations.

Section 6 provides for enforcement through injunction on the application of the aggrieved party or the Secretary of Agriculture, or through actions for compensatory damages.

Section 7 provides for separability in case of any provision is held invalid.

Because of the increasing concentration of the marketing and distribution of agricultural products in the hands of fewer buyers, most farmers feel very strongly that they should have the right to organize and compete without fear of reprisal or of unfair trade practices. They believe that the wider use of contract marketing has created a greater need for the strengthening of their own bargaining position in order to secure prices and other benefits which they feel, and rightly so, they are entitled to. The bill provides farmers with an opportunity to improve their own lot through their own action.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

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

Mr. BYRD of West Virginia. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. AIKEN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 474), explaining the purposes of the bill.

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

SHORT EXPLANATION

This bill is designed to protect the agricultural producer's right to decide, free from improper pressures, whether or not he wishes to belong to a marketing or bargaining association. It consists of seven sections providing as follows:

Section 1. Short title "Agricultural Fair Practices Act."

Section 2. Legislative findings and declaration of policy.

Section 3. Definitions of "handler," "producer," "association of producers," "person" and "agricultural products" (the last definition excluding cotton and tobacco from the bill).

Section 4. Prohibition of coercion, discrimination, intimidation, bribery, falsehood, and conspiracy designed to influence a producer's election as to joining a cooperative or otherwise marketing his produce.

Section 5. Disclaimer of any intent to prohibit proper dealings between producers and handlers or to compel dealings between handlers and associations.

Section 6. Enforcement through injunction on the application of the aggrieved party or the Secretary of Agriculture, or through actions for compensatory damages.

Section 7. Separability in case of any provision is held invalid.

COMMITTEE CONSIDERATION

A similar bill by the same number, S. 109, was introduced in the 89th Congress on January 6, 1965. Hearings were held by the Subcommittee on Agricultural Research and General Legislation on June 14, 15, and 16, 1966. Subsequent to those hearings and as a result of the suggestions received at them an amendment in the nature of a substitute was developed and submitted to the committee for its consideration. The Subcommittee on Agricultural Research and General Legislation conducted hearings on the substitute on September 28, 1966. Witnesses representing the Department of Agriculture recommended three amendments at the hearing; and those amendments were incorporated in the substitute and introduced as S. 109 in the 90th Congress. The Subcommittee on Agricultural Research and General Legislation conducted hearings on the current bill on May 2, 4, and 11, 1967. All hearings have been printed.

Witnesses were in general agreement in favoring the objectives of the bill, but differed as to the mechanics and language by which those objectives could be achieved. Many proposals were advanced and all of them were carefully studied by the subcommittee and by the committee. The committee has recommended an amendment in the nature of a substitute, which it believes will accomplish the purpose of the bill more effectively than would the original text; makes it clear that normal and proper dealings not designed to restrict the producer's freedom of choice are not prohibited; and is fair to producers, associations of producers, handlers, and any others who may be affected by the bill.

The following section-by-section explanation of the committee amendment describes in further detail some of the matters considered by the committee in connection with the various sections of the bill.

AMENDMENT OF THE FOOD AND AGRICULTURE ACT OF 1965

The Senate proceeded to consider the bill (S. 2126) to amend the Food and Agriculture Act of 1965.

Mr. COOPER. Mr. President, the bill before the Senate, S. 2126, is a bill I introduced earlier this year. I am glad that its adoption has been recommended by the Senate Committee on Agriculture, and I appreciate the attention it has received from the distinguished chairman of the subcommittee [Mr. HOLLAND], from the chairman of the full committee [Mr. ELLENDER], and by the members of the committee, with whom I have served and who are friends of the farmers and understand their problems.

The bill is directed to farmowners who are displaced when their land is taken by an agency having the right of eminent domain. When a farm is taken for a reservoir, or road or other public purpose, the owner must move and acquire a farm in a new location if he is to continue farming. I know it has always been the intention of the Committees on Agriculture and, I am sure of the Congress, that these displaced farmowners be enabled to reestablish their farm operation without undue hardship. For example, we have provided that the farm allotments can be transferred in such cases.

The Tennessee Valley Authority is in the process of acquiring lands in Kentucky for the Between-the-Lakes Recreation Area. During the course of these acquisitions it appeared that a provision of the Food and Agriculture Act of 1965 failed to provide clear authority to the Secretary of Agriculture to enable displaced farmowners to participate in the cropland adjustment program on their new farms. The purpose of S. 2126 is to provide this authority—that is, to make eligible for the cropland adjustment program land acquired by farmers who have had to move, without waiting for the 3-

year period following acquisition otherwise required by the act of 1965.

Congressman FRANK A. STUBBLEFIELD of the First Congressional District of Kentucky, which includes the area Between-the-Lakes, introduced a similar bill in the House of Representatives, H.R. 2375, which was approved July 17 by the House Committee on Agriculture, on which he serves. I want to say that he discussed this problem with me, and acknowledge his initiative in helping to resolve the problem—which is important to the farm operations of those affected by the provision.

The bill has been approved by the Department of Agriculture, and I am glad to recommend its adoption by the Senate.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 475), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

This bill would make a farm acquired to replace one transferred to an agency having the right of eminent domain eligible for the cropland adjustment program, even though it had been acquired during the previous 3 years.

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

S. 2126

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 602(a) of the Food and Agriculture Act of 1965 is amended by adding at the end thereof the following new sentence: "The foregoing provision shall not prevent a producer from placing an eligible farm in the program if the farm was acquired by the producer to replace a farm from which he was displaced because of its acquisition by any Federal, State, or other agency having the right of eminent domain."

AMENDMENT OF THE ECONOMIC OPPORTUNITY ACT

The Senate proceeded to consider the bill (S. 1657) to extend for 1 year the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers who are directed to remove their milk from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government which had been reported from the Committee on Agriculture and Forestry with an amendment to strike out all after the enacting clause and insert:

That the Secretary of Agriculture is authorized to make indemnity payments, at a fair market value, to dairy farmers who have been directed since January 1, 1964, to remove their milk from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government at the time of such use. Such indemnity payments shall continue to each dairy farmer until he has been reinstated and is again allowed to dispose of his milk on commercial markets.

SEC. 2. There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

SEC. 3. The authority granted under this Act shall expire on June 30, 1968.

The amendment was agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 476), explaining the purposes of the bill.

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

This bill would extend to June 30, 1968, the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers whose milk is removed from commercial markets because it contained residues of chemicals approved by the Federal Government. The existing statutory authority expired June 30, 1967.

As introduced, the bill would have extended section 331 of the Economic Opportunity Act of 1964, which is the existing authority. However, the report of the Department of Agriculture raised a question as to vesting the funding responsibility in the Secretary of Agriculture; and to remove any such question the committee has recommended an amendment providing authority separate from the Opportunity Act. The committee amendment is in the nature of a substitute and the authority provided by it is identical to that provided through June 30, 1967, by section 331 of the Opportunity Act. There would of course be no duplication of payments for the same milk.

DAIRY INDEMNITY PAYMENTS FOR TEXAS FARMERS

Mr. YARBOROUGH subsequently said: Mr. President, I am very pleased at the Senate action today in extending the program for dairy indemnity payments for another year.

This bill will provide compensatory payments to dairy farmers whose milk must be removed from the market because of residues of pesticides. The payments are allowed where the residues occurred through no fault of the farmer, but because of drift from neighboring fields or application to feed or in reliance on recommendations of the Agriculture Department in using the pesticides.

These payments have been of special importance in west Texas in recent months, where efforts to control an unusually high infestation of pink bollworm on cotton have produced unallowable residues in some dairy milk. Some $250,000 of payments to El Paso area dairymen for fiscal year 1967 appears necessary. This program needs to be extended through 1968 pending an assurance that the difficulties experienced in west Texas can be corrected. The Senate's action in extending this program is very meritorious.

AMERICAN PETROFINA CO. OF TEXAS

The bill (S. 1678) for the relief of American Petrofina Co. of Texas, a Delaware corporation, and James W. Harris, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1678

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of section 31 of the Mineral Leasing Act of February 25, 1920 (30 U.S.C. 188), the Secretary of the Interior is authorized and directed to receive, consider, and act upon any petition of American Petrofina Company of Texas, a Delaware corporation, and James W. Harris, filed within one hundred and eighty days after the date of enactment of this Act, for reinstatement of United States oil and gas lease "Mississippi 030263" and United States oil and gas lease "Mississippi 030263(A)", as if such petition had been filed within the time provided in such section and such section had been applicable thereto.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 477), explaining the purposes of the bill.

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

PURPOSE

The purpose of the bill is to authorize and direct the Secretary of the Interior to consider a petition of the American Petrofina Co. of Texas, a Delaware corporation, to reinstate two oil and gas leases if petition is filed within 180 days after the reenactment of the bill.

STATEMENT

The Department of the Interior in a report to the committee, dated July 17, 1967, recommends that the bill be enacted.

In its favorable report to the committee, the Department of the Interior sets forth the facts in the case and its recommendations as follows:

Your committee has requested this Department's report on S. 1678, a bill for the relief of American Petrofina Co. of Texas, a Delaware corporation, and James W. Harris.

We recommend that the bill be enacted.

The bill would authorize and direct the Secretary of the Interior to consider a petition of the American Petrofina Co. of Texas to reinstate two oil and gas leases if the petition is filed within 180 days after enactment of this bill.

The original lease (Mississippi 030263) was issued effective August 1, 1956, to the assignee of Phronia R. Garellick, namely, I. P. LaRue. The lands included in the lease are described as follows:

T. 4 N., R. 10 E., Choctaw Meridian Mississippi

Sec. 18: East 30 acres of SE¼NE¼,

Sec. 29: All,

Sec. 30: S½,

Sec. 31: 10 acres in SW corner of NW¼NW¼,

Sec. 32: W½, NE¼,

Sec. 36: NW¼NE¼.

The acreage is given in the lease as 1,002.35 acres, and rental payments of $501.50 have been made based on this acreage.

The lease was extended to July 31, 1966, on July 12, 1961. The entire lease was again assigned with the approval of the Bureau of Land Management to the American Petrofina Co. of Texas, effective September 1, 1962. A partial assignment of the lease to James W. Harris (Mississippi 030263(a)) was made on July 1, 1966, covering 40.16 acres, and both leases were extended to June 30, 1968.

According to the official plat of survey, the true acreage originally included in the 1956 lease was 1,524.84 acres. Apparently, the area included in sections 32 and 26 was not included in the total lease acreage. The annual rental, therefore, was deficient and the lease actually terminated prior to October 15, 1962. The discrepancy between the description of the lands included in the lease and the total

acreage shown in the lease were not discovered by the Department, the lessee, or the assignees until recently.

There is now pending before the Committee on Interior and Insular Affairs of the Senate a bill (S. 1367) designed to enable the Secretary of the Interior to decide cases such as this one administratively where the lease terminated after October 15, 1962. We have considered the possibility of recommending that S. 1367 apply to leases terminated prior to that date, but we have come to the conclusion that the 1962 date should be continued in that bill. The chances of similar cases arising prior to that date are fairly remote because the 1962 act was designed to cover those cases. Where they do come to light, we believe that special legislation such as S. 1678 would be appropriate.

In considering a petition under this legislation, we will follow the applicable criteria set forth in the general bill.

The Bureau of the Budget has advised they have no objection to the presentation of this report from the standpoint of the administration's program.

The committee believes that the bill as recommended by the Department of the Interior is meritorious and recommends it favorably.

BILL PASSED OVER

The bill (S. 922) for the relief of Euphemia King Hartley, James Hartley, and James Holmes Hartley was announced as next in order.

Mr. MANSFIELD. Over.

The PRESIDING OFFICER. The bill will be passed over.

ANTONIO MARTIN RUIZ DEL CASTILLO

The bill (S. 1709) for the relief of Antonio Martin Ruiz del Castillo was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Antonio Martin Ruiz del Castillo shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 25, 1961.

Amend the title so as to read: "A bill for the relief of Doctor Antonio Martin Ruiz del Castillo."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 479), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The amendment is technical in nature.

The title was amended so as to read: "A bill for the relief of Dr. Antonio Martin Ruiz del Castillo."

MITSU BLOMSTROM

The Senate proceeded to consider the bill (S. 975) for the relief of Mitsu Blomstrom which had been reported from the Committee on the Judiciary with amendments in line 4, after the word "Act", to strike out "Mitsu" and insert "Mitsuo"; and in line 7, after the word "said", to strike out "Mitsu" and insert "Mitsuo"; 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, in the administration of the Immigration and Nationality Act, *Mitsuo* Blomstrom may be classified as a child within the meaning of section 101(b)(1)(F) of such Act, subject to the proviso to such section, and a petition may be filed in behalf of the said *Mitsuo* Blomstrom by Staff Sergeant and Mrs. Robert J. Blomstrom, citizens of the United States, pursuant to section 204(a) of such Act.

The amendments were agreed to.

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

The title was amended so as to read: "A bill for the relief of Mitsuo Blomstrom."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 480), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill as amended is to facilitate the entry into the United States in an immediate relative status of the adopted son of citizens of the United States. The bill has been amended to correct the spelling of the beneficiary's first name.

DR. RAMIRO DE LA RIVO DOMINGUEZ

The Senate proceeded to consider the bill (S. 1748) for the relief of Dr. Ramiro de la Rivo Dominguez which had been reported from the Committee on the Judiciary with amendments in line 6, after the word "of", to strike out "February 3, 1961", and insert "October 9, 1960"; 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, for the purposes of the Immigration and Nationality Act, Doctor Ramiro de la Riva Dominguez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 9, 1960.

The amendments were agreed to.

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

The title was amended so as to read: "A bill for the relief of Dr. Ramiro de la Riva Dominguez."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 481), explaining the purposes of the bill.

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

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The bill has been amended to reflect the proper date upon which he entered the United States as a visitor. The bill has been amended further to correct the spelling of the beneficiary's name.

AMENDMENT OF THE UNITED STATES CODE

The Senate proceeded to consider the bill (H.R. 5876) to amend titles 5, 14, and 37, United States Code, to codify recent law, and to improve the Code which had been reported from the Committee on the Judiciary with amendments on page 14, after line 2, strike out:

(22) Section 5532(a) is amended to read as follows:

"(a) For the purpose of this section—

"(1) 'period for which he receives pay' means the full calendar period for which a retired officer of a regular component of a uniformed service receives the pay of a position when employed on a full-time basis, but only the days for which he actually receives that pay when employed on a part-time or intermittent basis; and

"(2) 'uniformed service' includes the commissioned corps of the Coast and Geodetic Survey."

At the beginning of line 14, to strike out "(23)(A)" and insert "(22)"; on page 15, at the beginning of line 3, to strike out "(B)" and insert "(23)"; on page 50, line 11, after "(69)", to strike out "(A)"; at the beginning of line 13, to strike out "(B)" and insert "(70)"; at the beginning of line 15, to strike out "(70)" and insert "(71)"; on page 51, after line 2, to strike out:

(71) Section 8311 is amended by inserting "or of the commissioned corps of the Coast and Geodetic Survey" after the words "uniformed service" wherever they appear in paragraphs (1)(C) and (3).

On page 52, after line 7, to strike out:

(F) by amending paragraph (13) by striking out the word "or" after the semicolon at the end of clause (B), by inserting the word "or" after the semicolon at the end of clause (C), and by inserting the following new clause after clause (C):

"(D) as a commissioned officer of the Environmental Science Services Administration;";

And, in lieu thereof, to insert:

(F) by amending paragraph (13)(C) by striking out the words "Coast and Geodetic Survey" and inserting "Environmental Science Services Administration" in place thereof;

On page 55, after line 8, to strike out:

(76) Section 8337(e)(1) is amended by striking out the words "within the purview of" and inserting "in which he is subject to" in place thereof.

And, in lieu thereof, to insert:

(76) Section 8337(e) is amended by striking out the words "within the purview of" wherever they appear and inserting "in which he is subject to" in place thereof.

On page 70, after line 22, to strike out:

(98) Section 903(a)(5) is amended by striking out "an officer in the civil service or uniformed services" and inserting in place thereof "an officer in the civil service, of a uniformed service, or of the government of the District of Columbia".

And, in lieu thereof, to insert:

(98) Section 902 is amended—

(A) by striking out paragraph (1)(B) and (C) and inserting in place thereof:

"(B) an office or officer in the executive branch; and

"(C) any and all parts of the government of the District of Columbia other than the courts thereof;";

(B) by striking out the word "and" at the end of the paragraph (1);

(C) by striking out the period at the end of paragraph (2) and inserting "; and" in place thereof; and

(D) by inserting the following new paragraph after paragraph (2):

"(3) 'officer' is not limited by section 2104 of this title."

(99) Section 903(a(5) is amended by striking out "in the civil service or uniformed services".

(100) Section 8113(b) is amended by striking out "shall" and inserting "may" in place thereof.

On page 72, after line 2, to strike out:

SEC. 3. Section 554(a) of title 37, United States Code, is amended by striking out the words "when it is located outside the United States, or in Alaska or Hawaii".

And, in lieu thereof, to insert:

SEC. 3. Title 10, United States Code, is amended as follows:

(1) In section 280, strike out "6150,".

(2) Chapter 80 is repealed. In the analysis of part II of Subtitle A, strike out the item relating to chapter 80.

(3) In section 1586(g)(2), strike out "compensation schedule for the General Schedule of the Classification Act of 1949, as amended," and insert "General Schedule as prescribed in section 5104 of title 5" in place thereof.

(4) In subsections (c) and (d) of section 2031, strike out the words "noncommissioned and commissioned officers" wherever they appear and insert "officers and noncommissioned officers" in place thereof.

(5) In the analysis of chapter 559, strike out item 6112.

(6) In section 8851(a), insert "whose name is not on a recommended list for promotion to the reserve grade of brigadier general" after "in the reserve grade of colonel".

After line 22, to insert a new section, as follows:

SEC. 4. Section 107(c) of title 32, United States Code, is amended by striking out "251 and 252" and inserting "402 and 403" in place thereof.

At the top of page 73, to insert a new section, as follows:

SEC. 5. Title 37, United States Code, is amended as follows:

(1) In section 415(d)(3), strike out "is".

(2) In section 554(a), strike out "when it is located outside the United States, or in Alaska or Hawaii".

(3) In section 1007(b), strike out the second sentence.

After line 6, to insert a new section, as follows:

SEC. 6. (a) The Secretary of Labor shall act on any application for an Exemplary Rehabilitation Certificate received under this section from any person who was discharged or dismissed under conditions other than honorable, or who received a general discharge, at least three years before the date of receipt of such application.

(b) In the case of any person discharged or dismissed from an armed force under conditions other than honorable before or after the enactment of this section, the Secretary of Labor may consider an application for, and issue to that person, an Exemplary Rehabilitation Certificate dated as of the date of issuance, if it is established to his satisfaction that such person has rehabilitated himself, that his character is good, and that his conduct, activities, and habits since he was so discharged or dismissed have been exemplary for a reasonable period of time, but not less than three years. The Secretary of Labor shall supply to the Secretary of Defense a copy of each Exemplary Rehabilitation Certificate which is issued, and the Secretary of Defense shall place it in the military personnel record of the individual to whom the certificate is issued.

(c) For the purposes of subsection (b), oral and written evidence, or both, may be used, including—

(1) a notarized statement from the chief law enforcement officer of the town, city, or county in which the applicant resides, attesting to his general reputation so far as police and court records are concerned;

(2) a notarized statement from his employer, if employed, giving the employer's address, and attesting to the applicant's general reputation and employment record;

(3) notarized statements from not less than five persons, attesting that they have personally known him for at least three years as a person of good reputation and exemplary conduct, and the extent of personal contact they have had with him; and

(4) such independent investigations as the Secretary of Labor may make.

Any person making application under this section may appear in person or by counsel before the Secretary of Labor.

(d) No benefits under any laws of the United States (including but not limited to those relating to pensions, compensation, hospitalization, military pay and allowances, education, loan guarantees, retired pay, or other benefits based on military service) shall accrue to any person to whom an Exemplary Rehabilitation Certificate is issued under subsection (b) unless he would be entitled to those benefits under his original discharge or dismissal.

(e) The Secretary of Labor shall require that the national system of public employment offices established under the Act of June 6, 1933, chapter 49, as amended (29 U.S.C. 49 et seq.) accord to any person who has been discharged or dismissed under conditions other than honorable but who has been issued an Exemplary Rehabilitation Certificate special counseling and job development assistance.

(f) The Secretary of Labor shall report to Congress not later than January 15 of each year the number of cases reviewed by him under this section and the number of Exemplary Rehabilitation Certificates issued.

(g) In carrying out the provisions of this section the Secretary of Labor is authorized to (1) issue regulations; (2) delegate his authority; (3) utilize the services of the Civil Service Commission for making such investigations as may be mutually agreeable.

On page 75, at the beginning of line 21, to change the section number from "4" to "7"; in line 24, after the word "and", to strike out "(70)" and insert "(71)"; on page 76, at the beginning of line 9, to change the section number from "5" to "8"; on page 77, at the beginning of line 5, to change the section number from "6" to "9"; in line 6, after the word "sections", to strike out "1–5" and insert "1–8"; in line 11, after the word "sections", to strike out "1–5" and insert "1–8"; in line 16, after the word "sections", to strike out "1–5" and insert "1–8"; in line 20, after the word "sections", to strike out "1–5" and insert "1–8"; on page 78, line 15, after "(89)", to strike out "and (98)" and insert "(98), (99), and (100)"; at the beginning of line 20, to change the section number from "7" to "10"; and, on page 79, line 2, after the word "section", to strike out "6" and insert "9".

The amendments were agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 482), explaining the purposes of the bill.

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

STATEMENT

The act of September 6, 1966, Public Law 89–554, enacted title 5 of the United States Code, "Government Organization and Employees," consolidating all the general and permanent laws on those subjects. Title 5 of the United States Code is now law—rather than merely prima facie evidence of the laws—and can be changed only by direct amendment. As enacted, title 5 restated laws that had become effective on or before June 30, 1965, and thus did not include laws that became effective after that date.

The purpose of this bill is to incorporate in title 5, the laws, relating to subjects covered by title 5, that became effective after June 30, 1965, and February 21, 1967, and to correct a small number of errors, in the earlier act. The bill also amends title 14, "Coast Guard," to correct a typographical error in section 73(a)(3) of Public Law 89–718, and title 37, "Pay and Allowances of the Uniformed Services," to reflect a law that became effective after June 30, 1965. In addition, the committee amendments include amendments to titles 10, 32, and 37 to correct a limited number of typographical and technical errors and incorrect citations.

This bill has been prepared on the same basis as the original title 5 codification act of September 6, 1966, Public Law 89–554. The purpose, history, scope, arrangement, nature of the revision, and methods of preparation of the original act are explained in detail in House Report 901 and Senate Report 1380, 89th Congress. Like that act, this bill makes no change in the substance of existing law, except so far as necessary to correct the errors noted above. Minor changes in phraseology are made for consistency and to conform to the style of title 5. The corrections, that are explained in the revision notes below, have in the case of title 5 been made retroactive to September 6, 1966, the effective date of the original title 5 codification act, and in the case of title 14, to November 2, 1966.

Because it is necessary in most cases to account only for source laws effective after June 30, 1965, for the most part no other laws are shown as source credits in the revision notes, even in instances when for clarity, the entire section has been restated. Persons interested in tracing the original sources for language repeated from title 5, as enacted on September 6, 1966, should examine the revision notes for the original codification act in Senate Report 1380.

This bill was drafted by the staff of the Office of the General Counsel of the Civil Service Commission in cooperation with the law revision counsel of the House Committee on the Judiciary.

CONVEYANCE OF CERTAIN REAL PROPERTY OF THE UNITED STATES IN THE STATE OF PENNSYLVANIA

The bill (H.R. 4833) to provide for the conveyance of certain real property of the United States situated in the State of Pennsylvania was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 483), explaining the purposes of the bill.

There being no objection, the excerpt

was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to authorize the conveyance of not more than one-half acre of land in Pennsylvania by the Attorney General to an adjoining landowner upon the payment of a fair market value to the United States.

STATEMENT

The bill as introduced in the House provided for the conveyance of 0.262 acres of land by the Attorney General. In a favorable report on the bill the Attorney General recommended that the bill be amended to provide that in conveying the tract the Attorney General might vary from the description provided that the total area actually conveyed should not exceed one-half acre. The Committee on the Judiciary of the House of Representatives amended the bill as recommended by the Attorney General.

In its favorable report on the bill, the Committee on the Judiciary of the House of Representatives said:

The Department of Justice has stated in its report to the committee on the bill that it has no objection to the bill with the amendment recommended by the committee. The land involved is a triangular tract which approximates one-fourth of an acre in area. It is located at the southeast corner of a large tract of land which is the site of the Northeast U.S. Federal prison camp, located about 10 miles south of the city of Williamsport, Pa. It lies on the west side of U.S. Route 15, and is bounded on the south by the property of Ralph J. Litchard which is improved with a motel.

"As is noted in the report of the Attorney General, the property extends in front of some of the motel property along the highway. The conveyance which would be authorized by this bill would make it possible to "square off" the motel property and the Federal property in relation to the highway. The Department of Justice further states that the conveyance would not in any way adversely affect the operation of the U.S. prison camp and, for this reason, it has no objection to the conveyance.

"Section 2 of the bill contains the description of the parcel of land which is proposed to be conveyed. The Department of Justice finds that this description may be defective in some respects and for this reason has suggested that the bill be amended by a new section 3 to obviate any problems. The committee agrees that this amendment should be added and has accordingly recommended that the bill be amended to include the language suggested by the Department of Justice.

"In view of the position of the Department of Justice, it is recommended that the bill, amended to conform with the suggestions of that Department, be considered favorably."

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

BROOKLYN CENTER, MINN.

The bill (H.R. 4496) for the relief of the village of Brooklyn Center, Minn., was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 484), explaining the purposes of the bill.

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

PURPOSE

The purpose of the proposed legislation is to pay the village of Brooklyn Center, Minn., $2,036.62 in full settlement of its claims for reimbursement for one-half of the cost of certain civil defense alerting monitors and tone signaling equipment which were purchased by the village during the year 1963 in reliance on an assurance by civil defense officials that such reimbursement would be made.

STATEMENT

Records of the Department of the Army disclose that in 1963 Brooklyn Center submitted a project application, through Hennepin County, for transmittal to the State civil defense office. The project application requested the Federal Government to provide financial assistance in an amount of one-half the cost of acquisition of the above-described equipment.

In accordance with the usual procedures, the State civil defense office reviewed the project application. It returned it to the village on May 6, 1963, requesting additional information regarding the location and installation of the equipment.

According to the village this information was provided and the application returned to a county civil defense employee. In January 1964, the county employee was said to have appeared before the village council and informed it that the application had been approved by the Office of Civil Defense. Based on this, invitations to bid were issued and on February 22, 1964, a contract was awarded. The minutes of the council indicate that it had been advised of the approval of the project.

Subsequently, after June 30, 1964, the village inquired of the county with respect to the project application. The county could find no record with respect thereto. There being no approval, and the fiscal year having ended, the application was denied.

Had the project application been properly submitted within the fiscal year in which the equipment was purchased (fiscal year 1964) it would have been approved as all other elements are in order. However, such applications may not be approved when the procurement has occurred prior to the availability of the Federal appropriations sought to be charged (31 C.G. 308).

The committee feels that one of the basic equities in this case is the fact that had the project application been properly submitted within the fiscal year in which the equipment was purchased, that is, within the fiscal year 1964, it would have been approved, since the Army has stated that all other elements in the application are in order. The problem, of course, is that applications may not be approved when the procurement has occurred prior to the availability of the Federal appropriations sought to be charged.

This committee has in a number of cases extended relief such as is provided to the village of Brooklyn Center by this bill. Further, as is evidenced in the Department of the Army report, Congress, by Public Law 87-393, provided retroactive approval to financial contributions approved and made to the States prior to June 30, 1960, which was ratified and affirmed. The purpose of this public law was to eliminate the need to take collective action against the States where similar defects concerning approval of applications had been made. In view of the fact that similar relief has been accorded by prior congressional action, and further in view of the fact that the Department of the Army has indicated that the application was otherwise in order and that it has no objection to relief in this instance, the committee recommends that the bill be considered favorably.

EDDIE GARMAN

The bill (H.R. 8485) for the relief of Eddie Garman was considered, ordered to a third meeting, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 485), explaining the purposes of the bill.

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

PURPOSE

The purpose of the bill is to pay Eddie Garman, of Mill Creek, Pa., $897.30 in full settlement of his claims for a death gratuity for the death of his brother who was killed in action in Korea on September 19, 1951.

STATEMENT

In its favorable report on the bill the Committee on the Judiciary of the House of Representatives said:

"The Department of the Army in its report to the committee on the bill stated that it favored its enactment.

"The bill would make it possible to pay a death gratuity to Eddie Garman in a situation where Mr. Garman is qualified under applicable law for payment as the beneficiary of his brother's death gratuity but did not receive it because he was a minor at the time and apparently the required guardian was not appointed in his behalf. The 10-year statute of limitations now bars the payment.

"Eddie Garman's brother, Paul Pete Garman, was inducted into the Army on November 13, 1950. On March 22, 1951, he designated his brother Eddie Garman, as the beneficiary of the 6 months' death gratuity payment. Private First Class Garman was killed in action in Korea on September 19, 1951. In November 1951 Mr. Pete Paul Garman, father of the deceased member, executed appropriate Department of Defense forms and applied to the Army Finance Center for the 6 months' gratuity pay in the name of his 9-year-old son, Eddie Garman, who was the named beneficiary. The Army Finance Center acknowledged receipt of the executed forms on November 14, 1951, but Mr. Garman was informed that no payment could be made until a guardian for his minor son had been appointed to receive the gratuity and certified copies of the letters of guardianship furnished. The record does not indicate that a guardian was appointed. Mr. Eddie Garman, having reached his majority, applied to the General Accounting Office in 1964 for payment of the death gratuity. The claim was considered and denied by the Comptroller General on October 13, 1964 (Z-984232), and on May 4, 1966 (B-158951), on the basis that Mr. Garman's claim was not received in the General Accounting Office within 10 years after his brother's death and was barred by the 10-year time limitation placed on claims by section 71a of title 31, United States Code. The more recent decision also states that the continuing claims theory of limitation cannot be applied as this death gratuity constitutes a lump-sum payment as distinguished from amounts payable in installments in which each installment is regarded as a separate entitlement.

"The act of December 17, 1919 (41 Stat. 367), provides for the payment of the equivalent of 6 months' pay to the widow or child, or other designated dependent relative of any Regular Army member whose death results from wounds or disease while on active duty and not as a result of his own misconduct. Under section 5 of the act of April 3, 1939 (53 Stat. 557), all officers and enlisted men of the Army of the United States, other than those of the Regular Army, who are called or ordered to active military service in excess of 30 days, are entitled to receive the same pensions, compensation, retirement pay, and hospital benefits as are now or may hereafter be provided for officers and

enlisted men of the Regular Army. The act of December 10, 1941 (55 Stat. 796), amended the act of April 3, 1939, supra, and extended the payment of the death gratuity under the act of December 17, 1919, supra, to dependent beneficiaries of enlisted men and officers of the Army of the United States. Section 2 of the act of June 20, 1949 (63 Stat. 202), further amends section 5 of the act of April 3, 1939, supra, and provides for the 6 months' gratuity pay to beneficiaries of non-Regular members of the Army and Air Force who are ordered to active duty for more than 30 days or for active duty for training or inactive duty training for any period of time, who die from injury or disease incurred in line of duty. The term 'dependent' in the act of December 17, 1919, supra, was construed by the Comptroller General to mean an insurable interest in the decedent's life and not actual dependency.

"Fathers, mothers, brothers, or sisters were considered to have an insurable interest in the life of the deceased member by reason of relationship alone (22 Comp. Gen. 85 (1942)).

"In its report the Department of the Army concluded that the equitable considerations in this case are such that it favors the bill. The position of the Department is summarized in the following manner in its report:

" 'Mr. Eddie Garman qualified, under the laws cited above, as the beneficiary of his brother's death gratuity benefit but payment was denied him because of his minority and the nonappointment of a guardian. The 10-year time limitation imposed on the claim by section 71a of title 31, United States Code, expired before he reached his majority. A timely application for this payment was filed for him in November 1951 by his father who was his natural guardian. In view of these equitable consideration, the Department of the Army favors the bill.'

"In view of the considerations outlined in this report and in the report of the Department of the Army, this committee has determined that this is a proper subject for legislative relief. There is no question concerning Mr. Garman's entitlement to the amount provided in this bill and the only reason he was not paid was due to the factors beyond his control. In the first instance, he was not paid because of his being a minor and by the time he had reached his majority, the statute of limitations had expired. Clearly, the case merits relief and the committee recommends that the bill be considered favorably."

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

JAMES W. ADAMS

The Senate proceeded to consider the bill (S. 234), which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That the following employees of the Bureau of Reclamation who received the overpayment of per diem compensation listed opposite their names for the period from July 15, 1963, through August 14, 1963, which overpayment resulted from administrative error in authorizing a retroactive increase in the per diem rate, are hereby relieved of all liability to refund to the United States the amount of such overpayment.

Employees:	*Overpayment*
James W. Adams	$176.75
James L. Erickson	192.25
Allen D. Milner	192.25
Ansen L. Phillips	121.25
Donald W. Stackhouse	192.25
James A. Stradley	192.25

(b) In the audit and settlement of the accounts of any certifying or disbursing office of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

(c) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each of the said employees, the sum of any amount received or withheld from him on account of the payments referred to in the first section of this Act.

The amendment was agreed to.

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

The title was amended so as to read: "A bill for the relief of James W. Adams and others."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 486), explaining the purposes of the bill.

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

PURPOSE

The purpose of the bill, as amended, is to relieve James W. Adams and five other employees of the Department of the Interior of liability to repay the sum of $1,067 to the United States, representing overpayments of per diem compensation for the period from July 15, 1963, through August 14, 1963, which resulted from an administrative error.

A similar bill in the 89th Congress for these claimants was approved by this committee and was passed by the Senate and was favorably reported by the Committee on the Judiciary of the House of Representatives but reached the House floor too late in the 89th Congress for consideration by the House.

The Department of the Interior recommends enactment of the legislation and has set forth the facts as follows:

"Mr. Adams and several other Bureau of Reclamation employees were detailed on July 15, 1963, from the Kansas River Projects Office to the Cheyenne, Wyo., Projects Office to perform surveys required in the construction of transmission lines, substations, and substation additions. A per diem rate of $8 was initially authorized. It was subsequently determined that the $8 rate was inadequate to meet the employees' living expenses because of the frequency of moves required of them in the performance of their duties. On August 15, 1963, their travel authorizations were amended to provide a higher per diem rate for the remainder of their detail and it was intended to make the higher rate retroactive.

"The Comptroller General later disallowed payment of the higher rate on the ground that even though the rate originally prescribed was inadequate to cover the living expenses of the travelers, that rate was the rate the authorizing official had prescribed in the exercise of his discretion and that there was therefore no lawful basis for effecting a retroactive adjustment increasing the per diem rate. The Department unsuccessfully attempted to have the Comptroller General reverse his decision and on June 17, 1964, the original decision of the Comptroller General was reaffirmed.

"This Department has exhausted all known avenues to assist Mr. Adams in obtaining relief from the decision of the Comptroller General.

"As we are without legal authority to provide him and the others with any relief from the reimbursement requirement, we favor a private bill allowing him this relief."

The Department concluded its report with the following recommendation:

"Because the other Bureau of Reclamation employees involved in this case are in a similar status we recommended that this legislation be amended to extend to those employees the same relief which we recommend for Mr. Adams."

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

AMENDMENT OF THE CONSOLIDATED FARMERS HOME ADMINISTRATION ACT OF 1961

The Senate proceeded to consider the bill (S. 1550) to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for release of valueless liens, and for other purposes which had been reported from the Committee on Agriculture and Forestry with amendments on page 1, line 5, after the word "the," to strike out "period" and insert "colon"; and on page 2, line 2, after the word "or", to strike out "uneconomical." and insert "uneconomical:"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Consolidated Farmers Home Administration Act of 1961, as amended, is further amended as follows:

Section 331(d) is amended by (a) changing the colon at the end of subsection 331(d)(5) to a semicolon, and (b) adding a new subsection (6) to read as follows:

"(6) release of mortgage liens may be made if it appears to the Secretary that the lein has no present or prospective value or that its enforcement likely would be ineffectual or uneconomical:"

The amendments were agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 487), explaining the purpose of the bill.

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

EXPLANATION

This bill would authorize the Secretary of Agriculture to release valueless liens securing loans administered by the Farmers Home Administration. The Administration may find itself the holder of valueless liens in a number of ways. The most usual is that where additional security is obtained from a debtor to protect an existing loan. It may later develop that the debtor's title was defective, or subject to prior mortgage or judgment liens for more than the value of the property. Even if the debtor has some equity at the time the mortgage is given, that equity may be lost through advances under a prior lien, tax sales, damage to the mortgaged property resulting from a change in water table, erosion, or other casualty, or through a drop in market prices.

Releasing such valueless liens may avoid unnecessary communications and litigations to clear title, and the Secretary of Agriculture advises that considerable savings could result from enactment of the bill. Valueless liens can at present be released in certain cases on the request of a prior lien holder by the Comptroller General under 28 U.S.C. 2410(d), but this is a somewhat more cumbersome and limited procedure than under the bill.

AMENDMENT OF THE INTERNAL REVENUE CODE OF 1954 PROVIDING RULES RELATING TO DEDUCTION FOR PERSONAL EXEMPTIONS FOR CHILDREN OF PARENTS WHO ARE DIVORCED

The Senate proceeded to consider the bill (H.R. 6056) to amend the Internal Revenue Code of 1954 to provide rules relating to the deduction for personal exemptions for children of parents who are divorced or separated which had been reported from the Committee on Finance with an amendment on page 2, at the beginning of line 4, to strike out "written separation agreement to which section 71(a)(2) applies" and insert "a written separation agreement."

The amendment was agreed to.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 488), explaining the purposes of the bill.

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

I. SUMMARY

H.R. 6056 would amend the provision of the Internal Revenue Code of 1954 relating to the $600 deduction for dependents as it applies with respect to the children of divorced or separated parents. With the exception of a technical amendment, your committee has accepted the House bill without change. The determination of which parents is entitled to the deduction in these cases has become a source of constant irritation to taxpayers and an acute administrative problem for the Internal Revenue Service. The bill provides rules designed to facilitate the determination of which parent is entitled to the deduction in these cases.

The new rules apply only if the combined support furnished by the parents amounts to more than one-half of the total support of the child for the year, and only if the child is in the custody of either or both of his parents for more than one-half of the year. In these cases the bill provides as a general rule that the parent having custody of a child for the longer period of time during the year is entitled to the $600 deduction for personal exemption.

The bill contains exceptions to this general rule under which the parent not having custody (or having custody for the shorter period) becomes entitled to the deduction. Under these exceptions that parent is entitled to the deduction—

(1) If he contributes at least $600 toward the support of the child and the decree of divorce or separate maintenance, or a written agreement between the parents, provides that he is to receive the deduction; or

(2) If he provides more than $1,200 of child support (regardless of the number of children) and the parent having custody for the longer period does not clearly establish that he provided a greater amount of support.

In determining the amount of support provided by each parent for purposes of these exceptions, amounts expended for child support are to be considered as received from the parent not having custody to the extent he provides amounts for this purpose.

In cases where the parent not having custody contributes more than $1,200 of support and claims the deduction with respect to the child, or children, and the parent having custody claims to have provided a greater amount of support, the bill provides that each parent is entitled to receive an itemized statement of the expenditures upon which the other bases his claim.

The new rules are to be applicable for years after 1966.

II. REASONS FOR THE BILL

One of the problems which arises most frequently under the individual income tax provisions of the Internal Revenue Code of 1954 is the question of which of divorced or separated parents is entitled to the deduction for personal exemption with respect to their children. The solution of this problem under present law has been unsatisfactory both from the standpoint of the parents and from the standpoint of the administration of the tax laws by the Internal Revenue Service. Under present law the parent who contributes more than one-half of the support of the child for a year is entitled to the deduction. The problem arises from the difficulties encountered in establishing which parent meets this requirement.

In many cases each parent honestly believes that he has contributed more than one-half of the support. The problem is compounded because of the ill will which sometimes exists between divorced or separated parents. In these cases the Internal Revenue Service finds itself in the position of an unwilling arbiter between the contending parents. In addition, in discharging its duties in administering this provision, the Service is hampered by the provisions of existing law which prohibit disclosure to either parent by the Service of information concerning the nature and amount of support which the other claims to have contributed.

The number of disputes involving this issue is so great that it has cast a serious administrative burden on the Service and has tended to clog the administrative machinery involved in bringing them to a conclusion. In fact, a disproportionate number of these cases are taken to the Tax Court for resolution. It has been estimated by the Service that during a recent year 5 percent of all income tax cases handled at the informal conference level of the administrative process involved this issue as the principal issue. The amounts involved in these cases, although significant to the taxpayers, are quite small. The costs to the taxpayers and the Government of resolving this issue in the administrative process and in the Tax Court are inordinate when compared with the amounts involved.

For these reasons the bill would amend present law to provide a set of rules under which this issue may be resolved on a basis that is more satisfactory to the parents and which will alleviate the current administrative burden. The above rules are to be applicable for years after 1966.

III. GENERAL EXPLANATION OF THE BILL

The bill provides specific rules for determining which of separated parents is to be entitled to the deduction for personal exemption with respect to their children. These new rules apply where the parents are divorced or legally separated under a decree of divorce or of separate maintenance or, are separated under a written separation agreement. (In this respect, your committee made a technical amendment to the bill to make it clear that the new rules are to be applicable in all situations involving parents who are separated under a written separation agreement. Under the language used to accomplish this result in the bill as passed by the House, it seems likely that some of these situations would not have been covered.) The new rules apply with respect to a child only if the parents together furnish more than one-half of his support for a year, and only if the child is in the custody of his parents for more than one-half of the year. Thus, the new rules do not apply where a third person contributes one-half or more of the support of the child or where the child is in the custody of a person other than his parents for one-half of the year or more.

In the case of parents who are separated under a written separation agreement, the new rules do not apply if the parents file a joint return for the year.

As the general rule, the bill provides that the parent who has custody of a child for the greater portion of the year is entitled to the deduction.

The bill also contains exceptions to this general rule under which the parent not having custody (or having it for the lesser period of time) may be entitled to the deduction. The first of these exceptions grants the deduction to the parent not having custody if the decree of divorce or of separate maintenance or a written agreement between the parents specifies that he is to be entitled to the deduction with respect to a child, and he has contributed at least $600 for the support of the child during the year. Where one of the parents claims the deduction with respect to a child pursuant to a written agreement between them, the Treasury Department may require that reasonable substantiation of the existence of the written agreement be submitted with his tax return.

Under this exception it will be possible for the courts hearing divorce and separation suits to resolve this issue in many cases at the time they are considering the financial arrangements which are to apply between the parents and to take the income tax deduction directly into account in this connection. It also provides a means whereby parents who can reach an amicable agreement may resolve the issue with certainty. Your committee concurs with the Committee on Ways and Means in its belief that this exception provides fair and practical alternatives for the resolution of this problem which will be utilized in many divorces and separations which occur in the future.

Under the second exception, the parent not having custody of a child would be entitled to the deduction if he contributes more than $1,200 of support for the child (or children) for the year and the other parent does not clearly establish that he provided a greater share of their support for the year. This exception does not apply, and the parent having custody remains entitled to the deduction with respect to a particular child, if he establishes that he, in fact, furnished a greater portion of that child's support than did the parent not having custody, but only if he establishes this fact by clear and convincing evidence.

In determining the amount of support furnished by each of the parents for purposes of these exceptions, the bill provides that the amounts spent for the support of a child, or children, is to be treated as having been received from the parent not having custody to the extent he provided amounts for their support. In cases involving the second exception referred to above, that is, where the parent not having custody claims to have furnished more than $1,200 of support and the parent having custody claims that such amount was not furnished or claims to have furnished the greater amount of support, the bill provides an additional special rule. Under this special rule, each parent is entitled to receive an itemized statement of the expenditures upon which the other's claim of support is based. Normally, these statements are to be provided by each parent and furnished to the other parent in conformity with the regulations in this regard that are prescribed by the Secretary of the Treasury or his delegate. However, when circumstances so require, the statement of the expenditures upon which a parent's claim of support is based may be provided and furnished to the other parent by the Secretary of the Treasury or his delegate in conformity with such regulations.

The bill also provides that the Secretary of the Treasury or his delegate is to prescribe such regulations as are deemed necessary to carry out the purposes of these new provisions.

A determination of dependency of a child under the provisions of the bill is to be applicable with respect to other provisions of the Internal Revenue Code that are dependent upon such a determination for their operation. For example, a child who is determined to be a dependent of one of his parents under the provisions of this bill is also to be considered a dependent of that parent for purposes of the provision of existing law which provides a deduction for medical and dental expenses.

These new rules are to apply with respect to taxable years beginning after December 31, 1966.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

The PRESIDING OFFICER. Is there objection?

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

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

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

The PRESIDING OFFICER. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

DEPARTMENT OF JUSTICE

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

Mr. MANSFIELD. Mr. President, I ask that the nominations in the Department of Justice be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Department of Justice are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I move that the President be notified immediately of the confirmation of the nominations.

The motion was agreed to.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

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

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

LABOR DAY RECESS AND THE LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate, and so that there will be no miscalculation or misunderstanding relative to the Labor Day recess announced jointly by the leadership yesterday, I would point out that what the recess will amount to, in effect, is 4 days off, and only 4 days—the Tuesday, Wednesday, Thursday, and Friday following Labor Day.

It is anticipated that the legislation which will be reported to the Senate and placed on the calendar shortly—and I refer to such matters as the wild rivers bill, the Department of Defense appropriation bill, the bills concerning the Inter-American Bank, foreign aid, and the Export-Import Bank, and other measures of transcendent importance—will be taken up beginning early next week. The Senate then will be expected to meet long hours and even on Saturdays, if necessary, so that this and future proposed legislation, after due consideration, can be disposed of as expeditiously as possible, to the end that we can adjourn sine die as soon as possible.

I hope that no one will get the idea that we are taking 10 days off at Labor Day. We are not. And I repeat: The proposed recess amounts only to the 4-day period immediately following the holiday.

We are facing up to a situation which earlier we hoped would not confront us, because it then had been the hope of the leadership to adjourn sine die by Labor Day. Circumstances and developments have made that impossible. Therefore, facing up to the realities of the situation, yesterday's announcement of a short holiday recess was made on behalf of the distinguished Senator from Illinois [Mr. DIRKSEN], the minority leader, and the Senator from Montana so that all Members could make whatever plans they thought advisable for this particular period.

Mr. President, I repeat, it is very likely that beginning next week, the Senate will come in early, stay late, and, if necessary, meet on Saturday in order to keep up with legislation that is now beginning to roll out of the committees.

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

Mr. MANSFIELD. I yield to the distinguished minority leader.

Mr. DIRKSEN. Mr. President, by way of amplification only, it is quite true that we have added these additional 4 days to the normal Labor Day recess for the benefit of Senators. I have heard no complaint whatever with respect to this action.

I fully concur in the statement of the majority leader with respect to Saturday sessions and early hours if we ever expect to finish this session, because I still foresee a very substantial workload which must be disposed of before the adjournment curtain can ring down.

Mr. MANSFIELD. I agree with the distinguished minority leader. I hope it will be possible to arrive at votes today—roll-call, voice, or otherwise—on amendments or substitutes which may be brought up in connection with the unfinished business.

RICHARD K. JONES

Mr. TALMADGE. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 454.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 454) for the relief of Richard K. Jones, which was, on page 1, line 6, strike out "$15,000", and insert "$5,000".

Mr. TALMADGE. Mr. President, on behalf of the distinguished chairman of the Committee on the Judiciary, I move that the Senate disagree to the amendment of the House of Representatives to S. 454 and request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Office appointed Mr. ERVIN and Mr. HRUSKA conferees on the part of the Senate.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of August 3, 1967,

Mr. CHURCH, from the Committee on Interior and Insular Affairs, reported favorably, with amendments, on August 4, 1967, the bill (S. 119) to reserve certain public lands for a National Wild Rivers System, to provide a procedure for adding additional public lands and other lands to the system, and for other purposes, and submitted a report (No. 491) thereon, which was printed.

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.

SUPPLEMENTAL AGREEMENT BETWEEN THE BOARD OF TRUSTEES OF HOWARD UNIVERSITY AND THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

The PRESIDENT pro tempore laid before the Senate a letter from the Secretary of Health, Education, and Welfare, Washington, D.C., transmitting, pursuant to law, a supplemental agreement between the board of trustees of Howard

University and the Department of Health, Education, and Welfare, for the transfer of Freedmen's Hospital to Howard University which, with an accompanying paper, was referred to the Committee on Labor and Public Welfare.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HART, from the Committee on the Judiciary, without amendment.

S. 321. A bill for the relief of Charles Bernstein (Rept. No. 492).

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

S. 1155. A bill to amend the Export-Import Bank Act of 1945, as amended, to shorten the name of the Bank, to extend for 5 years the period within which the Bank is authorized to exercise its functions, to increase the Bank's lending authority and its authority to issue, against fractional reserves, export credit insurance and guarantees, and for other purposes (Rept. No. 493).

Mr. BYRD of West Virginia subsequently said: Mr. President, at the request of the Senator from Maine [Mr. MUSKIE], I ask unanimous consent that the report filed earlier today from the Committee on Banking and Currency, by Mr. MUSKIE, be printed, together with the individual views of the Senator from Wisconsin [Mr. PROXMIRE] and the Senator from New Jersey [Mr. WILLIAMS].

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

By Mr. RUSSELL, from the Committee on Appropriations with amendments:

H.R. 10738. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 494).

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. PROXMIRE (for himself, Mr. SPARKMAN, Mr. LONG of Missouri, Mr. MCINTYRE, and Mr. MONDALE):

S. 2229. A bill to amend the National Housing Act to provide mortgage insurance for the development of land for recreational uses, and for other purposes; to the Committee on Banking and Currency.

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

By Mr. SPARKMAN (for himself and Mr. DIRKSEN):

S. 2230. A bill to authorize the Secretary of Agriculture to utilize the columns removed from the east central portico of the Capitol in an architecturally appropriate manner in the National Arboretum; to the Committee on Rules and Administration.

By Mr. GRUENING:

S. 2231. A bill for the relief of Milford A. Taylor of Valdez, Alaska; to the Committee on the Judiciary.

By Mr. GRUENING (for himself and Mr. BARTLETT):

S. 2232. A bill to amend 16 United States Code 1082 relating to the prohibition of foreign fishing in the territorial waters of the United States; to the Committee on Commerce.

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

By Mr. MCCARTHY:

S. 2233. A bill to provide for the establishment and maintenance by the Commodity Credit Corporation of reserve stocks of agricultural commodities for national security, public protection, meeting international commitments, and for other purposes; to the Committee on Agriculture and Forestry.

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

By Mr. HARRIS:

S. 2234. A bill for the relief of Lester H. Sherman; to the Committee on Armed Services.

By Mr. RANDOLPH (for himself, Mr. MORSE, Mr. CLARK, Mr. KENNEDY of New York, and Mr. YARBOROUGH):

S. 2235. A bill to provide counseling and technical assistance to local educational agencies in rural areas in obtaining benefits under laws administered by the Commissioner of Education; to the Committee on Labor and Public Welfare.

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

By Mr. HARRIS (for himself and Mr. MONRONEY):

S. 2236. A bill to prohibit the Secretary of the Army from charging fees in connection with permits for certain floating facilities; to the Committee on Public Works.

By Mr. WILLIAMS of New Jersey:

S. 2237. A bill to amend the Urban Mass Transportation Act of 1964 with respect to the determination of project cost and the Federal and non-Federal share thereof; to the Committee on Banking and Currency;

S. 2238. A bill for the relief of Cheung Shing On;

S. 2239. A bill for the relief of Lam On;

S. 2240. A bill for the relief of Li Chau;

S. 2241. A bill for the relief of Lok King Yip;

S. 2242. A bill for the relief of Kei Ka Fun;

S. 2243. A bill for the relief of Chan For Sing;

S. 2244. A bill for the relief of Yuen Ping Sum;

S. 2245. A bill for the relief of Wong Fat Heung; and

S. 2246. A bill for the relief of Yu Jong Gen; to the Committee on the Judiciary.

By Mr. BARTLETT:

S. 2247. A bill to amend the Merchant Marine Act, 1936, to increase the Federal ship mortgage insurance available in the case of certain oceangoing tugs and barges; to the Committee on Commerce.

By Mr. BARTLETT (for himself, Mr. FONG, and Mr. MUSKIE):

S.J. Res. 101. Joint resolution amending title XI of the Merchant Marine Act, 1936, to authorize the Secretary of Commerce to guarantee certain loans made to the national Maritime Historical Society for the purpose of restoring and returning to the United States the last surviving American square-rigged merchant ship, the *Kaiulani*, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. BARTLETT when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. HARTKE:

S.J. Res. 102. Joint resolution to authorize an immediate study by the Secretary of Commerce, and a report to the Congress within 60 days, with respect to the availability of insurance protection against disaster perils resulting from riots or other civil disorders; to the Committee on Commerce.

(See the remarks of Mr. HARTKE when he introduced the above joint resolution, which appear under a separate heading.)

RECREATION DEVELOPMENT

Mr. PROXMIRE. Mr. President, I introduce, for appropriate reference, a bill to provide FHA mortgage insurance for recreational facilities. I am delighted that Senators SPARKMAN, LONG of Missouri, MCINTYRE, and MONDALE have agreed to cosponsor this important measure to advance the economics of underdeveloped regions.

The bill I have introduced would attract badly needed private capital into the recreation industry by providing standard FHA mortgage insurance from the Federal Housing Administration. This insurance would be available at two levels:

First, up to $5 million in loans to any one private business could be insured. These loans would be secured by 30-year mortgages and could be for building or modernizing resorts, motels, camps, lodges, and other recreational facilities.

Second, up to $25 million in loans to State-chartered development corporations could be insured. These corporations would buy promising land, construct the necessary public facilities, and resell the remaining land to private developers for resorts, motels, vacation homes, marinas, and other recreational facilities. In this way the resources for both government and private industry can be combined in a long-term development effort.

The insurance would be available in economic development areas and districts designated by EDA and in multi-State economic development regions such as Appalachia, New England, the Ozarks, the Upper Great Lakes, the Coastal Plains region which includes eastern North Carolina, South Carolina, and Georgia, and the Four Corners region which includes portions of Arizona, Colorado, Utah, and New Mexico. With the exception of Appalachia, these regions have been designated by the Secretary of Commerce under title V of the Public Works and Economic Development Act—Public Law 89–136.

Mr. President, economic growth has bypassed many of our underdeveloped regions such as the Upper Great Lakes. Although these regions are richly endowed in scenic and recreational resources, they have not been able to participate fully in our country's economic development.

For example, in the Upper Great Lakes region which includes northern Minnesota, Wisconsin, and Michigan, median-family income is only 84 percent of the national average; the incidence of poverty is 25-percent greater than the national average; and the percentage of substandard housing is nearly double the national average.

I believe the economy of the Upper Great Lakes and other regions can be revitalized by building up the recreation and tourism industry. American families now spend over $45 billion a year on recreation, and this figure is growing at least three times faster than the whole economy. Recreation is clearly a growth industry. The rise in personal incomes and leisure time are significant factors affecting recreation demand. The changing age composition of our population is another potent factor. As millions of American families reach retirement age, they will constitute a vital new addition

to the recreation market. At the present time, more than 1.2 million Americans retire each year. The increasing mobility of our population, and the improvements in our highway systems are having, and will have a tremendous impact on the recreation industry.

Estimates compiled this year by the Bureau of Outdoor Recreation show that Americans paid 6½ billion visits in the year 1965 to facilities for 19 kinds of popular outdoor recreation activities. The Bureau forecasts that this volume will increase to more than 10 billion visits by the year 1980, assuming that the facilities to handle this expansion exist.

All too often, however, underdeveloped regions such as the Upper Great Lakes have not been able to obtain their fair share of this growth. Adequate credit is frequently unavailable. It has also been difficult to attract the large-scale development necessary for an adequate return. For example, one recent study on the development of outdoor recreation in the Upper Midwest concluded that:

> The most pressing problem of the industry is the acquisition of the necessary long-term capital with which to build new tourist facilities and attractions or expand existing ones. Bank financing has not been available to some resort operators, primarily due to the difficulty of predicting the success of any given project and the large role which managerial ability plays in achieving success.

There are a number of reasons why the underdeveloped regions have not been able to utilize fully their comparative advantage in recreational resources:

First of all, there has been a lack of adequate capital—and particularly long-term capital. The recreation business is a risky business, and bankers have often hesitated to supply new capital. In addition, restrictions on bank lending powers have prevented the flow of long-term investments in mortgages on recreational property.

Second, the governmental response to the problem has been inadequate. Although the Farmers Home Administration has been extremely helpful in helping rural residents to finance recreational facilities, the program has been primarily oriented toward the local residents. On the other hand, if recreational facilities are to have any appreciable economic impact, they must learn to compete for the urban tourist dollar. Other potential Government programs, such as SBA, have inadequate lending powers to be of major assistance.

Third, there has been a lack of sufficiently large-scale development and aggressive management. Today, recreation is a highly complex and competitive business. To survive, one must be constantly alert and responsive to changing tastes. The days of the rustic two- or three-cabin fishing lodge are over. Today's tourists demand a wide variety of recreational opportunities in a conveniently packaged form. Existing resorts must be expanded and modernized if they are to survive. New facilities must be constructed at a much faster rate if a region hopes to maintain its share of the market.

Fourth, there has not been sufficient long-term cooperation between government and private enterprise. Both public and private investment need to be carefully planned and coordinated in order to achieve maximum economic growth.

The bill I have introduced would build upon the existing mortgage insurance program of the Federal Housing Administration. I realize that recreation is somewhat removed from HUD, but there are also substantial parallels. The insurance for land development projects is quite similar to title X of the Housing Act, which is aimed at suburban land development or so-called new towns. I believe the same techniques can be extended to provide for comprehensive land development for recreational purposes in underdeveloped regions.

In addition, HUD is quite familiar with the mortgage market and has an extensive field staff for reviewing insurance applications. HUD also has an established secondary market institution under FNMA.

I am not, however, wedded to the administration of the program by HUD. If, in the course of hearings on the bill, it develops that better administrative arrangements can be provided, I would be glad to consider an amendment.

Under part I of the bill, a new program of land development insurance would be authorized. Up to $25 million in loans to State chartered recreation development corporations could be insured by the FHA. It is expected that the State development corporation would focus on the development of recreation communities which would appeal to a wide variety of tastes and income levels. The corporation would buy up land with development potential. It would then construct the necessary public facilities such as access roads, water and sewage systems, public docks and beaches, and so forth. Once the project was underway, the corporation would resell the land to private developers who in turn would build resorts, motels, ski lifts, golf courses, vacation homes, restaurants, marinas, and other recreational facilities. By concentrating recreational investment in a comprehensively planned area, the entire project becomes self-reinforcing. Variety of recreational opportunity is combined with orderly development in order to achieve maximum tourist attraction.

Another advantage of the development corporation approach is to combine the resources of government and private enterprise in a long-term development effort. Public investment plays a vital role in stimulating economic growth and in triggering private investment. This is particularly true in the recreation and tourism area. The plans of government must be made clear and specific so that private investors know when and where to invest. The State development corporations envisioned under part I of the bill would play a vital role in stimulating and attracting private investment.

Part II of the bill would provide mortgage insurance directly to private firms, either for the expansion or modernization of existing facilities or new construction. Up to $5 million can be insured for 30-year mortgages on such facilities. The rate of interest would be set at the market rate but with a maximum of 6 percent. This provision of the bill should provide badly needed capital to existing and prospective recreational investors.

In addition to the foregoing, the bill would waive the various lending restrictions placed upon banks and savings and loan associations. This should provide for a readier flow of mortgage credit into the recreation and tourism industry. Also, the bill provides that such mortgages would be eligible for purchase by FNMA special assistance funds. This will provide an added incentive to investment by improving the liquidity of such mortgages. Under the bill, FNMA could hold up to $200 million of such mortgages at any one time. Mortgages purchased could also be resold under the Participation Sales Act of 1966, thereby replenishing FNMA's purchase authority.

I believe this bill will help the economy of northern Wisconsin and similar areas. And it will do so without Federal cost. By relying on mortgage insurance rather than Federal grants, it will put private capital to work in an area where it is most urgently needed.

I ask unanimous consent that the text of the bill be printed in the RECORD following my remarks.

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

The bill (S. 2229) to amend the National Housing Act to provide mortgage insurance for the development of land for recreational uses, and for other purposes, introduced by Mr. PROXMIRE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S. 2229

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Housing Act is amended by adding at the end thereof a new title as follows:

"TITLE XII—MORTGAGE INSURANCE FOR RECREATIONAL DEVELOPMENT

"PART I—LAND DEVELOPMENT

"Purpose

"SEC. 1201. It is the purpose of this part to assist in the acquisition and development of land situated in underdeveloped areas of the nation to provide home sites and other facilities for recreational or related purposes in accordance with, and in furtherance of, approved programs for the economic development of such areas.

"Definitions

"SEC. 1202. As used in this part—

"(1) The term 'underdeveloped area' means an area included within (A) a redevelopment area or economic development region, as designated pursuant to section 401 or 501 of the Public Works and Economic Development Act of 1965; or (B) the Appalachian region, as defined in section 403 of the Appalachian Regional Development Act of 1965, which, by reason of its natural state, scenic beauty, or other physical characteristics, is suitable in whole or in part for recreational development.

"(2) The term 'recreation development corporation' means a nonprofit or limited dividend corporation authorized under State law to develop land situated in underdeveloped areas within the State for recreational purposes in accordance with, and in further-

ance of, an overall economic development program being carried out by the State.

"(3) The term 'State' means any of the several States, the Commonwealth of Puerto Rico, and any territory of the United States.

"(4) The terms 'mortgage', 'first mortgage', 'mortgagee', and 'mortgagor' have the same meaning as in section 1001 of this Act.

"(5) The term 'improvements' includes waterlines and water supply installations, sewage disposal installations, gas and electric lines and installations, roads, streets, drainage facilities, beach facilities, and such other installations or work, whether on or off the site, which the Secretary deems necessary or desirable to prepare land primarily for recreational and related uses (including sites for seasonal homes, lodges, motels, or other facilities for the accommodation of vacationers), and to provide appropriate facilities for public or common use. Such term shall not include any building unless it is a building (A) which is needed in connection with a water supply or sewage disposal installation, or a gas or electric line or installation, or (B) which is to be owned and maintained jointly by the property owners.

"(6) The term 'land development' means the process of making, installing, or constructing improvements.

"Basic conditions for insurance

"SEC. 1203. (a) The Secretary is authorized (1) to insure, upon such terms and conditions as he may prescribe, any first mortgage (including advances on such mortgage) in accordance with the provisions of this title, and (2) to make a commitment for the insurance of such mortgage prior to the date of execution of such mortgage or prior to the date of disbursement of the mortgage proceeds.

"(b) The mortgage shall—

"(1) be executed by a recreational development corporation;

"(2) be made to and held by a mortgagee approved by the Secretary; and

"(3) cover land situated within an underdeveloped area which is to be developed, and the improvements to be made, with the assistance of mortgage insurance under this title.

"(c) The principal obligation of the mortgage shall (1) not exceed 90 per centum of the Secretary's estimate of the value of the property upon completion of the land development, and (2) not exceed the sum of 75 per centum of the Secretary's estimate of the value of the land before development and 90 per centum of his estimate of the cost of such development. The outstanding principal obligation of mortgages involving a single land development undertaking (as defined by the Secretary) shall at no time exceed $25,000,000.

"(d) The mortgage shall—

"(1) have a maturity not to exceed seven years or such longer maturity as the Secretary deems reasonable in the case of a privately owned system for water or sewerage, and contain repayment provisions satisfactory to the Secretary;

"(2) bear interest at a rate satisfactory to the Secretary, and such interest shall be exclusive of such premium charges for mortgage insurance and such service charges and fees as may be approved by the Secretary; and

"(3) contain such terms and provisions with respect to protection of the security, payment of taxes, delinquency charges, prepayment, additional and secondary liens, and other matters as the Secretary may in his discretion prescribe.

"(e) A property or project to be financed by a mortgage insured under this title shall—

"(1) represent an acceptable mortgage insurance risk, giving consideration to the expected contributions of the land development to the economic growth of the area; and

"(2) involve improvements that comply with all applicable State and local governmental requirements and with minimum standards approved by the Secretary.

"Conditions applicable to land development projects

"SEC. 1204. (a) No land development shall be eligible for mortgage insurance under this title, unless the Secretary, after consultation with appropriate State agencies, determines that the project is consistent with, and in furtherance of, an overall economic development program being carried out by the State.

"(b) The land development covered by a mortgage insured under this title shall be undertaken pursuant to a schedule, conforming to such requirements and procedures as the Secretary may prescribe, that will assure the use of the land for the purposes for which it is to be developed within the shortest reasonable period consistent with the requirements of subsection (c).

"(c) The land development covered by any such mortgage shall be undertaken in accordance with a plan, appropriate to the scope and character of the undertaking, which is acceptable to the Secretary as providing reasonable assurance that the area to be developed will (1) have a sound economic base and a long economic life, (2) be characterized by sound land-use patterns, (3) will promote employment and economic activity in the area, and (4) will include or be served by such facilities as the Secretary deems adequate or necessary.

"Cost certification

"SEC. 1205. (a) The Secretary shall adopt such requirements as he determines necessary to assure, at reasonable intervals of time during land development and upon completion of such development, that the amount of the mortgage loan insured under this part which is outstanding at each such interval does not exceed with respect to that portion of the land remaining under the lien of the mortgage (1) 75 per centum of the Secretary's estimate of the value of such remaining land before development, plus (2) 90 per centum of the actual costs of the development allocated by the Secretary to such remaining land.

"(b) From time to time during, and upon completion of, the development, the Secretary shall require the mortgagor to certify as to the actual costs of development of the land.

"(c) Certifications required pursuant to this section shall be accompanied by such data and records as the Secretary shall prescribe.

"(d) A mortgagor's certification approved by the Secretary shall be final and incontestable except for fraud or material misrepresentation on the part of the mortgagor.

"(e) As used in this section, the term 'actual costs' means the costs (exclusive of kickbacks, rebates, or trade discounts) to the mortgagor of the improvements involved. These costs may include amounts paid for labor, materials, construction, contracts, land planning, engineers' and architect's fees, surveys, taxes, and interest during development, organizational and legal expenses, such allocation of general overhead expenses as are acceptable to the Secretary, and other items of expense incidental to development which may be approved by the Secretary. If the Secretary determines there is an identity of interest between the mortgagor and the contractor, there may be included an allowance for contractor's profit in an amount deemed reasonable by the Secretary.

"PART II—RECREATIONAL FACILITIES

"Purpose

"SEC. 1211. It is the purpose of this title to assure the availability of credit in underdeveloped areas of the nation to assist in financing the construction or rehabilitation of facilities for recreational and related uses.

"Definitions

"SEC. 1212. As used in this part—

"(1) The term 'facilities for recreational and related uses' includes homes, lodges, motels, and similar accommodations primarily for seasonal use, and such recreational, commercial, and community facilities as may be necessary or appropriate to serve the residents or occupants of such accommodations.

"(2) The terms 'underdeveloped area', 'mortgage', 'mortgagee', and 'mortgagor' have the same meaning as in section 1202.

"Authority to insure

"SEC. 1213. The Secretary is authorized (1) to insure mortgages (including advances on such mortgages during construction), upon such terms and conditions as he may prescribe, in accordance with the provisions of this part, and (2) to make commitments for the insuring of such mortgages prior to the date of their execution or disbursement thereon.

"Basic conditions for insurance

"SEC. 1214. (a) To be eligible for insurance under this title, the mortgage shall—

"(1) be executed by a mortgagor approved by the Secretary;

"(2) be made to and held by a mortgagee approved by the Secretary; and

"(8) cover a property or project which is situated in an underdeveloped area, and is approved for mortgage insurance prior to the beginning of construction or rehabilitation.

"(b) The mortgage shall—

"(1) not exceed $5,000,000;

"(2) not exceed 90 per centum of the amount which the Secretary estimates will be the value of the property or project when construction or rehabilitation is completed; the value of the property may include the land and the proposed physical improvements, architects fees, taxes, and interest accruing during construction or rehabilitation, and other miscellaneous charges incident to construction or rehabilitation which are approved by the Secretary;

"(3) have a maturity satisfactory to the Secretary but not to exceed thirty years and provide for complete amortization of the principal obligation by periodic payments within such term as the Secretary shall prescribe; and

"(4) bear interest (exclusive of premium charges for insurance and service charges if any) at a rate of not to exceed 5 per centum per annum of the amount of the principal obligation outstanding at any time, or not to exceed such rate (not in excess of 6 per centum per annum) as the Secretary finds necessary to meet the mortgage market.

"(c) No mortgage shall be insured under this part, unless the Secretary determines that the project to be assisted will promote employment and economic activity in the area, and is an acceptable mortgage insurance risk, giving consideration to the expected contributions of the project to the economic growth of the area.

"PART III—GENERAL PROVISIONS

"Releases

"SEC. 1231. The Secretary may, on such terms and conditions as he may prescribe, consent to the release or subordination of a part or parts of property mortgaged under this title from the lien of the mortgage.

"Premiums and fees

"SEC. 1232. The Secretary shall collect reasonable premiums for the insurance of any mortgage under this title and make such charges as he determines are reasonable for the analysis of land development plans and the appraisal and inspection of any property, project, or improvements.

"Insurance benefits

"SEC. 1233. The provisions of subsections (e), (g), (h), (i), (j), (k), (l), and (n) of section 207 of this Act shall be applicable to mortgages insured under this title, except that as applied to such mortgages (1) any reference therein to section 207 shall be deemed to refer to this title, and (2) any reference to an annual premium shall be deemed to refer to such premiums as the Secretary may designate under this title.

"Incontestability provisions

"SEC. 1234. Any contract of insurance executed by the Secretary under this title shall be conclusive evidence of the eligibility of the mortgage for insurance, and the validity of any contract of insurance so executed shall be incontestable in the hands of an approved mortgagee from the date of the execution of such contract, except for fraud or material misrepresentation on the part of such approved mortgagee.

"Rules and regulations

"SEC. 1235. The Secretary is authorized to make such rules and regulations and to require such agreements as he may deem necessary or desirable to carry out the provisions of this title.

"Taxation provisions

"SEC. 1236. Nothing in this title shall be construed to exempt any real property acquired and held by the Secretary under this title from taxation by any State or political subdivision thereof to the same extent, according to its value, as other real property is taxed."

LOANS BY NATIONAL BANKS

SEC. 2. The next to the last sentence of the first paragraph of section 24 of the Federal Reserve Act is amended to read as follows: "Notwithstanding the foregoing limitations and restrictions in this section, any national banking association may make real estate loans which are secured by mortgages insured under title X or XII of the National Housing Act."

LOANS BY FEDERAL SAVINGS AND LOAN ASSOCIATIONS

SEC. 3. The next to the last paragraph of section 5(c) of the Home Owners Loan Act of 1933 is amended by inserting "or title XII" after "title X".

LABOR STANDARDS

SEC. 4. (a) The next to the last sentence of section 212(a) of the National Housing Act is amended to read as follows: "The provisions of this section shall also apply to insurance under title X and part I of title XII with respect to laborers and mechanics employed in land development financed with the proceeds of any mortgage insured under such title or part."

(b) The last sentence of such section is amended—

(1) by inserting "or part II of title XII" after "title XI"; and

(2) by inserting "or part" after "under such title".

FEDERAL NATIONAL MORTGAGE ASSOCIATION

SEC. 5. (a) Section 302(b) of the National Housing Act is amended by inserting after "section 1004 thereof," the following: "or insured under title XII,".

(b) Section 305 of such Act is further amended by adding at the end thereof the following new subsection:

"(j) Notwithstanding any other provision of this Act, the Association is authorized to make commitments to purchase and to purchase, service, or sell any mortgages which are insured under title XII of the National Housing Act. The total amount of such purchases and commitments shall not exceed $200,000,000 outstanding at any one time."

COST CERTIFICATION

SEC. 6. Section 227(a) of the National Housing Act is amended by striking out "or" before "(VIII)", and by striking out the semicolon at the end and inserting in lieu thereof the following: ", or (IX) under part II of title XII;".

AN AMENDMENT TO EXISTING LAW TO STOP VIOLATION OF OUR FISHING AREAS BY RUSSIAN POACHERS

Mr. GRUENING. Mr. President, for the third time this year a Russian vessel has been caught fishing in Alaskan waters. This is an outrage and must be stopped.

A considerable part of the responsibility must lie at the door of the State Department, which has repeatedly injected itself into the judicial proceedings by sending word to the Department of Justice that it wanted a very moderate application of the penalties which the law provides.

The legislation introduced by my able colleague, Senator BARTLETT, during the 88th Congress, and enacted as Public Law 88–308, prescribed penalties for any non-American person violating its provisions by a fine of not more than $10,000 or imprisonment for not more than 1 year, or both, not merely upon the captain but upon every member of the crew, as well as confiscation of the vessel and catch.

Instead, the trawler seized on March 2 was given a fine of $5,000 and the one seized on March 22 a fine of $10,000. In one instance it was reported that there were some $60,000 worth of fisheries in the vessel's hold. Consequently, it was a most profitable deal for the Russian poacher.

In both of these cases both my colleague, Senator BARTLETT, the author of this desirable legislation, and I protested against the lightness of the penalty imposed.

It is now crystal clear that unless a penalty is imposed sufficient to discourage similar violations, these will continue.

It is a well-known fact that Alaska's coastline is so extensive that there are undoubtedly violations which are not apprehended by the Coast Guard. It now appears that the vessel caught yesterday is the same as that apprehended on March 22.

In these circumstances, I am introducing for myself and for my colleague, Senator BARTLETT, an amendment to the existing law which will provide a mandatory confiscation of any vessel caught for the second time fishing in Alaskan waters. I ask that this bill be appropriately referred and hope for its prompt enactment. We have a duty to protect our fisheries and our fishermen against these brazen actions of Soviet skippers.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2232) to amend 16 United States Code 1082 relating to the prohibition of foreign fishing in the territorial waters of the United States, was received, read twice by its title, and referred to the Committee on Commerce.

ESTABLISHMENT OF RESERVE STOCKS OF AGRICULTURAL COMMODITIES

Mr. McCARTHY. Mr. President, I introduce, for appropriate reference, a bill to establish reserve stocks of agricultural commodities for national security, public protection, and international commitments.

This measure will establish a strategic reserve for certain farm commodities. For many years the problem has been that of surpluses greatly in excess of demand and there was no immediate need of a strategic reserve. That situation has been changing since new farm programs were enacted by Congress beginning in 1961 and particularly under the Agricultural Act of 1965. Market prices have been running beyond the loan levels and the Government acquisition of stocks as loan collateral has been declining substantially. Meanwhile, exports of farm commodities have been increasing rapidly and the world food demands are rising.

I do not believe that anyone questions the need for a reserve of farm commodities as a safeguard against the hazard of crop failures, to assure adequate supplies for the export markets, and to be able to assist needy peoples in other nations in time of famine and disaster.

We cannot expect the individual farmers or the processors to carry the burden of such a national reserve. The farmers deserve protection against having supplies, which are needed in the national interest hanging over the market to depress the price farmers receive.

This bill would provide authority for the Commodity Credit Corporation to make orderly purchases of limited quantities of wheat, feed grains, soybeans, and cotton at prices up to 15 percent above the announced loan level, or the minimum CCC selling price at the time. These stocks would be shielded from the open market and consequently farmers would not have to worry about any price lowering effect in the markets.

At present the CCC can increase its stocks of these commodities only under a situation where the current farm market price drops to the loan level or lower. The normal way the CCC acquires stocks is when farmers release a commodity as collateral for settlement of their loans and, of course, they do not do this if the farm market price is above the loan price.

Under provisions of this bill there would be reserve levels below which CCC would be required to start making purchases which would be necessary for it to maintain its inventory. That is, whenever wheat in the reserve got below 20 percent of estimated utilization the CCC could purchase such quantities as would permit it to maintain its inventory at that level. For feed grains, the level would be 15 percent of estimated utilization; for soybeans, it would be 6 percent; for cotton it would be 20 percent. These are not large amounts but they would be effective if needed for relief of a domestic crisis and the alleviation of world hunger.

The bill also provides that these amounts held for emergencies would be

insulated from the market, and would not depress the price farmers receive. Whenever in any marketing year the Secretary determined that any one of these reserves would fall below a fixed percentage of the estimated export and domestic consumption, such stocks could not be disposed of except under two conditions: first, for the use in meeting needs upon proclamation by the President that an emergency exists which requires utilization of CCC owed commodities; or,

Second, for sale for export or for domestic unrestricted use at not less than 145 percent of the current price support loan rate.

The fixed percentages which would be in effect, except for these two situations, would be 15 percent for wheat, 10 percent for feed grains, 5 percent for soybeans, and 15 percent for cotton.

The reserve levels of 20 percent of estimated consumption for wheat, 15 percent for feed grains, 6 percent for soybeans equal 290 million bushels authorized inventory for wheat, 25.5 million tons of feed grains, 56 million bushels of soybeans. These authorized inventories for CCC are arrived at based on present expected utilization figures for wheat equaling 1,450 million bushels, 170 million tons of feed grains, 940 million bushels of soybeans.

The amounts authorized for purchase during the 1967–68 marketing year would be the authorized figures less the inventories at the start of the year held by CCC. These expected inventories are 125 million bushels of wheat, 9 million tons of feed grains, 35 million bushels of soybeans. CCC purchases permitted, therefore, equal 165 million bushels of wheat, 16½ million tons of feed grains, and 12 million bushels of soybeans.

The bill establishes a CCC maximum selling price of 145 percent of the loan level when CCC stocks reach 219 million bushels of wheat, 16.9 million tons of feed grains, 47 million bushels of soybeans.

Release prices above these levels are determined for wheat and feed grains by the amendment to section 407 of the Agriculture Act of 1949. The release price of soybeans and a statement concerning the release price of commodities held by CCC in excess of the amounts dealt with in the bill will be set out in Department testimony scheduled for next week's hearings in the House Agriculture Committee. The loan rates per bushel are roughly $1.25 on wheat, $2.50 on soybeans, and approximately $1.05 on corn.

This is a limited proposal. It covers only four commodities, and there may be a question as to whether cotton should be included, since the Government still has very large surpluses on hand. The program would be in effect only to the end of the marketing year for the 1969 crop, since the proposal is tied to the Agricultural Act of 1965. Any substantial changes in the commodity programs in 1969 would require adjustments in a strategic reserve policy, and extension of the reserve program should be worked out at that time.

It is my view that this legislation will achieve two desirable objectives. One, it will make possible improved income for the farmers who produce these commodities; in particular it will give them a firm assurance that a defined percentage of each commodity will not be sold by CCC at less than 145 percent of the current price support loan rate, or under a Presidential proclamation of emergency. Second, it will provide the country with greater security of having at least a minimum reserve of these commodities on hand in cases of need, and it will also mean we have a minimum to draw upon to help meet the world problem of hunger.

It is being demonstrated that our reserves can be depleted. The wheat acreage for the 1967 crop had to be expanded substantially. The American farmers will produce more when called upon to do so, but at the same time they should be guaranteed that whatever fixed percentage of their production is considered a national reserve should not be used to hold down the market price.

The farmers should not be called upon to carry this great burden, which should be shared by the entire country. I believe the proposed legislation will go a long way toward accomplishing these two very desirable objectives.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2233) to provide for the establishment and maintenance by the Commodity Credit Corporation of reserve stocks of agricultural commodities for national security, public protection, meeting international commitments, and for other purposes, introduced by Mr. McCARTHY, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

SENATOR RANDOLPH INTRODUCES BILL TO PROVIDE COUNSELING AND TECHNICAL ASSISTANCE TO LOCAL RURAL EDUCATIONAL AGENCIES TO ASSIST IN OBTAINING EDUCATIONAL LOANS AND GRANTS

Mr. RANDOLPH. Mr. President, on behalf of myself, and Senators MORSE, CLARK, KENNEDY of New York, and YARBOROUGH, I am today introducing a bill which will provide counseling and technical assistance to local educational agencies in rural areas in obtaining benefits under laws administered by the Commissioner of Education.

This measure is needed in rural areas not only in West Virginia, but across the Nation, where the school administrators suffer from lack of funds for proper staffing of their offices. It is often impossible for rural administrators to employ professional personnel who can identify educational programs which would help the areas and then give counsel and advice on appropriate submission of applications for aid under such programs.

My bill, which I will offer during our Subcommittee on Education meetings as an amendment to the Elementary and Secondary Education Act Amendments of 1967, will authorize the Commissioner of Education, on application from a State educational agency, to provide such clearly necessary counseling and technical assistance to these rural school districts. This assistance may be either in the form of professional persons from the Office of Education or in the form of grants to the local educational agencies in rural areas, enabling them to employ staff of their own choosing.

The measure further provides that the Commissioner of Education is to determine "rural areas." I have included this language in the bill for a very important reason, as we begin to establish legislative history on this subject. It is my hope, also, that if this amendment is included in the act, our committee report will further amplify the intent of this language.

As we know, school districts are defined in different ways in different States. In some, as in West Virginia, a county is a school district. In others, districts can be within cities, within counties, or can overlap city and county boundaries. However, under certain of our new programs, not in the educational field, "rural areas" are defined with regard solely to county lines. The definition further states that, if a given county contains a city with a population of 50,000 or more, it is ineligible for "rural" aid. It is my contention, Mr. President, that such reasoning is fallacious, and, should it become the pattern for the Commissioner of Education to follow, it would defeat the very purposes I seek to achieve.

Due to the diversity of State and local determinations of school district lines, it is almost impossible for us to define "rural area" in law, but we can, and I propose to, make our intent quite clear.

It would seem then, if a school district serves a predominantly rural area, it is a rural school district, and the local agency which operates that school district is a local agency in a rural area. And a rural area, we would expect, would be an area which includes, as its largest town, one with a population of perhaps 10,000. I suggest this now as a possibility.

I hope that my colleagues on the Subcommittee on Education will be of assistance in making the determination as to guidelines for the Commissioner of Education to use when he is defining a rural area, and that in our committee report on the Elementary and Secondary Education Act Amendments of 1967 we will have developed language which will make our intention quite clear.

My bill, Mr. President, adds $1,500,000 to the amount authorized for section 706 of this act. This is not a large sum, and I hope my colleagues will agree that it will be money well spent. Our rural schools need help. We must insure that they will receive the services they need. This result we owe to our children.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2235) to provide counseling and technical assistance to local educational agencies in rural areas in obtaining benefits under laws administered by the Commissioner of Education, introduced by Mr. RANDOLPH (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

THE "KAIULANI"

Mr. BARTLETT. Mr. President, history, heritage, and tradition are things often made more valuable and desirable the less abundant they are. As science and technology thrust an ever new future upon us day by day, preserving links with the past which contribute to a sense of continuity becomes more difficult and more important.

We are approaching the day when great atomic-powered cargo ships will plow the trade routes of the world, making our present merchant vessels outdated. With nuclear propulsion beginning to replace conventional power, it is easy to forget the first, basic power man harnessed to cross the oceans: the wind against the sail.

Square-rigged merchant ships pioneered the trade routes which the NS *Savannah* and our other modern ships still use today.

To preserve a tie with the past, last year I introduced Senate Resolution 275 expressing the sense of the Senate supporting the project to restore and repair the *Kaiulani,* the last surviving American-built square-rigged merchant ship. Built in Maine and named after a Hawaiian princess, the *Kaiulani* was presented to the American people by our Philippine friends in 1964. It is now undergoing almost complete restoration by the National Maritime Historical Society, which has done a magnificent job with the limited resources available to them. Its work to this date has been entirely financed through voluntary contributions from concerned Americans and Filipinos. Unfortunately, these have not been enough.

That is why I introduce for Mr. FONG, Mr. MUSKIE, and myself, Senate Joint Resolution 101 to amend title XI of the Merchant Marine Act of 1936 and authorize the Secretary of Commerce to guarantee certain loans made to the National Maritime Historical Society for the purpose of restoring and returning the *Kaiulani* to the United States where it will be berthed on the Washington waterfront as a nonprofit maritime museum and a monument to the American merchant marine.

This legislation, already introduced in the House—House Joint Resolution 751—would authorize the Secretary to issue a Federal ship mortgage guarantee on behalf of the National Maritime Historical Society, allowing the society to borrow the funds necessary to complete the restoration from a commercial lender with a Federal guarantee of repayment of interest and principal. The receipts earned by the museum ship in the future will enable the society to eventually repay the loan. However, the bill leaves it up to the Secretary of Commerce to determine the financial feasibility of the project.

Without the expenditure of any Federal funds, Mr. President, the Congress can act to support the goodwill and friendship existing between the Republic of the Philippines and our country, and can help to preserve a magnificent symbol of the past which will be a visible reminder of progress made and progress to be made.

I ask unanimous consent that the text of the joint resolution be printed at this point in the RECORD.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 101) amending title XI of the Merchant Marine Act, 1936, to authorize the Secretary of Commerce to guarantee certain loans made to the National Maritime Historical Society for the purpose of restoring and returning to the United States the last surviving American square-rigged merchant ship, the Kaiulani, and for other purposes, introduced by Mr. BARTLETT (for himself, Mr. FONG, and Mr. MUSKIE), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S.J. RES. 101

Whereas the Kaiulani, the last surviving American-built, square-rigged merchant ship, was a gift of the people of the Philippines to the people of the United States; and

Whereas the President of the Philippines formally presented the gift to President Lyndon B. Johnson in a ceremony at the White House on October 5, 1964; and

Whereas the task of restoring the Kaiulani was assigned by President Johnson to the National Maritime Historical Society as trustee for the people of the United States; and

Whereas the Kaiulani is presently being restored in the Philippines by the National Maritime Historical Society; and

Whereas, upon completion of restoration, the Kaiulani will be sailed to the United States and permanently berthed on the Washington Channel waterfront in the Nation's Capital as a nonprofit museum devoted to the maritime heritage of this great country; and

Whereas the restoration of the Kaiulani and its preparation for the return voyage to the United States is being unduly delayed because of the lack of funds for the completion of this project: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That title XI of the Merchant Marine Act, 1936, is amended by adding at the end thereof the following new section:

"SEC. 1112. (a) Notwithstanding any other provision of law, the Secretary of Commerce is hereby authorized to guarantee all or any part of the principal of and interest on any loan and/or mortgage made, within the three-year period beginning on the date of enactment of this section, to the National Maritime Historical Society of the District of Columbia for the purpose of restoring and returning to the United States the vessel Kaiulani, the last surviving American-built, square-rigged merchant ship presented as a gift to the people of the United States from the people of the Philippines.

"(b) Each guarantee issued under this section shall be made only with respect to loans which, in the opinion of the Secretary of Commerce, are economically sound and each such guarantee shall be subject to such reasonable terms and conditions as he may deem necessary to protect the interests of the United States, including an assignment of the owner's interest in the vessel.

"(c) The Secretary of Commerce is authorized to make commitments to guarantee a loan or part thereof under this section before the date of the execution of such loan or disbursement thereon.

"(d) The aggregate unpaid principal amount of guarantees issued under this section shall not exceed $500,000.

"(e) The faith of the United States is solemnly pledged to the payment of interest on and the unpaid balance of the principal amount of each loan or part thereof guaranteed under this section.

"(f) The vessel Kaiulani shall, for the purposes of all maritime and customs laws be deemed to be a vessel in the service of a public authority which is not engaged in trade."

PROTECTING INSURANCE RIGHTS OF RIOT VICTIMS: SENATE JOINT RESOLUTION 102

Mr. HARTKE. Mr. President, the insurance industry is in a quandary concerning the future of its underwriting in riot-prone areas. One symptom of its concern is the fact that tomorrow there is a meeting in Chicago by the Property Committee of the industry organization, the American Mutual Insurance Alliance, at which the question of insurance claims arising out of the recent riots, and the prospects for future problems, will be the focus of attention.

Recently there have appeared, on financial pages and in business publications, several articles dealing with the question. There is confusion, both in the industry and among those who have lost property. No one doubts that the probability of events in the future will compound that confusion. Nor can it be doubted that, while tragedy surrounds the entire chain of circumstances in the riots from Watts to Detroit and all the others, within the broader frame there are a great number of financial tragedies involving the loss of property by innocent victims of the riots. Says an article in the July 29 Business Week:

> The most difficult question of all involves future insurance company operations in riot-prone areas. It is no secret that most insurers are not particularly eager to write policies in slum areas.

Yet we must do all we can, for the sake of the social necessities of improving ghetto conditions, to preserve the life of businesses in these areas in order to give them the maximum stability, not to break them down further socially. But fully as much we need, in simple equity, to see that individuals whose property is looted, burned, and vandalized in an outbreak do not bear the sole risk for individual unreimbursed loss.

But how is this to be done?

There have been proposals, including bills before the Congress which would provide for Federal reinsurance, or which would reimburse insurance companies outright for 90 percent of their losses. But while there have been policy cancellations and rate increases, there has also been a lack of any systematic dealing with the problem. To me, while it is true that the insurance companies may need some assistance in the problem, the paramount necessity is protection of the innocent victim from bearing the burden of his loss prohibitively. After all, it is not he but the insurance companies who control the policies under which insurance losses are contemplated.

Because there is a genuine need for study of the situation, for a study to devise workable plans which will prevent unreimbursed loss of property in riot

areas, I am today introducing a Senate joint resolution calling for such a study. The joint resolution asks that it be undertaken immediately—there is certainly urgency—and that a report be sent back within 60 days. The content of the report is specified—it is to cover a determination of, first, the extent to which insurance protection is available from private or public sources; and, second, whether legislation is needed to assure continuing availability.

Mr. President, I realize that it is difficult to deal with this problem. There are complexities which the insurance industry itself has not solved. But I do not believe the basic goal of property protection through a joint public and private effort is insoluble. In order to achieve a sound solution, however, I believe it is inappropriate to try to devise a too-hasty legislative concoction. At the same time there is an urgency which cannot be denied. It is for that reason that the resolution requires that the Secretary of Commerce initiate the study immediately and report to the Congress within 60 days. Presumably, if 60 days is not long enough, there will be an extension request; but the time limit indicates the urgency with which I view the need to meet the problem.

The joint resolution takes account of the fact that there has been developed some expertise in the Department of Housing and Urban Development, particularly in connection with the flood insurance bill now before the Banking and Currency Committee with recommendations from its Securities Subcommittee. The Secretary of Commerce is directed to consult with them as well as with other Government agencies, and with representatives of the insurance industry.

In this area the companies writing insurance affected are represented almost entirely by three organizations. These are the American Mutual Insurance Alliance, whose members are mutual companies; the American Insurance Association, whose members are stock companies; and the National Association of Independent Insurers, which includes a couple of the Nation's largest companies with household names, as well as others. I have talked with representatives of each of these three organizations, and I am assured that they support the principle of a study of this kind. They have also assured me that they will gladly cooperate in furthering any project of the sort which is undertaken.

A House joint resolution very nearly identical to mine is also being offered by Congressman THOMAS REES, of California, who has been concerned about the insurance problem ever since the Watts riot. The only difference between the two is that in my resolution the study is in charge of the Secretary of Commerce, who is to cooperate with the Department of Housing and Urban Development, and, in his, HUD is the first-named agency, with Commerce in the cooperating role.

Mr. President, I have mentioned Watts. Because it is farther away in time than the recent losses—Detroit's is estimated at $150,000,000—perhaps it can serve to illustrate the need as well as any. There, according to a recent story in the Los Angeles Times, a white druggist in Watts is finding his insurance "becoming impossible" because he is "paying as much for a month of insurance as for a year before the rioting." This has happened despite the fact that 108 carriers set up a pool in order to make insurance available in the area, to meet the situation arising when many companies canceled policies or declined to renew them. Fire insurance rates in Watts today are three to five times what they were before the riot, and even under the pool no risk is covered above $150,000.

Mr. President, I am not asking for specific substantive legislation at this time. I do not believe anyone is in the position to know, without a study such as I propose, what legislation would be the best for the purpose. But I do want in the study to keep in mind a dual objective—protection for the property owner in the riot-prone ghetto area, and protection for private insurers who will be encouraged to maintain their services in these areas without crushing losses. If it is true, as I think it is, that the Nation as a whole, and the Federal Government in particular, through its past failure to cure the causes of these riots, has a responsibility, then I think it is true that the Government needs to consider the means by which it can support the insurers and the insured so that their burdens will not be abnormal in these abnormal areas. Whether the means most desirable is Federal reinsurance or something else, I am not prepared to judge on the scanty available evidence. We need a study to clarify and sharpen the issues and to formulate alternative possibilities to guide us in legislation.

We have been able to do this in the production of a bill to deal with the problems of flood insurance, considered in earlier times an uninsurable risk. We have provided other mechanisms for disaster relief in case of tornado and other natural tragedies. We can do as much here, for the protection of the innocent victim of manmade tragedy in the ghetto.

In order to further throw light on the problem, I ask unanimous consent that the text of my joint resolution may be printed in the CONGRESSIONAL RECORD, to be followed by articles appearing in the Washington Star of Wednesday, July 26, in the July 29 issue of Business Week, and in the July 18 Los Angeles Times.

Mr. President, I ask unanimous consent that the Senate joint resolution which I am about to introduce be referred to the Committee on Commerce concerning the insurance and the protection of insurance rights of riot victims.

The PRESIDING OFFICER. The joint resolution will be received; and, without objection, the joint resolution and articles will be printed in the RECORD, and the joint resolution will be referred to the Committee on Commerce.

The joint resolution (S.J. Res. 102) to authorize an immediate study by the Secretary of Commerce, and a report to the Congress within 60 days, with respect to the availability of insurance protection against disaster perils resulting from riots or other civil disorders, introduced by Mr. HARTKE, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S.J. RES. 102

Resolved in the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce shall undertake an immediate study to determine the extent to which insurance protection against disaster perils resulting from riots or other civil disorders is available from public or private sources, and whether legislation is necessary to assure the continuing availability of such insurance. In carrying out such study, the Secretary shall, to the maximum extent practicable, consult with representatives of the insurance industry, with other Federal departments and agencies, and with State and local agencies. Findings and recommendations resulting from such study shall be reported to the Congress at the earliest practicable date, but in no event later than 60 days after the effective date of this joint resolution.

SEC. 2. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this joint resolution.

The articles presented by Mr. HARTKE are as follows:

[From the Washington (D.C.) Evening Star, July 26, 1967]

CASUALTY FIRMS AVOID USING RIOT CLAIMS ESCAPE CLAUSE—STATEMENT BY AETNA BELIEVED TO REPRESENT INDUSTRY VIEWS

(By Donald B. Hadley)

Major fire and casualty companies are not expected to define rioting in Detroit and other cities as insurrection and thus invoke an escape clause that would allow them to avoid paying losses incurred in the disorders.

If later information shows there was an organization and a leadership trying to overthrow the government, and therefore was an "insurrection," the escape clause could be used, but no evidence of this has been uncovered.

Aetna Life and Casualty Group of Hartford, Conn., late yesterday issued a statement, which was considered representative of views among major companies. Statements from other companies are expected in a few days.

"On the basis of current information, we have found no evidence for denial of coverage on the basis that the Detroit disorders constitute insurrection," the Aetna statement said.

SAME VIEW ON NEWARK

A spokesman in Hartford said the company took the same view of the recent Newark rioting.

The statement added, "Aetna is not cancelling any coverage in the Detroit area because of the disorders."

The Aetna statement followed a prediction made by a veteran Washington insurance executive earlier in the day. He said that no evidence had been found so far that Detroit or Newark disorders had been organized under a definite leadership.

He recalled that the word "insurrection" had been used to describe the Watts rioting last summer and that this had caused some confusion as to whether insurance companies might try to avoid payment of claims on this basis. Nothing came of it and insurance claims were paid, he emphasized.

Much of the fresh confusion arose this week over Detroit and Newark losses because of a report that Gov. Richard J. Hughes of New Jersey had described the Newark rioting as "insurrection" or a "near insurrection."

The confusion was fanned by newspaper stories, one in a Hartford publication, which indicated the possibility that insurance companies might decide the latest disorders represented "insurrection" as defined in the exclusion clause.

REPORTS OF PRESSURE

A report that Gov. George Romney of Michigan was being pressured to declare that a state of insurrection existed in Detroit only added to the confusion. Sources said to be close to Romney were quoted as saying he was reluctant to do this because it would automatically cancel out insurance policies covering millions of dollars in property loss from the fires and looting.

Most fire and casualty policies across the nation provide for reimbursement for fire losses and also extend coverage to losses arising from riots, civil commotion, riots attending strikes or damage caused by aircraft, vehicles and smoke. However, they carry a clause excluding coverage of losses resulting from war, insurrection, revolution or civil war.

The insurance industry was moving with all possible speed to assess the latest losses as quickly as possible, but will be forced to wait until order is restored in Detroit.

SPECIAL OFFICE SET

The General Adjustment Bureau in New York announced yesterday that it expects to open a special claims office soon in Detroit to handle the avalanche of claims expected to be filed against insurance companies there.

This is done as a special service to the member companies. A similar office was opened in Newark and now is in the process of handling claims in that city.

The bureau sets up these offices also in areas damaged by storms and natural disasters. A storm is soon over, but it takes several days to restore order in a riot torn area, it was pointed out by a bureau official.

None of the insurance companies knows at this point as to what actual claims will amount to in the Detroit area.

The Associated Press yesterday estimated that property damage in the Detroit Area would exceed $150 million.

President Dwight Havens of the Greater Detroit Chamber of Commerce added an estimate of how much retail business was lost due to the disorders and came up with a total loss figure approaching $1 billion for the area. However, actual property damage was only part of this total.

COST ESTIMATES

The Associated Press survey listed these loss estimates for other cities: $15 million in Newark; $3 million in Cincinnati; $1 million in Tampa, Fla.; $350,000 in Dayton, Ohio; $250,000 in Buffalo, N.Y.; $150,000 in Erie, Pa., and $100,000 in Cairo, Ill.

Insurance industry experts cautioned that preliminary estimates of damage tend to run higher than actual losses.

The riots are likely to lead to much higher insurance costs in the future. Insurance companies are permitted to cover losses by higher rates, but this is done gradually.

John Liner, a Boston insurance expert, commented that Americans not directly involved in racial riots in cities such as Detroit, Newark, Boston and New York, eventually will pay most of the cost.

After insurance companies pick up the tab for the multi-million-dollar damage to property, "they are likely to seek rate increases to recoup their losses," he said.

Liner said extended coverage endorsement, which most businessmen have attached to their fire insurance policies, covers not only damage done to plate glass windows, fixtures and the like, but also the theft of merchandise carried off during a riot.

[From Business Week, July 29, 1967]

INSURERS TOTE UP RIOT TAB—INDUSTRY FACES TANGLE OF PROBLEMS IN TRYING TO ASSESS DAMAGES AND IMPACT ON OPERATIONS—TASK IS COMPLICATED BY TOUGH LEGAL QUESTIONS: WHEN IS A RIOT AN INSURRECTION?

Top managements of major fire and casualty insurance companies huddled in hurriedly called executive sessions this week to assess the impact of the wave of riots on their operations.

But the president of one major New York company conceded: At this point it's strictly a guessing game for us. Our Detroit offices are bolted shut, and only late this week did we dare send any of our people out to look at the Newark situation."

Michigan's Commissioner of Insurance, David Dykhouse added: "No one's in a position to talk insurance in a serious way until the dust settles."

Common strategy. One of the few things that could be said with certainty was that the insurance industry would act in concert. Tuesday afternoon, word spread through the industry that a summit meeting of executives would be held soon to formulate some common strategy.

A difficulty is that there is little precedent other than the industry's experiences after the Watts riot of 1965. That outbreak cost the industry more than $40-million, but it was much more limited in scope.

Of pressing importance now is how much of the financial loss the industry will pick up—and the size of that loss is anybody's guess. There may be fussing and flailing, but there is little doubt in the industry that nearly all policyholders in riot areas will have legitimate claims paid in full.

Relief. Most insurers will get a bit of relief, however, through "stop-loss reinsurance treaties," which limit their liabilities for any single disaster. Everything over that limit is paid by reinsurance companies.

According to Donald Kramer, an insurance industry analyst with First Manhattan Co., if the riots do not spread much further, "the companies will be hurt financially, but not crippled."

Another question being explored by insurance executives is the extent of their legal recourse. The small print of all insurance contracts generally carries a clause relieving the companies of financial responsibility in cases of "insurrection." If the insurers could show that the riots were "acts or instances of revolt against civil authority or established governments," they would be off the hook. The courts may have to figure this one out.

Definition needed. New Jersey Governor Richard J. Hughes called the Newark riots "out-and-out rebellion." Does this constitute insurrection? While Michigan's Governor Romney was careful not to use such dramatic language, did his call for federal troops imply insurrection?

In addition, many states have obscure laws that could pin some financial responsibility for riots on the municipalities. New Jersey's law, dating from 1887, has never really been tested. The state's Deputy Commissioner of Banking and Insurance, Horace J. Bryant, asks: "Is this law applicable to people who have no other means of financial recovery, or does it apply to all people?"

The most difficult question of all involves future insurance company operations in riot-prone areas. It is no secret that most insurers are not particularly eager to write policies in slum areas.

Policy freeze. Growing fears among Newark businessmen of mass policy cancellations, for example, prompted New Jersey Commissioner of Banking Charles Howell on Wednesday to call for a 90-day cooling-off period in which insurers operating in the Garden State would freeze all policies. He has asked them to sit down with him and other officials to work out some equitable plan for the future in problem areas.

Changes in the way fire and casualty insurance is underwritten are likely, though. Says one Hartford insurance man: "You just can't eliminate the human bias of an executive when it comes to situations like this."

To be sure, there is also going to be considerable political pressure on the insurers from all sides. One proposal due for close consideration: "assigned risk plans" that would force companies to insure ghetto property. Another would model new laws on programs recently adopted in California and other states requiring an insurer to show cause why he will not write insurance in a ghetto.

Impact on rates. "The problem with trying to force anything upon the industry, notes a New York executive, "is that it will force insurance premium rates sharply higher for everyone, which would bring political pressures from the other side."

As it is, insurance men concede that rates in the riot areas are likely to go up sharply because of the pay-outs they will have to make.

[From the Los Angeles Times, July 18, 1967]

WATTS INSURANCE RATES HIT—NEW BUSINESS AFFECTED

"It's becoming impossible," said a white druggist in Watts. "I'm paying as much a month for insurance as for a year before the rioting."

After that uprising, when many insurance companies canceled policies or simply declined to renew, 108 multi-line carriers set up a pool in order to make insurance available in the area.

How that pool worked out is a matter for argument. Critics simply point to the absence of new business in Watts as proof that it did little—if anything.

One prominent Los Angeles insurance broker, unwilling to be identified, has charged that the program was launched amid great publicity, but is so set up as to be almost totally ineffective.

FIRE INSURANCE SPIRALS

For one thing, the broker said, fire insurance rates in Watts are three to five times what they were before the riot and the maximum amount of any single risk covered by the pool is $150,000.

This, the broker emphasized, is next to nothing in coverage for a major business. And, too, the pool companies refuse to write policies covering theft, vandalism or malicious mischief.

He sees all this as a full explanation of why the pool has issued only $14 million in policies for the curfew area out of a $25 million capacity.

The broker said that the insurance losses in the Bel-Air fire of 1961 were spread statewide, so Watts helped pay for them, but that Watts business (if it comes in at all) must absorb the high cost of its own risk through escalated premiums.

Richard S. L. Roddis, state insurance commissioner, feels the problem is hardly that simple.

"The businessman looks to the insurance companies to work some kind of mathematical miracle," he said, "but control of social problems isn't too easy."

"The pool," he said, "did the job it was supposed to do—provide a market for otherwise unplacable risks."

Bel-Air, he mentioned, doesn't strike insurance companies as being an area of continuing high risk (although many brush-covered hill regions do have high rates), but as for Watts:

"The fact is that we continue to have incidents down there. Companies worry about these things."

Just spreading the risk statewide and giving South-Central Los Angeles a rate comparable to other places, said Roddis, would only mean that companies would avoid the area altogether. They could write lower-risk insurance for similar premiums elsewhere.

OTHER SOLUTIONS

Possible solutions have been suggested; including an "assigned risk" set-up (similar to the auto liability plan) under which com-

panies would be compelled to take on their shares of coverage.

Another is some form of government indemnification—a sort of fire-burglary-theft Medicare program.

It was fear of just this kind of government involvement, say some, that may have prompted the insurance companies to work out the pool arrangement in the first place.

But Roddis responded that the insurance companies' committee which designed the plan "was really a very public-spirited bunch."

INCOME TAX TREATMENT OF CERTAIN DISTRIBUTIONS PURSUANT TO THE BANK HOLDING COMPANY ACT OF 1956—AMENDMENTS

AMENDMENT NO. 241

Mr. WILLIAMS of Delaware submitted an amendment, intended to be proposed by him, to the bill (H.R. 4765) relating to the income tax treatment of certain distributions pursuant to the Bank Holding Company Act of 1956, as amended, which was ordered to lie on the table and to be printed.

AMENDMENT NO. 242

Mr. PROUTY submitted an amendment, intended to be proposed by him, to House bill 4765, supra, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Connecticut [Mr. RIBICOFF], I ask unanimous consent that, at its next printing, the name of the Senator from Nevada [Mr. CANNON] be added as a cosponsor of the bill (S. 2116) to establish a commission to study the organization and management of the executive branch of the Government, and to recommend changes necessary or desirable in the interest of governmental efficiency and economy.

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

Mr. HARTKE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Alaska [Mr. GRUENING] be 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. HARTKE. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from South Carolina [Mr. HOLLINGS] be added as a cosponsor of the bill (S. 1726) to amend the Antidumping Act, 1921.

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

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from South Carolina [Mr. HOLLINGS] I ask unanimous consent that at its next printing, the names of the Senator from New Mexico [Mr. ANDERSON], the Senator from Pennsylvania [Mr. CLARK], and the Senator from Oregon [Mr. HATFIELD] be added as cosponsors of the bill (S. 1796) to impose quotas on the importation of certain textile articles.

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

JUNTA'S AMBITION PERILS VIETNAM ELECTIONS

Mr. YOUNG of Ohio. Mr. President, if there remains any doubt as to the nature of the regime we are supporting in South Vietnam, recent news reports should dispel that doubt. The generals who form the ruling junta in South Vietnam are at work on a plan that would perpetuate their power and virtually nullify any results of the forthcoming presidential election not to their liking. The junta is determined to convert into a farce the September 3 election, which has been widely heralded as an example of South Vietnamese democracy.

These 10 generals forming the ruling junta of the Saigon government are not content with assuring a militarist victory at the polls by combining the two most powerful generals on one slate and by removing the names of their most serious challengers from the ballot. The junta and other senior officers in the comic opera South Vietnamese Army have now let it be known that they are forming a "Military Affairs Committee" which would continue to formulate and direct national policy, no matter what candidates receive the most votes next month. Nine of the 10 generals who form the military junta which overthrew the elected civilian government of South Vietnam in June 1965 were born and reared in North Vietnam and fought with the French Army from 1946 to May 1954 against the forces of the National Liberation Front seeking freedom from French rule of all Vietnam, Cambodia, and Laos.

The New York Times reported earlier this week that one South Vietnamese general recently told an American friend:

> There's a war to fight. The army must remain powerful. We are willing to go along with the voting, but things must come out right.

The American remained silent just as our administration leaders remained silent a few days back when Prime Minister Ky declaimed that under no circumstances would he tolerate the Vietcong being represented by delegates at any peace conference and when he sounded off politically that before we take steps toward peace, Hanoi must lay down its arms.

For all practical purposes, regardless of who is elected President of South Vietnam, the military junta will continue to reign in that unhappy land. If Gen. Nguyen Van Thieu, the present chief of state, is the winner, the committee would protect the interests of the other officers and prolong, to some degree, the rule by committee, which the army leaders prefer.

If Tran Van Huong, the leading civilian candidate, is the winner, the committee would be the Army's vehicle for government behind a facade of legitimacy. Mr. Huong is reported to be prepared to accept the advice of the military on most subjects. In fact, he has promised that if elected President he will name a military officer as Premier.

This travesty on democracy is in keeping with the attitude long blatantly expressed by Premier Ky who has said more than once that if he is not satisfied with the outcome of the election next September 3 he will use force to change it.

Marshal Ky, Prime Minister of the Saigon regime, who also was an Air Force cadet in the French army fighting to enslave his fellow countrymen under a restored French Indochinese colonial empire, is reported to be the driving force behind the formulation of this proposed committee. It is his very obvious method of reasserting his influence, which he might otherwise find difficult to do as Vice President under General Thieu or as commander of the Vietnamese Air Force, if a civilian ticket should win.

Our forefathers would have denounced Prime Minister Ky and nine of the 10 junta generals as Tories. This was the term we Americans have always used in referring to loyalists of the American Colonies, many of whom fought with the English and emigrated to Canada following the Revolutionary War. Even today, these generals, including Ky, have the effrontery to wear French decorations awarded them while serving with the French Armed Forces seeking to crush the Vietnamese patriots fighting for their nation's independence.

Now, this flamboyant Prime Minister of the Saigon junta proves, as he has daily in the past, that his interests lie closer to those who have oppressed the Vietnamese people for a hundred years than to any desire to serve the needs of the people of Vietnam and to end exploitation of the masses of Vietnamese people by landowners and a privileged few.

Mr. President, the tremendous commitment in men and money that our Nation has assumed in Vietnam gives the United States no right to dictate the outcome of the forthcoming election. However, it does impose the moral obligation on us to use our influence to keep the election from turning into a mockery. President Johnson, Secretary of State Rusk, and other administration spokesmen have for months hailed the forthcoming elections as a major turning point in the war and a proof of our resolve to assure self-determination for the Vietnamese people. The formation of this "Military Affairs Committee" by the South Vietnamese Tory generals has turned the election into a charade. Nothing will change in Saigon, in the conduct of the war, or in the estimate of other nations of the legitimacy of our involvement in a civil war in a little nation which is of no strategic importance to the defense of the United States.

The United States has furthered this travesty on democracy by giving the elections an appearance of respectability. Whom are we trying to fool by advertising the regime we are defending as "free" or "democratic"? Whom can we convince that South Vietnam is on its way to becoming a representative democracy when the present rulers publicly proclaim they

will overthrow any elected government that does not suit their purposes?

We are involved in an ugly civil war in the worst place in the world to which we have committed 600,000 of our finest fighting men of whom more than 14,000 have been killed and more than 70,000 wounded or afflicted with malaria and other dread diseases, and which is costing American taxpayers more than $2 billion 500 million every month. There is a glimmer of hope—a very faint one at most—that the September presidential election could open an avenue toward peace by bringing to power a Saigon government willing to negotiate directly with the Vietcong, or officials of the National Liberation Front which is the political arm of the Vietcong and whose leader is a Saigon lawyer who is not a Communist.

The Associated Press reported yesterday that Tran Van Huong stated at a news conference that if elected President of South Vietnam his government would seek a political solution to the war, but not peace at any price. This, from one who is reported to be prepared to accept the thinking of the military on most subjects. Even more hopeful is the Associated Press report that Dr. Phan Quang Dan, a leading civilian candidate for Vice President, called for deescalation of the war and negotiations with the Vietcong. Dr. Dan, the running mate of presidential candidate Phan Khac Suu, told a news conference:

It is impossible to fight the Communists like we are now. It would be better to have a shouting war rather than a shooting war.

He proposed negotiations with the Communists "at all levels, including the National Liberation Front," the political arm of the Vietcong. These statements offer some hope that the election next month can possibly result in a step toward peace.

Mr. President, we must assure a free and fair election. We must also prevent the Vietnamese tories from attempting to nullify the results of that election. If real and honest elections are held, I doubt whether those elected would choose to prolong the Vietnam civil war that is now raging and has been raging since 1946 directly following the departure of Japanese air and ground forces when the French commenced to reestablish their colonial empire which had oppressed and exploited the Vietnamese for nearly a hundred years. If the real voice of south Vietnam could be heard, and listened to by our State Department bureaucrats and our Joint Chiefs of Staff, it would be asking for peace, not military victory.

Mr. President, yesterday, August 3, there appeared an excellent editorial entitled "Junta's Ambition Perils Viet" in the Plain Dealer, a great newspaper in Cleveland, Ohio. This editorial clearly and concisely points out the danger of this plotting by the military junta to retain control of the Saigon government after the elections. I ask unanimous consent to have this editorial printed in the RECORD.

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

JUNTA'S AMBITION PERILS VIET

Reports coming out of Vietnam that the military junta is plotting moves to retain political control after the elections next month are straws in the wind with enough substance to rate the closest attention.

What the generals reportedly are working toward is establishment of a military affairs committee which would determine national policy, just as the armed forces leadership has done for the last two years.

American officials in Saigon and Washington are deeply concerned over the threat to the future stability of Vietnam such an arrangement would present.

The matter reportedly was high on the agenda of Secretary of Defense Robert McNamara on his recent trip to Saigon and was discussed at length in top American military and diplomatic circles.

McNamara is said to have expressed dissatisfaction at the failure of the American command to apply greater pressure on the junta to deactivate its political preoccupations.

The driving force behind the junta's aim to perpetuate its control is Premier Nguyen Cao Ky, running mate of Lt. Gen. Nguyen Van Thieu in the campaign. If Thieu should win, the committee would act to protect the interests of the other army officers.

If Tran Van Huong, the leading civilian candidate, wins, the committee would be the legal vehicle by which the army would continue to rule.

No matter who wins, Ky, through the committee, would continue as the dominant influence in the Saigon government.

The propaganda value to the enemy of a military committee outranking an elected government would be of major dimensions.

All of the effort to prepare the way for the voting and all of the risks taken by the participants would be nullified by a continuation of the junta's power under a new label.

If Ky is reluctant to surrender his authority, he should have stood for election to the top job. Any attempt to continue in power to subterfuge is a threat to the interests of South Vietnam and of America. Ky should be told to put these interests ahead of his personal ambitions.

THE GOLDEN CIRCLE CONCEPT

Mr. MOSS. Mr. President, almost everyone has now heard about the "golden circle," the fabulous scenic area surrounding the only point in the country where four States meet—Utah, Colorado, New Mexico, and Arizona.

But few people know how and where the golden circle concept originated. George B. Hartzog, Jr., the Director of the National Park Service, tells about its birth in the summer 1967 issue of Western Gateways.

The idea was first enunciated at a campfire gathering in the Anderson Bottom along the Green River in southeastern Utah in 1961. Included in the group around the campfire, besides Director Hartzog, were two members of the President's Cabinet, two Members of the U.S. Congress, and one Member of the U.S. Senate.

Since I was the Member of the Senate present, I can well remember how impressed I was, and how impressed were Utah's two Congressmen, Dave King and Blaine Peterson, and Secretary of Agriculture Orville Freeman, when Secretary of the Interior Stewart L. Udall, in searching for a way to describe his enthusiasm for the fantastic assortment of scenery we were seeing, came up with the phrase "golden circle." We all knew the moment he said it that it was exactly right.

With this interesting incident as his takeoff, Director Hartzog then proceeds in the article to describe the sweeping golden circle area and some of the scenery in it—both inside the boundaries of its many national parks and monuments—and outside those boundaries.

The meeting around the campfire was also a stepping stone toward two important measures of mine to open up and develop the golden circle area. The first was my bill to establish the Canyonlands National Park, which the Congress enacted in 1964, after a long, hard battle. A bill to expand the boundaries of Canyonlands (S. 26) and bring under the protection of the National Park Service additional spectacular areas—some of them deleted at the time of the 1964 battle—is now pending before the Interior and Insular Affairs Committee. I hope that it can be considered soon.

A second bill of mine (S. 258) to authorize a survey of roads and tourist accommodations needed to expand the recreational resources of the golden circle and the four corners area, is also pending before the Interior Committee and I hope that this bill can likewise be considered at an early date.

The case for the further development of the golden circle and all of its treasures is made so well in Director Hartzog's article that I ask unanimous consent to have it printed in the RECORD.

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

THE GOLDEN CIRCLE CONCEPT

(By George B. Hartzog, Jr., Director, National Park Service)

The campfire's glow illuminated the faces of the men. Comforting sounds of burning pinon punctuated quiet conversation.

Thoughts are long and talk is best around a campfire, and on this summer night in 1961 the men discussed nature's grandeur as they had seen it, as they were surrounded by it, at their camp at Anderson Bottom along the Green River in southeastern Utah.

By boat, helicopter, jeep, and on foot, they had explored this little-known red-rock country. Now they were trying to express their impressions of what they had seen.

This was no ordinary campfire gathering. Included in the group were a U.S. Senator, two members of the House of Representatives, and two members of the President's Cabinet—Secretary of the Interior Stewart L. Udall and Secretary of Agriculture Orville L. Freeman.

Secretary Udall, squatting before the fire, thought of other places not far from their camp, places that possess many of the diverse sources of man's inspiration and pleasure. Different in kind, he reflected these places are related by reason of location, a providential location, and they are related, too, in that they are joined by expanses of seldom-seen landscapes of a rare kind of wild beauty.

"Surely," he said to his friends, "the boundary of this remarkable region is a golden circle, encompassing the greatest concentration of scenic wonders to be found in the country, if not in the world."

And thus was born the concept of the Golden Circle.

Today, after the establishment of Canyonlands National Park and Glen Canyon Recreation Area near the center of the circle, I am even more convinced of the accuracy of

Mr. Udall's appraisal of the region and of the need for carefully planned access parkways.

Look at the map. The dotted line of the circle encloses southern Utah, southwestern Colorado, northeastern New Mexico, and north-central and northeastern Arizona, an area of unmatched richness in units of the National Park System, Indian reservations and tribal parks, national forests, state parks, and broad sweeps of scenic country administered by the Bureau of Land Management. Altogether, they offer an education in natural history, history and archeology. And at the bull's eye lies Glen Canyon Recreation Area, deep water and 1,800 miles of canyon-indented shoreline surrounded by desert.

My primary interest rests with the units of the National Park System within the Golden Circle. Let's take a quick look at them.

Zion National Park is particularly noted for the displays of color in the walls of its deep, narrow canyons and in the faces of its sheer rock masses. Zion Canyon has been described as "the best known example of a vertically walled chasm readily accessible for observation." Highly colored finger canyons that probe the western edge of Kolob Terrace illustrate graphically the end result of great opposing forces of nature: uplifting of the earth, faulting, and erosion. Nine marked and maintained trails, ranging in round-trip length from half a mile to 12½ miles, wind their secluded way into the pristine back country.

Cedar Breaks National Monument contains a gigantic amphitheater eroded into the variegated Pink Cliffs, in a setting of mountain meadows and aspen groves. At an elevation of 10,400 feet, the monument is briskly cool in summer but closed by snow in winter.

Bryce Canyon National Park was described by the Paiute Indians as "red rocks standing like men in a bowl-shaped canyon," in their language "unka-timpe-wa-wince-pokich." The visitor today who stands anywhere along the 20-mile rim of the Paunsaugunt Plateau and gazes across the canyon may be reminded of a megalopolis, a city of stone, with cathedrals, spires, windowed walls, structures of innumerable shapes and colors—all carved by nature in limestone. Trails lead along the rim of the plateau and down among the huge curious shapes in the canyon.

Capitol Reef National Monument includes a section of the Waterpocket Fold, a great doubling up of the earth's crust that is referred to in geology textbooks. A towering sandstone cliff, jutting above the desert floor, stretches for 20 miles across the monument, and slicing through the escarpment are two narrow gorges. The 1,000-foot walls of one of these, Grand Wash, are only 16 feet apart in places. Trails lead into the gorges and to a natural bridge.

Arches National Monument, in the red-rock country, contains more natural stone arches, windows, spires, and pinnacles than any other known section of the nation. Some 90 arches have been discovered, others are probably hidden away in rugged parts of the monument.

Canyonlands became the nation's 32nd national park on September 12, 1964. Probably to a higher degree than any other area, it represents to me the type of landscape that I associate with the Golden Circle, for it contains so many facets of the landscape, so many evidences of the power of nature's forces: the Green and Colorado Rivers grinding their way through their deep canyons to their rendezvous within the park, high plateaus and their sweeping views, arches—such as Angel Arch and Druid Arch—of incredible size and grace, quite meadows surrounded by walls of rock. Wild this new park is and wild it will remain, even though roads are now being improved, campgrounds are being built, and facilities are being planned to care for the many visitors who will go there.

Natural Bridges National Monument, isolated, was difficult to see until the completion of the paved loop road in 1966. The road leads to parking areas near the three large bridges, and trails lead down to them. Kachina, Sipapu, and Owachomo Bridges, formed from sandstone by the wearing-away action of meandering streams, illustrate three stages in the life of a natural bridge.

Hovenweep National Monument, also isolated, preserves the remains of striking towers and other structures that were erected by the Pueblo Indians some 800 to 900 years ago. Farmers, these people obviously were also skilled masons.

Mesa Verde National Park contains the well-preserved ruins of the most famous of all cliff dwellings, which date back to the A.D. 1200's; but even more significant are the older opensite ruins on top of the mesa. The National Park Service, aided by substantial contributions by the National Geographic Society, has recently completed extensive archeological investigations at Wetherill Mesa, also within the park but not yet open to the public. Some of the reports on the finds have been published; others are now being prepared.

Hubbell Trading Post National Historic Site is another new addition to the National Park System. It represents today an accurate picture of the Navajo trading post of yesterday. John Lorenzo Hubbell, called "Lorenzo the Magnificent" by Teddy Roosevelt during one of his visits to the post, began trading on the reservation in 1876. To the Navajos, he was merchant, teacher, and trusted friend who translated and wrote their letters, settled family quarrels, explained governmental policies, and helped the sick. After his death in 1930, members of his family continued to operate the post until, in 1966, arrangements were made with the National Park Service—following an act of Congress—to administer it as a national historic site, and so assure its preservation. The site includes the Hubbell home, with its valuable collection of the things accumulated by two generations of the pioneer family, and the trading post. In February 1967, an agreement was made with Southwestern Monuments Association, a nonprofit organization, to operate the post in the traditional way, and a very qualified trader was found to manage it—a trader with some 40 years of experience with the Navajos.

Canyon de Chelly National Monument exhibits proof that the prehistoric Pueblo Indians, as their descendants, had a deep appreciation of beauty. The sheer smooth-rock canyon walls form a lovely setting for the ancient dwellings nestled at their bases and perched on their ledges. Within the canyons are the remains of hundreds of prehistoric Indian villages, most of them built between A.D. 350 and 1300. Present-day Navajo Indian homes are scattered along the canyon floors.

Navajo National Monument, too, contains the ruins of outstanding cliff dwellings: Betatakin, Keel Seel, and Inscription House, in settings as impressive as those at Canyon de Chelly. But here the ruins are widely separated, pleasantly isolated.

Sunset Crater National Monument is closely related, in its story, to Wupatki National Monument, about 15 miles to the north. In A.D. 1065, the earth here was suddenly rent, and volcanic ash and cinders spewed forth. When the eruption ceased, a new cinder cone, 1,000 feet high, had appeared. Lava flows lay at its base. Black volcanic ash covered hundreds of square miles surrounding the cone. Vapor-deposited minerals around the crater rim stained the cinders, which glow with the hues of perpetual sunset. The volcanic cone occupies Sunset Crater National Monument.

When the volcano began to erupt the few farming Indians who lived in the vicinity fled their homes and fields. After the eruption, people moved back into the area and made a great discovery: The porous layer of volcanic ash that covered the ground formed an excellent mulch that trapped moisture in the soil. The Indians found that corn could be raised where thirsty plants previously had shriveled and died. Word of the fine farmland spread over the Southwest, attracting families from all directions, and the area became a meeting place of cultures. Villages sprang up throughout the cinder-covered area. Wupatki National Monument contains the stone-walled ruins of hundreds of these communities, including a ball court and an amphitheater.

Pipe Spring National Monument is a monument to the courage and determination of the pioneers who settled the Southwest, particularly the Mormon pioneers. A group of Mormon missionaries, led by Jacob Hamblin, camped at the spring in 1858 while en route to the lands of the Hopi Indians. At that time, according to legend, William "Gunlock Bill" Hamblin shot the bottom out of a smoking pipe to demonstrate his marksmanship, and this gave the spring its name. In 1870, President Brigham Young of the Mormon Church appointed Anson Perry Winsor to superintend the operations of a cattle ranch in the vicinity and build a fort at the spring. The fort is typical of the forts built by the Mormons in the Utah Territory. Never attacked, it served as a ranchhouse until 1923, when it became a national monument.

Glen Canyon Recreation Area is another new unit of the National Park System that is well into the intermediate stage of development. Here is a water-oriented recreation area in an incomparable setting: blue-green water, deep and clear, between steep walls of red sandstone; scores of deep-water narrow winding side canyons leading away from the broad expanse of lake. When Lake Powell, now forming behind 580-foot-high Glen Canyon Dam, is filled, it will be 186 miles long, with 1,800 miles of serrated shoreline. Facilities and supplies for the boatsman and camper are now available at sites along the lakeshore: Wahweap, Bullfrog, Lees Ferry, Halls Crossing, Hite, and Rainbow Bridge Landing. And developments are planned for Warm Creek Basin, Hole-In-The-Rock, Oil Seep Bar, and Castle Butte. The Navajo Tribe is planning visitor facilities on the south shore.

Rainbow Bridge National Monument, once visited by few people because of its location, may now be reached from Wahweap or Halls Crossing by a 55-mile boat trip on Lake Powell and a 1-mile walk up the canyon. Colorful, symmetrical Rainbow Bridge is the largest of all known natural bridges. But its graceful form distinguishes it as much as its dimensions.

Grand Canyon National Park, known in all parts of the world to people who have never heard of any other national park in this country, has been the subject of superlatives for many years. During my time in Washington, I have noticed that the Grand Canyon is one place that visiting important people from other countries want to see. This is not surprising. President Theodore Roosevelt, after his first trip to the canyon in 1903, said that it is the one great sight which every American should see.

These, then, are the units of the National Park System that lie within the Golden Circle. At each of them, trained naturalists or historians or archeologists are on duty; their jobs are to explain the significance of the areas to visitors. This they do through museum exhibits, wayside exhibits, campfire talks, publications, self-guiding trails, and conducted walks.

But the Golden Circle encloses more, much more.

Monument Valley Tribal Park, on the Navajo Reservation, is operated efficiently by the Navajo Tribe. Uniformed Navajo park rangers at the park's visitor center, about 20 miles north of Kayenta, Arizona, tell visitors of the park and suggest the best ways to see it. Monument Valley is unlike any other

place. Tall erosional remnants of red sandstone rise starkly above the desert, casting mile-long shadows in late afternoon and early morning. Squat, round hogans, homes of the Navajos, fit cozily into their surroundings. Mixed flocks of sheep and goats amble across the desert, encouraged along by laughing boys and happy-looking dogs. In the stillness of evening, the baas of sheep, seeming to come from no particular direction, can be heard—the animals unseen, far away.

The hospitable people of the Navajo Tribe, who want visitors to come to their reservation, are developing tribal parks and campgrounds at other sites that have special scenic or archeological values: Lake Powell Tribal Park, Little Colorado River Tribal Park, Window Rock-Tse Bonito Tribal Parks, and Kinlichee Tribal Park.

Other Indian reservations within the Golden Circle include the Hopi, with its famous First, Second, and Third Mesas; Havasupai, at the bottom of the Grand Canyon; Kaibab; and Ute Mountain.

The Golden Circle's state parks are those of Utah, and their intriguing names suggest their character, their variety: Coral Pink Sand Dunes, Dead Horse Point, Dixie, Goblin Valley, Great Goosenecks, Green River, Indian Creek, Minersville, Palisade, Paria, and Piute.

Camping in the wild, hiking the long trails, fishing in remote streams, hunting—all these are offered in the national forests. And the Golden Circle has its national forests, along with its deserts: the Dixie, Fishlake, Kaibab, Manti-La Sal, San Juan, and Uncompahgre National Forests.

Considering the multitude of single attractions within the land of the Golden Circle, what does it need? First, an overall development plan, including connecting parkways or roads, that will preserve the character of the region. Planning, which should involve more than roads, must be coordinated at all levels of interest—community, county, state, and federal. Such planning was inherent in Secretary Udall's original idea put forth in 1961.

The late Dr. Angus M. Woodbury, ecologist of the University of Utah, commented on the area in 1963 in an unpublished manuscript:

"To make it possible for people seeking inspirational scenic enjoyment to reach some of these marvelous natural sculptures, it has been proposed to construct a federal highway across the center of this erosional display between Bryce Canyon and Mesa Verde National Parks. This route has been bypassed by the national road planners largely because of the rough character of potential roadways and the sparse populations along the route. Such a route would have to be justified on broader grounds, particularly on its value as (1) a shortcut between important national parks that would eventually save enough travel expense to pay for itself, (2) a link in a transcontinental series of highways that would provide a new route, and (3) opening new scenic attractions otherwise unavailable to public appreciation that would draw travelers over it."

I believe that Dr. Woodbury's third point should be justification enough, and it is more in keeping with my idea of what a road in that fragile, untouched country should be. Certainly it should not be a traffic-hurrying highway from here to there. I cringe at the thought of a high-speed transcontinental highway bulldozing its way across this land. I am sure that the people who live there and the people of the other agencies involved feel the same way. The Golden Circle roads, or parkways, must be planned carefully and considered in the light of region-wide development.

And the planning his begun. The Utah State Department of Highways has conducted a series of meetings with representatives of the interested agencies: U.S. Forest Service, Bureau of Land Management, State Park and Recreation Commission, Utah Travel Council, Utah State Historical Society, the National Park Service, and others. Results of the conferences and study are described in the second edition of a beautifully illustrated and informative report entitled "Access Roads for the Golden Circle, America's Newest Playground." It was published in 1966 and is now available in a condensed version entitled "Utah Highway Needs." I commend it to anyone who is interested in the Golden Circle.

Late in 1961, the National Park Service arranged with the Bureau of Economic and Business Research of the University of Utah to make an economic study of the then proposed Canyonlands National Park and related recreation resources. The report on the study was published in March 1962. A part of the report relates to the Golden Circle. By 1970, the study indicates, the number of visits a year to units of the National Park System within the Golden Circle—*just the units of the National Park System*—will be 6,306,000, with expenditures of visitors totaling $70,627,000. By 1980, the estimates jump to 10,582,000 and $118,518,000. And there is this qualification: "Should the road network between the various parks and monuments be improved greatly—particularly between the western group (Grand Canyon, Bryce Canyon, and Zion National Parks) and the eastern group (Canyonlands and Mesa Verde)—both the number of visits and the average length of stay should increase. However, without specific plans for highway development this cannot be guaranteed."

I believe that these estimates are too modest. In 1966, units of the National Park System within the Golden Circle recorded 4,969,210 visits, and this does not include Hubbell Trading Post National Historical Site.

Bills have been introduced in both houses of Congress to authorize the Secretary of the Interior to conduct, in cooperation with the states and interested federal agencies, a development survey of the recreational resources of the Golden Circle and connecting parkways. If the bills pass, work on the survey will begin promptly.

The Golden Circle embraces a region of rare beauty, easily ravaged. We must be careful.

DEDICATORY ADDRESS BY SENATOR BYRD OF WEST VIRGINIA, AT CRANBERRY GLADES, W. VA.

Mr. BYRD of West Virginia. Mr. President, on last Saturday, I delivered the dedicatory address at the dedication ceremony marking the opening of the new Visitors' Information Center at Cranberry Glades in Pocahontas County, W. Va. I ask unanimous consent to insert that address in the RECORD at this point.

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

REMARKS BY U.S. SENATOR ROBERT C. BYRD, DEDICATION OF THE CRANBERRY GLADES VISITOR CENTER, JULY 29, 1967, CRANBERRY GLADES, W. VA.

It is always a distinct honor for me to be present at the opening of a new facility for the use and enjoyment of the American people.

And, of course, it is especially pleasing when that facility can be located here in our own State of West Virginia.

The Cranberry Glades Visitor Information Center, located on State Highway 39 overlooking the Back Country and the Cranberry Glades Botanical area is situated in an area long favored by sportsmen and naturalists.

And it was to take advantage of the uniqueness and natural beauties of this site that the idea of a Visitor Center was born.

We stand now in the presence of that idea translated into brick, steel and wood.

The Center, built by the U.S. Forest Service, complements the forward-looking program to which the State of West Virginia has dedicated itself; a program which is designed to make the natural wonders of our State easily accessible to the millions of tourists of our land.

Yet, far from being the final step in the recreational development of this area, I believe this Visitor Information Center is only one of the first in what hopefully will be a series of many future steps.

For with the public demand for outdoor recreation increasing year by year, both the Forest Service and the State are striving to provide expanded services.

Let me list some of the projects which the Forest Service or the State of West Virginia have either built or propose to build in order to convert this area into a Bethlehem for recreational pilgrimages.

In the immediate vicinity, there is a proposed improvement of the presently inadequate boardwalk which runs along the edge of Cranberry Glades.

If it is not repaired or replaced, we will be left in the position of sitting back and allowing this valuable area to be trampled to death through uncontrolled, unplanned use.

Should this happen the Glades will be ruined—lost to future generations of Americans.

All of the public has a right to enjoy the unique and scenic wonders of Cranberry Glades, and, bearing this in mind, the Forest Service has proposed to build a new boardwalk to allow visitors to walk through a section or two of the glades—without getting their feet wet—and without forever trampling the Glades' floor.

Along the 2,800 foot trail through the Glades will be placed interpretive material to inform the visitor of what he is viewing and of its significance.

Not far from this new Visitor Center are a number of popular visitor attractions already in existence. They include the Cass Scenic Railroad and Watoga State Park. These are both operated by the West Virginia Department of Natural Resources. There is also the National Radio Astronomy Observatory at Greenbank.

Among the developments which are planned for this area is included the construction of the Highland Scenic Highway, for which my able colleague, Senator JENNINGS RANDOLPH, is to be commended; improvement of the Hills Creek falls forest trail, access road and parking area; improvement of the Summit Lake campground facilities; construction of the proposed Eagle Lake Recreation area with swimming, camping and picnicking facilities available; a proposed resort lodge and golf course near the old prison camp site and the possibility of a ski area.

All of these exciting recreational uses are in addition to—or rather, I should say—an integral part of the Forest Service's multiple use concept of forest management for the National Forest system in general and the Monongahela National Forest in particular.

For recreation is not the only purpose to which a National Forest may be put. There are wildlife conservation and flood control as well as the economically beneficial use of sustained yield timber harvesting.

Under the sustained yield system of timber harvesting, sawtimber and pulpwood are harvested only in quantities that promote the healthy growth of the forest and assure a never-ending supply of healthy young trees.

Last year, in the Monongahela National Forest, this method of harvesting yielded some 56-million board feet of quality sawtimber and over 100,000 cords of pulpwood and other wood products. This is obviously an important source of raw material to the

more than 1,000 timber-based industries in West Virginia.

And, in addition, 25 percent of the funds realized from the sale of this timber revert back to the State of West Virginia for use in road maintenance and for support of public schools.

Thus the benefits of the Monongahela National Forest to West Virginians extend far beyond mere recreation or timber harvest.

Finally, I think it is interesting to note that the Monongahela National Forest is of interest to forest scientists. I am told that it is a remarkable meeting ground of northern and southern timber species. Within its bounds are valuable stands of trees usually common only to Canada or to our own Southern states. This diversity is produced by wide variations in elevation, soils, and climate.

The Forest is also noted for the fact that the native red pines which grow here represent the southernmost range of that species in the eastern United States.

So, I think it is quite clear that this Visitor Information Center—located within the Monongahela National Forest—really has quite a bit that it can pass on to visitors passing this way.

Therefore, on behalf of all of the people of the United States, I take great pride in dedicating this Visitor Information Center and in hoping that it will be the forerunner of many future developments in this unique scenic area.

MAYOR MAIER'S ELOQUENT STATEMENT OF CONCERN

Mr. PROXMIRE. Mr. President, yesterday I reported to the Senate on the remarkable job that the mayor of Milwaukee, Hon. Henry Maier, had done to control the riot in that city and to reduce the incidence of death, personal injury, and property damage far below that of other cities.

Today's New York Times contains a most eloquent plea from Milwaukee's mayor to Congress to act to meet the terribly urgent needs of our cities.

As mayor of Milwaukee, past president of the National League of Cities, and author of an outstanding book entitled "Challenge to the Cities," Mayor Maier speaks with impressive authority.

I ask unanimous consent that the plea of Milwaukee Mayor Henry Maier be printed in the RECORD.

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

A STATEMENT OF CONCERN ABOUT THE CRISIS OF OUR CITIES

(NOTE.—Henry W. Maier, is mayor of Milwaukee, Wis., past president, National League of Cities; past chairman, Resolutions Committee, U.S. Conference of Mayors, author. "Challenge to the Cities.")

Across the country, the symptoms of the deep-rooted problems of the central city are flaring to attention. The tragedy, the wanton waste, the rubbled destruction are horrible enough.

It will be a tragedy compounded if the nation does not resolve to face the problems of the central city. It will be a tragedy if the nation does not carry out its resolve even after the embers have cooled.

Central city mayors have long been calling attention to the plight of the central city—too much poverty, too much blight, and fast-dwindling resources—all rubbed raw by fiscal and social isolation within the affluent metropolitan area.

With the limited resources at their command, central city mayors are fighting these problems. Now, as never before, they need the commitment of all truly concerned citizens to help win the resources needed to find lasting solutions to these urgent problems.

The need for this commitment was stressed by a group of some 30 central city mayors at a meeting with the President last October. The words of the policy statement I presented them as spokesman for the group carries an even greater urgency today: "The nation needs a national commitment to achieve a rebirth of our cities. A commitment was made to put a man on the moon by 1970 and we have reordered our national priorities and set aside the funds to see that the goal is accomplished. We must now make a similar commitment to . . . our cities."

Now, as never before, the central cities of America need the full resources of the federal government, of their states, and of their metropolitan areas to prevent them from becoming urban wastelands.

The crisis of the central city is no longer a "creeping crisis." It is a fact of life in this summer of 1967. Less than complete national attention to this crisis is only a postponement of any change for the better.

"That does not mean," the St. Louis Post-Dispatch said the other day, "merely a few more crumbs from the table, a grudging reform or two. What is needed is a basic reorientation of American society, as drastic and as revolutionary as the infection which challenges it."

This will require a drastic reallocation of our national resources to help build the central city. Piddling pennies will no longer do the job and the central city simply does not have the money it needs.

The flight of the middle class from the central city lessens the ability of the central city to pay the freight, and, in turn, causes further flight. As the *Milwaukee Journal* said in a distinguished series of editorials entitled "The Central City Blues": *The vicious circle is inescapable under the kinds of governmental and tax arrangements that persist here. No matter how much the city struggles, it can't break itself loose."*

Indeed, one of the greatest contributions to inequality in urban life is the social and fiscal segregation of the central city from the more affluent metropolitan area. Each metropolitan area is divided into two cities—the outer city of the comfortable and well off, and the inner city of the poor. Can there be any future for the American metropolis unless the walls between the two come tumbling down?

The 1966 U.S. Conference of Mayors took note of this major inequality in a resolution which asked both the state and federal governments to pass legislation to help provide a remedy.

The mayors asked Congress to condition federal grants for community facilities—such as sewage and water systems, park spaces, and hospitals—on the provision that a reasonable share of low and middle income housing be included in the building and zoning codes of all municipalities applying for such grants.

Federal aids to education, the resolution said, should require some responsiveness to pupil exchanges or other measures designed to reduce the social and economic stratification now prevalent between city and suburban school systems.

It also called for a revision of FHA and other home financing policies to favor and encourage the building of low and middle income housing in all municipalities of metropolitan areas.

The U.S. Conference resolution urged state governments to remove all features of state financial aid which aggravate differences in local fiscal capacity or which encourage the proliferation of local governments in metropolitan areas, and to encourage metropolitan zoning so as to permit a wide range of housing prices throughout metropolitan areas.

These actions would help to break down the artificial walls that encircle the central city within our metropolitan areas.

But more than this, the central cities need a greater share of national resources. President Johnson has worked harder to solve the problems of central cities than any other president in history. He, like every mayor, inherited ancient deep-seated problems at the precipitous stage. His innovative programs can help make great inroads into our plight if they are given the necessary funds. Now there is an urgent need to carry out these and other programs on an all-out scale.

The time of concern should be a time of commitment to the fight for the central city . . . a time for the long overdue massive infusion of federal and state funds needed to translate that concern into action which will treat and cure the hard core economic and social ills which blight not only the life of the central city but also the fabric of American society.

This fight for resources must be won. Then, can we find workable, permanent solutions to such pervasive city-crippling problems as crime, poor housing, poor education and chronic joblessness.

The nation can no longer afford *not* to provide immediately the resources needed by the central city.

HENRY W. MAIER.

THE NATIONAL OCEANOGRAPHIC PROGRAM

Mr. FONG. Mr. President, all who have worked to advance ocean science and technology can look back on 1966 as a milestone year of growth and change. Congress approved the Marine Resources and Development Act and the Sea Grant College and Program Act, laying the foundation for exciting developments to come. In other spheres of government, in private industry, and in the academic world, a new tide of interest and activity lifted oceanography on the national scene.

A review of ocean-related events during the past year has been detailed in the lead article of "Oceanology International" for June 15, 1967. It was written by two knowledgeable authors who have been closely associated with several of these developments—Robert B. Abel, Director, and Harold Leland Goodwin, Associate Director, Office of Sea Grant Programs, National Science Foundation.

As one who has actively supported the promoted oceanographic legislation and programs, I am pleased to call attention to the article by Messrs. Abel and Goodwin, entitled "The National Oceanographic Program."

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:

THE NATIONAL OCEANOGRAPHIC PROGRAM

(By Robert B. Abel, director, and Harold Leland Goodwin, associate head, National Sea Grant Program, National Science Foundation)

Historians of science and technology probably will record 1966 as the year of the great change, the year in which the development of the oceans and the continental shelves for defense and as a prime source of food and other materials became a matter of national policy.

The past year was one of organization and reorganization, in government, in industry, and to some extent in the academic com-

munity. The purpose of realignment was to reform old entities and create new ones to get on with the exciting job of utilizing the seas. There was universal recognition of the magnitude of the task, and equal recognition of the opportunities.

Events in Washington reflected national interest. Under the skilled leadership of Sen. Warren Magnuson, the House of Representatives and the Senate got together and resolved their differences in pending ocean legislation.

The result was the Marine Resources & Engineering Development Act, signed by the President on June 17, 1966. Public Law 89–454 was perhaps the most important piece of ocean legislation ever passed. It established ocean development as national policy, and its emphasis was on the pragmatic use of the seas and their resources for the national interest, and for the benefit of mankind in all lands.

The act created two organizations. The first, the National Council on Marine Resources & Engineering Development, was a cabinet-level group under the chairmanship of Vice President Hubert H. Humphrey.

The second was a commission to examine the entire national need in oceanology and resource development, and to recommend a program that would meet that need. The commission, composed of 15 members from industry, the academic world, and government, was not brought into being in 1966, but the council got underway without delay.

The Vice President, to no one's surprise, turned out to be a highly enthusiastic, energetic chairman. Under his leadership, the council selected several priority areas for development, and also began the task of pulling together a federal program for the coming year. The council staff, headed by Dr. Edward Wenk Jr., was composed of various consultants, specialists from the federal agencies, and the Interagency Committee on Oceanography.

The impact on federal agencies was great. Some had been urging better programs, and others had been more or less apathetic. Under the spur of council activities, all agencies involved in ocean science and technology either moved into action or increased their efforts.

MUDDY WATERS CLEARS AIR

A major reorganization had been pending in the Navy, and about midyear the new structure emerged, headed by what many people called "the first Navy oceanographic czar." Rear Adm. Odale "Muddy" Waters, oceanographer of the Navy, was given direct responsibility for direction and coordination of the Navy's deep sea and oceanography programs, with three deputies. Rear Adm. John K. Leydon, chief of naval research, became assistant oceanographer for ocean science; Rear Adm. Frank Pinney, chief of naval development, became assistant oceanographer for ocean engineering and development; Capt. Louis De Camp recently has been named assistant oceanographer for operations.

To ensure that the reorganization was not simply a matter of paper shuffling, Waters was placed directly under the chief of naval operations and the Secretary of the Navy, with direct access to both. His control was extended to cover all ocean-related naval research, the Deep Submergence Systems Project, ocean development activities in the Office of Naval Material, and, of course, the offices of the oceanographic and hydrographic programs.

In the Interior Dept. (with 10 separate bureaus and offices involved in some aspect of water or ocean management), Secretary Stewart L. Udall established an intra-departmental group composed of the assistant secretaries under the chairmanship of Assistant Secretary Stanley Cain.

The National Science Foundation, already charged with support of some aspects of oceanography, received a brand new charter when the National Sea Grant Program, introduced in the Senate by Sen. Claiborne Pell (D.-R.I.) and in the House by Rep. Paul Rogers (D.-Fla.), was passed as an amendment to the Magnuson Bill and then assigned to NSF for implementation.

As the purpose of the Sea Grant Program primarily is practical applications, the bill put NSF into the applied technology business for the first time. Like the Land Grant Act, the Sea Grant Program will attempt to create links between academic scientists and practical technologists, stimulating the flow of science into application. Part of the task is training of ocean engineers and technicians, and another part is the communication of practical information to those who need it.

Two advisory groups issued reports that had immediate impact in 1966. The Ocean Science & Technology Advisory Committee of the National Security Industrial Assn. submitted a report to the chairman of the Interagency Committee on Oceanography (ICO), with emphasis on industry-government relationships in the oceans, particularly in regard to continental shelf exploitation.

Dr. Robert W. Morse, then ICO chairman, followed up immediately with implementing messages to the federal agencies. Morse left the federal service to become president of Case Institute of Technology and was replaced by Dr. Robert A. Frosch as Assistant Secretary of the Navy for Research & Development.

EFFECTIVE USE OF THE SEA

The second major report was "Effective Use of the Sea," prepared by the Panel on Oceanography of the President's Science Advisory Committee. The report included over 100 recommendations for federal action, and its impact was felt immediately throughout the government.

The aerospace industry, already rather heavily involved in the development of the more complex ocean systems and hardware, received an unexpected shove at Orlando, Fla. Industry representatives were told in unequivocal language that there wasn't enough space business to go around, so they should look to the oceans for the future.

The past year was one of new associations, too. First to get underway was the National Oceanography Assn. (NOA), with John Clotworthy as president. NOA's membership covers industry, organizations, and individuals, and the group is oriented to public education and promotion of ocean development. Forming on NOA's corporate heels came the Ocean Industries Assn. (OIA), which aims at becoming the major industrial trade association for the seas.

In the various states, both formal and informal agreements were reached. These were typified by the oceanographic commission formed jointly by Maine and New Hampshire, and by the Gulf Universities Research Corp.

The excitement of ocean development even reached below college level when the city of Long Beach, Long Island, decided to build a new high school especially fitted for teaching oceanography. Other high schools in Florida and California now also are teaching oceanography.

There were solid, technical accomplishments in ocean development, too, but this was not unique to 1966. Each year during the past decade has brought its own dramatic technical developments. One 1966 incident, though, deserves special mention because it may have done for ocean location and recovery what the *Thresher* tragedy did for man-in-the-sea and deep submergence.

The incident was, of course, the loss of the thermonuclear bomb off Palomares, Spain. The staggering mobilization of Navy and civilian resources, at a cost that will never be known with any accuracy, brought the point home: We must develop the technologies necessary to quick, relatively inexpensive location and recovery, and we must do it soon.

The deep submersibles, *Alvin* and *Aluminaut*, helped, but in the end it was the Navy's cable-controlled CURV that put a line around the errant bomb.

The whole sequence of events was wilder than fiction, and it is something of a miracle that the H-bomb was recovered at all. Yet it is no greater miracle than the profound changes that took place in the national attitude at a time when many ocean buffs had almost lost hope.

SEVENTY-ONE NATIONS HAVE RATIFIED FREEDOM OF ASSOCIATION HUMAN RIGHTS CONVENTION—CXIII

Mr. PROXMIRE. Mr. President, on August 27, 1949, President Harry Truman submitted to the Senate for its advice and consent the Convention on Freedom of Association.

Simply stated this convention guarantees the rights of workers and employees, without distinction, to establish and join organizations of their own choosing.

At the time of its adoption, the Freedom of Association Convention received the overwhelming endorsement of both American business and American labor.

For 18 years, the Senate has failed to take any action on the Convention of Freedom of Association. I, for one, cannot understand why.

Certainly the convention is in harmony with existing State and Federal law.

Certainly in the United States where the American workingman has contributed immeasurably to and shared in the highest standard of living achieved by any society in recorded history, we recognize both the wisdom and justice of the freedom of association.

I do not believe that the freedom of association is any more cherished in Algeria, or Burma, or Costa Rica, or Ghana, or Japan than it is in the United States. Yet every one of these countries has ratified the Freedom of Association Convention and the United States has not.

In all a total of 71 nations, large and small, old and new, have deemed the Freedom of Association Convention to be in their national interest and of such international importance that they have ratified this convention.

I, once again, urge the Senate to ratify the Convention on Freedom of Association along with the Human Rights Conventions on Forced Labor, Genocide, Political Rights of Women, and Slavery.

Mr. President, I ask unanimous consent that a list of the nations which are parties to the Convention on Freedom of Association be printed in the RECORD.

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

PARTIES TO CONVENTION ON FREEDOM OF ASSOCIATION

Algeria	Bulgaria
Albania	Burma
Argentina	Byelorussian, S.S.R.
Austria	Cameroon
Belgium	Central African Republic
Bolivia	

PARTIES TO CONVENTION ON FREEDOM OF ASSOCIATION—Continued

Chad	Malta
China	Mauritania
Congo (Brazzaville)	Mexico
Costa Rica	Netherlands
Cyprus	Niger
Czechoslovakia	Nigeria
Dahomey	Norway
Denmark	Pakistan
Dominican Republic	Panama
Ethiopia	Paraguay
Finland	Peru
France	Philippines
Gabon	Poland
Ghana	Romania
Greece	Senegal
Guatemala	Sierra Leone
Guinea	Sweden
Honduras	Syria
Hungary	Togo
Iceland	Trinidad and Tobago
Ireland	Tunisia
Israel	Ukranian, S.S.R.
Italy	Upper Volta
Ivory Coast	U.S.S.R.
Jamaica	United Arab Republic
Japan	United Kingdom
Kuwait	Uruguay
Liberia	Yugoslavia
Luxembourg	Federal Republic of Germany
Mali Republic	

ABATEMENT OF AIR POLLUTION

Mr. SPONG. Mr. President, in view of the recent unanimous action of the Senate in approving the Air Quality Act of 1967, I ask unanimous consent to have printed in the RECORD an editorial published in the Wall Street Journal of Wednesday, August 2, 1967. I concur fully in the view that the business community has a particular responsibility in the fight to abate air pollution.

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

A BUSINESS RESPONSIBILITY

The air pollution control bill the Senate passed the other day represents a victory for business spokesmen. If it becomes law, as seems entirely likely, the business community will bear a particular responsibility to see that it works effectively.

Before the Senate committee which unanimously approved the current bill, industrial groups including the U.S. Chamber of Commerce and the National Association of Manufacturers argued for a strictly regional approach to pollution control. They won deletion of an Administration proposal to set national standards for smokestack emissions by various industries.

The bill now would allow the Department of Health, Education and Welfare to define "air quality control regions" based on local pollution problems, weather patterns and geography. State commissions would then set air quality and emission standards; if they failed to do so, HEW could step in with its own rules.

The bill unquestionably represents badly needed progress against a serious problem. In one recent public opinion poll, for instance, air pollution control proved a more popular field for government action than any other domestic concern. And since it frequently is an interstate problem, at least an umbrella of Federal law seems appropriate.

The bill's regional approach, moreover, recognizes that different areas do have different pollution problems. It allows each region to concentrate its efforts first on its most pressing ones. It also avoids needless investment in pollution control equipment in areas where the problem is not acute.

If a regional approach is ultimately approved, however, its success will depend a good deal on the attitudes the business community takes. A multiplicity of regional agencies will create ideal opportunities for obstructionism. These opportunities doubtless will tempt some businessmen, so a bit of quiet suasion from their peers will be entirely in order. Fortunately, a number of the nation's most prominent companies are fully aware of their responsibility.

In dealing with either national or regional control authorities, of course, business has every right to insist that regulation remain reasonable. It has every right to ask for recognition of any time to adjust to the inevitable difficulties. It has every right to insist that standards move in step with the development of control technology that is both available and economically feasible.

An industry forfeits much of those rights, though, if it fails to move full speed in developing the technology necessary in its particular field. Nothing will bring unreasonable regulation faster than for business to insist it will take decades to develop the technology, and then finding it can be developed in a few years after all, once an obstreperous public body sets deadlines.

Nor should regional pollution control become an excuse for inaction on severe but isolated problems. Even if there is no other pollution source within 500 miles, no one should be forced to look forward indefinitely to living in, say, the stench identified with paper mills.

Finally, no business should take refuge in the narrow-minded argument that its particular brand of pollution has not yet been proved dangerous. The nation will make little progress with its pollution problem if it tacitly assumes anything can be belched into the air until the last "t" is crossed in a report proving it kills people.

The controlling assumption, rather, ought to be that all air pollution is perforce obnoxious and ought to be reduced as rapidly as possible within the limits of feasibility. And, as Surgeon General William H. Stewart has said, "we should push that word 'feasibility' just as far as we can."

If the business community endorses that kind of assumption—and the indications are most of it is headed that way—it can rest confident in its argument that regional control will prove itself preferable to inflexible Federal standards.

SENATOR SCOTT CAUTIONS NEWS MEDIA

Mr. PEARSON. Mr. President, earlier this week, the junior Senator from Pennsylvania wrote a letter to the broadcasting networks and the wire services to caution the news media on the handling of riot news. He said he felt that the news media, in many instances, inadvertently contributed to the turmoil and recommended that the industry engage in some self-regulation and draw up a code of emergency procedures to be followed in reporting riot news.

Knowing that the Senator from Pennsylvania is, "a first amendment man," as he describes himself, I know that his recommendation carries no taint of censorship or news management. His concern is with the great public responsibility which the news media must share in times of crisis.

I ask unanimous consent that the letter be printed following my remarks, as well as a related editorial which appeared August 3 in the Pittsburgh Post-Gazette.

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

Text of letter from U.S. Senator HUGH SCOTT to the American Broadcasting Corp., Associated Press, Columbia Broadcasting System, Mutual Broadcasting Co., National Broadcasting Co., and United Press International:

"I am greatly concerned about the newspaper and radio and television coverage of the recent riots and civil disturbances throughout the country. I believe that the news media, in many instances, inadvertently contributed to the turmoil.

"I recommend that the new industry confer with specialists in civil liberties, the Justice Department, representatives of local and state law enforcement agencies, and civic organizations to draw up a code of emergency procedure to be followed in reporting riots and incidents or speeches which could spark disturbances or permit militants to signal opportunities for disturbances in other areas.

"Such a code must be consistent with freedom of speech, a constitutional privilege which of course must be guarded vigilantly. Nevertheless, concentration on the sensational aspects of the situation and the frequent broadcast of appeals to riot by extremists raise a serious question as to the editorial responsibility and the discretion of the media.

"A more balanced presentation would counteract the alarming effects on the law-abiding Negro and white community of statements by such individuals as H. Rap Brown and Stokely Carmichael.

"I believe the news media must balance the inflationary statements by presenting at the same time appeals for law and order and reasonable conduct by such responsible leaders as Roy Wilkins, Whitney M. Young, A. Philip Randolph, and Martin Luther King.

"The communications media must meet their responsibility to report the news, but to help dampen the fires burning in our cities they must avoid inciting to further violence by the very manner in which the news is carried.

"At the same time, political concerns must be set aside in favor of practical and humanitarian approaches to the concrete problems of our urban areas. We are not going to get anywhere in this country by efforts to spread the blame. There is guilt enough for all. What the country needs is to undertake responsible action at all levels so that we may rapidly attain domestic tranquility.

"Nothing less than a combined and concerted effort by local, State, and Federal Government, business, civic and religious groups, and the news media will enable us to effectively and constructively deal with these problems."

RIOTS IN THE NEWS

We agree with Pennsylvania's Sen. Hugh Scott that the media of communication should show more responsibility in their coverage of irresponsible people involved in rioting and incitement to riot. Given the fierce competition among the news media, however, it would not be easy, as he proposes, to establish a "voluntary code of emergency procedure" to be followed in covering riots.

Responsible procedures to be followed in an "emergency" would be just as desirable all of the time. The problem is to agree ever on what is news and how it should be handled in the public's best interests. Agreement has eluded newsmen for as long as there have been newspapers. This is because what may seem fair and constructive to one editor will impress another as ridiculous and unreasonable.

While we do not anticipate general agreement, we deplore the practice of sticking microphones and cameras into the faces of irresponsible people whose inflammatory harangues are then broadcast to untold num-

bers of impressionable citizens. Senator Scott makes a good point when he argues that such coverage should at least be balanced off by the statements of responsible leaders.

Back in the days of racial integration of public schools in the South, Alfred Friendly, of the Washington Post, raised a pertinent question as to the mob reporting of mob activities. The very presence of masses of reporters and photographers, he argued, "make what is already a difficult task close to impossible."

In support of his argument, Mr. Friendly offered an extension of Heisenberg's uncertainty principle. This principle holds that the very act of observing or probing a phenomenon changes the phenomenon.

Thus what might otherwise be a quiet and peaceful assemblage or protest can suddenly degenerate into a riot simply through the appearance of a crowd of newsmen and cameramen looking for action and affording an opportunity for worldwide coverage of those who provide it. Rather than disappoint a potential audience, some idiot is moved to violence.

On the other hand, but for an alert press the public would have no way to know what goes on and how its affairs are handled. The need is to find a way to keep the public informed adequately without in the process unduly magnifying and contributing to evils the press should help to combat.

Past efforts to get media representatives to agree on standards of conduct and such have been unavailing nor do we, in such a heterogeneous field of activity, expect much agreement now. Where a free press operates under competitive conditions, we can only trust to the judgment and sense of responsibility of individual owners of the media.

DEVASTATION BY RIOT

Mr. HART. Mr. President, anyone who did not have the chance to visit the devastated areas of Detroit following the recent riot could not possibly conceive of the vastness of property damage done. Truthfully, even when you see it, the mind does not fully comprehend the magnitude.

Tuesday's Journal of Commerce, however, carried a list of the buildings that were either damaged by fire or vandalized or looted, or both, during the riot. An unofficial list compiled for the newspaper by an insurance official numbered 269 buildings damaged by fire and 528 affected by looting or vandalism.

The list—in that bifocal-testing type newspapers use for these things—runs over four columns. Its length is some testimony to the financial suffering of Detroiters because of the lawless action of their fellow citizens. First, the reading of it may heighten one's understanding of the damage, and I shall ask unanimous consent that the list be printed in the RECORD at the conclusion of my remarks.

But as one reads down the list a fuller appreciation of the disruption to normal life the riot caused Detroiters dawns. Included are homes—so now there are homeless. Drugstores—so medicine is harder to come by. Grocery stores—where do we shop today? Furniture stores, warehouses, real estate offices, body shops, tobacco stores, shoe repair shops, hardwares, and an upholstery store.

Each of these losses represents inconvenience to its customers. But, more important, it represents families of the owners and employees who face years of debt to get back in business, limited incomes, or the search for a new way to earn a living. Help to overcome this economic hurt must be given.

Mr. President, no Senator would like such suffering to come to the residents of his State. How did it come? From criminal action by a few against the many. The causes may be clear and understandable, and we must work to eradicate them. But the list points out that the more immediate need is for action to prevent another city enduring such privation.

Congress today is already at work trying to determine the causes of the riots. Good. Anything less would be foolhardy. But correcting the causes will take time and is an impossible task when our cities are burning.

First things must come first. Congress must immediately assure our citizens that steps are being taken to protect the people of our cities from the flames, the snipers, and the looting.

Several measures to do this are already before us, including the President's Safe Streets and Crime Control Act of 1967, of which I am a cosponsor, and the Riot Prevention and Control Act of 1967 introduced in the House by Representative JAMES O'HARA of Michigan.

Hearings have been held in the Senate on the President's bill, and the House today will be asked to accept the O'Hara measure. There is no question that either of these measures would be of far more help to our cities than the antiriot bill which the Senate Committee on the Judiciary is now considering and which seems to have gained the public eye.

Mr. President, Congress has been criticized by many—including the Vice President of the United States—for not sensing the emergency situation of our country today. However one wishes to plead to that charge; however we may have lumbered along in the past on the measures that might have prevented this summer of riot and havoc, is it not about time that the light of the fire in our cities illuminated for us the road we must travel?

There is fright in the citizenry today—fear that their Government, which they traditionally have entrusted with their well-being, can no longer do the job.

This fear must be stilled. If not, we will become a nation of vigilantes on every corner and shotguns in every living room.

Congress must move—and swiftly—before the United States writes the most infamous chapter in its history.

I ask unanimous consent that the Journal of Commerce list of property damages be printed in the RECORD.

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

LIST OF DETROIT RIOT LOSSES—FIRES: 269; VANDALISM 528

(The following is a list of places and business establishments that have been damaged by fire during the recent riots and civil commotion in Detroit, Michigan, according to an unofficial tabulation, compiled by an insurance official for The Journal of Commerce.)

Allied Polishing, 2915 Mt. Elliot; Forest Market, 4678 John R., market; Gerald Buckley, 5236 Grand River; Gerald Buckley, 5228 Grand River; Florence Robert, 3517 W. Warren; Florence Velmann, 4566 Trumbull; Foust Department Store, 4700 Trumbull, department store; Raimi Brothers, 4600 Grand River; Philip Lion, 4534 Trumbull; Draperies by Andrew, Inc., 14850 Linwood, drapery store; Daisy Shops, 7345 Grand River, ladies store; Hershel Radio & Electronics, 5245 Grand River, radio supply store; David Green Shoes, 3500 W. Warren, shoe store; Rubins Department Store, 3517 W. Warren, department store; Becks Suso Supply, 3365 W. Warren; Zorry Furniture, 4601 14th St., furniture store.

Maurice Borisoff, 4550 Trumbull; Tyme Furniture, 4500 Grand River, furniture store; Sabah Garino, 4406 Milford; J. McCullough, 6001 Stanford; Joseph Lee, 2650 Myrtle; George Byrd, 9629–31 E. Forest, dwelling; Mary Thomas, 8500–4 Mack; Howard's Shops, 7901 Mack, ladies shop; Marie Malloc, 8844 Mack; Mattie Winkfield, 8508 Mack, dwelling; Wm. Hunter, 4717 Pennsylvania, dwelling; Riverside Storage, 7922 Mack, storage warehouse; Morris Lerner, 7310–22 W. Warren; Famous Brand Shoes, Inc., 17626 James Couzens Hwy., shoe store; Roul Berriest, 111 Highway, dwelling; Delaware Market, 1213 Delaware, market; Joseph Bing, 8940–46 Northfield.

Najil Roumayah, 8767 Kercheval; Franklin Patent Medicine, 11630 Charlevoix, drug store; Paul Verriest, 12800–16 E. Jefferson; Hudson Jewelry, 12804 E. Jefferson, jewelry store; Gonzales, 5245 Trenton, dwelling; Jack J. Bashuwa, 3229 Fenkell; John Zenobian, 15721 Petosky, dwelling; Joseph Lee, 4535 Trumbull; Gorman Furniture, 15700 Livernois, furniture store; Recreational Amusement, 20000 Woodward; Haig Kakusian, 27 E. Arizona; Samuel Check, 8715 Oakland; Edward Fishman, 8338 12th; George Kassa, 10341 Kercheval.

Frank Mansoor, 7938 Kercheval; Charles Danniels, 8735 Mack; Michael Lazzana, 9321 Mack; Irwin Henovitz, 9900 Kercheval; Frederick W. Tistle, 7960 Kercheval; Jack Chaiken, 9626 Kercheval, store; Edith Levine, 9200 Kercheval; Listh Bakery, 8735 Gratiot, bakery; F. James, E. Hurst, 1709 Baldwin; Germaines Collision, 3844 Gratiot, bump and paint shop; R. Farris, 1150 Middlebelt; Gerry Kappy D-B-A Jack's Place, 2237 E. Davidson; Elsie Carr, 1716 W. Euclid; Abraham Ferris, 4303 14th Street; Abraham Ferris, 4240 14th Street; D & R Army Surplus, 7700 Harper, store retail; Bachman & Chodoroff, 3745 Joy Rd., super market; Abraham Ferris, 4285 14th Street.

Louis El'Chomen, 2514–16 Pingru, dwelling; Famous Brand Shoes, Inc., 11646 Dexter, shoe store; M. Adler, 3444 W. Warren, dwelling; G. Pabala, 3888 W. Warren, dwelling; Warren Loan, 5412 W. Warren, pawnshop; Wilshire Realty, 12603 Dexter, real estate office; C. Lesser, 13200 Dexter; Rudin's Department Store, 3513 W. Warren, department store; Robert Steinberg, 8701 12th; Ben Kent, 8923 Linwood; Albert Brandt, 8605 12th, pawnshop; Linwood Drugs, 8782 Linwood, drug store; Estell McClendon, 1935 Delaware, dwelling; Benford Jenkin, 2500 Pingru, dwelling.

Theo. Namzia, 9100–12 Grand River; Arthur's Furniture, 4727 Grand River, furniture store; Wilber & Paige, 4719 Grand River; Joy Furniture, 9117 Grand River, furniture store; R. Braham, 9320 Grand River; Reid Corp., 9024 Grand River; H. Cribben, 8771 Grand River; Cadillac Body Shop, 8521 Grand River, bump and paint shop; A. Cherow, 7755 Grand River; H. Geha, 4058 Joy Road; Ginsbury & Broder, 4033 Joy Road; M. Starr, 3300 Joy Road; M. Roberts, 2435 Edison; M. Najar, 8906 Northfield; J. Stellah, 8543 Wildemere; F. Farbat, 8222 Epworth, mercantile; Mirror Lounge, 9710 Dexter, cocktail lounge; E. Kent, 8923 Linwood, mercantile; Englander Furniture, 4423 Humbolt, furniture store.

Charles Lesser, 13300 Dexter; H. Krane, 3722 Harrison, drug store; M. Gubels d-b-a

Meatland, 8847 Linwood, butcher shop; James Bologna, 694 Continental; Joseph Cliantz, 7614 Kercheval; Judish Snyder, 9215 Mack; City of Hamtramck, 8228 McDougal; Charles Furniture, 8025 W. Grand Blvd., furniture store; Ben Kert, 2617–23 Taylor, dwelling; Eva Shulman, 7133 W. Warren; Gertrude Echols, 2532–34 Blaine, dwelling; Lincoln Market, 4101 Lincoln, market; Paul Hagon, 8380 W. Grand Blvd.; New Galilie Church, 4711 Penn St., church.

Bennie Roy, 2568 Pingru, dwelling; Schefges Co., 5792 Van Dyke; Max Langwald, 1012–18 Westminster, store; Ernest Mathert, 312–28 E. Warren; Michigan Estate Furniture, 3400 Grand River, furniture store; K. Gemmen, 4304 Tireman; Mark Liss, 1717–19 Hazelwood, dwelling; Sav-U-Cash, 5122 Wabash; P. Workmons, 2431–33 Blaine, dwelling; Eula Griffin, 9530 Goodwin, drug store; Peter Theodore, 3100 Woodward; Lieberman's Department Store, 2401–11; Joseph Campeau, merchandise store; Mack Ave. Tobacco, 7616 Mack, candy, tobacco store; Albert Ellis, 6815 Charlevoix; Maria Gardella, 3600–24 Cass; H & H Party Store, 2839 Hastings, liquor store; Liebermans Department Store, 2761–67 Waterloo, merchandise store; Helen Rashid, 1430–32 W. Forest.

Lee Saperstein, 1632–36 Gladstone, dwelling; David Berk, 2925 Woodward; Wallace Warehouse Clothes, 2640 E. Grand Blvd., clothier merchant; Frank Solomon, 1825 Concord; Vard Byrd, 2468 Pingru, dwelling; Alvin Friedman, 12218 Dexter, store; Tauba R. Dresser, 8363 John C. Lodge; Ernest Robinson, 5113–15 Roehm, dwelling; I. Hansburgh, 3912 Chene; B & B Variety, 8560 Linwood, variety store; George Shietz, 12350 Woodrow Wilson; Kaplan's Cut Rate Drugs, 12700 E. Jefferson, drug store; Louis Kensia, 8501 Linwood; Morris Ehrlich, 8841 12th.

Furniture-Rama, 7735 12th, furniture store; Abraham Weinstein, 8774 Linwood; Star-Light Food Market, 9314 12th St., store (food); Waldo Cain, 8027 12th St.; La Salle Sign, 8405 Linwood, sign company; Rueben Mendel, 8001 12th; Ben Weinstock, 8333 12th; J. Gourwitz, 8140 John C. Lodge; Carl's Department Store, 8945 12th, retail store; W. Thistle D–B–A Casey's Bar, 7960 Kercheval, bar; George W. Bolis, 4871 Grand River; General Plating Co., 1701–17 Bellevue, industrial plant; Wm. Petzold, 5724 Grand, dwelling; Bennie Simms, 1723 Euclid, dwelling; Habib Oashat, 8405 John C. Lodge; Russell Mule, 9326–28 Kercheval; Gregory Parthalis, 8763–67 Kercheval; Irving Grumet, 8937–47 12th, men's cloth store; Katzman Pharmacy, 11320 Dexter, drug store.

N. Ginsburg, 8029 Linwood, Mercantile; National 5c & $1.00, 11636 Dexter, mercantile; George Gross, 11630 Dexter, doctor's office; Merchandise Mart, 18958 Livernois, hardware store; Famous Upholstery, 3928 Gibson, furniture outlet; Pasquale Cosenga, 10318 12th, mercantile; Lucky B. Corp., 10354 12th; Joseph Rosen, 12130 Linwood; Harold Seymore, 12251 Linwood; Mr. K's Neighborhood Market, 12142 Petoskey, grocery; Wadi Bachana, 4805 Grand River, mercantile; M. Grosberg Carson Furniture, 8600 Grand River; D. Baji, 4349 Grand River, mercantile.

Searwood Co., 3401 Grand River; B. Fenton, 9104 Grand River; L. Milgrom, 8675 12th; Rueben's Variety Store, 12033 12th, mercantile; P. Cosenga, 10318 12th; M. Zacks, 8202 12th, mercantile; Royall Marks, 10022 Fenhell; A. P. Food Stores, 1133 Hamilton, super market; E. J. Watson Insurance Agency, 9029 Linwood, insurance office; S. S. Kresge Co., 7350 Grand River, variety store; Jupiter Discount Store, 9010 Grand River, variety store; Eugene Clowers, 1128 W. Forest, dwelling; Southern Mich. Blood Service, 3112 Woodward, blood donor service; Ace Loan Co., 3102 Woodward, pawn shop; Gen. Sales Co., 2929 Woodward, mercantile; Boyer Recreation, 6056 Woodward; P & P Grocery, 1451 Pallister, grocery; Delaware Market, 1213 Delaware, grocery.

Costa's Resale Shop, 4413 Grand River, furniture store; Neighborly Bar, 4564 Grand River, tavern; Davidson's Barber Shop, 4616 Grand River; Nickle's Furniture, 14th St. at Grand River, furniture store; Dixie Furniture, 4801 Grand River, furniture store; Topps Furniture, 4921 Grand River, furniture store; Paris Cleaners & Dyers, 4899 Grand River; Al Daly Tire Co.-Warehouse, 5228 Grand River, warehouse; Silver Bell Market, 5636 Grand River, grocery; Radio & Sound Equipment Co., 5656 Grand River; Edna Lee, 5676 Grand River; Brewer Hardware, 5680 Grand River, mercantile; Curley's Furniture, 4507 14th; Hajj & G. Restaurant, 7765 Grand River.

Leather Shop, 7761 Grand River mercantile; Vells Cleaners, 8737 Grand River, mercantile; Multi Repro Co., 8739 Grand River, mercantile; Walker Bros. Floor Covering, 8745 Grand River, mercantile; Eaton Pharmacy, 14801 Livernois, drug store; Quality Market, 14805 Livernois, grocery; Luck Barber Shop, 14807 Livernois barber shop; Universal Stores 5c & $1.00, 3501 Trumbull, variety store; Ruth Shill, 3513 Trumbull; Andersons Clothing Shop, 3519 Trumbull, mercantile; Bee's Beauty Shop, 3527 Trumbull, mercantile; Red Robin Shops, 7366 Grand River, shoe store; National Bank of Detroit, 7380 Grand River, bank; Sherwin-William Paint Co., 2023 W. Grand Blvd.; Leader Carpet Cleaners, 8648 Linwood; Pushkin Apartments, 8911 Linwood; Epstein's Bakery, 9936 Dexter; Food Farm Market, 11550 Dexter; Economy 5c to $5.00 Store, 7954 Kercheval.

The Good Housekeeping Shop, 8938 Grand River, appliance store; Mannys Loan Office, 9011 12th; Hardy Drugs, 9051 12th, drug store; Jacks Esquire Shop, 9035 12th, mercantile; Cancellation Men's Shoes, 9047 12th, mercantile; Tiny Tim Market, 8062 12th, grocery; Lipson's Discount Variety Store, 8541 12th, mercantile; Trecher Fruit Market, 8531 12th, mercantile; Harry Band Fish Market, 8533 12th, mercantile; Devotive Baptist Church, 3225 Fenkell, church; Shulmans Market, 3231 Fenkell, grocery; Bell's Coffee Cafe, 3237 Fenkell, restaurant; Joseph's Food Market, 5770 John R. grocery.

Toodle Drugs, 5250 Beaubean, drug store; Ritzie Beauty Salon, 4864 Brush, mercantile; Up to Date Cleaners, 4868 Brush, mercantile; Water Wonderland Market, 4856 Brush, mercantile; Kings 5c to $5.00, 8719 Oakland, mercantile; Allen Moses, 8713 Oakland, mercantile; Carters Cleaners, 8707 Oakland, mercantile; Florence's Resale Shop, 9030 Oakland, mercantile; Owen Party Store, 9101 Oakland, mercantile; Cancellation Shoes, 9115 Oakland, mercantile; Sportsman Shine Parlor, 9131 Oakland, mercantile; Oakland Ave. Beauty Shop, 9145 Oakland, mercantile; Oakland Super Market, 8636 Oakland, mercantile; H & G Shoe Repair, 8620 Oakland, mercantile; Barthwell's Drugs, 8600 Oakland, mercantile; Mara-Lee Dress Shop, 915 Westminister, mercantile; Fix-It Resale Shop, 933 Westminister, mercantile; Vacant, 923 Westminster, mercantile; Vacant, 911 Westminister, mercantile.

American Legion Hall, 8228 McDougall-Hamtramck; Sams Clothiers, 1001 Westminister, mercantile; Model Shoe Store, 1009 Westminister, mercantile; Joe's Place, 1015 Westminister, mercantile; Elmer's Fish & Poultry, 1019 Westminister, mercantile; Westminister Shoe Repair, 1029 Westminister, mercantile; Vacant, 1033 Westminister, mercantile; Bess Barber Shop, 1037 Westminister, mercantile; Allenas Beauty Shop, 1039 Westminister, mercantile.

(The following locations were vandalized and-or looted in the act of riot and civil commotion.)

Ace Loan, 3111 Woodward, pawn shop; B&R Drugs, 3101 Woodward, drug store; United Stores, 2828 Woodward, haberdashery; Sproat Drugs, 2655 Woodward, drug store; Sid's Loans, 2645 Woodward, pawn shop; Adelson's Music Store, 2477 Woodward, musical instruments; Capper & Capper, 1571 Woodward, men's clothing; J. M. Citron, 1200 Washington Blvd., men's furnishings; Schonick's, 1400 Washington Blvd., men's clothing; Congress Cut Rate Medicine, 13901 Hamilton, drug store; Royal Mourad Imports, 13847 Hamilton, mercantile; Tobacco Brands Distributors Inc., 13829 Hamilton, wholesalers-tobacco; Highland Park Tobacco & Candy, 13755 Hamilton, wholesalers.

Lewis Drugs, 11505 Hamilton, drug store; Louis Poultry & Fish, 11317 Hamilton, meat fish market; Detroit Bank & Trust Co., 11317 Hamilton, bank; Sidney's Ready to Wear, 10331 Hamilton, men's furnishings; Fuller Customs Upholstery, 8515 John C. Lodge, upholstery shop; Archie's Liquor Store, 8501 John Lodge, liquor store; Chick's bar, 8485 John Lodge, bar; John Lodge Record Shop, 8425 John Lodge, record store; Majon's Bar, 8241 John C. Lodge, bar; Hamilton Party Store, 8225 John C. Lodge, liquor store; Young's Cleaners, 8051 John C. Lodge, cleaning store; Furnace & Boiler Repairs Shop, 1105 Delaware, service; Hamilton Laundry, 7737 John C. Lodge, laundry; Ernest Barber Shop, 7735 John C. Lodge, barber shop; Shamrock Bar, 7739 John C. Lodge, bar; Michigan Mobile Radio, 20232 Livernois; Trainors Liquor Store, 20100 Livernois, mercantile; Claire Perone, 19452 Livernois, ladies clothing; Jeanette Stewart, 19491 Livernois, interior decorator; Greenston's Jewelry, 19500 Livernois, jewelry store; Shewitz Custom Tailors, 19414 Livernois, men's clothing; The Wig Shop, 19380 Livernois, mercantile; Hampton House, 19376 Livernois, mercantile; Danby's Store, 19190 Livernois, men's clothing; B. Siegel Co., 6375 W. Seven Mile Rd., ladies' apparel; Wm. Devlin, 17125 Livernois, jeweler; College Pharmacy, 15956 Livernois, drugs; Puritan Pharmacy, 2597 Puritan, drugs.

Charlies Exclusive Men's Wear, 2015 Puritan, men's wear; Borin Brothers, 14450 Linwood, ice manufacturers & distributors; Wholesale Distributors, 3915 Fenkell, wholesale mercantile; Johnnies Records, 3940 Fenkell, mercantile; Siella Products, 4011 Fenkell; Mozel Auto Radio, 4041 Fenkell; S. S. Kresge, 15340 Livernois, retail mercantile store; Cannon Shoes, 15374 Livernois, mercantile; Smith Corona, 3450 Woodward, office equipment sales; Drug Store, 3408 Woodward; Woodward Loan, 3153 Woodward, pawn shop; C. King Book Store, 3157 Woodward, book store; Emiliness Book Store, 3134 Woodward, book store.

New Center Market 8631–35 Second Blvd., grocer; Mike Stark Co., 7455 Grand River, mercantile; Fred Restum, 2906–2914 Third, mercantile; State Prescription, 10680 Grand River, drug store; Ed. C. Stanley, 3433–37 Buchanan, mercantile; Valentine Furniture, 8781 Grand River, mercantile; Packer Jewelry, 2625 Woodward, mercantile; Honey Baked Ham, 3741 Fenkell, Whalings, Inc., Fisher Building, mercantile; Deans Bar, 7427–31 W. Chicago; Dr. O'Rourke, 7477 LaSalle; Derrick, 700 Seward.

L. L. Concession, 2937 St. Aubin; Henry Miller, 2622–24 Gratiot; Black & White Mkt., 7429–37 Kercheval; UAW–CIO, 11500 Charlevoix; Sam Farber, 2831 55 Gratiot; Kemp Furniture, 435 Division; Joseph Quasarano, 6661–65 Mack; Mack Canton Market, 6808 Mack, mercantile; Front Rinaldi, 6800 Mack; Wigs International, 1540 Woodward, mercantile; Schons Men's Wear, 3903–13 Woodward, mercantile; Anthony R. Wehby, 2919 Mack; Motor City Barber, 3535 Gratiot; Murrays Loan, 4721 W. Warren; Witkowski Sons & Co., 5536 Michigan Ave.

Commercial Tobacco Co., 5310 Russel St., mercantile; Fairmount Restaurant, 2915 Third; Louis Loans, 3143 Woodward; A. Applebaum & A. Starr, 2545 Bagley; My T Good Shoe, 3430 W. Grand River, mercantile; Morey Drug Co., 2545 Bagley, mercantile; Great Lakes Hotel Supply, 1961 W. Grand River; Zenith Loan Office, 2965 Woodward;

Albert Nahara, 4854 Michigan; Joe Konja, 6844 E. Lafayette; Food Liner Market, 11334 12th, mercantile; Linwood Drug, 8782 Linwood, mercantile.

Marion Schwartz, 11331 Hamilton; Milford 5c to $1.00 Store, 4400 Milford, mercantile; Sandy's Variety & Hardware, 2903 Mt. Elliot, mercantile; Roy J. Pugh, 8900–04 Northfield; Lewitt, 4510 Joy Road; Kapser Shoe Store, 9038 12th St., mercantile; Reliable Rug Co., 9018 12th St., mercantile; Stern Boot Shop, 8645 12th St., mercantile; A. Nouman, 10721 Mack Ave.; Franks Shoes, 8021 Gratioit, mercantile; Helmuth Krave, 3709 Harrison; Salasnek Fisheries, 2140 Wilkins, wholesale fish; Rolin A. Lambert, 4230 Woodward; Olympia Stop N Shop, 5744 Grand River, mercantile; Leytons, Inc., 7733 Harper.

Big Dipper Inc., 2900 Brush; Antonio Angelo, 4325 Moran St.; Wm. J. Santilli, 4189 Moran; Jack Dabish, 8800 Oakland; David Aboo, 3435 Brush; George Kherkher, 4719 Brush; Sam Yaldoo, 3796 14th; Saul Firestone, 9608–12 Grand River; Manuel Gona, 5929 14th St.; Norman Sandweiss and Samuel Cash, 3511 Brush; Ernest Smith, 8553 Oakland.

John H. Hakim, 9645 E. Forest; Grover Weyhet-Vernon E. Lane, 9655 Greenfield; Calvin Whitlow, 8973 Linwood; Joseph Kassis, 3011 Longfellow; Chuck Kandah dba Crystal Mkt, 7516 Lawton, mercantile; Maurice Starr dba Star Cut Rate Drugs, 3300 Joy Road, mercantile; Albert Gordon, 12144 12th St.; New Center Market, 8631–57 2nd Blvd., mercantile; Central Outfitting Co., 3500 Chene, mercantile; Eddie W. Stephens, 8638–30 Oakland; National Laundry Co., 555 Farnsworth; Wayne Super Market, 10345 Hamilton, mercantile; Helen Stein, 8651 Woodward; Detroit Leather Works, 2895 E. Grand Blvd.; Wood Mil Realty & Investment, 6500–18 Woodward; Joseph & Anna Sake, 6518 Woodward; Padberg Linotyping Co., 4470 Cass Avenue; C. E. Tringali, 7429–37 Kercheval; Kosins Clothes, 1430–36 Griswold, mercantile; Brand Patent Medicine, 1000 Helen, mercantile; Sol & Rose Rybeck, 2276 Indiandale; Gerald G. Russ, 10437 Mack; E&S Packing, 3425 Russell; Bells Meats Inc., 10307 Mack; West End Cleaners, 6835 W. Warren; LeClair Inc., 2020–66 W. Grand Blvd.; Vorhies Estates, Inc., 2416–26 W. Grand Blvd.

Tom & Elizabeth Mitchell, 2533 Blaine, dwelling; Assd David, 10301 Mack; Thomas Denha, 8340 Second; Hana Essa, 2842 McGraw; Henry Shapiro & Art Levine, 1101–11 Westminster; Stevens Boot Shop, 8645 12th, mercantile; Abraham Weinstein, 8774 Linwood; J&J Patent Medicine, 7459 Joy Road, mercantile; Virginia Bradford, 1732 Euclid; B. M. Lewis, 5420 W. Warren; Warren Loan, 5412 W. Warren; M. Lewis, 5408 W. Warren; F. Saad, 5710 W. Warren; Davis Beer, 4530 W. Warren; M. Lerner, 7310 W. Warren.

Discount Medical Mart, 3370 W. Warren, mercantile; J. Landsman, 3370 W. Warren, mercantile; Dave's Beer & Wine, 4530 W. Warren, mercantile; Blott-Robb Co., 5733 Grand River; Leslie Moore, 3400 W. Grand River; Carls Family Drug, 7352 Kercheval, mercantile; Farm Boys Market, 7938 Kercheval, mercantile; Radio Bar, 6538 Lindwood; Macks Provisions, 3829 W. Warren, mercantile; David Berman, 4530 W. Warren Sarasohns, 5511 W. Warren.

Joe Ellis, 5511 Warren; Max Furniture, 4858 Michigan, mercantile; Minnie Barakat, 4503 12th St.; B&C Hardware, 3839 W. Warren; Economy Linen Service Inc., 3736 Humboldt; Prime Meat Packing Co., 2380 20th St.; Grand Value Super Mkt., 5415 W. Warren, mercantile; Ideal Patent Medicine, 2603 Buchanan, mercantile; Harry Cohen, 5245 Grand River; Boulevard Groc. Beer & Wine, 6566 Linwood, mercantile; Jacob Ghannan, 6427 Linwood; Isaac Al-Hermizi, 10715 Mack; Sabri & Sam Ghannam, 9101 E. Forest; Margaret M. Monaghan, 8110–20 Mack Ave.; Mahfet Party Store, 11228 Mack Ave.

Mich Floral Co., 4748 Grand River, mercantile; Hotel Liquidating Co., 4770 Grand River, mercantile; American Auction, 4849 Grand River, mercantile; General Cleaners, 5479 Grand River, mercantile; E&B 5 & 10 Store, 5677 Grand River, mercantile; Central Grill, 5724 Grand River, mercantile; Value Village, 5740 Grand River, mercantile; Miller-New Mark, 5743 Grand River, mercantile; General Cleaners, 5757 Grand River, mercantile; Olympia Liquor, 5744 Grand River, mercantile; Neel Shoe Co., 7312 Grand River, mercantile; United Shirt, 7316 Grand River, mercantile; Winkelmans, 7324 Grand River, mercantile; Coll & Hanson, 7301 Grand River, mercantile; Peoples Credit Jewelry, 7415 Grand River, mercantile.

Dona Rae Shop, 7461 Grand River, mercantile; Frame Shop, 7420 Grand River, mercantile; Sanders Cleaning, 7520 Grand River, mercantile; McCurdy, 7767 Grand River, mercantile; Gateman's Mkt, 8250 Grand River, mercantile; Dr. E. Keemer, 8260 Grand River, mercantile; Superior Office Supply, 8378 Grand River, mercantile; Lundy Drugs, 8382 Grand River, mercantile; Logans Cleaners, 8420 Grand River, mercantile; Carousal Cleaners, 8468 Grand River, mercantile; Capri Furniture, 8536 Grand River, mercantile; Genes Lounge, 8546 Grand River, mercantile; Halfway Bar, 8519 Grand River, mercantile; Dorseys, 8626 Grand River, mercantile; Big Star Mkt., 8772 Grand River, mercantile; Paint Stores Inc., 8780 Grand River, mercantile; Guss Carpets Inc., 8792 Grand River, mercantile; Auto Equipment Co., 8787 Grand River, mercantile; Paradise Loan, 9049 Oakland, mercantile.

C. Rock, 10000 Fenkell, mercantile; A. Yezbick, 6526 John R, mercantile; E. Victoria, 2800 John R, mercantile; Amar Corp., 7300 Grand River, mercantile; Amar Corp., 2023 Grand River, mercantile; Amar Corp., 7360 Grand River, mercantile; A Silber, 2340 Grand River, mercantile; Beacon Enterprise, 300 W. Lafayette, mercantile; J. Malcoun, 4400 Lillibridge, mercantile; S. Meczezenski, 6000 John R, mercantile; L. Racey, 12546 Dexter, mercantile; E. Montgomery, 3505 Trumbull, mercantile; Bond Staner Inc., 909 Grand River, mercantile; I. Goldstein, 8217 John Lodge, mercantile; B. Sarasby, 3412 Brush, mercantile.

Supreme Paint, 8939 12th St., mercantile; Park Shelton Hotel, 5400 Woodward, mercantile; L. Klein, 3829 W. Warren, mercantile; A. Weinstein, 2541 Gladstone, dwelling; G. Teisen, 8844 Mack, mercantile; M. Zacks, 8202 12th St., mercantile; R. Lambert, 4230 Woodward, mercantile; F. Rubin, 4400 Milford, mercantile; N. Moss, 5310 Russell, mercantile; La Salle Dist., 20201 Livernois, mercantile; Auto Craft Trim, 20215 Livernois, mercantile; Grinnels, 19400 Livernois, mercantile; Walters, 19416 Livernois, mercantile; Lizette Mamoth, 19506 Livernois, mercantile; Arthurs Interiors, 19499 Livernois, mercantile; Margie Franzel, 19390 Livernois, mercantile; Ceresnex Offen, 19386 Livernois, mercantile; Alexander Wig, 19218 Livernois, mercantile; Blocks, 19132 Livernois, clothiers; Al Harris, 19114 Livernois, mercantile; Whalings, 6329 W. Seven Mile, mercantile; Epps, 16215 Livernois, sporting goods; Discount Cleaners, 3843 Puritan, mercantile; A. & P., 4010 Puritan, mercantile; Lux Cleaners, 3111 Puritan, mercantile; King Cole, 2441 Puritan, mercantile; Klein Drugs, 2041 Puritan, mercantile; Top Star Market, 3406 Fenkell, mercantile; Famous Cleaners, 3700 Fenkell, mercantile; Fenkell Records, 3712 Fenkell, mercantile; Soul Bro-Party Store, 7654 Fenkell, mercantile; Star Awning, 8343 Fenkell, mercantile.

Arrow Shirt, 10021 Fenkell, mercantile; Cunninghams, 15300 Livernois, druggist; Robelle Shops, 15366 Livernois, mercantile; Good Housekeeping, 15239 Livernois, appliances; North End Hardware, 9135 Oakland, mercantile; Furniture Mart, 9316 Oakland, mercantile; Katz Paint & Hardware, 9328 Oakland, mercantile; Oakland Auto Supply, 9332 Oakland, mercantile; Rite Way Auto Parts, 9325 Oakland, mercantile; Oakland Beer Store, 11315 Oakland, mercantile; Davison Market, 1903 Davison, mercantile; Eddies Market, 12845 Woodrow Wilson, mercantile; Famous Cleaners, 12753 Woodrow Wilson, mercantile; Supreme T. V. Rep., 12630 Woodrow Wilson, mercantile; Liquor Store, 12501 Woodrow Wilson, mercantile; National Ladder Co., 12320 Woodrow Wilson, mercantile; Smith & Mahlon, 12301 Woodrow Wilson, drugs; Monroe & Syke, 12200 Woodrow Wilson, liquor store; Saks Fifth Ave., Second & Lothrop, mercantile; S. & H. Green Stamps, 7601 Second Blvd. mercantile.

Milgrom's, 122 Fisher Bldg., Blvd. & Second, mercantile; Mosley's, 120 Fisher Bldg., Blvd. & Second, mercantile; Check Store, 12040 Twelfth St., mercantile; Delco's Laundry, 12056 Twelfth St., mercantile; Lindy's Super Market, 12117 Twelfth St., mercantile; Calumet Show Bar, 12144 Twelfth St., mercantile; Maksym Refrigeration, 8238 Woodward, mercantile; Basso Appliances, 7644 Woodward, mercantile; Harris Rexall Drugs, 7400 Woodward, mercantile; Allens Shoes, 6549 Woodward, mercantile; Leo Beresh, Jeweler, 6519 Woodward, mercantile; Max Greens Men's Wear, 6513 Woodward, mercantile; Mich. Liquor Control, 55 Milwaukee, mercantile; Celeste Cleaners, 2588 W. Grand Blvd., mercantile.

Pallister Laundry, 1531 Pallister, mercantile; Pallister Cleaners, 1508 Pallister, mercantile; Steve Petix, Inc., 7433 McNichols, mens clothier; Tates Market, 402 E. Bethune, grocer; Richards 5c & 10c, 7701 Oakland, mercantile; Nicholsen Pat. Med., 7722 Oakland, mercantile; 7992 Oakland, grocer; 8326 Oakland, grocer; Oakland-Euclid Market, 8408 Oakland, grocer; Picket Fence Bar, 8539 Oakland, merchandise; Nu-Way Market, 8541 Oakland, grocer; 20th Century Barber, 8620 Oakland, mercantile; 8959 Oakland, pawn shop; Packers Super Market, 3429 Grand River, grocer; 3438 Grand River, lunch room; Meyers Music, 3448 Grand River, mercantile; Quick Clean Laundry, 3512 Grand River, mercantile ; Amin Grill, 4407 Grand River, mercantile; A. & P., 4711 Grand River, grocer; Central 5c & 10c, 4739 Grand River, mercantile.

Wonderland Pools Inc., 12603 Grand River, mercantile; V. Weijscha, 4832 Greenfield, mercantile; E. Carr, 1716 W. Euclid, dwelling; L. Newman, 9226 Mack, mercantile; Jerry Dechin Bar, 3305 Joy Rd., bar; General Aniline Film, 12790 Westwood, mercantile; Hospital Drug Co., 6501 Chene, mercantile; G. Atkins, 8720 Ephworth, mercantile; Madison Cleaners, 5706 Warren, West, mercantile; Prime Meat Packing, 2380 20th St., mercantile; Detroit Leather Works, 2895 E. Grand Blvd., mercantile; You Save Super Market, 12407 Linwood, grocer; Packard Patent Machine, 1481 E. Grand Blvd., mercantile.

Andy's Market, 12371 LaSalle, mercantile; Peter's Ice Cream, 10341 Hamilton, mercantile; C. & D. Market, 8001 Lawton, grocer; Cleanrite Cleaners, 12141 Dexter, mercantile; Fred's Market, 3942 Joy Road, grocer; Richman Bros., 14361 Gratiot, mercantile; Modern Dairy, 3942 Fenkell, mercantile; Farmer Outlet, 6326 Gratiot, mercantile; John Paul Enterprise, 4729 W. Warren, mercantile; Lin Terry Cleaners, 2555 Ferry Park, mercantile; Seward Laboratory, 8317 Hamilton, mercantile; Cole & Erwin, 123 State St., jeweler; Mort Siegel, 8313 John Lodge, mercantile; Ralph Klegan, 5003 Collingwood, pharmacy; Davis Beer, 4530 W. Warren, mercantile; J. Kogan, 7100 W. Warren, mercantile; L. Racey, 12546 Dexter, mercantile; Paul Feiner, 12111 Dexter, mercantile; D. Berk, 2725 Woodward, mercantile.

Savette Drug, 12501 Linwood, drug store; G. Agnello, 10916 Mack, mercantile; Schiners Market, 7600 Churchill, mercantile; H. Goodman, 13651 Nine Mile Rd., Oak Park, mercantile; Leytons Inc., 7737 Harper, mercan-

tile; Eddie Dawson, 1743 W. Euclid, dwelling; Arley's Auto Supply, 7609 Ephworth, mercantile; G. Hackad, 11609 Hawthorne, mercantile; H. Hesano, 3051 W. Warren, mercantile; I. Eisenman, 12827 Linwood, mercantile; Maylers Bakery, 12028 Dexter, mercantile; E. Slobin, 3877 W. Warren, mercantile; S. Lafkin, 2609 W. Davison, mercantile.

H. Toodle, 579 Josephine, mercantile; A. Glazer, 6224, 16th St., mercantile; I. Kidler, 7340 Grand River, mercantile; Petrie Stores, Inc., 6560 Woodward, mercantile; M. Randazzo, 9635 E. Forest, mercantile; J. Taormina, 5400 Cadillac, mercantile; A. J. Seltzer, 4011 Fenkell, mercantile; Max's Bargain, 8007 12th St., mercantile; M. B. Lewis, 8926 12th St., mercantile; R. Carlton, 9035 12th St., mercantile; E. Glanz, 12048 12th St., mercantile; A. Brant, 8605 12th St., mercantile; M. Zacks, 8202 12th St., mercantile; S. Roth, 9038 12th St., mercantile; J. Baker, 15360 Livernois, mercantile; J. Baker, 15354 Livernois, mercantile; S. Adler, 15209 Livernois, mercantile; N. Zuchler, 3126 Fenkell, mercantile; Z. Yagoobien, 3921 Penkell, mercantile.

May Furniture, 6640 Van Dyke, mercantile; Carl Freedman, 7347 Puritan, mercantile; E. Brylowski, 3500–24th, mercantile; Northland Theatre, 16856 Schaefer, mercantile; A. Hermizi, 10715 Mack, dwelling; H. Mansoon, 1115 Mack, mercantile; N. Zingar, 2272 Hurlbut, mercantile; Sam Harb, 9241 Charlevoix, mercantile; H. Roggin, 7352 Kercheval, mercantile; J. Lucas, 3832 St. Jean, mercantile; Family Food Market, 7400 Kercheval, grocery; L. Simons, 2650 Fairview, mercantile; UAW–CIO Hall, 11500 Charlevoix, meeting hall; Burke Realty, 12736 Gratiot, office building.

Dawn Drugs, 8337 Gratiot, drug store; H. Erman, 719 Harper, mercantile; Waddels, 5708 Baldwin, mercantile; Radio & TV Service, 8844 Gratiot, mercantile; Peter Savil, 501 Continental, restaurant; Cater Upholstering, 8771 Grand River, mercantile; Farris Brothers, 4303 - 14th, furniture; J. Quasamm, 6661 Mack, mercantile; Gershenson Realty, 2473 Woodward, mercantile; Leland Harnutt, 2965 Woodward, mercantile; Esther Schein, 1001 Westminster, mercantile; E. Machet, 2603 Russell, mercantile; Colonial Fruit, 10500 E. Jefferson, mercantile; L. Enterpuni, 11519 E. Jefferson, mercantile; F. Rinaldi, 6800 Mack, mercantile; F. Corino, 3429 Grand River, mercantile; A. Lenhoff, 3333 Puritan, mercantile; G. Kappy, 2237 E. Davison, mercantile; H. Restum, 2900 3rd, mercantile.

Peter Lafata, 500 Kitchner, dwelling; Shiffren Willens, 14317 Mack, jewelry store; Dood Market, 1705 Baldwin, cont. grocery; Sajeck Solomon, 10450 Schumacher; Kaplans Drugs, 12700 E. Jefferson, drug store; Wyler Drugs, 10500 E. Warren, drug store; Vincent Laracano, 5301 Pennsylvania; B. Siegel Co., 6375 W. 7 Mile Rd., apparel shop; Rays Tobacco & Candy, 3921 Fenkell; S. Birdie, 19128 Ohio, dwelling; Whalings Clothes, 6329 W. 7 Mile Rd., men's clothes; Shiffren Willens, 13710 Michigan, jewelry store; Louis A. Shalhoob, 7503 Joy Rd., mercantile; Dr. Robert C. Tripp, 14203 W. McNichols, mercantile.

Morris Lerner, 7310 W. Warren, mercantile; Harry Thomas, 15200 W. 7 Mile Rd., clothing store; Leon Friedman, 8501 Puritan; Eva Schulman, 7133 W. Warren, mercantile; Henry Feldman, 13517 Livernois, mercantile; S. A. Cardinal, Inc., 19512 Livernois, mercantile; Matz Tailor Shop, 7631 W. McNichols, mercantile; Sam Carmen, 14801 Livernois, mercantile; A. Geha, 13316 14th, mercantile; A. Ali, 2200 W. Davison, mercantile; W. Boland, 19442 Livernois, mercantile; M. Krugel, 3900 Fenkell, mercantile; W. Trotzki, 13733 Hamilton, mercantile; Central Outfitting, 4017 Fenkell, mercantile; Jack Fine, 13700 Linwood, mercantile; Mieh Mobile Radio, 20232 Livernois, mercantile; Eli Masry, 4180 Oakman, mercantile; Recreational Amusement, 20000 Woodward, mercantile; Dan Jacobs, 10330 Dexter, mercantile.

McKerchy, 2619 Woodward, mercantile; D. Berk, 2905–11 Woodward, mercantile; L. Cantor, 4161 Woodward, mercantile; M. Halpert, 2649 Woodward, mercantile; A. Goldbaum, 8651 Woodward, mercantile; Demery's Inc., 6433 Woodward, department store; M. Gould & C. Finer, 4233 Joy Road, mercantile; A. Taweel, 4421 Joy Road, mercantile; Appelbaum & Starr, 2545 Bagley, mercantile; Santex Cleaners, 11350 Woodward, mercantile; Madison Cleaners, 5706 W. Warren, mercantile; Stella Cleaners, 9132 Charlevoix, mercantile.

Cleanrite Cleaners, 12141 Dexter, mercantile; D. P. Gagen, 12851 Woodrow Wilson, mercantile; Reese Hardware, 12831 Woodrow Wilson, hardware; E. Singerman, 12099 Dexter, mercantile; F. Kottenstetle, 2251 W. Davison, mercantile; You Save Super Mkt., 12407 Linwood, grocer; Andy's Market, 12371 LaSalle, grocer; Fine Arts Upholstery, 12111 Dexter, mercantile; E. Glanz, 12048-12th St., mercantile; Green Valley Mkt., 12735 Linwood, mercantile; Eddies Pastry Store, 12831 Linwood, mercantile; Davis Drugs, 13340 Woodrow Wilson, mercantile; J. Holly, 3375 Fullerton, mercantile; Harry Soloman Inc., 19472 Livernois, mercantile; Bernies Loan 8428 Grand River, pawn shop; E. Gumann, 9223 Mack, mercantile; Carsons Furniture, 7600 Grand-River, mercantile; Detroit Consumers, 3429 Grand River, mercantile; Kanes Drugs, 8554 Grand River, mercantile; New Lindsdale Laundry, 8549 Grand River, mercantile.

B. Simon, 4641 Grand River, mercantile; J. Ascher, 8509 Grand River, mercantile; J. Alfreda, 7459 Grand River, mercantile; R. Katsen, 9301 Grand River, mercantile; Famous Br Shoes, 7320 Grand River, mercantile; Searwood Co., 3401 Grand River, mercantile; J. Menkens, 8926-12th St., mercantile; D. Damcheff, 3360 Grand River, mercantile; Soberman & Co., 8675 12th St., mercantile; Bond Store Inc., 9009 Grand River, mercantile; May Lipsitz, 1632 Gladstone, dwelling; Vassars Men's Shop, 12146 Dexter, mercantile; Thompson-Cain Meat Co., 5144 Lawton, mercantile; The Reid Corp., 9024 Grand River, mercantile.

M. Daond, 8026 Wildemere, mercantile; Union Pacific Mkt., 10201 Campron, mercantile; Steward Corp., 6501 Chene, mercantile; Parkinson Variety, 13316 Dexter, mercantile; Harper Furniture, 7312 Harper, mercantile; Richards Market, 4400 Bewick, mercantile; A. Manaco, 10300 Mack, mercantile; Jims Bar, 634-W 9 Mile Rd., Oak Park, mercantile; Super "8" Food, 8621-W 8 Mile Rd., mercantile; Gem Sales Co., 14 Temple, mercantile; J. G. Ellias, 2345 Joseph Campau, mercantile; H. Rostumi, 2900-3rd St., mercantile; Joy 5c to $5.00, 6509-14th St., mercantile; J. W. Runicaan, 2900 Mt. Elliot, mercantile; V. Abba, 24066 5 Mile Rd., mercantile; S. Kerma, 12021 Linwood, mercantile; C. Estes, 8642 Linwood, mercantile; Marlot 5c to $5.00, 7443 Joy Road, mercantile; Acme Furniture, 1100 Mack, mercantile.

Levine Delicatessen, 908 Westminster, mercantile; Criswell Trucking, 914 Westminster, mercantile; Lonnie's Resale, 916-32 Westminster, mercantile; Westminster Beauty Shop, 926 Westminster, mercantile; Good Neighbor Market, 1000 Westminster, mercantile; Nates Poultry Mkt., 1012 Westminster, mercantile; Max's Groc. & Meats, 1024 Westminster, mercantile; Nates Groc. & Meats, 1030 Westminster, mercantile; Allen Confectionery, 940 Westminster, mercantile; Higgin's Confectionery, 1040 Westminster, mercantile; Delman Super Mkt., 1130 Westminster, mercantile.

WIRETAPPING AND ORGANIZED CRIME

Mr. SCOTT. Mr. President, one need make no lengthy study to realize that a major problem facing this Nation is the internal threat created by the increasing incidence of crime. As a result, our citizens cannot lead their lives free of the fear and disquieting atmosphere resulting from the existence and reports of crime.

On March 9 of this year, I spoke at length on this subject, and I would like to direct my remarks today to the one aspect of this problem which represents the most insidious threat to the continued existence of American society as we now know it—the threat of organized crime. These are not the spontaneous crimes of passion, or the three escapades of misled youth—but rather the planned activities of professional criminals who plot their exploits with the utmost care and precision.

As stated in the Report of the President's Commission on Law Enforcement and Administration of Justice and in the Task Force Report on Organized Crime:

> Organized crime is a society that seeks to operate outside the control of the American people and their governments. It involves thousands of criminals, working within structures as complex as those of any large corporation, subject to laws more rigidly enforced than those of legitimate governments. Its actions are not impulsive but rather the result of intricate conspiracies, carried on over many years and aimed at gaining control over whole fields of activity in order to amass huge profits.
>
> The core of organized crime activity is the supplying of illegal goods and services—gambling, loan sharking, narcotics, and other forms of vice—to countless numbers of citizen customers. But organized crime is also extensively and deeply involved in legitimate business and in labor unions. Here it employs illegitimate methods—monopolization, terrorism, extortion, tax evasion—to drive out or control lawful ownership and leadership and to exact illegal profits from the public. And to carry on its many activities secure from governmental interference, organized crime corrupts public officials.

It should be patently clear that organized crime does not operate in a vacuum. We can ill afford to stand aside and shake our collective heads at the effects of such criminal activity, for in one way or another, every individual is affected when such activities are permitted to exist in our society.

It is due to these complex structures and intricate overlays of authority that law enforcement officials have such a difficult time in ever really reaching the high command of organized crime. Underlings "on errands" for the boss often come within the ready grasp of alert law enforcement officials, but they are the "expendables." When they neither know exactly who their real boss is or are fearful of discussing such matters, law enforcement work is stymied. The reluctance and fear of victims and witnesses do not ease the task.

How then do you break into this core and get to the center of this cancer? How do you obtain the necessary evidence when an organization is dedicated to protecting its masters through a code of silence? What do you look for when almost all communication is by word of mouth, and there are no telltale records or memorandums of illicit enterprises? There can be no doubt as to the extent of

the problem, the question is how to successfully combat it.

It is against this unique background that I turn to probably the most controversial means of obtaining evidence—the techniques referred to as bugging and wiretapping. There are those who say that these techniques are the only effective tools to fight such criminal activity. Others condemn these methods as a dangerous invasion of privacy. There are valid arguments on both sides. But there should be no doubt that the final decision on how to proceed in this area must be based on both the rights of individuals and the need to protect society, not an emotional harangue which too often accompanies these electronic surveillance debates. It should also be noted that the present U.S. law on wiretapping and bugging is totally unsatisfactory. Neither the right of privacy nor enforcement of the law is adequately served.

While I feel reluctant to authorize the overhearing of private conversations, even where there is the possibility that evidence concerning criminal activity may be uncovered, I must admit some doubt as to whether any wiretapping legislation should prevent the use of this weapon in society's struggle against organized crime—especially in view of the unique evidence-gathering problems in this area. The impact of the Crime Commission reports, revealing testimony before the Senate Judiciary Subcommittee on Criminal Laws and Procedures, on which I serve, and discussions with persons interested and concerned with all aspects of the criminal justice system lead me to believe that if such organized criminal activity is permitted continued immunity while it infects all of our lives, it may well destroy the viability and organization of our system. At the least, I am afraid I may have been wrong to believe that society does not need this weapon in its struggle against organized crime.

It is for these reasons that I have decided to cosponsor S. 2050, the Electronic Surveillance Control Act of 1967, introduced by Senator HRUSKA. This legislation has the following major provisions—

First, private utilization of wiretapping and bugging would be flatly prohibited.

Second, Federal authorities would be authorized upon the obtaining of Federal court orders pursuant to application of the appropriate U.S. attorney, to conduct carefully circumscribed and strictly controlled electronic surveillance in investigation of specified crimes involving national security and serious criminal offenses.

Third, at the State level, electronic surveillance would be authorized pursuant to State statute and upon order of a court of general jurisdiction.

Fourth, an elaborate system of checks and safeguards would be established whereby criminal and civil remedies would be available to prevent abuses and unauthorized surveillance by public officials and private persons.

I believe that this legislation can provide our law enforcement authorities a useful tool in their investigations of organized crime while not unduly disturbing the privacy of the ordinary, law-abiding citizen.

In short, the advantages to society of this legislation outweigh its disadvantages. If flaws appear in its administration, they can—and must—be corrected.

THE COMING ELECTORAL FARCE IN SOUTH VIETNAM

Mr. GRUENING. Mr. President, of course, it should long have been obvious that the attempts to impose, instill, inject, or otherwise inculcate democracy upon the self-imposed regimes which the United States has been supporting with our military might and money for the last 13 years in South Vietnam are farcical. In practice, they are a sham, and the sooner the realization of that comes to all concerned, including the unfortunate victims of the folly of our totally unjustified military intervention in Southeast Asia, the better.

The editorial entitled "Neutralizing Vietnam's Vote," published in the New York Times of August 3, adduces just one more bit of evidence of the tragic error of our unwarranted interference in Asian affairs with the mounting costs of precious American lives and endless American dollars. I ask unanimous consent that the editorial be printed at this point in my remarks.

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

[From the New York Times, Aug. 3, 1967]

NEUTRALIZING VIETNAM'S VOTE

South Vietnam's ruling military junta seems determined to convert the Sept. 3 Presidential election—so widely touted as a democratic showcase—into a farcical matter of "heads we win, tails you lose."

Not content with virtually assuring a military victory at the polls by combining the two most powerful generals on one slate and by removing the names of their most serious challengers from the ballot, the junta has now let it be known that it is forming a "military affairs committee" which would continue to direct national policy no matter who gets the most votes next month.

This travesty on democracy is quite in keeping with the attitude long blatantly expressed by Marshal Ky. The present Premier and Number Two man on the junta slate has said more than once that if he isn't satisfied with the outcome of the election he will use force to change it.

It is also, unfortunately, not incompatible with the undisguised preference of the American Embassy for continued military rule in Saigon. Former Ambassador Henry Cabot Lodge voiced this preference openly. The present Ambassador, Ellsworth Bunker, has been more discreet, but the feeling in Saigon is that Mr. Bunker is "neutral" in favor of the military slate. He is believed to have played an important behind-the-scenes role in ending the military split that threatened to give civilian candidates a fighting chance.

The heavy commitment in men and money that the United States has assumed in Vietnam gives it no right to dictate the outcome of the election, but it does require the exercise of American influence to keep the voting from turning into mockery.

President Johnson and other Administration spokesmen have for months hailed the elections as a major turning point in the war effort and a proof of the American resolve to assure self-determination for the Vietnamese people. Their hope has been that the establishment of a popularly elected regime in Saigon would rally the people to the Government and thus accelerate the military and pacification efforts. Others have suggested that the election could offer a promising avenue toward peace by bringing to power a Saigon Government willing to negotiate directly with the National Liberation Front.

If the junta is permitted to proceed with the present charade, nothing will change—in Saigon, in the somber conduct of the war or in the world's estimate of the legitimacy of American war aims.

Mr. GRUENING. Mr. President, nor is it surprising, as the news story in the Washington Star of August 3 reveals in a dispatch from Saigon by knowledgeable correspondent Richard Critchfield, that:

South Vietnam's presidential election campaign . . . opened . . . in what veteran observers felt was a disturbing climate of growing popular cynicism and brooding indifference.

It could scarcely be otherwise considering the prospective fraudulence of a campaign from which a large contingent of voters is debarred by the orders of the ruling junta.

As Mr. Critchfield further reports:

The consensus among many responsible Vietnamese seems to be it will take a near-miracle in the next 30 days if the elections are to create the kind of authentic popular government Vietnamese unanimously say is needed to win the war and rekindle enthusiasm.

Critchfield further points out:

Reminders from the ruling generals that they have both the desire and ability to keep power in their hands have been reinforced by creation this week of a new "military affairs committee" to run the armed forces once the current junta is replaced by an elected government.

Mr. Critchfield's article should be read by any and all who may have been fooled by the attempt to make the coming elections in South Vietnam appear like a constructive step toward democracy in that unhappy wartorn, dictator-ridden little country.

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 Star, Aug. 3, 1967]

VIETNAM CAMPAIGN OPENS AMID INDIFFERENCE, CYNICISM

(By Richard Critchfield)

SAIGON.—South Vietnam's presidential election campaign formally opened today in what veteran observers felt was a disturbing climate of growing popular cynicism and brooding indifference.

There seems to be little doubt a large percentage of nearly 5.5 million registered voters—1.2 million from metropolitan Saigon—will go to the polls Sept. 3 to cast ballots for a nationally-elected president, vice president and 60 senators. Polling for 130 representatives, elected in local constituencies, will follow Oct. 22.

The new government, which in all likelihood will eventually be the negotiating authority on behalf of the South Vietnamese people, will be sworn in for a four-year term sometime in October. U.S. officials anticipate it may require until early next year, however, before all the new government's constitutional institutions are fully installed.

(The running mate of one of the most prominent civilian candidates today called for deescalation of the war and negotiations with the Viet Cong, the Associated Press reported.

(Dr. Phan Quang Dan, vice presidential running mate of presidential candidate Phan

Khac Suu, told a news conference: "It is impossible to fight the Communists like we are now. It would be better to have a shouting war rather than a shooting war." Suu, president of the Provisional Assembly, was sitting beside Dan as he spoke.

(Dan proposed negotiations with the Communists "at all levels, including the National Liberation Front." The NLF is the political arm of the Viet Cong. Premier Nguyen Cao Ky's military government has admantly opposed any negotiations with the Viet Cong.

(Premier Ky, the ruling military junta's vice presidential candidate, with Chief of State Nguyen Van Thien, also talked about a peace settlement but spoke in terms of the Communists giving up "someday." He said there would be no pause in the bombing of North Vietnam until the allies are sure Hanoi will respond to such a pause.

(Tran Van Huong, 65-year-old former mayor of Saigon who is considered the leading civilian candidate for president, also held a news conference with his running mate, Mai Tho Truyen. They said the government must seek a political solution to the war but not "peace at any price.")

The consensus among many responsible Vietnamese seems to be it will take a near-miracle in the next 30 days if the elections are to create the kind of authentic popular government Vietnamese unanimously say is needed to win the war and rekindle enthusiasm.

So far the South Vietnamese people have refused to be aroused. In a two-week tour of the central provinces this reporter found few peasants out in the hamlets who were aware of the coming elections or, with the exception of Premier Ky, even knew the names of the principal candidates.

There is nothing odd about this. Saigon is still almost as remote as Paris or Washington to the average Vietnamese peasant whose horizon barely reaches to the next village and whose notion of government is usually embodied in his local village chief and policemen.

The widespread disinterest in the more sophisticated towns and cities seems based on past experience in which the Vietnamese learned to distinguish elections from representative or good government. Cynicism and loss of nerve is especially evident among Saigon intellectuals which has not been helped by seeming rebuffs from South Vietnam's Asian allies over supplying more combat troops and their disinterest in an early second summit conference.

Reminders from the ruling generals that they have both the desire and ability to keep power in their hands have been reinforced by creation this week of a new "military affairs committee" to run the armed forces once the current junta is replaced by an elected government.

Even a massive U.S.-financed "get out the vote" campaign has so far made much less impact than the successful effort before the September 1966 elections, although posters are again being pasted on the city walls and pink and yellow banners strung from city trees. But something more is badly needed to give the elections some oomph.

A grand whistle-stopping plane tour of the country to carry the 11 presidential tickets to 21 major cities and towns outside Saigon has lost much of its oomph since Lt. Gen. Nguyen Van Thieu and his running mate, Premier Ky, said their official duties would prevent them from going along at all.

At the moment, except for brief radio and television appearances, Thieu and Ky are likely to appear on the same platform with their civilian rivals only at formal press conferences Aug. 14 and 31.

Thieu's press secretary said the general's campaign will be strictly "low key" but predicted Thieu will name his choice of a future premier during the next two or three weeks. The spokesman said it would be a civilian and that Ky would be consulted to help choose between "many people now under consideration."

COST OF LIVING ISSUE

The sense of anti-climax and disillusionment with the electoral process itself expressed by some educated Vietnamese is overshadowed among the common people by deep political implications of a new sharp rise in the cost of living. This hits hardest the government-salaried soldiers, civil servants and teachers on whom the success of the elections largely depends.

Prices stayed fixed for several months until July when they shot up 9 percent, nearly 4 percent in the past week alone and a gain of 30 percent over a year ago.

This was partly because the Viet Cong blew up five bridges between Saigon and Dalat and cut Highway Four to the Mekong Delta in eight places 10 days ago. Since then Operation Coronado, involving a record 23 U.S. and Vietnamese battalions in a joint operation in the delta, has, in the words of Lt. Gen. Fred G. Weyand, the commander of Field Force II, "chewed up pieces" of three Viet Cong battalions.

Weyand said the Communists intended large-scale attacks during the first two weeks of August, presumably tied to creating a fresh inflationary wave in time for the elections.

Saigon has also been rocked by a charge made during the McClellan Committee hearings in Washington that La Thangh Nghe, the country's leading pharmaceutical importer, had gotten nearly $1 million in "kickbacks" from U.S. drug manufacturers and supplied medicine to the Viet Cong. A U.S. spokesman said yesterday the U.S. mission could find no evidence to support such charges against Nghe, a former cabinet minister.

GOVERNMENT REPORT PROVES PUBLIC WILL NEVER LEARN TO LOVE THE BOOM

Mr. PROXMIRE. Mr. President, a report has just been issued by the Office of Science and Technology in the Executive Office of the President which, based on intensive testing at Edwards Air Force Base in California, shows very clearly that a significant proportion of the American people will never learn to love or even tolerate the sonic boom.

This report proves that the Federal Aviation Administration has been talking through its hat when it comes to the sonic boom. In a recent FAA brochure, the boom was written off with the statement:

> Individuals tend to accommodate themselves to an initially disturbing noise once it becomes a pattern of daily life.

The Edwards Air Force Base tests show that this just is not true.

The sonic booms the proposed supersonic transport would produce would be as irritating to people, the report declared, as the noise made by a turbofan aircraft if one were standing at the end of the runway directly under its flight path as it was taking off.

If the SST is built and put into regular service over land—and, in my view, that is what would have to happen if the plane is to be an economic success—then we will be able to boast to our constituents at election time that we had been able with their tax money to put a jetport into every backyard in the country. I doubt whether the acquisition would be welcomed with much enthusiasm.

Transportation Secretary Alan Boyd has promised that the SST will not fly at supersonic speeds over land if the sonic boom proves unacceptable. If that is the case, one has to stretch the economic facts of life very hard to make any sense out of this project. Why spend huge amounts of the taxpayer's money to develop a commercial transport that will fly at supersonic speeds when, once in service, it will have to fly much of the time at subsonic speeds, which present jets can do far more efficiently?

Promises such as the one made by Secretary Boyd, however, have a way of eroding in the face of pressure from powerful economic interests such as the aviation industry.

In that event, noise pollution will become a serious problem in every nook and cranny in this country.

I ask unanimous consent that a New York Times account of an inquiry now underway in France into the deaths of three persons when the farmhouse which they occupied collapsed following a sonic boom be printed in the RECORD.

I also ask unanimous consent that an article published in the London Times about the way Londoners have reacted to recent sonic boom tests be printed in the RECORD, to be followed by the reports published in the New York Times and the Washington Post on the Edwards Air Force Base test results.

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

[From the New York Times, Aug. 3, 1967]

FRENCH INVESTIGATE DEATHS OF THREE LINKED TO SUPERJET'S BOOM

(By John L. Hess)

PARIS, August 3.—Military and civil authorities began an inquiry today to determine whether a supersonic boom was responsible for the deaths of three persons in the collapse of a farm house in Breton.

If such a finding is made, the accident yesterday will be recorded as the worst among thousands registered in France in recent years as having been caused by the shock wave produced by planes traveling faster than the speed of sound. At flight altitudes, that speed is about 660 miles an hour.

It is not yet known whether a supersonic plane was flying above the farm house at the time of the accident.

Since 1963, at least eight deaths in France have been attributed to supersonic booms. Four of the deaths resulted from heart attacks, two from runaway horses and two from the collapse of a well. In none of the cases, however, was the evidence conclusive.

The news of the deaths in the farm house heightened concern about the sound problem that will be posed by the Anglo-French Concorde supersonic airliner, scheduled to make its first flight next February, and by its Boeing competitor, due to fly in three to five years.

HAPPENED AT MEALTIME

The accident occurred yesterday in an old farmhouse near the village of Mauron, during the midday dinner of a farmer, his wife and eight neighbors and workmen helping in the harvest.

According to survivors, a loud clap was heard. Seconds later, the roof beam and rafters collapsed. Eight tons of barley stored in the attic fell with them and buried most of the diners. Three workmen were killed and one was seriously injured.

Of the previous accidents linked to supersonic booms, investigators at the Armed Forces Ministry say nearly all concerned old,

decrepit rural buildings that might have crumbled at any time. The farmhouse at Mauron, typically, was old and its beams were heavily laden.

In 1965, the authorities investigated 1,763 complaints of damages from supersonic booms, and in 907 of these cases paid damages totaling $255,000.

After that, flight rules were tightened considerably. Military planes—the only ones yet capable of flying faster than sound—were forbidden to fly that fast over metropolitan areas at any time or over the rest of France at night. They were also forbidden to fly at lower than 30,000 feet, or in a dive, or near the coastline in summertime.

The rules were said to reduce the shock felt on the ground to that of a door slammed.

Nevertheless, the number of damage complaints rose by more than a thousand last year. Final figures on settlements were not available, but approached $400,000 in the southwest alone, around the chief base of the Mirage IV supersonic bomber.

[From the London Times, July 18, 1967]

LONDON ROUSED BY DOUBLE BOOM—CALLS SWAMP MINISTRY OF TECHNOLOGY

No one will ever know how many Londoners were angry enough to ring the Ministry of Technology in protest yesterday after a double boom had shattered the capital's afternoon peace.

The first wave of telephone calls swamped the Ministry's switchboard, and callers were still getting the engaged signal after an hour. Some kept trying until they got through; many telephoned the Noise Abatement Society's London office instead; some telephoned newspapers.

The Ministry said afterwards that they would never know how many gave up. Yet the point of the exercise, in the Ministry's own words, is to "assess the spontaneous reactions of the public."

"ONE HUNDRED AND THIRTY DECIBELS"

London's foretaste of the Concord came at 3.30 p.m. First reports were from the Thames estuary area, where a high-speed aircraft was seen over Canvey Island (where seafront houses were shaken) and heading towards London. Protests then came in from places as diverse as Billericay, Essex (where children jumped and cried), Cheshunt, Hertfordshire, and Guildford, Surrey.

A sound engineer in central London claimed to have measured 130 decibels. People in tall buildings said the booms appeared to shake the structure, as well as rattling windows.

Among several calls to *The Times* was one from a man in Barnes who said he had been trying to ring the Ministry of Technology for at least half-an-hour without success. His wife was suffering from a serious heart condition and had been greatly upset by the noise.

Mr. John Connell, chairman of the Noise Abatement Society, said they had received 150 calls in the first hour, some 30 miles from central London. Motorists complained their driving was affected, mothers said that their babies had been awakened, and most people spoke of "tremendous shock." He said anything over 60 decibels was generally regarded as detrimental to health.

GIFT FOR LEGAL ACTION

The society is to take out a writ against the Ministry, seeking an injunction to prevent unnecessary noise, and a £50 cheque had been given by a member of the public to pay the costs of proceedings, Mr. Connell added.

The Ministry refused to confirm or deny that the noise was a boom, but said that inquiries by the public were welcomed.

A spokesman said "We heard a boom here, but I am not in a position to say I heard a sonic boom."

Supersonic boom tests were welcome by the British Association for the Control of Aircraft Noise, if the noise was comparable to that expected from the Concord, Mr. Eric Epson, the association's chairman, said yesterday. The people of Britain must be allowed to ascertain by personal experience exactly what was involved.

[From the New York Times, Aug. 3, 1967]

SUPERJETS MUST CUT SPEEDS OVER LAND, BOOM TESTS INDICATE

(By Evert Clark)

WASHINGTON, August 2.—The latest Government report on sonic boom tests tends to reinforce the widespread belief that supersonic airliners will not be allowed to fly at top speed over land.

It suggests that even persons who have heard several booms a day for many years object to booms of the intensity likely to be produced by the superjets.

[In France, the authorities began an inquiry to determine whether the collapse of a farm house in which three persons died had been caused by a supersonic boom.]

The United States, a British-French team and the Soviet Union are building superjets, and the question of whether they will be permitted to fly supersonically over populated areas is still unsettled. Most experts believe the planes would still be profitable even if supersonic flight were limited to water routes.

LITTLE HARM FOUND

The report, made public today by the Office of Science and Technology, is an inch-and-a-half thick document containing preliminary findings of the effects of booms on people, animals and buildings.

While the report draws few simple conclusions, it indicates that 367 boom flights near Edwards Air Force Base, Calif., last summer and winter caused little or no physical harm to people, test structures or the 220,570 horses, cows, sheep, turkeys, chickens and pheasants in the area.

Annoyance, however, was another question. A summary of the report deals only with the relative annoyance of boom of differing intensities, and the relative annoyance of booms versus jet aircraft engine noise. These were main objectives of the tests.

But tabulations included in the report indicate that anywhere from one third to 98 per cent of the test subjects objected to booms in the 2.0 to 3.5-pound per square foot over-pressure range that superjets are expected to produce under the worst of circumstances.

Planes moving at more than 660 miles an hour, the speed of sound at high altitudes, compress the air into shock waves. The shock waves then trail along behind and beneath the plane and produce booming sounds as they strike the earth. The force at the ground, measured in pressure greater than atmospheric pressure, is referred to as overpressure.

Normal atmospheric pressure is 2,117 pounds a square foot.

NOISE VARIES WIDELY

To the human ear the booms can sound as sharp as a rifle crack or as dull as the rumble of distant thunder, varying with size, shape, speed, altitude and maneuvers of the plane and with atmospheric conditions.

Over pressure caused by military planes can vary from nothing to more than 100 pounds a square foot—a level that observers have described as sounding like battlefield noise.

Superjet designers hope to keep booms produced by the passenger planes down to no more than 2.5 pounds. But atmospheric conditions can occasionally cause a focusing effect that doubles a boom's intensity.

The tests reported on today took place from June 3 to June 23, 1966, and from Oct. 31 of last year to Jan. 17 of this year. They involved 11 types of aircraft that made 367 supersonic and 261 subsonic flights near Edwards.

The air base is a test center for military and civilian aircraft. From early 1963 to mid-1966, these planes had produced 5,099 booms in the Edwards area.

TWO HUNDRED AND FIFTY-SIX TESTED EACH BOOM

For the boom tests, 393 adults were chosen as subjects from among the 50,000 residents of the area. For any one boom, 256 test subjects were stationed in test houses or outdoors and asked to record their reactions.

The preliminary conclusions indicate that booms sound worse outdoors than indoors, that walls of houses shut out jet aircraft engine noise better than they do booms, and that annoyance increases faster with increasingly bigger booms than it does with increasingly loud engine noise. Flights testing for engine noise were flown by subsonic aircraft representative of today's passenger airliners.

As an example of how booms can vary from plane to plane, those from the XB–70 research plane sounded worse indoors than outdoors, but booms from the B–58 bomber sounded worse outdoors than indoors, the report said.

Before the flights were made, 100,390 panes of window glass at Edwards were inspected. Of these, 669 were cracked and 25 broken or missing before the flights.

"During the test program, only three broken windows were reported that could be attributed to the test flights," the report said.

No complaints of glass damage to non residential buildings were received during the test program.

Fifty-seven damage complaints were made from the surrounding area and resulted in the filing of 19 damage claims.

These complaints alleged damage to glass, stucco, structures and bric-a-brac. Three per cent referred only to "bothersome noise."

Low-flying subsonic aircraft bothered animals more than the booms did, the report said.

"Furthermore, the reactions were of similar magnitude and nature to those resulting from flying paper, the presence of strange persons or other moving objects," the report said.

The researchers found no significant changes in animal production such as egg-laying but said that too few farms had been involved "to produce any conclusive evidence." They also said the four to eight booms a day normally heard around Edwards might have caused the animals "to have become considerably adapted to sonic booms prior to these tests."

Owners of a pheasant-breeding flock have filed a claim of a severe drop in egg production but "no significant changes in turkey egg production or feed consumption were apparent," the report said.

[From the Washington Post, Aug. 3, 1967]

SONIC BOOM TESTS FAIL TO WIN ANY BOOSTERS

(By David Hoffman)

Insofar as sonic booms are concerned, years of familiarity will not produce affection.

Heretofore, this conclusion was scorned by the experts. Yesterday, the Government published it after pelting 393 volunteers with 331 booms of wide-ranging intensity and studying the subjects' reactions.

Volunteers were split into two test groups—residents of Edwards Air Force Base, Calif., who had been exposed to four to eight booms per day for the past two years, and citizens of Redlands and Fontana, Calif., who were unfamiliar with the boom.

A delta-wing B–58 bomber laid down a boom of precisely the same strength expected from supersonic transports of the

future. When outdoors, 33 per cent of the veteran boom-listeners called the shock wave irritating. The comparable figure in the novice group was 39 per cent.

When queried indoors, 27 per cent of the Edwards residents found booms of SST strength to be irritating. Among novices the figure climbed to 40 per cent.

Five types of supersonic military aircraft boomed the Air Force's highly instrumented, experimental village at Edwards AFB. Subjects reported no significant difference in the noxiousness of one plane's boom as opposed to the boom of another, so long as the booms were of equal strength.

It had been hoped that aircraft design refinements could render some booms less irritating than others, even at the same strength.

In setting a ceiling on the noise jetliners could make at local airports, the Port of New York Authority came up with a measurement called the "perceived noise decibel" or PNDB, which measures not just the intensity of sound but its subjective irritability. Jetliners operating through New York Port Authority airports cannot generate more than 112 PNDB.

Subjects unfamiliar with aircraft noises, when indoors, found the SST-strength booms as irritating as jetliner noise levels of 118 to 119 PNDB. Said the report: "Noises having these PNDB values would be generated on the ground directly under the flight path of a turbofan aircraft at an altitude of 300 or 600 feet."

The same group found the boom intolable when outdoors, while the Edwards AFB residents found it tolerable when inside or outside their "typical" test house.

TEXAS' CONSERVATION NEEDS, TREATED BY JUSTICE DOUGLAS, GIVEN PROMINENT PLACE IN LITERATURE ON THE SUBJECT

Mr. YARBOROUGH. Mr. President, on Thursday, July 27, the Christian Science Monitor published a review of three books which concern conservation, which included Justice William O. Douglas' "Farewell to Texas."

This book, which is sweeping the country with its vivid and compelling descriptions of the beauties of the Texas landscape, well deserves a foremost place among recent works of literature which deal with the conservation needs of this country.

Justice Douglas pleads eloquently for the preservation of the scenic woodlands of Texas and for their increased use by tourists and vacationers. The Big Thicket is an area that he takes special note of in his book. I have tried to insure the conservation of this natural wonderland by the introduction of legislation, S. 4, to make the Big Thicket a national park. Justice Douglas' love of wildlife and of the land help to make all who read "Farewell to Texas" realize how precious are our few remaining spots of untouched wilderness.

Mr. President, I ask unanimous consent that the article entitled "America the Beautiful: Exploited Landscapes," written by Donovan Richardson, of the Monitor, be printed in the RECORD.

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

"AMERICA THE BEAUTIFUL": EXPLOITED LANDSCAPES

("Another View of the City," by Russell Peterson, New York: McGraw-Hill, $6.50. "Farewell to Texas: A Vanishing Wilderness," by William O. Douglas. New York: McGraw-Hill. $6.95. "Moment in the Sun," by Robert and Leona Rienow. New York: The Dial Press. $6.)

(By Donovan Richardson)

In its own way each of these books is a plea for conservation. They point to the advantages of a more appreciative and helpful relationship with other living things and with the vast, intricately balanced natural forces we so heedlessly damage to our own hurt.

Russell Peterson's "Another View of the City" is simple, pleasant, and effective. For he succeeds admirably in helping us to share his knowledge and affection for the wild life around his home near Sandy Hook, New Jersey.

The title is a misnomer. The author is not really looking at the city. The fact that Manhattan's towers scrape part of his skyline does emphasize the resistance of wild things to the encroaching asphalt jungle. But it is animals, plants, and people Mr. Peterson is really looking at—and enabling us to view more sympathetically through his understanding eyes.

Whether dealing with spiders or whales, he enlists our interest. Among bits this reviewer recalls are the accounts of the "school for screech owls"; the distinction bald eagles made between old inhabitants and strangers, and the experiments with wasps (the author found 34 kinds near his barn).

SAVE TEXAS

"Farewell to Texas" is also a misleading title. Justice William O. Douglas is really introducing readers to Lone Star wildernesses and making an eloquent plea for their preservation.

The author says that the "field work" for this book took six years. One assumes he means parts of six years for he does have other occupations, such as sitting on a bench in Washington and exploring the Himalayas. Even so the reader marvels at the scope and acuity of his observations. Indeed in some cases the detailed lists of flora and fauna congeal what might have been a travel story.

This detail does carry authority, however. When Justice Douglas pleads for the preservation of Capote Falls or the Santa Elena Canyon, he speaks as one who knows and loves them. Readers for whom Texas spells boundless prairie will be surprised by the author's descriptions of dense forests, towering mountains, and gorges 2,000 feet deep. The areas covered include the Big Thicket, the Chisos and Guadalupe mountains, McKittrick Canyons, and the Big Bend.

The author says the "Bend" became a national park not because Texans were converted to conservation but because, after the land was overgrazed and the grass destroyed, owners were glad to be "bailed out" by the government. He rates Texas as the most backward state in conservation measures. His undiplomatic words may not endear him to Texans, but his purpose may be achieved if they turn Texan pride into active conservation of the natural treasures he describes.

"Moment in the Sun" is an even more debatable title. The book's thesis is that the American people "have already passed our zenith." In the last chapter the gloom is pierced by a suggestion that inevitable decline could be halted by a revolutionary change of attitude toward all fields of conservation. But the authors don't expect it.

Robert and Leona Rienow write from a sense of outrage, believing that "America the Beautiful" has been turned into "America the squalid." The record of heedless or greedy exploitation and waste is shocking. Air and water pollution are only the more obvious and disgraceful abuses. Deserts are being created daily by some road builders and by slaughter of the irreplaceable redwoods. Careless use of pesticides merits sharp warnings. But a good case can be weakened by overstatement.

"WATER STANDARD OF LIVING"

On water, for example, the authors say: "Our living standards in regard to our most precious natural resource, water, have deteriorated." As to quality this is true in many sections, although our grandmothers who had to catch "soft" water in rain barrels might demur. As to quantity it is glaringly untrue. The book itself says every American uses 26,000,000 tons in a lifetime. Restrictions here and there only underscore the new uses our generation enjoys. Was the "water standard of living" higher when hot showers, automatic washers, and backyard pools were unknown?

One hopes no reader will conclude that the authors are trying to convince him it is unsafe to eat. They often appear terrified themselves. Which is a pity for some of their concerns deserve more attention. They rightly challenge the assumptions that a baby boom automatically spells prosperity. They might well question their own assumption that population increases automatically spell disaster. One interesting question raised is how the United States (with one-fifteenth of the world's people) can comfortably continue to consume half of its total product—much of it imported.

One is glad that the Rienows are "biased for beauty" and have the discernment to cherish intangible values like privacy. But their book would be more useful if it offered more specific examples of constructive effort such as that of one brewing firm which in a single year recaptured more than 2,000,000 cans which otherwise might have littered the landscape. The Rienows have a strong message; it could have been presented more winningly.

NO TIME TO RAISE TAXES

Mr. PROXMIRE. Mr. President, I simply cannot agree with the President's proposal that we raise taxes now.

My disagreement with the President is entirely economic. When the economy is booming, when there are broad shortages of labor, when production is pressing hard against capacity—in such an inflationary situation a rise in taxes may be wise economic policy.

Under such circumstances, higher taxes slow the economy. They reduce income and prevent inflationary pressures.

But there is no economic case for a tax increase now.

The country should grow every year to keep our great and increasing resources of manpower, which is expanding at a million and a half a year, and of plant and equipment which have lately been growing at a 7-percent rate, occupied.

But what is the economic situation in America today? For almost a year, now, the American economy has been virtually standing still. Industrial production has actually declined since a year ago.

The great American economic upsurge between 1964 and 1966 was driven by an unprecedented expansion in capital goods production. In the past 6 months that expansion has not only stopped, it has declined.

And with the Nation's production now down to 85 percent of its capacity compared to 91 percent in January, the incentive to invest in plant and equipment has evaporated. Continued large

inventories in relation to sales aggravate the problem.

We may face a capital goods recession. We certainly will get no stimulation from this sector that was mainly responsible for our past economic boom.

The tax increase proposed by the President is bound to slow down the kind of economic growth we vitally need now. Growth in real terms would have to reach 5 percent to give us reasonably full employment.

But the stagnant condition of the private sector suggests that growth may not even reach 4 percent for the rest of this year and the first part of next.

Hours of work per week in American factories is lower than it has been at any time in the past 6 years. Unemployment, while still relatively low, at 3.9 percent is too high and may go higher.

As for the size of the deficit, the President's tax proposal may be largely counterproductive. It will probably raise some additional revenue. But because it will tend to reduce corporate and personal income, the higher rates will yield little more in revenues.

To sum up, the President's tax increase is mistaken because it will slowdown the Nation's economic growth and by holding down business and personal income, it will raise little more in revenue—even with higher tax rates.

Mr. President, I ask unanimous consent to have printed in the RECORD a splendid editorial entitled "Must Taxes Be Raised?" which seriously and wisely questions the wisdom of the President's proposal, published in this morning's Washington Post; a remarkably perceptive and hard-hitting editorial entitled "Muddled Economic Priorities," published in the New York Times; and an emphatic and impressive editorial entitled "Taxes, the Promise of Failure," published in the Wall Street Journal.

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

MUST TAXES BE RAISED?

President Johnson's message calling for a 10 per cent surcharge on individual and corporate income taxes is a singularly unimpressive document, devoid of the sound reasoning and supporting evidence on which so important a fiscal proposal should be based. He argues that a failure to raise taxes will result in a "spiral of ruinous inflation," "brutally higher interest rates" and a "deterioration of our balance of payments." But aside from a $23.5 billion deficit and the obvious political consequences, the grim prospects envisioned by the President are more firmly anchored in rhetoric than in fact.

The specter of "ruinous" inflation presupposes an excessive demand for goods and services that will force prices up. But there is no reason to believe that excess demand pressures will in fact develop. In reviewing the budgetary figures, the President indicated that the deficit for fiscal 1968 will be $15.3 billion higher than anticipated. Of that increase $7 billion represents a shortfall of tax revenues that resulted from the slowdown in economic activity. None of the available evidence suggests that total demand is going to expand so sharply as to overheat the economy in the near future, and it is therefore difficult to share the President's concern over inflation or the balance of payments.

What about the threat of "brutally higher interest rates"? Here the analysis is complicated by the fact that business enterprises anticipating a repetition of last summer's monetary "crunch" are contracting bank loans far in excess of their needs. Interest rates consequently returned to the peak levels of last summer. But so long as the Federal Reserve authorities permit the stock of money to grow, there is no reason why the financing of the Government deficit should result in chaos or panic.

The Federal Reserve authorities argue assiduously that fiscal restraint is necessary to lighten burden on monetary policy. But their line of reasoning assumes an either/or choice between a highly expansionary monetary policy and the nearly ruinous restraint which they imposed upon the economy last summer when they reduced the stock of money. There is a middle ground in monetary policy, and Congress should not be blackmailed into reducing the after-tax income of the American people simply because the Federal Reserve authorities believe that it cannot be found.

There will be those who argue that a tax increase is necessary to finance both the war in Vietnam and the programs that seek to alleviate urban poverty and racial tensions. But the President did not pose that issue. Effective programs have yet to be formulated, and if feasible proposals were in fact ready, Congress would be in no mood to enact them.

Last October, when the Administration rammed through the unfortunate suspension of the investment-tax credit, it refused to present the Congress with an economic forecast on which its unfulfilled expectations of continuing inflationary pressures were based. Before Congress runs the risk of committing another fiscal error—and this one could be far more serious—it should demand a detailed economic forecast by the Council of Economic Advisers. Such an exercise would permit the public to decide whether taxes must be raised out of fear for inflation or the fear of a very large deficit.

MUDDLED ECONOMIC PRIORITIES

President Johnson gave Congress dubious economic advice in yesterday's tax message. Neither his assessment of national priorities nor his prescription for economic health squares with the country's real needs in this anxious period.

Despite his assurance earlier this week that the country can afford to do all that is necessary on both the home and war fronts, Mr. Johnson's preoccupation with further escalation in Vietnam appears to have made him blind to the urgency of what Vice President Humphrey calls a Marshall Plan for the slums.

In assessing the economic situation, the President deserts the precepts of the "new economics" in favor of a potentially damaging concession to the orthodoxy of budget balance even at the risk of a business downturn and joblessness.

For most of 1967 the United States has suffered a high-level economic stagnation that forces substantial resources to stand idle. More than 15 per cent of the nation's manufacturing capacity was inactive in the spring quarter; industrial production in June was below the same level a year earlier and unemployment was at the highest rate in a year and a half. The impact of all this was acknowledged earlier this week by Secretary of Commerce Trowbridge when he reported that Federal statisticians have revised downward by several billion dollars their original estimate for the value of 1967 total national production.

Against this background of mini-recession, it is difficult to take seriously the specter of runaway inflation that the President sought to conjure up as partial justification for the tax increase. Not only is there no galloping rise in prices, but such price pressure as there is stems primarily from the breakdown—under White House mismanagement—of the Administration's wage guideposts, a factor that will certainly worsen as unions seek further wage gains to offset the pinch of higher taxes.

The real challenge to the nation, as the summer riots have made clear, is to end idleness and restore hope in the strife-ridden cities—the kind of program for which Mr. Humphrey appealed less than 24 hours before the President's message. "Whatever it will take to get the job done, we must be willing to pay the price," said the Vice President. But his words found no echo in the Johnson prescription.

The worst aspect of the tax increase the President proposes is that it may abort the chances for a second-half economic upsurge and thus defeat hopes for more jobs and fuller utilization of the nation's resources. A budget deficit of almost $10 billion in the last fiscal year did not produce full employment, and there is no certainty that even the larger deficit Mr. Johnson now predicts for this year will bring the country closer to that goal.

More serious are the President's arguments about the squeeze on the capital markets and the continuing balance of payments deficit. But other and more direct curbs could be employed to control those situations if the political courage were present. Moreover, the very large amount of corporate bond flotation in recent months raises the possibility that a significant portion of private capital demand originally estimated for the last months of 1967 has already been met.

It is understandable that the politician in President Johnson quails at the thought of campaigning next year with the albatross of a $20- or $25-billion budgetary deficit around his neck. But an even bigger albatross would be the explosion of much more of the social dynamite now stored in the concentrations of unemployed and bitter men in the ghettos of all the nation's major cities. His tax program provides no good answer to that danger.

TAXES: THE PROMISE FAILURE

The President's tax message yesterday is a confession of failure past and a promise of failure to come.

The proposed increase—a whopping 10% on individuals and corporations, instead of the 6% talked of earlier—testifies to the Administration's inability to get Federal finances under control. Vietnam is offered as the main excuse, but in fact spending on all kinds of domestic programs has been rapidly rising as well; the Administration has adamantly refused to set the spending priorities obviously required by war.

In the process it has generated fresh inflation, itself a vicious form of taxation. It is producing prospective budget deficits of unacceptable proportions. Now, unwilling to restrain its own extravagance, it wants to grab still more of the people's hard-earned money.

Assuming Congress goes along (and it may not go all the way), will the tax boost work—that is, contain the deficits and curb the inflation?

There is no pretense at all that it will erase the red ink; Mr. Johnson himself calculates that this fiscal year's deficit would still be in the range of $15 billion to $18 billion. Such an enormous sum, coupled with the Government's easy-money policy, means that the prospects for inflation are good, even if business activity declines as a result of the tax increase.

Moreover, as these columns have previously observed, the Federal planners would almost certainly view higher taxes as a mandate for even higher spending. What they urgently need is discipline; what they would be getting is a license for a new binge.

The recommended "surcharges" are supposed to expire not quite two years hence, unless the Administration says it still needs

the revenue. Unhappily, that is a likely upshot.

For just one consideration, but a big one, it seems most probable that defense spending will go up in the years ahead, even if Vietnam outlays decrease. Already the talk is of major increases for strategic weapons, lest Russia overtake us in that area; some officials also believe the U.S. will have to deploy an extremely costly anti-ballistic missile system.

If the Administration will not cut less essential spending in the face of such possible demands, the question is raised: How much more taxation can the people and industry stand without significantly interfering with their ability and willingness to produce?

We think Congress should finally assert some courage and insist on substantial spending reductions—and only then decide whether this tax is really necessary.

THE DOMESTICATION OF THE MUSK OX: AN ALASKAN PROJECT

Mr. GRUENING. Mr. President, an excellent article on the musk ox and the program to domesticate it being carried out at the University of Alaska under the direction of John Teal was published in the July 17 issue of Sports Illustrated. It is distressing to read in a subsequent article—July 24—that the Governing Council of Canada's Northwest Territories has announced it was considering offering hunters the opportunity to kill a musk ox and would charge them $4,000 for the privilege. Considering that this subsequent notice reveals that killing a musk ox would have "all the thrill of killing, say, a cow," this is a shocking piece of news. Let us hope that sportsmen will unite in protesting against this proposal.

Apart from its indecency, to renew the killing of musk ox is shortsighted, since the domesticated animal can be a substantial source of revenue because of the unique quality of its wool, as well as a means of employment.

I ask unanimous consent that the article entitled "The Golden Shmoo of the Barren Lands," written by Dolly Connelly, and a shorter article entitled "Headhunters" be printed in the RECORD.

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

[From Sports Illustrated, July 17, 1967]

THE GOLDEN SHMOO OF THE BARREN LANDS

(By Dolly Connelly)

Last May, from the unlikely interior of the calving barns at the University of Alaska, there emerged seven bright-eyed, roly-poly hanks of hair that may someday be considered among the world's most important animals. They were the first results of a selective-breeding program designed to help the musk ox do for the north country what the Longhorn steer did for the American West a century before.

Not that anyone who has known and loved a musk ox—and the two conditions apparently are inseparable—would listen for a moment to comparison of his beast with the scrawny, ornery Longhorn. A musk ox smells good, tastes good, gives milk and loves to play games. But, most important of all, beneath the long, coarse, drab-brown hair that descends like chain mail from the pale saddle across their backs almost to their spatulate feet musk oxen carry an underwool finer than any other wool substance known in nature. And since they are capable of ingesting Arctic vegetation that any self-respecting reindeer or caribou would sniff at, the prairies stretching around the northern zones of the earth could support huge herds of them without ruffing the ecological balance of that rough yet fragile land.

In recent geological times, musk oxen ranged south at least to Kentucky on the North American continent and throughout Europe. While it is generally accepted that their pasturage shrank as they followed the retreat of ice northward during the last Ice Age, Vilhjalmur Stefansson blames their sharp decline in numbers on man and his thoughtless extermination of the herds. "Bows, arrows and spears were invented 20,000, 30,000 or 40,000 years ago," wrote Stefansson. "Ever since those days nearly every band of musk ox has in effect committed suicide by not fleeing but standing up against man to fight."

To passionate protectors of the earth's rare animals, these are among the most tragic words in Stefansson's long chronicles of life in the Arctic. When attacked, musk oxen form a rough circle of defense in the manner of a western wagon train threatened by Indians. Larger animals take up positions shoulder to shoulder on the perimeter, massive horned heads lowered to confront the enemy, with calves and yearlings buried within the protective ring. An individual animal will make a short, threatening sortie out of the circle and then promptly wriggle back into position, but rarely do the animals attack en masse, and they will run only if thoroughly alarmed. This circling strategy is a splendid defense against wolves, but a set-up for slaughter by man.

There is no sport in the killing of musk oxen, but in past years many "fearless" hunters returned to civilization with horrendous tales of attacks by "the world's most dangerous game animal." The musk ox, misnamed, misunderstood, maligned in a hundred fictitious stories delivered from the lectern, had no friends except a few who marveled at its magnificent adaptation to the Arctic prairies.

Musk ox range reached its low point in the last century. Whalers—Russian, Norwegian and American—wintering over in Arctic seas indulged in wanton slaughter, as much to relieve boredom as to obtain food, for they killed whole bands far in excess of need. As recently as the decade 1860 to 1870 the last native band of musk oxen in Alaska was exterminated in the vicinity of Point Hope. Canada's Banks Island is strewn as thickly with the bones of animals killed in the late 19th century as a Dakota prairie in the years of the buffalo slaughter.

I first saw a band of musk oxen move in flowing, fast gait, astonishingly graceful despite their short legs, through coarse, frozen tundra grass on a fog-shrouded island of the Bering Sea. Suddenly in dim winter twilight, like a forgotten vista of the Ice Age, they wheeled in clouds of self-generated steam and turned to study me. Years later I watched a young man named Terry Hall, herd manager of the musk ox breeding station at the University of Alaska, playfully haul a large bull across a snowy pasture on a sledge. Intensely curious, musk oxen will leap aboard any moving object—which led one of us to question just who was domesticating whom. This delightful incident was as incongruous as sighting a diplodocus at play in the backyard.

Like many other admirers of the musk ox, I have traced its dwindling natural range on the globe many times—the Arctic islands of extreme northern Canada, Peary Land to Scoresby Sound on the eastern coast of Greenland and the Canadian mainland at the game sanctuary created for it on the Thelon River west of Chesterfield Inlet on Hudson Bay. In 1930 this natural range was extended when the U.S. Fish and Wildlife Service captured wild musk ox calves and yearlings in Greenland and transplanted them first to Fairbanks and then to Nunivak Island off the coast of Alaska. Similar resettlements were made in Spitsbergen and in Norway. These little bands flourished, mostly because the habitats are free of wolves, their No. 1 enemy next to man, and the animals are now protected by international laws against slaughter and capture. The Nunivak herd—my own introduction to musk oxen—rapidly increased in 30 years from 33 animals to the current estimated population of 680.

In 1954, into this poignant picture of musk oxen surviving in remote huddles on the Arctic prairies there stepped the Institute of Northern Agricultural Research, a group of Arctic ecologists devoted to the domestication of both animals and plants for use in the northern economy. Concentration was on the musk ox in the belief that this great, shaggy, yoke-horned beast is best equipped to lead the northward march of civilization.

The name musk ox is absurd, for they are not oxen nor do they have musk glands. Having buried my face deep in the foot-thick shoulder wool of a damp musk ox and sniffed and sniffed, I can report that they smell only wet and wooly and faintly—but not offensively—of manure. Even the scientific name, *Ovibos moschatus* (musky sheep-cow), is a misnomer, as the musk ox probably is an ancient reminant that started off independently somewhere between the antelope and goat species. The Eskimos call it *oomingmak* (the bearded one) and know his wonderful underwool as *qiviut*.

Modern appreciation, dating from Stefansson's enthusiasm for the animal, is a complicated story now reaching marvelous culmination, the creation of a new economy for natives of the Canadian and Alaskan Arctic. The first inkling that this Ice Age mammal still existed on the northern tundra came three centuries ago when Arctic adventurers were astonished to see small clouds of gossamer blowing on the summer winds, a substance so light and silky that often it caught in shining sheets on dwarfed willow clumps growing in upper layers of soil over the permafrost. It was totally out of character with the environment, so much so that discoverers sought out the source of supply. They were astonished to learn that the wool substance was shed in sheets by a large, long-haired animal whose head was enclosed with heavy horns. Subsequently the literature of the time carried references to the strange "monster" that carried under its thick guard hairs an incredibly light wool drawn in long, silken strands.

It bore kinship to the extinct giant musk ox whose massive bones turn up now and again in the gold-dredging pools of Alaska and along the undercut banks of Arctic rivers. Bulls can weigh as much as half a ton and bear some superficial resemblance to the American bison.

The effort to domesticate the musk ox began in 1954 with the capture of three calves from the Thelon River Game Sanctuary in Canada's Northwest Territories under the auspices of the Institute of Northern Agricultural Research. The leader of this project was John J. Teal Jr., an anthropologist who heads up the institute and its cherished Project Musk Ox. The three babies were taken with tender care to Teal's own farm at Huntington Center, Vermont. They were gentled within a week, demonstrating an eagerness to establish good relations with their captors and to master the routine of American farm life.

The oxen did, however, distrust dogs. "Just after the oxen arrived our dogs came up to the fence," Teal says. "The musk oxen, whose natural enemy is the wolf, either saw through to the origin of that selective breeding or mistook the dogs for wolves. With great snorts the oxen dashed for me, stamping their feet on the ground, and formed a defense with me in the center. I knew then that I had been accepted."

Affectionate, playful, intelligent, these sup-

posedly fearsome animals turned out to be sweetie pies of the animal kingdom. They opened gates, picked locks and pockets, played king of the mountain, playfully butted heads, leaned on visitors to induce blissful scratchings, went swimming in the farm pond with members of the Teal family and learned to answer to their names. Wirtes John Teal in the monthly bulletin of the institute: "Angnanguak, always known as Girlie, the first calf captured in the Northwest Territories, is about to enter her 14th year as the pioneer domestic musk ox at the Institute's farm in Vermont. Always affectionate and fond of petting, she has allowed herself to be milked in the open pastures. Her calf of 1962, Little Girl, is a giant female of splendid proportions, but has not yet been bred for lack of a proper bull. Meanwhile Little Girl is much enamored of a horse with which she grazes, standing flank to flank by the hour and exchanging friendly nips."

In 1964 the institute began establishment of the Alaska breeding station with captures from the wild herd on Nunivak Island. Financing is by grant from the W. K. Kellogg Foundation with land provided by the University of Alaska. Capturing proved a frustrating procedure, as the slightest approach to the animals produced an immediate circle of threatening horns, the young safely enclosed within the group. They defeated every trick tried on them, from corralling to forcing them into the sea. It was finally discovered that musk oxen are terrified of the downdraft of helicopters. A hovering aircraft scattered the circled animals in all directions. After that the roping was greatly simplified, and soon 31 young animals in their fetching hula skirts of hair—most of them juvenile females—were ruminating in the enclosures.

The great value to the northern economy lies in the qiviut, the golden fleece of the Arctic, which is shed annually at one swoop. Shearing is about as difficult as peeling off a sweater. Breaking away from the skin, qiviut works through the guard hairs. As it grows heavy and hot in warm weather, animals practically ask to be peeled, siding up for a good scratching. Each animal drops about six pounds of qiviut, compared to three ounces of pashm from the Cashmere goat. The fiber is similar to pashm but about twice as long and half as thick, and thus far silkier. It can be prepared with the same machinery used for cashmere. Four to eight ounces make a sweater. One pound of the precious stuff, worth at least $50, spun into 40-strand thread, makes a ball of thread 25 miles long. A knitter can keep busy for a long time with a quarter of a pound of qiviut yarn. Very strong, it will not shrink when scrubbed or even boiled, and it will take dye without loss of softness or of warmth. Garments woven or knitted of qiviut are so light that the wearer scarcely feels them, yet warming enough to keep the wearer cozy in temperatures well below zero. After all, qiviut keeps musk oxen contentedly chewing cuds at 60° below zero.

Some of the fiber goes into research, but most is being stockpiled toward a goal of 1,000 pounds—an adequate quantity for the first commercial use. At that time one of the many textile firms specializing in rare materials will be selected for processing and manufacture of garments.

The Institute of Northern Agricultural Research has now come through the first two of its major phases with musk oxen: maintenance of the pilot-study herd in Vermont, used for research in physiology, taxonomy, diseases, genetics, behavior and response to management; and the establishment of breeding stations where "seed" stock will be produced and management and other studies further pursued. The experimentation ultimately will be followed by the distribution of domesticated breeding stock to qualified individuals and organizations. Eskimo councils from northern Quebec to the coastal villages of Alaska, learning of Project Musk Ox apparently through "mukluk telegraph," have already requested breeding stock. This summer the institute hopes to establish its second breeding station in collaboration with the province of Quebec, using animals captured on Ellesmere Island, probably the richest remaining musk ox territory in proportion to area. The station would be near Fort Chimo on Ungava Bay in response to urgent petitions from Eskimo village councils of the region.

In nature, musk ox bands number from five to 100 or more animals. A nucleus herd in a northern village probably will number two or three bulls and six cows to the bull. But only when the breeding herds have been augmented by natural increase and further captures of calves—enough to spare the cadre for new domesticated herds—will the musk ox take its giant step out of the Ice Age and into the 20th Century economy.

Along with domestication of the animals, this fall the institute will begin the training of promising young Eskimos as herdsmen. Mrs. Lillian Schell, a graduate student at the University of Alaska, working for a Master of Fine Arts degree, is preparing herself to teach the subtleties of qiviut garment hand-manufacture to native women. An honor graduate of the New England School of Textiles, Mrs. Schell will be a key instructor in the new native industry. Points out John Teal: "The quest for qiviut may be the means by which man will open up the North for permanent settlement and will achieve that greater wisdom, the happy adjustment of economy and environment."

Careful preparation of the native settlements to receive the musk oxen is an integral part of the plan. Some earlier attempts to teach Eskimos to herd reindeer came a cropper when the Fish and Wildlife Service failed to take into account the hunter instinct of the Eskimo. As quickly as hopeful Fish and Wildlife men winged off into the blue, the Eskimos did what comes naturally. They ate the reindeer on the grounds that a sure reindeer in the belly is to be preferred to a possible calf in the spring. This will not happen with musk oxen, no matter how delicious their flesh may be.

In captivity, the calves will be weaned in three months, so that cows may be bred again in August, producing calves annually instead of every second year as they ordinarily do. Without straining the imagination, it is possible to foresee the Arctic prairie again populated with herds of musk oxen as it once must have been—not food for prehistoric man, but bearers now of a golden opportunity for a hard-pressed people.

[From Sports Illustrated, July 24, 1967]

HEADHUNTERS

The musk ox, that delightful Arctic beastie now being domesticated by the University of Alaska in the hope that its soft warm fleece will outcash cashmere and provide a steady source of revenue for Eskimos (SI, July 17), is being talked about in different quarters as a prize for big-game hunters.

Last week the governing council of Canada's Northwest Territories announced it was considering offering hunters the opportunity to kill musk ox at $4,000 a shaggy head. The cost would include an airplane charter, guides, shooting licenses and all the thrill of killing, say, a cow, "The musk ox is even easier to shoot than a cow," says one northern wildlife expert. "You can walk right up to them."

The Superintendent of Game for the Northwest Territories concedes, "It is no sport in the proper sense. There is no skill to it. The only skill required is to select the biggest animal. But we can capitalize on the musk ox because it is an extremely rare trophy. [None have been shot since 1917.] We already have applications from Germany to hunt them."

Advocates of the plan say that the Eskimos could make a profit of $1,500 on each musk ox shot. They would be the guides and outfitters for expeditions and would receive the headless carcasses.

The Territorial Council needs revenue, but there must be a better way to get its pound of flesh.

BILLY GRAHAM TELLS OF HIS SUPPORT FOR WAR ON POVERTY

Mr. YARBOROUGH. Mr. President, last June, Billy Graham told an audience of 200 Congressmen and leading businessmen that, although he had not spoken in Washington for over 17 years, either for or against a Government program, he had now "come to speak to various Congressmen in favor of the poverty program." Mr. Graham had recently completed a tour of poverty areas in the South.

I ask unanimous consent that an account of Billy Graham's views on the war on poverty, written by W. Barry Garrett and published in the Capital Baptist of June 22, 1967, be printed in the RECORD.

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

GRAHAM SAYS HE'S BEEN CONVERTED ON POVERTY WAR

(By W. Barry Garrett)

WASHINGTON.—Billy Graham, world-renowned Southern Baptist evangelist, came to Capitol Hill here and proclaimed, "I am a convert" to the nation's war on poverty.

"This is the first time in 17 years," Graham said, "that I have come to Washington to speak for or against a government program." But now, he continued, "I have come to speak to various Congressmen in favor of the poverty program."

The evangelist addressed nearly 200 persons at a luncheon in the Rayburn House Office Building. Among those present were over 100 Congressmen, both Republicans and Democrats, and 45 of the nation's leading businessmen.

The business leadership advisory council, appointed by Sargent Shriver, director of the Office of Economic Opportunity, was in quarterly session. These business leaders advise Shriver on how to improve the poverty program and seek to enlist other business men in the interests of the Office of Economic Opportunity.

Graham came to the luncheon after a lengthy visit with President Lyndon B. Johnson at the White House. He was on his way to London for a long-standing engagement there.

Shriver explained that Graham's visit had no political significance, that it was an "accident" that he was in town at this time, and that "he just dropped in to have lunch with us."

The coincidence was that the evangelist's visit came at a time when both the Senate and the House of Representatives were holding hearings and considering renewal of the Economic Opportunity Act (War on Poverty).

Both the Office of Economic Opportunity and Shriver had been under heavy attack in recent weeks by Republicans and others who want to make changes in the program.

The immediate occasion of the luncheon was the showing of a film made three weeks earlier during a Shriver-Graham tour of poverty areas in North Carolina.

Graham was outspoken in defense of

Shriver whom he described as one of the most dedicated men in America. He was equally as enthusiastic about the War on Poverty.

Proclaiming that the War on Poverty should not be bogged down in partisan politics, Graham said that this is a national need that requires the action of government.

He said that there was a time when individuals and small groups could deliver themselves from poverty conditions. "But this is impossible now," he said, "and only by government action can we win the poverty war."

When the War on Poverty first began, he explained, "I was against it, but now I am for it."

The reason for his conversion, he said, was an intense study of the Bible on the subject of poverty coupled with a study of the program of the Office of Economic Opportunity.

Graham read Deuteronomy 15:7–11 to the Congressman and businessmen. This is a passage that commands care for the poor and needy. There are 175 more passages in the Bible, he said, that teach the same thing, making anti-poverty efforts a major teaching of the Bible.

Avowing close adherence to separation of church and state, the Baptist evangelist nevertheless said that there are many ways in which churches and government can and should work together to help eliminate poverty.

In an interview over Columbia Broadcasting System (CBS) television following the luncheon, Graham denied that his appearance on Capitol Hill was politically motivated and that he was not there by design to save the poverty program.

In the same interview Shriver was asked if he thought he and the poverty program would survive the Republican attack. He answered, "Yes."

"What makes you think so?"

"Votes," Shriver answered.

"Have you counted them?"

"Yes," he continued.

"Do you think that Billy Graham's visit to Washington will offset the recent attack on you and the poverty program by a North Carolina Congressman?", Shriver was asked.

"When it comes to a choice between one Congressman and Billy Graham, I will take Billy Graham," he replied.

WORLD BANK PLANS $150 MILLION BOND ISSUE IN THE UNITED STATES

Mr. SYMINGTON. Mr. President, in 1965, the Secretary of the Treasury gave his assurances that he would "examine all factors, including the effects on our own balance of payments," before approving future World Bank bond issues.

In that connection, it is interesting to note an article published in yesterday's Wall Street Journal, reporting that the International Bank of Reconstruction and Development—the World Bank—has announced that it will offer $150 million of bonds in the U.S. market.

This issuance has been approved despite the fact that, according to figures released by the Department of Commerce in June of this year, the first quarter balance of payments measured on the official reserve transactions basis was adverse by about $1,820 million, seasonally adjusted. This compares with an adverse figure of $20 million for the previous quarter and $440 million in the first quarter last year.

With mounting offshore military expenditures, especially those incident to our Armed Forces in Southeast Asia, it would seem that all possible measures should be taken to prevent our continuing unfavorable balance-of-payments position from becoming even worse.

I ask unanimous consent that the article entitled "World Bank Plans $150 Million Issue; U.S. Offering Is Slated for Week of August 21," be printed in the RECORD.

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

WORLD BANK PLANS $150 MILLION ISSUE—U.S. OFFERING IS SLATED FOR WEEK OF AUGUST 21

NEW YORK.—The International Bank for Reconstruction and Development (World Bank) said it will offer in the U.S. $150 million of bonds. The offering is slated for the week of Aug. 21 and is to be made through underwriters headed by First Boston Corp. and Morgan Stanley & Co.

The bonds are to be nonredeemable for 10 years; institutional purchasers may order the bonds on a delayed-delivery basis.

The 105-nation organization, which helps finance investment in the less-developed nations, last went to the U.S. bond market March 14, when it sold $250 million of 5⅜% bonds in a negotiated transaction.

URBAN EMPLOYMENT OPPORTUNITIES ACT RECEIVES WIDE SUPPORT

Mr. YARBOROUGH. Mr. President, on Wednesday, July 12, 1967, the distinguished junior Senator from New York [Mr. KENNEDY] introduced S. 2088, the Urban Employment Opportunities Act of 1968. The bill, which I am pleased to have cosponsored, provides incentives to enable private enterprise to start new industry in urban ghettos.

This program attacks the problem of urban poverty at its roots. Unemployment in the slums of America is three times the national average, and until the unfortunate victims of poverty can find jobs all the government relief projects in the world cannot bring these people out of their despair.

Businessmen are understandably hesitant to locate in the ghettos if they feel they can make a higher and more secure profit elsewhere. The bill attempts to solve this dilemma by allowing tax credits, liberalized depreciation provisions, and higher deductions for wages—provisions designed to give business the necessary incentives to hire and train slum dwellers and to locate industry in the ghettos. These incentives only go to businesses that open new plants in the ghettos and hire a substantial number of ghetto residents; thus they would not be permitted merely to transfer workers and remain under the provisions of the bill.

The Urban Employment Opportunities Act will pay for itself. It will save the taxpayer's money in two ways: First, the Government will gain new revenue from the income taxes of the new workers and through the other tax revenue that will come because of the increased prosperity of the area; and second, the poor who will be employed because of this act will be taken off the relief rolls.

Evidence of the bill's excellence is the wide support that S. 2088 has received from different quarters. The Dallas Morning News, a newspaper which is often hesitant to support new proposals of Federal assistance, in an editorial on July 14 came out in support of the cooperation between Government and private enterprise in this program, with special praise for the profit motive embodied in the bill. The News is one of many newspapers supporting this bill because it is the most practical method of alleviating the ever-growing problem of the urban ghetto.

I ask unanimous consent that the Dallas Morning News editorial of July 14 be printed in the RECORD.

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

RECRUIT THE EXPERTS

Robert Kennedy has proposed that the "great armies" of private enterprise be enlisted to build job-creating industries in ghetto areas. As an enlistment incentive, the senator would allow a tax break to those businessmen willing to locate in these areas and to train and hire the ghetto inhabitants.

Though this approach to the war against poverty has been opposed by the administration and organized labor, it is a promising alternative to present methods used by government. The private enterprise-incentive method realistically faces up to some home truths about the American economy.

First, the American war against poverty is not new, but has been going on since the first settlers arrived in this country, ready and willing to work to improve their own standard of living. In fighting their personal war against poverty, generations of Americans have raised themselves and their families—and their country—to the highest level of national prosperity ever seen. From the beginning this successful war against poverty has been fought primarily by private enterprise.

Today, despite the massive role of government in the economy, private enterprise remains the source of the people's prosperity and government's.

Businessmen, seeking a profit, have brought more economic benefits to their fellow citizens than all the altruistic government welfare plans combined. On the record, private enterprise has been far more successful at fighting poverty than any government.

Second, the main motive of free enterprise, as of most human endeavor, has been based on intelligent self-interest. Given an incentive to improve the lot of ourselves and our loved ones, we work harder and more effectively, whether we work as executives or production workers.

Businessmen who are willing to locate their plants and businesses in ghetto areas face some special problems and disadvantages. Allowing them to keep a larger share of what they would otherwise pay out in taxes would help to balance those disadvantages in the decision process of hardheaded businessmen, providing private incentive for doing a public good.

Business is the world's greatest poverty fighter; but, unlike government, it cannot survive on a diet of deficits. Though businessmen are as humane as bureaucrats, few see a service to humanity in selflessly going bankrupt.

Bluntly put, the quickest and best way to eliminate ghetto poverty is to allow free enterprise to make a profit in doing a job. This approach would benefit not only the businesses, but the ghetto inhabitants who get jobs and the opportunity to work their way up and out of the slums by their own efforts.

True, this doesn't ring with the noble and selfless phrases of public welfare plans. But our experience of the past three decades raises a question: Do we want an antipov-

erty program that sounds noble in theory or do we prefer one that works in helping people escape from poverty?

DR. BILLY GRAHAM ENDORSES WAR ON POVERTY

Mr. HARRIS. Mr. President, recently an outstanding spiritual leader came to Washington to announce to all that he is now a convert in support of the war on poverty—and that we all have a moral and spiritual responsibility as a people to attack this poverty problem with even greater vigor than we have thus far. The man who came is Dr. Billy Graham.

Dr. Graham, as we all know, is a world leader in attempting to show us our moral responsibilities in life. He is respected throughout our Nation as well as nations throughout the world. I think it is quite significant that a man of his stature would come to Washington to endorse the poverty program. He made a speech in which he pointed out that for 17 years in his career, leaders of our country, Senators, Representatives, Cabinet officials, and even Presidents have urged him to come forward to endorse a program. But he never has until now.

His reason for coming to Washington for the support of a program for the first time is simply that he sincerely believes that the poverty problem is indeed a moral question. It is a question of whether we will meet our responsibility in providing for our poor an opportunity to help themselves. Dr. Graham reveals that he has spent a considerable amount of time researching the Bible from Genesis to Revelation and he finds that it is one of our greatest teachings of the responsibility that we, as a people, have to the poor in our society.

Mr. President, a recent editorial published in the Pryor, Okla., Times, comments well and favorably on Dr. Graham's interest in the continuation of OEO's programs. 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:

BILLY GRAHAM SPEAKS ON POVERTY

Last week Dr. Billy Graham of North Carolina met with a group of Congressional leaders and made a short talk. Which were inserted into the Congressional Record and, we think, deserve consideration;

I began to study a few months ago, the subject of poverty in the Bible. And I went through the entire Bible from Genesis to Revelation, and I got every passage in the Bible that had to do with our responsibility to the poor. And I was absolutely bowled over. I had never studied it, to my shame. And I found that it's one of the greatest teaching in the scriptures. That we have a responsibility as a church, as a society, as people to the poor in our area.

"If there be laws—this is one—the laws of God was laying down not only for Israel but for any nation . . . and here's one passage from Deuteronomy that Moses said: 'If there be among you a poor man who is one of thy brethred within any of thy gates in thy land which the Lord thy God giveth thee, thy shall not harden thy heart nor shut thine hand from thy poor brother. Thou shalt surely give unto him, and thine heart shall not be grieved.

"In other words, you're not going to lose by giving when 'Thou givest unto him because for this thing the Lord thy God shall bless thee in all thy affairs and all that thou puttest thy hands to. For the poor shall never cease out of the land."

"Now this is what Christ said. He said, the poor you're going to have with you all the time. He didn't commend it. He said, You're going to have them and you ought to do something about it. "Therefore, I command thee' . . . this is a command from God saying 'Thou shalt open thine hand wide unto thy brother, to the poor and to thy needy in the land.' I have 175 scriptures just like that from the scriptures. And they're not taken out of context either. . . . "Now, I go from city to city and I don't have to tell you we've got a time bomb in our cities, getting ready to go off and it's going off. And I think we have a responsibility. Now, I know that when they started this (poverty program), I was somewhat against it because of all the mistakes that were made and because of all I read about the Job Corps camp up in New Jersey. I got off on the wrong foot on this and I was critical.

"I am a convert. I believe that a lot of these problems have been ironed out and I believe we have a moral and spiritual responsibility as a people to attack this problem with even greater vigor than we have thus far. And if we don't, I think we're going to pay for it spiritually, morally and in every phase of our society.

"And one of the things that impressed me about what the Office of Economic Opportunity is doing—this is not a giveaway program—I thought it was until I began to look into it and study it a little bit. It's making people help themselves. It's giving them an opportunity, it's retraining.

"I visited the Job Corps camps and went to some of these places and I've seen what they're doing with some of these young people. A lot of people say, 'well, it's only for the Negroes.' Seventy-five percent of them are white. And they said it's for other groups, but it's for all Americans.

". . . I've never come up here (Washington) in 17 years of going up and down the country preaching and testified or spoken for anything like this before, and the reason I'm doing it is not because of my friendship with Sargent Shriver. It's because I believe it. It's not because of any friendship for the President. He's asked me to serve on, I guess, a dozen different things and I've said 'no'. Because I felt I didn't want to get involved in anything that could be considered partisan politics . . . I don't think the poverty program ought to be involved in politics. I don't think we ought to make a political football out of it.

". . . We were delighted to have (Shriver) down there (North Carolina) and one of the things that I appreciated was when we went back into those mountain coves, miles from anywhere, I wondered, how, how can Sargent Shriver, the brother-in-law of President Kennedy, a man that's known for affluency, how can he communicate with these people?

"He communicated. He knew how to talk their language and get right down with them. And I appreciate that. And so today, I've come up here to say 'God Bless you Sargent Shriver and God bless all those associated with you.' "

CAN WE AFFORD TO ECONOMIZE WITH OUR HEALTH?

Mr. YARBOROUGH. Mr. President, even in a country as blessed and opulent as ours, it is significant that our major resource is still the American people. And yet in comparison to the expenditure on conservation of our other natural resources, the expenditure on medical research and development is meager. The United States has been and continues to be the leading country in regard to medical research and development. Through its programs a great deal has been accomplished; many diseases have been completely eradicated and many others controlled. But even with these great advances much remains to be done. Annually thousands of productive manhours are lost, many exceptional and potentially exceptional Americans lose their lives, and all to disease. These losses are tragic, not only from a humanitarian view but also from a national economic outlook, as many productive workers are reduced to a state of dependency. Yet even today medical research is less than 10 percent of the total research expenditures.

Dr. Michael De Bakey, Chairman of the President's Commission on Heart Disease, Cancer, and Stroke, and one of the world's eminent heart surgeons, points out the great potentialities and problems of medical research and development in an excellent article published in Medical World for June 2, 1967. I ask unanimous consent that the article be printed in the RECORD.

Dr. De Bakey's article illustrates the importance of Wednesday's Senate approval of $1,252,225,000 for the National Institutes of Health. This is an increase of $129,063,000 over the fiscal year 1967 appropriation.

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

CAN WE AFFORD TO ECONOMIZE WITH OUR HEALTH?

(By Dr. Michael E. De Bakey)

The wealthiest nation in the history of the world, America has still not heeded Thomas Jefferson's admonition of almost two hundred years ago. "An attention to health," he said, "should take the place of every other object."

During the past half century, life expectancy of Americans has been extended from about 50 years to slightly more than 70 years, primarily as a result of the scientific conquest of major infectious diseases that were previously fatal. In cardiovascular disease, more progress has been made during the past 15 years than in all recorded history. Effective drugs have reduced the death rate from high blood pressure by 50% in the past decade. In cancer, researchers have made tremendous strides. In psychiatry, advances have been revolutionary.

All these and other near-miracles can be traced directly and exclusively to medical research, supported primarily by the National Institutes of Health. No other comparable expenditure of funds has yielded higher dividends in human happiness, productivity, and longevity.

But can we be satisfied with a job only started, when there is so much more to be done? We have still not uncovered some very basic questions about the human body. We still do not know, for example, why the heart beats, why blood clots, why some cells grow wild, or why some babies are born deformed. We do not even understand fully the mechanism of pain relief by one of the oldest and most widely used drugs—aspirin.

A recent cost-effectiveness analysis of expenditures for the medical sciences projected remarkable savings that would accrue if funds for medical diagnosis and research were increased. In arthritis, for example, an expenditure of less than $200 per person

would extend by five years the income-producing lives of 13 million patients. The total national saving would $1.5 billion, for a benefit/cost ratio of 38 to 1; that is, for every dollar invested in improved diagnosis and control, $38 would accrue to our national economy.

Where can you find a better investment than this? In cancer of the uterus, one of the most common and most often fatal forms of this malignant disease, an investment of $119 million for early detection would prevent 34,000 deaths; for every dollar spent, $9 would accrue to the economy. The list could be extended indefinitely, to include elimination or minimization of venereal disease, automobile accidents, and other health hazards.

But reducing our appeal to the cold figures of benefit/cost ratios is alien to my philosophy as a physician. From a humanitarian standpoint, the physician wants to give every human being a fair chance to survive, and therefore to provide every patient with the maximum health benefits possible by current skills and knowledge.

What I am saying is, can we put a price tag on human life? What price should we assign to a drug that will arrest leukemia or prevent blindness in a child, or to an operation that will restore an invalid from heart disease to a normal, useful life? From a purely mercenary standpoint, it behooves us to remove as much of our population as possible from the ranks of the disabled and handicapped, where they constitute a tax burden, and place them among the productive and employable, where they contribute as taxpayers. But from a humanitarian standpoint, it is incumbent upon each of us to do everything we can to help every human being fulfill his potential, make a contribution to the world, and lead as comfortable, healthful, and happy a life as our skills and knowledge will permit.

Uninformed and prejudiced critics frequently quote the percentage increase in federal support for medical research in this country as justification for questioning current expenditures. Such statistics are misleading, in view of the fact that federal support for medical research was almost nonexistent before World War II and that any increase would thus seem deceptively great.

Not until 1942 did expenditures on all science reach $1 billion. The truth is that only about 3% of the gross national product will be spent on all forms of research and development this year, and only a small fraction of this (10%) to protect and maintain the health of the American people. Two thirds of the national expenditures will come from the federal government.

From 1950 to 1965, total expenditures (government, industry, private) for medical research rose only from 5.6% ($160 million) to 8.8% ($1.85 billion) of all research and development. Furthermore, the fact cannot be ignored that as medical knowledge expands, effective health care becomes more complex and more costly. Nor can the fact be ignored that improved health services prompt even greater expectations from the people. Meeting these expectations costs money.

The further truth is that one half of all research grant applications to the National Institute of Health are rejected by members of the reviewing advisory councils and study sections. And many of those that are scientifically approved and recommended to the Surgeon General are never activated because of insufficient appropriations for medical research.

Who knows if one of the inactivated research applications might not lead to a cure for cancer or some other disease? Like the risk of incarcerating or executing an innocent man, the risk of bypassing a worthy research project is too great for our society to afford.

Medical research, too, receives an insufficient fraction of the total cost of health to the nation. Of the $2 billion spent on medical R&D in 1966, the federal government spent $1.3 billion, or 64%. But this was still only 3% of the total cost of health.

The ratio of R&D to net sales in certain industries can be used for a rough comparison. In 1965, R&D was 8% of sales in the ethical drug industry, 9% in electrical equipment and communication, 28% in aircraft and missiles. In the "health industry" as a whole that year, R&D was only 4.5% of the total expenditure.

How can we claim leadership in health or criticize governmental expenditures for this purpose when 15 million Americans still suffer from rheumatic and arthritic diseases, 10 million from neurologic disorder, and nearly a million from cancer? If present rates continue, cancer will strike approximately 49 million Americans alive today.

Because of our double standard of medical care and the exorbitant costs to paying patients, physicians are usually consulted only for acute illnesses for which immediate relief is desired. However, a national health survey of people in the labor force during the year ending June 1962, indicated that 52% had one or more chronic conditions. More than half! Is this good health?

In my opinion, the only conclusion permitted is that any appropriation short of an all-out attack on disease and disability is far too modest. Even without further expansion of knowledge or technology, but with full application of current skills and knowledge, about half of those who now develop cancer could be saved—about 235,000 lives per year.

The question is not whether we can afford to spend the money to accomplish this end, but whether we can afford not to.

HONORS TO THE MAYOR OF PITTSBURGH AND THE MAYOR OF PHILADELPHIA, PA.

Mr. CLARK. Mr. President, it is a great pleasure to note the recent elections of James Barr, mayor of Pittsburgh, to the presidency of the National Conference of Mayors, and of James Tate, mayor of Philadelphia, to the presidency of the National League of Cities.

It is a great honor to the State of Pennsylvania and to the cities of Pittsburgh and Philadelphia that these two gentlemen have been chosen, in a time of unprecedented urban crisis in our country, to head these two important national organizations. It is a much deserved tribute, as well, to Joe Barr and Jim Tate, who have shown exceptional foresight and imagination in the administration and redevelopment of their cities.

I am confident that Mayor Barr and Mayor Tate will bring to their new responsibilities the bold and challenging leadership which has distinguished their service to Pittsburgh and Philadelphia. Their elections augur well for a meaningful and constructive dialog among the leaders of our cities and for a renewed and more effective assault on the urban problems so critical to the well-being of country.

TWENTIETH ANNIVERSARY OF DOWNTOWN AIR PARK, OKLAHOMA CITY

Mr. HARRIS. Mr. President, Hon. Alan S. Boyd, Secretary of Transportation, recently spoke in Oklahoma City on the occasion of the 20th anniversary of the Downtown Air Park there. He delivered an excellent and useful address and in the process gave some much-deserved recognition to my distinguished senior colleague [Mr. MONRONEY].

I ask unanimous consent that the address by Secretary Boyd be printed in the RECORD.

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

REMARKS BY THE HONORABLE ALAN S. BOYD, SECRETARY OF TRANSPORTATION, ON THE OCCASION OF "ALAN BOYD DAY" IN OKLAHOMA AND THE 20TH ANNIVERSARY OF THE DOWNTOWN AIRPARK, AT THE DOWNTOWN AIRPARK, OKLAHOMA CITY, OKLA., THURSDAY, JUNE 29, 1967

I am delighted to be here today in a city that ranks, in so many respects, as one of the most remarkable in America.

It is, for one thing, the home of Senator Mike Monroney—and there just isn't a more able and effective advocate of aviation progress or of the interests of his home state and his country.

As you know, the Federal Aviation Administration, which is the largest unit within the Department of Transportation, has been charged by Congress with the responsibility for air safety. I know of no Senator or Member of Congress who is more responsible for the great air safety record we have had in the last decade than Mike Monroney. I know he will continue to advocate the reforms and the dollars that will make air travel even safer in the future. The FAA also is responsible for airport construction. There are literally hundreds of communities in the United States that can thank Mike Monroney that they now enjoy either scheduled airline service where they did not have it before or enjoy a far better scheduled service because of the great support that this senator has given to the airport construction program.

Mike's interest in progress hasn't stopped with aviation. For twenty years, he has been a champion of efforts to strengthen the voice of the people in their government through Congress. This year, that effort is producing a new program of computer research that will give Congress faster access to the facts they need to make judgments on what government must do and how well it is doing it.

He is leading the campaign to take postmasters out of politics and to put the Post Office on a sound, businesslike footing.

This is a great Senator and a good friend of mine and this country.

I understand that Oklahoma City spreads out over more square miles of land than any other city in the country. Having just come from one of the more cramped and crowded corners of the nation—the so-called Northeast Corridor that runs from Boston to Richmond—I can't tell you how good it feels to enjoy all the breathing space, the elbow room—and the generous hospitality—that you offer.

I would not be surprised to find out that you've carved out for yourselves—on a proportional basis—more square miles of air than any other city in the country. You have, besides this Airpark, three municipal airports. You house the Aeronautical Center of the Federal Aviation Administration. You make airplanes and airplane parts. You offer a variety of excellent aviation services. Nearby Tinker Air Force Base couldn't ask for a better neighbor. And an out-of-stater and Federal bureaucrat like myself couldn't ask for a better host.

I much appreciate your considerable kindness in giving me a "Day," but I have at least one lingering doubt. Most "Days" I've heard about have been held for some illustrious athlete or other whose day is almost, if not already, done. I'm afaird I'm neither so

illustrious or so old—and in recent years I haven't had much time for athletics.

As a matter of fact, let's explore my "day."

The editor of one of the country's leading transportation magazines recently spent some time reviewing the records on transportation of the last five presidents of the United States. And this is what he found:

President Johnson, he wrote, "has made more public utterances—and more incisive and analytical ones—about transportation than any other president of this nation."

The President has not only said more, he has done more. And the Department of Transportation is just one result of his concern that we respond to the challenge of growth and mobility with "new institutions, new programs of research, new efforts to make our vehicles safe as well as swift."

That is why—for the first time in its history—the United States is making a coordinated effort to maintain its total system of transportation as the best in the world.

And that is why I am here today.

I join you in honoring the industry and imagination that not only built this Airpark when its chances of survival seemed slim, but stayed with it year after year and have made it, on this the threshold of its twentieth anniversary, a strong and stable enterprise.

That basically, is the story of this Airpark—a story which Mr. Amis has so concisely and cogently recounted. But it is not the whole story. For this Airpark is an outstanding—but not isolated—example of the great role that private investment and private effort are playing in the continued growth of American aviation.

At the end of last year the nation had 9,673 airports. Over three-fifths of these were privately owned.

Last year the 300 airports with FAA traffic towers handled a total of about forty-five million operations—a 19 percent increase over 1965. These are impressive figures. Far more impressive is the fact that general aviation aircraft accounted for 75 percent of these operations—and that total general aviation operations at these fields grew by 27 percent over the year before.

And we have every reason to expect that general aviation will exhibit this same kind of growth in the decade ahead. Today, we have about 100,000 general aviation aircraft. Our current estimate is that ten years from now we will have 180,000 of these aircraft—and that 8,000 of them will be turbine-powered. But judging by the way we have to keep revising our forecasts upwards—so great has been our aviation growth—the actual figures may very well be far higher than these.

These figures make one simple and important point: private flying and private aviation investment will continue to occupy a prominent place—indeed, a more and more prominent place—in our aviation picture.

And that is the way we want it. But, at the same time, we cannot forget that general aviation does not account for the whole aviation picture—which includes our fleet of great commercial airliners, the great cities and the vast public they serve, and the extensive facilities they require to accommodate them as well as the people and products they carry.

In our large metropolitan areas, airport congestion has become a serious—sometimes an acute—problem. Crowded airports, runways, airlanes, access and exit routes—these mean delay, often intolerable delay, for passengers and products, and greater danger for pilots and passengers.

Already, the so-called "stretched" jets are entering the airlanes. In a few years, the "jumbo" jets will join our commercial fleet. And in eight years the Supersonic Transport will begin service.

So it doesn't take an expert to understand that we will have our hands full over the next ten years—even if we try to do nothing more than to keep things from getting worse. And I'm sure there isn't one of who wouldn't insist that we do a lot more than that.

Sometimes, when we talk about the potential for aviation growth, we like to say the sky is the limit. But the sky is not the limit. The ground is.

The human world may seem small and insignificant from an altitude of, say, 20,000 feet, but it is the people below—their desires and needs, their cities and communities—that air travel, like any other form of transportation, serves. Air flights begin and end on the ground—and their main purpose is to move people and products more swiftly than any other means from one point on the ground to another.

I emphasize this obvious point because I think we can no longer afford to overlook or ignore it—as sometimes we have in the past.

We can no longer become so absorbed by the awesome aircraft we build that we forget to build the airports that must accommodate them and the people and the products they carry.

And when we build airports we can no longer afford to get so involved in trying to accommodate the planes that we forget that airports, like planes and roads and houses, are mainly supposed to accommodate people—people who need adequate access roads that will take them to and from the airport without undue delay, and who need nothing less than a home incessantly serenaded by the sound of aircraft overhead.

I do not mean, for a second, to diminish the truly phenomenal accomplishments we have made in aviation over recent years. They have earned us the envy and admiration of the world.

But in the years ahead our margin for error will be far less, and the price of failure far greater, than in the past.

The basic pattern of air travel will not radically alter. Our large urban areas will grow larger, and the volume of air traffic between these areas will grow greater and more complex. That means it is going to be more and more difficult, and more and more important, to provide adequate ground facilities.

No ground facilities will be adequate that ignore the needs of the people and communities they serve.

One of our biggest needs in the decade ahead will be for more and better airports to handle the large growth we expect in general aviation. Undoubtedly in some of our major urban areas Federal funds will be required to help build some of these airports.

But I very much hope that the vast majority of these airports will be the product of the same kind of private enterprise in the public interest that has made this Airpark possible.

In aviation, as in all other forms of transportation, a major part of my job is to encourage private effort and private initiative in meeting the nation's needs. I intend to do so everywhere and anywhere I can.

In the meantime, I join with you in celebrating the Twentieth Anniversary of this Downtown Airpark—to the vision and the courage that started it, sustained it, and made it succeed.

OUR POLITICAL INTERVENTION IN THE CONGO

Mr. FULBRIGHT. Mr. President, the recent dispatch by the U.S. Government of three C–130 transport planes to the Congo was not so much a prelude to what might have become a new military intervention, as an indication of the steps our Government is willing to take to protect our already massive involvement in the internal politics of that nation.

Our political intervention has increased over the years, and while the covert activities of our officials have been sharply reduced, our Embassy still maintains a most intimate relationship with the rulers of the National Government. This has contributed to difficulties encountered by our past two Ambassadors, both of whom left the country in a less than cordial atmosphere. Our political interests far surpass any strategic or commercial value we might place in that country, and recent developments might find us in a position of defending political commitments which do not necessarily relate to our national security.

An article written by Henry Tanner and published in the New York Times of August 3, 1967, aptly portrays the scope of American involvement at the present time. 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:

KINSHASA, THE CONGO, August 2.—No other nation, not even Belgium, is as deeply involved in the Congo as is the United States.

The American involvement here goes back to 1960 when, shortly before the downfall of Patrice Lumumba, the first Premier, the Soviet Union tried to turn the Congo into a Soviet outpost in Africa. American influence on President Joseph Kasavubu was instrumental in getting the Soviet and Czechoslovak embassies evicted.

Since then the Soviet Union has made no serious attempt to turn the Congo into a cold-war battlefield. The Soviet Embassy later reopened, and it closed again some three years ago. Now Soviet-Congolese negotiations are once more under way and informed sources predict that fairly soon the Soviet Union will open an embassy again.

The American commitment, meanwhile, remained. Over the years both the embassy and the Central Intelligence Agency have taken a hand in shaping things here.

For instance, the agency financed and organized a company called Wigmo, an acronym for Western International Ground Maintenance Organization, which was incorporated in Liechtenstein. The company's task was to look after the planes used by the Congolese armies and the mercenaries in the fight against the left-wing rebels in Eastern Province.

The pilots who flew the planes, mostly Cubans, also were recruited and paid through C.I.A. channels.

Over the last two years the covert part of American activities here is understood to have been sharply reduced.

Wigmo is no longer financed by the United States, but by the Congolese Government instead. The last Cuban pilots have left. And C.I.A. money which, in the early years, found its way into the pockets of local politicians, is no longer flowing.

But the American influence is still predominant. Embassy officials are in almost constant touch with the President and key Cabinet ministers. Neither the Belgians nor the French have comparable access. Often, therefore, Belgian grievances are being presented to the Congolese by American diplomats.

What has happened, in a sense, is that the United States and Belgium divide the role that the former colonial powers, such as France, normally played alone in their colonies.

The Belgian part is being played by more than 1,000 teachers, some 1,700 technical-assistance workers and several thousand

other technicians and by the Belgian community at large—planters, missionaries and businessmen of all kinds. There are 40,000 to 50,000 Belgians in the country.

However, it is the United States rather than the Belgian Government that provides the strategic support, advice and political influence and bears the biggest part of the burden of financial aid.

Annual American financial assistance averages $50-million, which is used for imports of industrial machinery, trucks, chemicals and textiles for an economy that is kept running mainly by the Belgian business community.

This division of labor between American "strategic support" and Belgian "presence" has been working well on the official level. Individual Belgians often find it hard to take. A Belgian company manager who spent most of his life here may be prepared to ask for the American Embassy's help in dealing with a Congolese minister but he finds it galling to do so.

The popular Belgian view is that nothing can happen here without the approval of the Americans, and the Americans are often blamed, therefore, for everything from nationalization of Union Miniére du Haut-Katanga, the mining company, on down.

American and Belgian interests, of course, are different here.

The Belgians, with their large comunity, their families and investments, need a Congo that is not completely "congolized."

American policies according to United States officials, are aimed at making it possible for the Belgian community to stay, because without the Belgians the economy would collapse.

But, unlike the Belgians, the United States could let the Congo find her own level, if need be. The United States has no American community and almost no investments to protect. It is giving aid to the Congolese, not the European community, and its stake in the country would remain even if Europeans could no longer live here with their families.

But the exercise of American power has often been frustrating.

All of the first three United States Ambassadors were in difficulty when they left: The first, Clare H. Timberlake, because he clashed with the United Nations; the second, Edmund A. Gullion, because the Congolese felt that he was giving too much support to the United Nations, and the third, George McMurtrie Godley 2d, because American policy required him to give General Mobutu advice he did not want.

U.S. POSITION STRONG

The new Ambassador, Robert H. McBride, who arrived just before the revolt of the mercenaries, is keeping his fingers crossed.

Just now the American position here is extremely strong, thanks in part to the three Air Force C–130 transports that were sent to give the Congolese Army logistical support against the mercenaries in the fighting last month.

There are potential weaknesses, however.

The Americans are lonely here. As the Belgians and other Western powers reduce their commitments to the Congo, the American involvement becomes relatively greater and deeper.

Second, the American position became more brittle and vulnerable when General Mobutu moved into the Presidency. One European diplomat calls the general "the last card" of the United States in the Congo.

The general always had American support. From 1960 to November, 1965, he was the power-behind-the-power, ready to move in, if necessary, while President Kasavubu and his successive Premiers also had United States backing.

Now, General Mobutu is in power, and there is no visible alternative or successor.

THE WAR ON POVERTY—A COMPASSIONATE PROGRAM

Mr. HARRIS. Mr. President, I am proud to invite the attention of Senators to an editorial published recently in the Tulsa, Okla., Eagle. Citing the success of war on poverty programs in the Tulsa area, the editorial rightly stresses the important progress that can be made when government is responsive to the needs and aspirations of a local community. We can be especially proud that in the Tulsa area our economically disadvantaged fellow citizens are actively involved in the process by which they may achieve self-sufficiency. As the editorial says:

Under their own initiative they are holding their neighborhood councils together, pinpointing their needs, promoting projects on their own to better their way of life and voicing their minds in no uncertain terms on decisions being made which affect their welfare.

I was happy to see that the same editorial highlighted a recent column by Roscoe Drummond, who said:

The Nation as a whole has come to accept the war on poverty as one of the most compassionate, humane and intelligent programs of the Johnson administration.

The Office of Economic Opportunity and the community action program in Tulsa are to be congratulated for the success story described in the editorial. I ask unanimous consent that it be printed in the RECORD.

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

[From the Tulsa (Okla.) Eagle, June 8, 1967]

THE PEOPLE'S EYES ARE OPENING

The columnist, Roscoe Drummond, in one of his columns in the Tulsa Daily World, makes four significant statements in his discussion on the war on poverty.

They read: "The American people are making no mistake in giving their strong support to the war on poverty.

"Voters are 60 per cent behind the war on poverty and want it continued or expanded, the Harris survey shows.

"Public support has been growing steadily for the last seven months. The nation as a whole has come to accept the war on poverty as one of the most compassionate, humane and intelligent programs of the Johnson Administration."

Assuming that this columnist's observations are correct, it is safe to assume that the change in attitude toward government help and the use of federal funds to help eliminate poverty and the attendant evils, is proof again that if we give the people light they will find their way.

This truth was never more evident than in the transformation which is taking place among the rank and file of the citizens of Tulsa.

The Community Action program in Tulsa got off to a slow start because of conflicting ideas about how and who was to wage the war against poverty in our area. But now the lines are drawn, the policies clear and the objectives well defined.

The Economic Opportunity program is designed to do three things: first educate and train the unemployed and the under-employed; second, provide employment for the unemployed and thirdly, provide that all Americans shall live in decency and with dignity. And these aims are not to be achieved for the economically disadvantaged, but with them, by them and through them.

It is gratifying to note that there is a representative sized hard core of citizens in Tulsa, living in the target areas, who understand this and are beginning to insist that this is the way its going to be.

Under their own initiative they are holding their neighborhood councils together, pinpointing their needs, promoting projects on their own to better their way of life and voicing their minds in no uncertain terms on decisions being made which affect their welfare.

But the healthiest thing about this growing cohesion among the rank and file is that they are no longer listening to the familiar voices which used to speak for them.

Those fearful voices which have always been afraid of change and have always pictured government as something to be feared. Their eyes are open, and they know that the only thing they need fear is fear itself; that government not only is not something to be feared in our democracy, but something to be cherished, something to be collaborated with and when the people see it so, the dream of a nation of the people, by the people and for the people will be closer to reality than anyone would have thought.

MILWAUKEE AVERTS A MAJOR TRAGEDY

Mr. NELSON. Mr. President, during the past week the city of Milwaukee faced the same serious threat to law and order that has affected scores of communities throughout the United States during this tragic summer of 1967.

When violence first erupted last Sunday night it appeared that Milwaukee was destined to suffer the same fate as other large cities that were devastated by riots. But in Milwaukee this did not come to pass. The police and National Guard took firm and effective action that averted a major riot on the scale of Detroit and many other cities. Their job was more effective than that of any other group of law enforcement officers this summer.

The major credit for leadership in Milwaukee's success in dealing with this explosive situation is due to Mayor Henry Maier. Fifteen months ago Mayor Maier formulated a plan to deal with any eventual disorder. He had determined exactly what steps the city would take and when trouble began the plan was placed into action. A curfew was imposed, and each and every city official knew what he was to do. This plan averted what threatened to be a major riot.

But the underlying causes and conditions that brought about the violence still exist. In a statement in today's New York Times, Mayor Maier eloquently states the case for our cities. The major cities throughout the United States are in a state of deterioration and decay. Inner cores have become massive ghettos, filled with poverty-stricken Negroes. The cities do not have the resources necessary to rebuild and restructure their societies.

The conditions of the cities are a national disgrace and a national responsibility. Mayor Maier writes:

The nation can no longer afford not to provide immediate resources needed by the central city.

I ask unanimous consent that the statement of Mayor Maier be printed in the RECORD.

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

A STATEMENT OF CONCERN ABOUT THE CRISIS OF OUR CITIES

(By Henry W. Maier, mayor of Milwaukee, Wis.)

Across the country, the symptoms of the deep-rooted problems of the central city are flaring to attention. The tragedy, the wanton waste, the rubbled destruction are horrible enough.

It will be a tragedy compounded if the nation does not resolve to face the problems of the central city. It will be a tragedy if the nation does not carry out its resolve even after the embers have cooled.

Central city mayors have long been calling attention to the plight of the central city—too much poverty, too much blight, and fast-dwindling resources—all rubbed raw by fiscal and social isolation within the affluent metropolitan area.

With the limited resources at their command, central city mayors are fighting these problems. Now, as never before, they need the commitment of all truly concerned citizens to help win the resources needed to find lasting solutions to these urgent problems.

The need for this commitment was stressed by a group of some 30 central city mayors at a meeting with the President last October. The words of the policy statement I presented then as spokesman for the group carries an even greater urgency today: "The nation needs a national commitment to achieve a rebirth of our cities. A commitment was made to put a man on the moon by 1970 and we have reordered our national priorities and set aside the funds to see that the goal is accomplished. We must now make a similar commitment to . . . our cities."

Now, as never before, the central cities of America need the full resources of the federal government, of their states, and of their metropolitan areas to prevent them from becoming urban wastelands.

The crisis of the central city is no longer a "creeping crisis." It is a fact of life in this summer of 1967. Less than complete national attention to this crisis is only a postponement of any change for the better.

"That does not mean," the St. Louis Post-Dispatch said the other day, "merely a few more crumbs from the table, a grudging reform or two. What is needed is a basic reorientation of American society, as drastic and as revolutionary as the infection which challenges it."

This will require a drastic reallocation of our national resources to help build the central city. Piddling pennies will no longer do the job and the central city simply does not have the money it needs.

The flight of the middle class from the central city lessens the ability of the central city to pay the freight, and, in turn, causes further flight. As the Milwaukee *Journal* said in a distinguished series of editorials entitled "The Central City Blues": *The vicious circle is inescapable under the kinds of governmental and tax arrangements that persist here. No matter how much the city struggles, it can't break itself loose."*

Indeed, one of the greatest contributions to inequality in urban life is the social and fiscal segregation of the central city from the more affluent metropolitan area. Each metropolitan area is divided into two cities—the outer city of the comfortable and well off, and the inner city of the poor. Can there be any future for the American metropolis unless the walls between the two come tumbling down?

The 1966 U.S. Conference of Mayors took note of this major inequality in a resolution which asked both the state and federal governments to pass legislation to help provide a remedy.

The mayors asked Congress to condition federal grants for community facilities—such as sewage and water systems, park spaces, and hospitals—on the provision that a reasonable share of low and middle income housing be included in the building and zoning codes of all municipalities applying for such grants.

Federal aids to education, the resolution said, should require some responsiveness to pupil exchanges or other measures designed to reduce the social and economic stratification now prevalent between city and suburban school systems.

It also called for a revision of FHA and other home financing policies to favor and encourage the building of low and middle income housing in all municipalities of metropolitan areas.

The U.S. Conference resolution urged state governments to remove all features of state financial aid which aggravate differences in local fiscal capacity or which encourage the proliferation of local governments in metropolitan areas, and to encourage metropolitan zoning so as to permit a wide range of housing prices throughout metropolitan areas.

These actions would help to break down the artificial walls that encircle the central city within our metropolitan areas.

But more than this, the central cities need a greater share of national resources. President Johnson has worked harder to solve the problems of central cities than any other president in history. He, like every mayor, inherited ancient deep-seated problems at the precipitous stage. His innovative programs can help make great inroads into our plight if they are given the necessary funds. Now there is an urgent need to carry out these and other programs on an all-out scale.

This time of concern should be a time of commitment to the fight for the central city . . . a time for the long overdue massive infusion of federal and state funds needed to translate that concern into action which will treat and cure the hard core economic and social ills which blight not only the life of the central city but also the fabric of American society.

This fight for resources must be won. Then, can we find workable, permanent solutions to such pervasive city-crippling problems as crime, poor housing, poor education and chronic joblessness.

The nation can no longer afford *not* to provide immediately the resources needed by the central city.

RETIREMENT AND THE INDIVIDUAL

Mr. WILLIAMS of New Jersey. Mr. President, the University of Michigan each year calls its Annual Conference on Aging. This year, the participants celebrated the 20th birthday of the conferences, and I was privileged to take part and to report on the activities of the Senate Committee on Aging, of which I am chairman.

Much of the credit for the high repute of the conference must be given to Dr. Wilma Donahue, director of the Institute of Gerontology at the university. Dr. Donahue, as we on the Senate Committee on Aging know so well, is a forceful, knowledgeable, and creative leader in all causes related to aging and the aged. She is eminently deserving of the many tributes paid to her at the conference, including a very moving presentation by members of her own staff.

The conference was noteworthy, too, because it provided a platform for a report on the activities of a new unit of the Committee on Aging, the Subcommittee on Retirement and the Individual. That subcommittee began its work in Washington, D.C., on June 7 and 8 with hearings that deservedly attracted widespread attention. The able subcommittee chairman, the Senator from Minnesota [Mr. MONDALE], was both accurate and challenging when he said that the Nation is faced by a "retirement revolution" which will increase geometrically as the retirement age continues to go down while the number of years of life increases. The witnesses he called in June and again last week at a hearing in Ann Arbor have already given weighty substantiation to the Senator's observations. He is to be congratulated not only for recognizing the importance of the mission assigned to his subcommittee, but also for his effectiveness in awakening the Nation to the need for new directions in our thinking and actions on matters related to retirement, present and future.

Mr. President, Senator MONDALE's address to the 20th Annual Conference on Aging of the University of Michigan expresses the goals of his subcommittee and the need for national attention to those goals. It is a document worthy of careful study by all Americans who believe that the later years of life should be rewarding to society and to each individual who enters retirement. 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:

RETIREMENT AND THE INDIVIDUAL

(Address by U.S. Senator WALTER F. MONDALE, chairman, Subcommittee on Retirement and the Individual U.S. Senate Special Committee on Aging, 20th Annual Conference on Aging, University of Michigan, Ann Arbor, Mich., July 26, 1967)

I am most honored to have been asked to help conclude your 20th Annual Conference on Aging. This annual conference has become one of the most important institutions in the field of aging, and I would like to begin today by paying my respects to Dr. Wilma Donahue who, I understand, has convened 19 of the 20 annual conferences and who has been the moving force in bringing the University of Michigan Annual Conference on Aging to its present pinnacle of prestige and importance. The people of this country—especially the aged—owe you a debt of gratitude, Wilma.

As you know, the Subcommittee on Retirement and the Individual is just beginning its studies. The committee was created earlier this year; our first hearings were held just over a month ago; and our second hearing will be held here in Ann Arbor today with many of the participants in this conference appearing as witnesses.

So you can see I have come here not only to speak to you, but more importantly to listen to you—and I would like to invite you all to stay on for the hearing if at all possible. We are planning to use a Town Meeting format for part of the hearing, so even though you may not be scheduled as a witness, I can promise that you will have an opportunity to rebut my remarks here this morning.

I have been asked to speak today on the subject of "retirement and the individual." This new subcommittee of the Senate Special Committee on Aging was created because of concern that the non-material aspects of retirement and aging were being neglected in our efforts to meet the important material problems of income, health care, and housing.

And it was established because of growing evidence that we are in the midst of a retirement revolution involving significant and far-reaching changes in both the nature and dimensions of retirement. Our first hearing—plus the statements which many of you have submitted to us—have confirmed that we are indeed in the midst of what can only be described as a revolution in retirement.

You are already aware of the trends and broad outlines of this revolution, but most Americans unfortunately are not. Both the number of retired individuals and the number of years they live in retirement have been increasing and will continue to increase in the years ahead. Automation, technology, and other forces are itensifying the pressure for earlier retirement, while Medicare and continuing medical advances are not only stretching life expectancy but producing greater youthfulness at ages we now regard as advanced.

Thus we are approaching a point where the average person will be spending nearly as much time in retirement as he now spends on the job and where nearly half of his life will be spent off the job.

Dr. Juanita Kreps, Professor of Economics at Duke University, whom I am sure many of you know, gave testimony at our first hearing which dramatically illustrates some of the revolutionary and exciting choices which we will be able to make in the years ahead.

She points out that assuming no change in our present work system—that is, a 40-hour week and a 49-week work year—that our Gross National Product at projected rates of growth would be over $1.5 trillion by 1985, or about two and a third (2⅓) times its present level. This would mean that despite population increases, per capita GNP would rise from $3,181 to $5,802—an increase of 80%.

She then points out that if we were to decide to hold per capita GNP constant at $3,181 and take this growth in productivity in the form of leisure time, we would be able to reduce the work-week to 22 hours, or we would be able to reduce the work-year to 27 weeks, or we could lower retirement age to 38 years, or we would be able to keep half of the total labor force in retraining.

We will not, I am sure, use this fabulous economic growth in any single way alone, but rather in a combination of ways involving shorter work-week, shorter work-year, retraining, and earlier retirement. But I think it is most important that we realize that this revolution is here and is coming on at a rapid rate, and that we realize the options open to us and try to plan reasonable and logically so that we make decisions which will enrich the lives of all of us.

Accompanying this economic miracle is a medical miracle which was most dramatically illustrated by Dr. August Kinzel. Based on the rate of anticipated progress in biology, he predicted that by 1980 the man of 65 to 75 years of age who has availed himself of what is offered will have the health and vigor of a man 45 to 55 years of age and that he would retain much of this vigor until he dies when, like the old one horse shay, he will fall apart all at once. Dr. Kinzel also went out on a limb to predict in 100 to 200 years, we would be able to prolong life indefinitely with death occurring only by accident.

I'm not too sure how desirable immortality might be, but we don't have to worry about it anyway. We do, however have to concern ourselves with the ramifications of constantly improving health in retirement and new medical and biological break-throughs.

As I noted in my statement opening our hearings last month, these trends and changes present us with new challenges and pose the question as to how ready we are for the retirement revolution.

The hearings made it abundantly clear that we are not ready in several areas.

We are certainly not ready in terms of income. Virtually every single witness emphasized the inadequacy of present income levels and the need to increase them significantly.

Nor are we ready in terms of our attitudes. Our attitudes toward retirement are showing their age—they are based on a time when a man of 60 or 65 really was an old man—and I think it is clear that we must work to revamp them.

And we are not ready in terms of understanding the subtle, yet profound, changes with which the individual must cope when he retires—voluntarily or otherwise—from his job in this work-oriented society of ours. There is a tendency to downgrade those who are no longer engaged in productive labor, and as a result, retirement to many becomes a time of being shunted aside and being made to feel useless, indeed, even worthless.

It is ironic, I think, that we refer to retirement as a problem. For through history, one of man's cherished dreams has been the elimination of heavy labor and perpetual toil. Now that industrialization and the rapid advance of technology is making this dream come true, we find ourselves feeling uncomfortable and uneasy and guilty about free time.

We find we don't know how to use our free time. We find that too much of our education is simply vocational training, education designed to prepare for a job. And one of the main points made by witnesses in our first hearing was the growing need for education for life off the job and acceptance of a philosophy that will enable us to bring about such education.

Another major point made by witnesses before the committee was the need for more educational opportunities, especially in mid-career. Secretary Gardner was most eloquent on the need for opportunities for the individual to return to school in order to renew himself, and other witnesses stressed the fact of educational obsolescence in our rapidly changing society.

They noted that for most retirees their last formal education was 40 to 45 years earlier and may no longer be very relevant to the world as it is today. Thus we have a growing need not only to give people an opportunity to go back to school, but also to motivate them to take advantage of this opportunity, to make them realize that they have to keep up with the changing world.

And while I am aware that many states have struck out boldly in this direction, I would still pose the question: What are your schools and state universities doing to make room for the middle aged adult who may end up on the scrap heap unless he is given the opportunity to return to school for a year or so in his 30's and 40's.

And particularly important is the need to make the individual himself aware of this need. For one of the things with which I am most impressed is that there is little awareness of the impact that our economic and medical miracles are having on retirement. There is, in fact, a tendency to avoid thinking about retirement until it is upon us. Again, this goes to the heart of the problem, for failure to prepare for retirement is like allowing a child to grow to the age of 20 without schooling or training and then expecting him to be able to find a decent job and make a satisfactory adjustment in the work-a-day world.

We must, I believe, begin recognizing retirement for what it is: a separate and distinct phase of life which may last from 20 to 25 years before a person can be considered as entering old age. And we must realize that there is a great and growing need for earlier awareness and consideration of the realities of retirement, the explosion of leisure time, and the potentialities of the retirement revolution, so that those who are dissatisfied or bored with their present role will realize that they can change their lives and that they have a whole lifetime ahead of them when they retire.

And we must expand pre-retirement preparation and counseling. The opinion on this issue is unanimous: namely, that efforts at all levels are totally inadequate to the need. What pre-retirement preparation does exist seems to consist mainly of consideration of the economic aspects of retirement.

There is little, if any, thought given to preparing people for the sociological and health aspects of retirement. Too many retirees are totally unprepared for the loss of job status that occurs when they retire and end up as victims of what physicians call retirement shock. To them retirement becomes a time of personal crisis and despair, a time of emptiness and depression.

For others it becomes a time of serious health problems. Yet research indicates that preoccupation of older people with their health problems concentrates primarily on minor ailments. They will go to the doctor with minor symptoms such as stomach ache and fever but not for symptoms indicative of a major illness, such as a pain in the head or chest, shortness of breath or fatigue. Apparently they either fear the worst and don't want to hear the bad news, or else they don't recognize the symptom as serious. Thus there is a growing need to make people aware of the symptoms of possible serious illnesses, of problems of which they may be unaware, and to describe to them the probable consequences that personal habits such as excessive smoking, drinking, eating, lack of exercise will have in their retirement years.

In short, we need preventive educational and medical programs at an earlier age to identify the habits which will impair health in retirement.

What this all adds up to, I believe, is the need to institutionalize some sort of a mid-career pause. During this time, the individual could stop to take stock of his personal health and his social and job status, to determine what is important in his life, to reflect on where he has been and where he is going next, to consider a change in career, and to begin thinking about what he is going to do when he retires.

The problems of retirement are problems which reflect a serious lack of understanding, both on the part of society and the individual himself. And until we begin to understand the challenges and opportunities involved in earlier retirement, longer life, more free time and better health in old age, our efforts will go for naught.

Thus, I would hope we can elevate the non-material needs of older people to the level of concern we have for their material needs. We have been able to make progress in the areas of health care, housing and income because we have been able to focus attention on the need and gain public acceptance for our goals. I would hope that we can now do the same with the problems of retirement adjustment fulfillment.

President Kennedy set forth our goal with his comment: "It is not enough to add new years to life; our objective must be to add new life to those years."

THE FEDERAL HOUSING ADMINISTRATION

Mr. MONDALE. Mr. President, over the past few days I have noted with interest the quixotic turns which can be provided by the application of the adage that there are two sides to every question.

One side maintains that the Federal Housing Administration is too conservative and should be more liberal. The other says it is too liberal and should be more conservative.

I want to assure you I am not attempting to destroy the value of a treasured old adage. I do want to suggest, however, that the FHA does not have the philosophical dexterity to occupy both positions.

It is, after all, carrying out the programs given it by Congress. Congress has made the laws, and in doing so has decided the degrees of risk FHA should take in handling the several housing programs.

Within the framework of congressional intent there usually remains—and rightly so—some latitude, but not enough to measure up to the ambivalence suggested by the critics.

An article published in the July 7, 1967, edition of the New York Times describes the situation, and gives a report on the reaction of the FHA. An article published in the July 7, 1967, edition of the Atlanta Journal and an editorial from the July 10, 1967, edition of the Atlanta Constitution report on how FHA, working with private industry, is providing housing for low and moderate income families.

Mr. President, I ask unanimous consent that these articles and editorials be printed in the RECORD.

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

[From the New York Times, July 7, 1967]

SENATE PANEL CHARGES FHA ERRORS

(By Robert B. Semple, Jr.)

WASHINGTON, July 6.—A Congressional subcommittee has charged that $1.3-billion worth of housing projects insured by the Federal Government is in financial difficulty.

The charges, which were vigorously disputed today by high Administration officials, were contained in a 59-page report circulated this week by the Permanent Subcommittee on Investigations of the Senate Government Operations Committee.

The subcommittee chairman is Senator John L. McClellan, Democrat of Arkansas.

The essence of the report is that the Federal Housing Administration, either through mismanagement or imprudence, approved insurance on loans to projects that were economically unsound and doomed to foreclosure, thus wasting the taxpayers' money.

The essence of the Administration's retort is that the subcommittee's allegations are inaccurate, greatly exaggerating the extent of F.H.A.'s difficulties, and that they reflect what one official called a serious misunderstanding of the purpose of the agency's programs.

The subcommittee report says that of $5.8-billion worth of projects insured by the agency under six separate "multifamily" programs, about $1.3-billion worth is in trouble.

Under the subcommittee's definition of "financial difficulty," a project is considered in trouble when the property has been foreclosed and taken over by the F.H.A., when the mortgage is in default or has been turned over by a commercial lending institution to the agency, or when the mortgage has been "modified" by the agency to permit deferred payments on the loan or some other liberalization of the original terms.

In an interview Philip N. Brownstein, F.H.A. Commissioner, protested this definition, much as he had during testimony before the subcommittee.

He said that "modification agreements" were part of the agency's standard operating procedure, especially during a project's early phases when construction had not been completed or when the owner had not had enough time to rent his units to tenants.

He said that if the subcommittee had not counted the projects with such agreements, its figures on the number of projects "in difficulty" would have dwindled by almost three-fourths.

PHILOSOPHY REJECTED

But what has disturbed agency officials most is not the subcommittee's statistical findings but its implicit rejection of the philosophy behind some of their programs.

The report concentrated almost exclusively on the agency's so-called 220 multifamily program, under which the Government issues mortgage insurance for apartments to be constructed in urban renewal areas.

It said that nearly 40 per cent of the mortgages under the 220 program were "in difficulty" and recommended that the agency pay more attention to the "economic soundness" of a 220 project before insuring it.

In reply, agency officials say that Congress, in the 1954 Housing Act, clearly intended the 220 program to be a "high risk" program for low income urban renewal areas and deliberately omitted strict requirements for "economic soundness" so that the agency would feel free to insure mortgages in such areas.

They also contend that many major urban renewal programs in the country would never have succeeded without this freedom and that if Congress wants to change the law it should first consider whether it wants to sacrifice the social aims of the 220 program to economic soundness.

Housing officials observed that for years the agency had been accused of being a "mortgage banking" agency without a "social conscience," more interested in preventing defaults than in helping the poor.

"Now," one official said, "the subcommittee is trying to make less adventurous the main instrument we have for helping rebuild rundown areas of the city."

In effect, they say, the agency is being judged by a double standard.

Senator Robert F. Kennedy, New York Democrat, as well as many academic critics, continue to accuse the agency of excess caution and unwillingness to insure loans for housing in deteriorating areas. The subcommittee is accusing it of too much exuberance.

The feeling among housing officials is that the social content of the agency's programs should be preserved at all costs.

In any case, as one official put it, they would be pleased if Congress "made up its mind and delivered us from this ambiguity."

[From the Atlanta Constitution, July 10, 1967]

HAPPY HOUSING EXAMPLE

Atlanta's efforts to provide decent housing for low and moderate income families got an important boost last week with approval of a 208-unit, $2.3 million complex in the Atlanta University area.

The development means more than just 208 more units. For the first time, a major private corporation is providing the seed money under the federal 221–d–3 program.

Celotex Corp., a major building supplies manufacturer, has taken responsibility for the design, financing and construction of the project. Upon its completion, the Friendship Baptist Church will assume ownership as nonprofit sponsor. Actual costs will be refunded by the federal government.

In ceremonies announcing the winning proposal, Celotex officials called on other corporations to join the effort to improve urban housing. "Government alone cannot do the job," sail James W. Kynes, assistant to the president.

He observed that although a few large corporations have become involved in rehabilitation of slum dwellings, "big capital, as a whole, has been notable by its absence" from 221–d–3 urban renewal projects.

The project will be built on urban renewal land at Mitchell Street and Northside Drive. There will be one-, two-, and three-bedroom apartments, town houses, laundry units and a community building. The area will be extensively landscaped. Rentals will range from $72.50 for a one-bedroom unit to $92.50 for three.

The Atlanta Housing Authority set a fixed price on the 13 acres of land for the project. The winning submission was judged on such factors as rents, quality, convenience, recreation facilities and landscaping. Mayor Ivan Allen said all seven proposals were of high quality.

It is of particular historic interest that Friendship Baptist Church should be sponsor. It is 105 years old, the oldest Negro congregation in the city. It has a long association with the schools of the Atlanta University complex. Its pastor, the Rev. Samuel Williams, is a leader in the Negro community.

We agree with the mayor that Celotex has demonstrated a "very high sense of public responsibility," and hope that other corporations will follow its example.

[From the Atlanta Journal, July 7, 1967]

APARTMENT PACT SIGNED FOR ATLANTA U. CENTER

Atlanta's University Center Urban Redevelopment program has reached its final stage of planning with the Celotex Corp. joining with the Atlanta Housing Authority in contract-signing ceremonies at the AHA office here.

Celotex purchased a 13.5 acre site in the University Center area from the AHA to develop a 208-unit apartment house project for low and moderate income families. Cost of the total development was estimated at $2.3 million at the Thursday meeting.

The development, to be located at Northside Drive and Mitchell Street, will be financed under the Federal Housing Administration's 221(d)(3) urban redevelopment program.

The Friendship Baptist Church of Atlanta has been named nonprofit sponsor of the program and will assume ownership of the apartment community upon its completion.

Celotex, a Tampa-based national building materials manufacturer, will be responsible for the design, financing and construction of the project.

Celotex was one of six companies submitting proposals to AHA.

Under the Celotex proposal, the development will consist of 208 garden apartment and town house units, situated and buffered from adjoining commercial, light industrial and highway areas to create a community or neighborhood entity. A community building and common green will be provided.

The units will consist of 34 one-bedroom units, 95 two-bedroom units, 30 three-bedroom units, 49 town houses, four laundry units and a community building.

The design team selected by Celotex for the project is composed of J. N. Smith, design critic and administrative assistant at the Georgia Institute of Technology, architect; Dr. D. A. Polychrone, former head of the School of Architecture at Auburn University, engineer; E. L. Daugherty, considered one of the outstanding landscape architects in the Southeast, landscape architect.

In congratulating Celotex for its selection as the developer of the project, Atlanta Mayor Ivan Allen said, "This marks an important new step toward meeting Atlanta's housing needs in that one of the largest building material manufacturers in the nation is entering this field for the first time. In so doing the Celotex Corp. is demonstrating a very high sense of public responsibility."

EQUAL OPPORTUNITY IN EMPLOYMENT

Mr. CLARK. Mr. President, just a few hours ago at the White House, in the

course of the swearing-in ceremonies for the new Chairman of the Equal Employment Opportunity Commission, Mr. Clifford L. Alexander, President Johnson forcefully and eloquently renewed the commitment of the present administration to the goal of genuine equality of opportunity in employment. The President said:

We are all equal before God. We are equal in the eyes of the law. If I have anything to do with it in this country, we are all going to be equal in seeking a job.

As chairman of the Subcommittee on Employment, Manpower, and Poverty, which has now favorably reported President Johnson's legislative proposals in the field of equal employment opportunity, I enthusiastically endorse the President's statement.

I ask unanimous consent that the President's remarks be printed in the RECORD.

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

REMARKS OF THE PRESIDENT AT THE SWEARING IN OF CLIFFORD L. ALEXANDER AS CHAIRMAN OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, AUGUST 4, 1967

Mr. Alexander and family, Judge Higginbotham, distinguished Members of the Cabinet, Members of the Congress, distinguished guests:

It was a little over three years ago that we met here in the East Room to sign the Civil Rights Act of 1964.

That historic achievement was the product of the very long and soul-searching debate. It was a very proud victory—and it was a bipartisan one. An overwhelming majority of the Republicans as well as the Democrats had voted for this measure in the Congress of the United States.

In signing the bill, I said:

"That purpose of the law is simple.

"It does not restrict the freedom of any American, so long as he respects the rights of others.

"It does not give special treatment to any citizen.

"It does say the only limit to a man's hope for happiness, and for the future of his children, shall be his own ability."

To say this is merely to reaffirm the original promise of what we call the American system. We are a nation that is founded on the belief that the greatest achievement of the human spirit is to live up to one's opportunities—to make the very most of one's resources.

We have come here this morning and are about to swear in a new Chairman for the Equal Employment Opportunity Commission of this government. This Commission—like the Civil Rights Act that created it—exists for one reason, because millions of Americans are still barred from full participation in the American dream.

The doors to opportunities most of us take for granted seem to remain closed to them. Some are barred because they are of the "wrong" religion . . . or because their parents came from the "wrong" country . . . or because they are the "wrong" sex. But above all, avenues to achievement remain closed to millions of our countrymen because they are of the "wrong" color.

Yet if we Americans, with all our differences, share one fundamental, bedrock proposition, it is this: there is among us no such thing as a "wrong" religion or a "wrong" nationality. There is among us no one with the "wrong" color. We are all equal before God. We are equal in the eyes of the law. If I have anything to do with it in this country, we are all going to be equal in seeking a job.

I do not believe there is anyone in the United States who is better qualified to achieve that goal for this government than Clifford Alexander. He knows what prejudice is. He has endured it himself—and he has fought it with every resource at his command.

He has been an outstanding student of the law. He served in our Army. He served as Assistant District Attorney for New York City. He led one of that city's successful programs for slum rehabilitation. He helped to discover new ways to help the children of the slums.

Cliff Alexander joined the Government in 1963. He came here as a Foreign Affairs Officer of the National Security Council. A year later he became one of my own assistants. For more than three years now he has given his President, and his country a wise and creative counsel that belied his years.

We are reluctant to see him do any work except work at the White House—though we know that we will always use his counsel in the critical days ahead—and there may be a good bit of them here at the White House. We seem to attract crises sometimes.

In Cliff Alexander, the country gains an able and devoted public servant in a place where a man of his understanding and where a man of his commitment is needed a great deal right now.

The Commission is in sure and skillful hands. It is above all I think in just and determined hands. My friend, Cliff, you will leave with our gratitude—and you set forth in your new mission with our admiration, with our confidence and our trust.

Thank you very much.

THE FIGHTING IN VIETNAM

Mr. FULBRIGHT. Mr. President, the August 4 issue of the New York Times carried an article by Tom Buckley from Saigon, reporting that more than 2,000 marines have been killed in action and more than 14,000 wounded in combat since the first of the year; that "in many respects, the initiative in the I Corps area, the five northernmost Provinces of South Vietnam, appears to have passed to the enemy"; that "the pacification program has all but collapsed"; that "the Marines are relatively short of tanks" and are handicapped by a "lack of helicopters"; and that "the 22 Marine infantry battalions are markedly understrength, some by as much as 50 percent."

On the same page of the same newspaper, there appears an interview with Lt. Gen. Lewis W. Walt, until recently Marine commander in Vietnam, commenting on Mr. Buckley's report. In the interview, General Walt was quoted as saying that "the North Vietnamese have been reduced to staging occasional ambushes along the buffer strip and harassing Marine positions there with artillery and mortar fire in an attempt to win psychological victories to offset their military failures"; that Marine battalions "have not been worn down to 50 percent strength" but are "at 95 percent strength"; that not 2,000 but "1,875 marines have been killed in all of I Corps since the beginning of the year"; that "the Marines had plenty of tanks in Vietnam"; and that he "never lacked for helicopters to move troops in a combat situation."

I ask unanimous consent that the full text of both articles be printed in the RECORD.

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

[From the New York Times, Aug. 4, 1967]

SAIGON, SOUTH VIETNAM, August 3.—Early in July, an exhausted Marine infantryman—a survivor of an ambush near the demilitarized zone in which nearly 100 of his companions were killed and more than 200 were wounded—shook his head and said, "Man, we need help." Last Saturday, a Marine battalion was ambushed under similar circumstances in the demilitarized zone. Twenty-three Marines were killed and 191 were wounded. By official count, more than 2,000 Marines have been killed and more than 14,000 have been wounded in combat since the first of the year, about 40 per cent of all American casualties in Vietnam during the same period.

This total of 16,000 casualties is the equivalent of 16 full-strength infantry battalions. The Marines have 22 battalions in Vietnam.

It is understood on good authority that about 10,000 of the Marine losses have been incurred in fighting in or near the demilitarized zone.

Marine commanders have reported killing four or five times as many North Vietnamese, but these reports—like those of the Army—are no longer taken seriously by observers who have visited battlefields and talked with survivors.

The North Vietnamese Army's ability to wage war does not seem to have been impaired. It continues to elude Marine searches. When it is ready, it strikes with savage effectiveness.

SHIFT IN INITIATIVE SEEN

In many respects, the intiative in the I Corps area, the five northernmost provinces of South Vietnam, appears to have passed to the enemy.

As this has happened, civilian officials acknowledge that the pacification program has all but collapsed. The South Vietnamese Army has been unable to protect the so-called revolutionary-development teams, or provincial towns and cities such as Hoian, Quangtri and Hue, from raids.

The Marines, some civilian and military observers believe, have failed to contain the enemy threat. Why?

From official sources, it is difficult to get anything but assurances that the war along the border is going well, but that another Marine division or so would make it go better.

Observations over several months, conversations with officers and men in the field and with experts in other branches of the armed forces suggest that, while manpower is unquestionably a major problem, there are serious shortcomings in Marine equipment, tactics and command flexibility.

The Marines are shock troops. They have displayed their courage again and again in Vietnam, most recently when they suffered 1,000 casualties in the repeated frontal assaults in late April and early May on North Vietnamese positions on the hills near Khesanh.

Unlike the Japanese on the Pacific islands in World War II, who had nowhere else to go, the north Vietnamese fight as long as it seems profitable, inflict as many casualties as they can and then drift away.

The Marines, specialists in amphibious assaults, continue to stage these complex operations, complete with naval bombardments, even though they rarely make contact with the enemy in these assaults.

In short, knowledgeable sources say, the Vietnamese war is different from the Marines' past engagements and the war, it is said, has changed radically in the last year. As more and more North Vietnamese units

have joined the struggle the war has lost something of its guerrilla character without becoming entirely conventional.

Like the Vietcong, the North Vietnamese are skilled at night movement, concealment and ambush. But they are better armed and better led than the Vietcong and, for the most part, they fight within a few days' march of relatively safe bases north of the Benhai River. They employ artillery, mortars and rockets with great skill, shifting them rapidly among hundreds of sturdy, well-camouflaged emplacements.

Marine field commanders agree that they are handicapped by a shortage of ready reserves and by a lack of helicopters to move them quickly to battle areas.

The helicopter has become indispensable for quickly transporting troops and supplies, evacuating the wounded and, fitted with machine guns and rockets, for providing close support for embattled ground troops. The two Marine divisions have about 200 helicopters. The seven Army divisions have 1,700.

The Marine helicopters are mostly obsolete reciprocating-engine Sikorsky H-34's, no match in speed, lifting capacity or trouble-free operation for the Army's turbine-engine UH-1's.

NOT ENOUGH TANKS

Although the terrain near the eastern half of the demilitarized zone is fairly level and open, the Marines are relatively short of tanks, which could exploit it, and lack fast and maneuverable armored personnel carriers.

In addition, the Marines were the last combat men to get the new M-16 rifle. The light-weight, rapid-fire weapons were issued to units near the demilitarized zone just before the battle of Khesanh in April.

The Marines did not get a chance to familiarize themselves with the M-16 and were plagued with malfunctions.

Men in the field indicate that two items of special equipment have proved disappointing.

The first, the Howtar—a 4.2-inch mortar mounted on a wheeled carriage—can only be loaded by a tall man standing on a box, they say. The second, the Ontos—six 105-mm. recoilless rifles mounted on a tracked vehicle—is said to be difficult to operate and serve quickly.

It is understood on good authority that the heavy casualties of the last seven months were largely unanticipated by Marine commanders.

UNITS ARE UNDERSTRENGTH

Since it takes about four months to schedule and move replacements from United States training camps to the war zone, the 22 Marine infantry battalions are markedly understrength, some by as much as 50 per cent, and are likely to remain so. Rear area troops, such as military policemen, have already been transferred to the infantry.

Both the Marines and the Army appear to have abandoned in practice their doctrine that guerrillas are best opposed by using their own tactics against them. Small-unit commanders acknowledge that night operations are seldom undertaken. In both ambushes, the Marines were moving down a road surrounded by thickets, apparently without adequate flank security.

As the quality of the enemy and his weapons has improved, the penalties for errors of judgment have increased. The Marines' 13-month tour of duty here, while a month longer than the Army's, gives junior officers and noncommissioned officers barely enough time to learn the practical skills required for survival, in the view of experts.

The Marine command, led by Lieut. Gen. Robert E. Cushman Jr., who succeeded Lieut. Gen. Lewis W. Walt on June 1, seems more determined than ever to prove that it can rely on traditional tactics. Perhaps the Marines can, but it is likely to be costly.

[From the New York Times, Aug 4, 1967]

WASHINGTON, August 3.—Lieut. Gen. Lewis W. Walt, until recently commander of the Third Marine Amphibious Force in South Vietnam, insisted today that the Marines were successfully dealing with the North Vietnamese threat along the demilitarized zone.

General Walt, who is now Marine personnel chief and is considered a leading candidate to become the next Commandant of the corps, commented on a report to the New York Times [printed on this page], based on observations in Saigon, that the Marines could not contain the enemy in the demilitarized zone.

General Walt commanded the 79,000 marines in South Vietnam's five northern provinces, the I Corps zone, for two years. He returned to the United States June 1.

In an interview at Marine headquarters here, the general contended that the American and South Korean marines under his command and the South Vietnamese troops in I Corps repulsed a concerted enemy effort between February and May to seize control of the two northernmost provinces, Quangtri and Thuathien, inflicting heavy losses on the North Vietnamese.

TRYING TO BUY TIME

Since May, he said, the North Vietnamese have been reduced to staging occasional ambushes along the buffer strip and harassing Marine positions there with artillery and mortar fire in an attempt to win psychological victories to offset their military failures.

"The enemy has not met a single objective he set out to achieve," General Walt said. "He is now trying to buy time with blood."

He said that the enemy campaign to seize Quantri and Thuathien began Feb. 15, shortly after Tet, the Vietnamese New Year, with a diversionary attack by the First Vietcong Regiment in Quangngai, the southernmost of the five northern provinces.

Two Vietcong battalions, about 1,000 men, assaulted a South Korean Marine company in a prepared position there. The Koreans crushed the assault, killing 243 Vietcong, nineteen Koreans were killed and 38 wounded.

On Feb. 17, General Walt said, he learned through intelligence the location of the 21st North Vietnamese Army Regiment near Quangngai City. A South Vietnamese-American operation was immediately begun. On Feb. 18 and 19, the North Vietnamese were surrounded and 812 of them were killed while breaking out of the encirclement.

HEADQUARTERS WAS TARGET

Captured documents and prisoners disclosed that the regiment had been under orders to overrun the airfield and the bridge outside Quangngai City on Feb. 21 and then to attack the Ducpho district headquarters south of the provincial capital.

"If these battles in Quangngai had been successful for the enemy," General Walt said, "I would have been forced to divert troops from up north to reinforce there. I learned later that this was what they had wanted me to do."

On Feb. 27, General Walt said, the first thrust across the demilitarized zone began. A Marine patrol ran into the lead elements of a North Vietnamese battalion north of the Camlo outpost. A major battle quickly developed between three Marine battalions and four battalions of the North Vietnamese 324B Division attempting to push into Quangtri.

The North Vietnamese were forced back, leaving 569 dead on the battlefield. Prisoners and documents disclosed that the enemy's mission had been to overrun the artillery at the Marine strongpoint of Camp Carroll on Feb. 29.

FIVE HUNDRED KILLED AT GIOLINH

Two days later, he said, three battalions of the 341st North Vietnamese Division were repulsed near Giolinh, losing 500 men.

The North Vietnamese then achieved partial successes, at heavy cost, but again were repulsed north of Khesanh between April 24 and May 5.

In this battle, two Marine battalions seized three hills north of their outpost. Contrary to reports, General Walt said, the Marines did not suffer 1,000 casualties in the battle. They had 138 killed and 270 seriously wounded, and the North Vietnamese left 980 bodies on the battlefield, he said.

On May 4, he said, a regiment from the 324B Division attempting to overrun Marine artillery at Conthien was repulsed with at least 200 dead.

Another North Vietnamese battalion was decimated during a South Vietnamese-American operation within the demilitarized zone itself.

"The enemy tried all of these things," General Walt said, "and he did not achieve a single one of them during this period.

"Since May," he added, "there has been no big commitment of enemy forces. I honestly believe he now has no hope of taking any of that territory out there. He is just trying to make gains in the psychological and political war by inflicting casualties."

General Walt said that an occasional ambush had to be expected. "Every foot of that country has an ambush capability," he said.

Marine battalions, he said, have not been worn down to 50 percent of their strength.

"Those infantry battalions are at 95 per cent strength," he said. The flow of 1,100 to 1,200 Marine replacements from the United States, he added, "is adequate to meet our needs."

REPORTS CALLED MISLEADING

General Walt contended that reports of 10,000 marines killed and wounded since the beginning of this year were highly misleading. In fact, he said, 1,875 marines have been killed in all of I Corps since the beginning of the year, 876 of these in the demilitarized zone.

Although 14,788 have been wounded, he said, 70 percent of the wounded are not evacuated from Vietnam and return to duty within 30 days. About half of these marines do not even leave their units for hospitalization.

Of all Marines wounded, 10.6 per cent cannot be returned to duty either in Vietnam or the United States.

General Walt asserted that the Marine amphibious vehicles were just as good as the Army's M-113 armored personnel carriers and that the Marines had plenty of tanks in Vietnam. The tanks are not used more often, he said, because rice paddies are not a practical field for heavy armor.

He said that the Marines have about 350 helicopters in Vietnam, not 200 as has been reported.

"I never lacked for helicopters to move troops in a combat situation," he said.

LSD AND DEFORMITY

Mr. HANSEN. Mr. President, a recent issue of the Saturday Evening Post contains an article entitled "The Hidden Evils of LSD," which describes, vividly, the dangers posed by this hallucination-producing drug for "generations yet unborn."

The article cites case after case in which LSD has caused long-lasting and oftentimes permanent damage. Dr. William A. Frosch of the New York University Medical Center reports that more than 200 patients a year are being admitted to the Bellevue Hospital psychi-

atric wards, suffering various grades of LSD-induced paranoia and schizophrenia. The chief geneticist of a LSD study at the University of Oregon Medical School reports:

The drug could be as dangerous to a developing foetus as Thalidomide.

According to the article:

Nearly every carefully controlled research project has deflated the scientific value of LSD.

Several months ago the subcommittee of which the distinguished Senator from Connecticut [Mr. DODD] is the chairman, held extensive hearings on the dangers involved in the use of LSD. But, unfortunately, these hearings were conducted prior to the new indexes of LSD's chromosome-damaging effects.

It is my opinion that further investigation into this and other similar drugs such as the so-called STP is needed.

In a recent letter to the U.S. Surgeon General I pointed out that—

In the light of the tests that have already been conducted and the results that they have yielded, this drug is highly dangerous. I would, therefore, urge your office to take definitive action to alert the public to the clear and present danger of the use of LSD.

In the most recent series of Government-sponsored animal studies to determine the effect of LSD on heredity, Dr. Robert Auerbach and James Rugowski, at the University of Wisconsin, gave minute quantities of LSD to pregnant mice. Dr. Auerbach reports:

We got horrible malformations and brain defects in virtually all of the baby mice—so horrible, in fact, that we're running the entire experiment all over again, to be sure we haven't made a mistake.

As Dr. J. Thomas Ungerleider, a psychiatrist specializing in LSD cases at the University of California at Los Angeles, said:

The research of the last few months has convinced me that this is the most dangerous drug to come down the pike in a long, long time.

Mr. President, for the sake of the estimated 4 million LSD users in the Nation, for the sake of others who may be tempted to try it, and for the sake of their unborn children, I feel that some action must be taken.

The National Clearing House for Smoking and Health, a branch of the National Center for Chronic Disease Control, operates under a $2 million yearly appropriation involving itself in behavioral research, community development programs, and educational information programs. This agency works closely with State and local interagency councils and State education and health services. The Clearing House maintains a library, archives, and research facilities for colleges and universities. As required by Federal law, this agency publishes an annual report on the consequences of smoking which is passed on to Congress by the Surgeon General, thus further alerting the American people.

It seems to me, Mr. President, that if we have taken such steps to inform the American people of the dangers of smoking, then certainly we should take steps at least equal to these to alert Americans to the evils of LSD and other such drugs. The evidence available to us at this time leaves little doubt that these hallucination-producing drugs pose a much greater danger to one's health than do cigarettes.

Mr. President, I ask unanimous consent that the Saturday Evening Post article, a news report on the article, published in the Washington Post, and an article entitled "United States Develops STP as Chemical Developed by Dow," published in the New York Times of August 3, 1967, be printed in the RECORD.

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

THE HIDDEN EVILS OF LSD

(NOTE.—New research finds it's causing genetic damage that poses a threat of havoc now and appalling abnormalities for generations yet unborn.)

(By Bill Davidson)

In Oregon, a young mother brought her newborn baby in to be examined. The child had a defect of the intestinal tract and its head was developing grotesquely—one side growing at a much faster rate than the other.

A mental patient in New York and six young men in Oregon were found to have extensive damage of their heritage-carrying chromosomes—damage of the type that is known to result in misshapen and defective babies.

Two of the young men in Oregon also were found to have a chromosomal abnormality that seems to be identical with the first stages of leukemia, the incurable blood cancer that proliferated at Hiroshima after the bomb fell.

A graduate student in Los Angeles has twice undergone typical epileptic *grand mal* convulsions—one time with seizures so violent that he broke two vertebrae.

The young mother, the mental patient in New York, the young men in Oregon and the graduate student—along with several thousands of new mental-hospital inmates—all have one thing in common. They all took LSD.

The baby, of course, hadn't taken much of anything—except, perhaps, the consequences.

The scientific evidence linking LSD with the baby's deformities, the broken chromosomes, the leukemia-like chromosomal abnormality and the convulsions is still circumstantial. No one has yet proved, except in test tubes, that LSD breaks chromosomes, but the horror that broken chromosomes can wreak on human beings, and on their offspring, has been amply proved. And, for that matter, it took some time to get proof of what Thalidomide could do to unborn babies, but when the ghastly proof came, it was as irremediable as it was convincing.

The staggering implications of the evidence gathered so far have added an enormous dimension to LSD, which already means different things to different people. To the chemist, the letters stand for Lysergic Acid Diethylamide, the formal name for the powerful mind-altering drug, the manufacture and sale of which are now illegal in the United States. To the hippie, LSD is "acid," "the chief," "the hawk," a droplet of which can take him on a mental "trip" in which he thinks he will experience instant euphoria. To Dr. Timothy Leary, the unfrocked Harvard professor who is high priest of the estimated four million users in the United States, LSD stands for League of Spiritual Discovery, a new religion he has founded, which uses the drug as a "sacrament."

But to the medical scientists now studying the effects of LSD on the human body, the three letters invoke a threat of deadly damage now and appalling defects for generations yet unborn. As Dr. J. Thomas Ungerleider, a psychiatrist specializing in LSD cases at the University of California at Los Angeles, told me, "The research of the last few months has convinced me that this is the most dangerous drug to come down the pike in a long, long time."

The new research, begun only this year, is unfolding one horror after another before it is even out of the preliminary stages. The Oregon cases evolved at the University of Oregon Medical School, Portland, where eight young men, LSD takers, volunteered blood samples for microscopic studies. Six of the eight were found to have damaged—broken—chromosomes. And two of the six—the two who were by far the heaviest users of LSD—have the chromosomal abnormality that seems to be identical to one seen only in the first irreversible stages of leukemia.

This form of leukemia is so rare that if the abnormality had shown up in only one of the volunteers, it might have been considered a coincidence. But when it showed up in two, the drug became the prime suspect.

The medical school's call for volunteers in Portland also brought in the young mother, with her baby. She had taken a single dose of LSD in the first month of her pregnancy, and she was worried about the effects on the baby. The infant was the first to be examined under a Federal Government grant to study possible abnormalities in the offspring of LSD users. According to the chief geneticist of the study, the baby had Hirschsprung's disease, a defect of the lower intestinal tract that interferes with bowel movements. It also had hyperplasia of the face; the right side of its head has developed far more than the left.

Again, it is too early in the research to bind LSD to these and other possible abnormalities (such as brain damage). The circumstantial evidence, however, is there. The prime question in the minds of the research team centers on the one small dose of LSD taken by the mother.

"From what we know," the geneticist said, "the baby would have abnormalities if the mother had taken large doses of LSD in the first three months she was pregnant. The drug could be as dangerous to a developing foetus as Thalidomide."

Even earlier danger signals had gone up at the State University of New York Medical Center in Buffalo, where a mental patient who had taken LSD for six years was found to have a high rate of chromosome damage resembling that seen in some tumor cells and in patients with a severe form of anemia. The same damage occurred when LSD was turned loose on blood in test tubes.

In Canada and in Los Angeles there have been reports of epileptic seizures in persons taking LSD. One Los Angeles case is particularly clear-cut. It involved a 32-year-old graduate student in anthropology who took black-market LSD for the first time, under the guidance of a so-called "sitter," or guide—in this case a clinical psychologist who was able to describe the victim's actions scientifically when the student was later admitted to the U.C.L.A. Medical Center.

The sitter reported that 50 minutes after the student had swallowed his LSD capsule, he went into spasms and convulsions—a typical grand mal seizure so violent that the student broke two vertebrae. At the hospital, X rays confirmed the fractures, but standard brain-wave tests could not locate the peculiar brain dysfunction that normally shows up in epileptics.

After the first episode, the student tried LSD four more times—without seizures. The fifth time, he had another massive epileptic attack. Frightened, he stopped taking the drug. He has had no more seizures.

Along with the new physiological evidence that is coming to light, psychiatric testimony continues to mount against LSD. Dr. William

A. Frosch of the New York University Medical Center reports that more than 200 patients a year are being admitted to the Bellevue Hospital psychiatric wards, suffering various grades of LSD-induced paranoia and schizophrenia. "Some cases are so bad," says Dr. Frosch, "that we have had to transfer them to state mental hospitals, and the patients are still committed there after more than a year."

The same holds true in other big metropolitan centers, such as Chicago, San Francisco and Los Angeles. At U.C.L.A.'s Neuropsychiatric Institute, LSD psychotics are no longer admitted—they are sent directly to Camarillo, the nearest state mental hospital. "We were overwhelmed with LSD cases," Dr. Duke D. Fisher, psychiatric resident, told me, "to the extent that we didn't have room for *normally* disturbed patients—no joke intended."

But even these figures don't tell the whole story, for, as Dr. Fisher points out, the "acid-heads try to hide their 'casualties,' as they call them—they don't let them go to hospitals if they can help it—to protect the image of LSD."

Dr. Fisher tells of one case he attempted to treat—a Los Angeles man who took LSD several times and then became convinced that he was an orange. "He locked himself in his room," Dr. Fisher says, "and refused to leave it for fear that if someone touched him he'd turn into orange juice. He also refused to let me treat him. This man is totally and perhaps permanently psychotic, but, like thousands of other poor creatures wandering around in a dazed condition in hippie neighborhoods, his case will never be reported and he may never be treated. The hippie community brings food to the orange man's room and they look after his basic needs."

This factor showed up frequently in the stories of the dozen LSD victims with whom I spoke. Typical was the experience of a girl, whom we'll call Yvonne, in Encino, Calif. After careful negotiations, her psychiatrist arranged for me to talk with her, and she poured out her story for two hours in the living room of her home while her father padded nervously in and out. Yvonne, now 23, is a tall, pretty brunette from a well-to-do middle-class family. She began smoking "grass" (marijuana) when she was 17 and still in high school. She says, "It was very simple. I was at my girl friend's house with a lot of other kids and someone said, 'Do you want to get high?' I smoked the grass because everyone else was doing it and I didn't want to look like a square."

Yvonne graduated from high school in 1962 and began nurses' training at a Los Angeles hospital. Three years later she "graduated" from marijuana to LSD. She says, "I kept reading the wonderful things. Dr. Leary said about LSD and I decided I was a psychedelic person. I began to dress in psychedelic boots and pants. Then one day I asked a friend of mine where I could get some LSD, and he gave me a number to call. I did, and a fellow showed up at the phone booth a few minutes later with two sugar cubes that had the acid in them. They cost five dollars apiece—we call it five dollars a ticket. My girl friend and I ate the sugar cubes and then we started to drive to the Teen-age Fair. Suddenly everything was in slow motion and flicking like an old-time movie. I couldn't drive anymore, so we went back to her house. We lay back on the floor and it was a good trip. We rolled on the floor and we laughed and the room filled up with gold fog and we swam through it. It was beautiful."

A week later Yvonne decided to try LSD again. She took it at a party, "but nothing happened for five hours, even though everyone else was nice and high. Then we drove to a guy's house in Beverly Hills and while I was in the car it hit me. I began to shake and sweat and I felt like someone was pulling a band tight around my head. The whole world looked like it was a comic strip, like it was drawn by a lousy artist, and I was a cartoon character in the middle of it. I screamed and said, 'Please help me. Get me an ambulance.' When they wouldn't, I tried to walk to a phone booth to call an ambulance. But two guys tackled me and knocked me down. They said, 'You can't go to a hospital. You'll blow it for all of us.' They took me to my girl friend's house. Her mother is a spiritualist and she also takes LSD. They kept me there in the house for three days, and my friend's mother talked religion to me and gave me tranquilizers. They didn't help."

At the end of the three days, Yvonne's friends decided to move her to the hippie community in San Francisco. Yvonne says, "I was still trembling and crying all the time and everything still had that nightmare comic-strip look. I couldn't eat or sleep. The day after I got to San Francisco, the people there had a 21st-birthday party for me. I walked out in the middle of it and somehow I got on a plane and went back to Los Angeles. I stayed with an aunt because I was afraid to tell my parents what had happened to me. They thought I had gotten a job in San Francisco. I spent my days wandering around from church to church, praying that the nightmare would go away. Finally I walked into the medical center at U.C.L.A. and said, 'Please help me! Please take me in!' Thank God they did."

Yvonne was a patient at the Neuropsychiatric Institute for 2½ months. She was treated with heavy doses of the powerful tranquilizer, chlorpromazine, and was given daily psychotherapy until the nightmare subsided. When I saw her nearly two years later, she had not taken any more LSD (the two doses that precipitated her psychosis were the only ones she ever had), but she was still trembling and still unable to work.

To LSD advocates, such cases are "casualties" or "accidents"—the unfortunate price paid by a few in order that the multitude may enjoy the wonders of the drug. Among the "accidents" are several suicides (one boy flung himself from a cliff in the belief that he could fly; another went out a high window under the same impression), at least one murder (a girl stabbed her boy friend with a kitchen knife and didn't even know it), hundreds of cases of acute schizophrenia (one man refused to eat; he believed he was the New Messiah and required no sustenance) and recurrent hallucinations months and years after the drug has been taken (a young man driving on a highway, a year after his only LSD experience, suddenly saw a hundred headlights coming at him instead of just two, and he crashed his car).

The most pathetic "accident" I saw was a beautiful 19-year-old girl in a mental hospital in the Midwest. It was her second confinement—she had previously been hospitalized after just two exposures to LSD but had recovered in three weeks and been released. Then, to give her a change of environment, her parents, who are wealthy, sent her to visit friends in New York City last Christmas. At a New Year's Eve party, someone slipped the girl a dose of DMT (dimethyltryptamine, a hallucinogenic drug even more powerful than LSD and currently in favor on the East Coast). The girl went raving mad at the party and was rushed to Bellevue Hospital, where she was confined in a straitjacket. Her own doctor flew to New York from the Midwest and took her home, still in the straitjacket, on a private ambulance plane.

I saw the girl six months later on the grounds of the mental hospital, which is near her home. Her doctor and I approached as she was playing volleyball with other patients. Except that she wasn't really playing; she was just standing there. As we approached, she said to the doctor, "Your eyes are movie cameras and they're looking right through me." She talked rationally for a few minutes, then she shrank back and pointed to an envelope the doctor was carrying. "Why did you bring that computer with you?" We left.

"Six months of treatment and she's getting worse," the doctor said. "The prognosis is poor."

With the new evidence of chromosome damage added to the already extensively documented history of psychiatric damage, the prognosis for the usefulness of LSD itself is poor, too.

Few drugs have begun with greater promise than LSD. It was first synthesized in 1938 by Dr. Albert Hofmann, a Swiss chemist who was looking for a new drug with which to treat migraine headache. He ran a series of tests with various derivatives of lysergic acid, a component of ergot, a fungus that grows on rye. On the 25th try, he came up with the chemical combination that has now become famous as LSD. He swallowed some, and as he later wrote, "Space and time became disorganized, and I was overcome with fears that I was going crazy." He, in fact, did become temporarily insane. But his quick recovery led to the great expectations for the drug. Research psychiatrists reasoned that if they could safely induce what they called a "model psychosis," it might lead them to answers to the still-unsolved question about how to treat real psychosis. American researchers, with the approval of the Government's National Institute of Mental Health, began to look into the possibilities of using LSD in alcoholism and psychoneurosis. Some experimenters even though it might be useful in treating homosexuality and frigidity.

For 20 years LSD remained relatively unknown to the general public, although it was being used here and there. In the late 1950's, for example, Cary Grant underwent a series of LSD experiments with a doctor and wrote glowingly of the self-knowledge that he gained.

Then, in 1962, Dr. Timothy Leary and his colleagues in the Harvard psychology department, Richard Alpert, latched onto the drug. They had originally started experiments with the "mind-expanding" chemical psilocybin, a substance derived from Mexican mushrooms, which primitive Indian tribes had used as hallucinogens. But Leary and Alpert soon switched to the far more potent LSD. When they were fired from Harvard for holding candlelight drug parties for students, Leary and Alpert embarked on a crusade to spread The Word about LSD through hippie colonies and a series of private organizations, the latest of which is the League of Spiritual Discovery.

One of the peculiarities of LSD is that it instills in its users a missionary zeal. Also, Leary is a skilled publicist. He turned to his advantage his dismissal from Harvard and his conviction and 30-year sentence in Texas (still on appeal) for illegally transporting untaxed marijuana, claiming violation of his constitutional right to alter his own states of consciousness. By founding his religion, using LSD as a sacrament, he is laying the basis for a court fight in which he will claim protection under the freedom-of-religion guarantees of the First Amendment. The courts already have ruled in favor of the Native American Church, in which western Indian tribes chew hallucinogenic peyote, from cactus, also as a so-called sacrament.

Leary has done a remarkable job of spreading his Word, the essence of which is that by taking LSD and other "mind-expanding" drugs, you get insights into yourself that you never had before, you solve your problems, you isolate yourself from the "life-games" that cause tension in the world, and

you greatly increase your creativity. "Turn on, tune in, drop out," said Leary.

But by early 1966 the LSD boom began to lose its respectability. First the Federal Governments Food and Drug Administration took note of the great number of psychiatric casualties caused by illegal traffic in LSD. The FDA listed it as a "dangerous drug" and outlawed the traffic by including LSD in the Drug Abuse Control law that provides fines and jail terms for those who make or sell such drugs. Several states, including New York and California, had made even simple possession of LSD a crime.

These actions temporarily slowed, but did not halt, the distribution of LSD. Making LSD is relatively easy for anyone with a reasonable competence in chemistry. And the distribution system is already there; it has been identified in congressional testimony as a Cosa Nostra operation.

The only legal source of LSD in the United States today is the National Institute of Mental Health, which doles it out only to those few scientific projects it has approved.

These Government-approved research projects, which only now are beginning to be reported, indicate that LSD is turning out to be a bust. Dr. Jonathan Cole of the National Institute of Mental Health told me, "The 'model psychosis' theory of LSD has been discredited and abandoned. The drug produces effects which are nothing like real psychosis." Dr. Jerome Levine, also of the Institute, says, "The alcoholism and neurosis research with LSD is drawing to a close. The final results won't be in for another year, but I've been keeping tabs on the work, and my guess is that there will be no startling new revelations, no worthwhile new psychiatric tool. My guess also is that LSD never will become a widely used treatment."

Nearly every carefully controlled research project has deflated the scientific value of LSD. At the Missouri Institute of Psychiatry, the drug was tried on 150 severe schizophrenics. It helped none, and three got worse. Dr. Sidney Cohen, chief of psychiatry at the Veterans Hospital in Los Angeles, tested the LSD-users' claim that the drug made them more creative. He worked with 24 volunteers who were put on LSD, watching their creative efforts in writing, painting, etc. "At the end of the study," Dr. Cohen told me, "the LSD people all *felt* they were creating far better than before. But by objective analysis of their work and by every test we could give them, they were doing about the same or worse."

At U.C.L.A., Dr. Thomas Ungerleider and Dr. Duke Fisher made studies of 50 patients and outside hippies to test Leary's claim that LSD is harmless and useful if taken with the proper "set and setting." This means being in a calm frame of mind before taking the drug; taking it in a room with soft lighting and a soft carpet to sit on, with one or two friends and an experienced "sitter" or guide present. Drs. Ungerleider and Fisher concluded: "We have hospitalized many persons who had taken these precautions and who also had had up to 100 previous good LSD experiences. . . . There is no single factor that guarantees immunity from an adverse LSD reaction."

As a result of their studies, the U.C.L.A. experts also believe that even carefully controlled scientific experiments with LSD are dangerous. Dr. Ungerleider told me of a young psychologist who was screened carefully for mental stability and who was given only small doses of the drug in a federally licensed hospital experiment. One day the psychologist was found sitting in his underwear in the electroencephalograph room of the hospital, in a stupor, staring at the brain-wave machine. He was treated with tranquilizers. But when he recovered he left his job and joined a beatnik colony.

Today the number of Government-supported research programs using LSD on humans has dwindled to five. There are about 50 other approved projects, many of them investigating the possibilities of LSD damage to the body and to the unborn. "In fact," says the National Institute of Mental Health's Dr. Cole, "we're so concerned about what's been turned up so far that we're encouraging new research in this area."

The first word of warning on genetic damage came in the March 7 issue of *Science* magazine from Dr. Maimon M. Cohen, a highly respected geneticist at the State University of New York in Buffalo. Dr. Cohen studies chromosomes—those tiny components in the microscopic cells of the body that transmit heredity factors such as skin-, eye- and hair-color, and physical and personality characteristics from one generation to another.

It has been known for a long time that certain violent factors, such as atomic radiation and intense X-rays, disrupt and break the chromosomes, causing illness and death from leukemia and other malignancies. Also, breakage in the chromosomes in parents may result in malformed babies.

Geneticist Cohen started his tests with normal human blood cells in a test tube. He added minute quantities of LSD and studied the chromosomes under a microscope. He was startled and alarmed to see the same kind of chromosomal damage that occurs with radiation. Then he took blood cells from a mental-hospital patient who had been treated with LSD in one of the experiments. Again, a high rate of chromosomal breakage.

Cohen published his results, setting off alarm bells in the world of science. But to be absolutely sure, he initiated another research project involving New York University and Mount Sinai Hospital in New York, where plenty of LSD takers are available for observation. Cohen, along with research teams headed by Dr. William Frosch and Dr. Kurt Hirschhorn, examined the blood cells of three mothers, all LSD users, and their four children. The same frightening breakage of chromosomes showed up. The babies are now being studied for abnormalities.

An even more positive confirmation of the Cohen findings was then made with the volunteers at the University of Oregon Medical School and the Oregon Regional Primate Research Center, by Dr. Samuel Irwin and Dr. Jose Egozcue, a young Spanish geneticist. They studied the blood cells of eight LSD users and nine men and women who had not taken LSD. *Six of the eight LSD users had abnormally broken chromosomes and only one on the non-LSD users showed slight breakage, and it was determined that he had previously undergone intensive X-ray therapy. In the LSD-user group, the worst chromosome damage took place in the blood cells of those who had taken the largest doses.* It was in two of these young men—the heaviest users—that Dr. Egozcue found what appears to be the so-called Philadelphia-L chromosome, which never occurs in normal blood cells and always shows up in the initial stages of fatal chronic myelogenous leukemia.

Dr. Egozcue explained to me some of the other implications of broken chromosomes. He said, "The biggest problem, when broken chromosomes occur in parents, is mental retardation and other malformations in their children. We get all kinds of aberrations. Most frequently, there is mongolism—a dull-witted child with distorted features and slanted eyes and lax, inefficient muscles.

"Then there's the problem of peculiar bone structure in the child—also accompanied by mental retardation. At Vanderbilt University they studied such a child, the product of chromosome damage in the parents. This youngster was very short and had an enormous skull, the two halves of which never properly closed. The child had a double row of front teeth.

"Still a third possibility which is likely to occur with LSD, because of the same kind of break in the chromosome, is what we call cri-du-chat syndrome. The baby cries like a cat, not a human. The child is always severely defective, both mentally and physically."

In the first of a projected new series of Government-sponsored animal studies to determine the effect of LSD on heredity, Dr. Robert Auerbach and James Rugowski at the University of Wisconsin gave minute quantities of LSD to pregnant mice. Dr. Auerbach told me, "We got horrible malformations and brain defects in virtually all of the baby mice—so horrible, in fact, that we're running the entire experiment all over again, to be sure we haven't made a mistake."

Concerning possible LSD-caused chromosome damage in adults, Oregon's Dr. Egozcue lists, as the No. 1 likelihood, a change in the chemistry of the brain cells—which could account for the psychosis and epilepsy-like seizures already noted. (Brain-damage studies are underway now to attempt to confirm this supposition.)

While the world of science is expressing deepest concern over the new findings on LSD, the world of the acid-heads, apparently, couldn't care less. It simply moves on to bigger and better hallucinogenic drugs. Recently, for example, a new hallucinogen called STP by the hippies (after the powerful oil additive for automobiles), turned up in great quantities on the West Coast. In a two-week period dozens of victims showed up in California hospitals suffering the effect of STP, which is perhaps four times more virulent than LSD. One of the patients nearly died. He had taken chlorpromazine, normally an antidote for LSD. However, chlorpromazine actually intensifies the reaction to STP and can cause respiratory paralysis, convulsions and possibly death. Drug experts have identified STP as a combat weapon designed to incapacitate enemy soldiers, developed for the Army under the label JB 314.

None of this news seems to affect the pastoral calm that pervades the 2,500-acre estate in rural Millbrook, N.Y., where Timothy Leary presides over his colony—the Mother Church of his League of Spiritual Discovery. On a recent afternoon some 75 of his disciples wandered contentedly around the premises in blue jeans and sneakers. In a cottage called "The Bowling Alley," a card game was in progress on the floor in front of a solemn statue of Buddha, while a phonograph played Bob Dylan records. In a pale-blue outbuilding called "The Chicken Coop," a dozen hippies played guitars, pounded wooden staffs on the floor and recited what they called "The Hare Krishna Chant." It was as if they had never heard of chromosome damage.

But they had.

Eddie Schwartz, a Leary lieutenant, an artist, an LSD user for six years, said, "Acid is a very, very, highly dangerous drug. Every time you blow your mind, you might end up in the nuthouse. But to me it's worth the risk. If you're sincere with it, it works for you and not against you."

Asked about the new genetic findings in Buffalo, Portland and New York, Schwartz snorted: "It's just scare tactics by the Government. I'm not at all worried about what the doctors find. Doctors are programmed to the illnesses of the world, not the happiness. You can't cure happiness."

And the guitars played on.

[From the Washington Post]

WORSE DEFORMITIES FEARED IN LSD THAN THALIDOMIDE

(By Nat Haseltine)

The mind-bending drug LSD may not only drive its user crazy but may be more deforming to unborn children than the sedative called thalidomide.

Severe malformation in the child of a young mother who, when pregnant, took a single, presumably mild dose of LSD, have

been recorded by a Portland, Ore., geneticist, Dr. Jose Egozcue.

The coincidence of LSD-taking and the birth of the child with faulty intestines and a misshapen head is not proof positive of cause-and-effect relationship, admitted Dr. Egozcue in the report published in today's issue of The Saturday Evening Post.

But, coupled with a recent report of experiments with LSD in pregnant rats by Dr. George Alexander of the Columbia College of Physicians and Surgeons, it tends to warn female hippies that if they take the drug only once, they may pay the price of malformed or retarded offspring.

The report recalled detailed studies of LSD dangers, including drug-induced epilepsy, leukemia, paranoia and schizophrenia.

The Portland study confirmed a warning issued four months previously by Dr. Egozcue and Dr. Samuel Irwin of the University of Oregon Medical School that LSD may be a chromosome breaker. Since broken chromosomes can be disastrous to the seeds of coming generations, the possibilities for hereditary malformations are endless.

Earlier, the two doctors had analyzed blood cells on eight LSD users and nine others who had not taken the psychedelic drug. Six LSD users, they reported, had abnormally broken chromosomes, and only one nonuser, a man who had undergone extensive X-raying, had any cell breakage.

CHROMOSOME EFFECT

In the two heaviest users of LSD, Dr. Egozcue found what appeared to be the so-called "Philadelphia-L" chromosome derangement which shows up in persons in the final stage of fatal myelogenous leukemia.

The magazine article says the medical school's call for volunteers of LSD users brought in the young mother and her child. According to Dr. Egozcue, the infant had Hirschsprung's Disease, a blockage defect in the lower intestine. Moreover, the right side of the baby's head was overdeveloped in relation to the left side of the head.

"The biggest problem, when broken chromosomes occur in parents, is mental retardation and other malformations in their children," said Dr. Egozcue. "Most frequently there is mongolism . . . (and) peculiar bone structure. One youngster had an enormous skull, the two halves of which were never properly close, and a double row of front teeth."

BEST NOT TO REPORT

To the hippies such cases are accidents best not to report, since they may close off the sources of LSD. The "acid-heads" (LSD users) try to hide and protect their accidents, according to Dr. Duke D. Fisher, psychiatric resident of the University of California at Los Angeles Neuropsychiatric Institute, who said his institute has "been overwhelmed with LSD cases."

Dr. Fisher told of one unsuccessful case that hides a "bad trip"—a Los Angeles man took the drug several times and became convinced he was an orange. He didn't want others to touch him for fear he'd turn into orange juice.

"This man is totally and perhaps permanently psychotic, but like thousands of other poor creatures wandering around in a dazed condition in hippie neighborhoods, his case will never be reported and he may never be treated. The hippie community brings food to the 'orange man' and they look after his basic needs," Dr. Fisher declared.

[From the New York Times, Aug. 3, 1967]

UNITED STATES IDENTIFIES STP AS CHEMICAL DEVELOPED BY DOW

(By Harold M. Schmeck Jr.)

WASHINGTON, August 2.—The powerful mind-affecting drug called STP has been identified by the Food and Drug Administration as an experimental compound developed by a major chemical company.

Neither the F.D.A. nor the company knows how the formula got into unauthorized hands, spokesmen for each said today.

The compound is chemically related to mescaline, one of the most widely known hallucinogenic substances, and amphetamine, the stimulant.

The drug agency said today its scientists had identified STP as an experimental compound called DOM, developed by the Dow Chemical Company.

A spokesman for the drug concern said it was one of a group of compounds developed in the hope that some of them might be useful in treating some forms of mental illness. A patent has been applied for on the group. DOM itself has been sent to some scientific investigators for tests of its potential for this kind of use.

The spokesman would not identify the scientists, nor their institutions, but said the compound was first distributed to them this spring.

USED ON WEST COAST

STP, as the compound is called among those who use it illicitly has evidently been rather widely used on the West Coast. It has a more powerful mind-distorting effect than LSD although on a weight-for-weight basis it is less potent.

The chemical company has not published information on the compound, nor allowed samples of it to get into the hands of persons other than the drug agency and the scientists, a spokesman for the company said.

He said the company did not know how the formula got out, but that checks of Dow's own inventories indicated that none of the illicit users has gotten it from that source.

Evidently someone has obtained access to the formula and has made further supplies.

This was described as a task not difficult for a qualified chemist, once the formula was known.

STP has been under investigation for some time by the drug agency. Its identity was discovered because of its chemical similarity to another compound of the same class on which Dow had applied for investigational new drug status.

The drug agency today identified STP as 4-methyl 25-di-methoxy alpha methyl phenethylamine and described it as "chemically related to mescaline and amphetamine."

Mescaline is a hallucinogenic drug derived from peyote, a cactus plant that has been used for centuries by some Indian tribes for ceremonial and religious purposes.

Amphetamine is one of several stimulants all closely related chemically. Among the best known such products are benzedrine and dexedrine.

The true identity of STP was discovered by a scientist of the drug agency who noted its chemical similarity to the drug named in Dow's application. A check with the company completed the identification.

The F.D.A. said Dow had cooperated fully in furnishing all available information on DOM.

"Little information on the toxicological, pharmacological, or therapeutic properties of the substance is available," said the drug agency announcement.

"Many persons who have allegedly used STP have suffered severe reactions, according to reports from a number of hospitals. Because of the lack of information about the effects of the substance, the F.D.A. considers its use extremely hazardous."

The name STP for the mind-distorting compound appears to be borrowed from that of a commercial motor oil additive.

NATIONAL MAPA CONVENTION ENDORSES BILINGUAL EDUCATION

Mr. YARBOROUGH. Mr. President, on July 14, 15, and 16 of this year, the Mexican American Political Association, better known as MAPA, held its national convention in Riverside, Calif. This organization has long been active in public issues and causes that would bring equality of opportunity to the Mexican Americans of this Nation, and they have given their helpful support to S. 428, the bilingual education bill.

On the last day of their national convention, MAPA passed a resolution in support of bilingual education. I ask unanimous consent that the text of this resolution be printed at this point in the RECORD.

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

RESOLUTION, MEXICAN AMERICAN POLITICAL ASSOCIATION NATIONAL CONVENTION, JULY 14, 15, AND 16, 1967, RIVERSIDE, CALIF.

Whereas: This nation is actively engaged in promoting peace and understanding among non-English countries throughout the world, and

Whereas: A bilingual-bicultural curriculum will best meet the educational needs of Spanish-speaking students in the United States, and

Whereas: The present limited aid to education program guidelines do not specifically focus attention on the development of bilingual-bicultural education programs, and

Whereas: There are nine and one-half million Spanish-speaking persons in this Nation and its territories who would best develop their God-given talents in a bilingual-bicultural curriculum and,

Whereas: Specific funds for non-English speaking children would reflect a concern to perceive him, his language and his culture as an asset to society, and

Whereas: The goals of this nation are to prepare functioning citizens in this democratic society.

Be it resolved that the Mexican-American Political Association go on record in support of bilingual education—especially S 428 introduced by Senator Yarborough and HR 8000 introduced by Congressman Roybal.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

CENTRAL ARIZONA PROJECT ACT

Mr. BYRD of West Virginia. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 395, S. 1004, the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 1004) to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

Under the previous order, the Chair recognizes the Senator from Utah [Mr. Moss] for 1 hour.

Mr. MOSS. Mr. President, at the conclusion of my address last night in the Senate, I had pointed out that the longest oral argument made before the U.S. Supreme Court in this century did not come in any of the cases concerning the great social issues, or subversion, or the rights of accused persons, but the distinction went to Arizona against California, the water case to which I referred.

In the average case, the Supreme Court hears about an hour of oral argument. The tidelands oil cases involving Texas and Louisiana were allotted no more than 16 hours. Arizona against California was allotted 22 hours. Before the 22 hours of argument were heard, a special master was appointed. The first appointed master died, and a second was chosen. In total, their work took 8 years. The masters heard 340 witnesses, reviewed 25,000 pages of testimony, and reported findings in a volume of 433 pages. The final decree of the Court was handed down in 1964. Arizona won, and obtained the right to 2.8 million acre-feet annually of the Colorado's waters.

It is true that the West has always fought over water, while, to most of the Nation, water has been—like air—there for the taking. But 5 years of drought in the Northeast and a rising tide of pollution made the Nation aware at last of the incalculable value of this resource.

Increasingly, the control of water is the key to prosperity, growth, and political and economic power in the United States.

By the standards of the East, the Midwest, and the South, permanent shortage of water is the condition of 40 percent of the land area of the contiguous 48 States—that region lying between the 100th meridian—Dodge City, Kans.—and the Sierra Nevada Mountains. It has an average annual rainfall of about 12 inches, less than a third of that enjoyed by the State of Virginia.

This vast region includes Montana, Wyoming, Utah, Colorado, Nevada, Arizona, and New Mexico. It includes eastern Oregon and eastern Washington; Idaho, except for the oasis created by the Great Snake River; and the western portions of the Dakotas, Nebraska, Kansas, Oklahoma, and Texas. Skirting the Sierra Nevada, it also includes the San Joaquin Valley and southern California.

The economic and political history of the West is tied to water; not only its ownership and use, but also the realities imposed by the precipitation figures. Such men as Maj. John Wesley Powell warned that land use was limited by water availability. But business promoters and overanxious public officials convinced prospective farmers that "water followed the plow," and—three times—dry years followed wet to parch the land and bring varying degrees of disaster.

In the early 1890's, easterners flocked to the plains, hungry for land and eager to stake out new towns, which they envisioned as centers of agriculture and commerce. After 1885, a series of crop failures bankrupted the area, drove these people back East, and spawned the Populist Party.

The rains returned by 1897—and so did the farmers. This time, science played some part in their operations. There were the "rainmakers," who argued that concussion could induce rainfall, but there was also dry farming and the introduction of some drought-resistant plants. Then, in 1933, the effects of the great depression were compounded by another drought. For 4 or 5 years, author W. Eugene Hollon tells us, "the desert smouldered like a giant fire." The topsoil was blown away, and with it went the farmers again, this time to California. That drought led to the birth of the Soil Conservation Service.

The third time croplands were extended too far to meet food shortages was during World War II. Four years later, the dry cycle struck, but this time understanding of the land and preparation, in the form of greatly increased water storage, held down the losses.

America had learned the long, hard lesson that prosperity in the West depends completely on wise use of water.

The driest portion of the region I have been speaking about is that comprising the southwest quadrant of the Nation. It is also our fastest growing area. Here, precipitation seldom falls except in the mountains. For the most part, the clouds move over the flat lands, releasing no moisture and soaking up by evaporation a great deal from rivers, lakes, canals, and irrigated lands. When the mountains are reached, the precious water is discharged. Often, the winter's stock of snow moisture is the only water supply to the dry valleys in the summer.

Huge areas of the arid West grow no crops, because agriculture is dependent on irrigation fed by reservoirs or by pumping of ground water. Throughout much of the region, cattle and sheep raising is the largest volume agricultural activity, and great acreages of irrigated land are used only to grow hay for winter forage.

In 1902, the Bureau of Reclamation was created in the Department of the Interior to develop the water resources of 17 Western States, to "reclaim" land for agriculture. Ever since, the Bureau has been a major factor in the economic life of the region.

For many reasons, the early reclamation program mired in financial difficulties. For one thing, land speculation made it hard to pay back water project costs. For another, not enough was known to build satisfactory dams or to locate them properly. In 1924 a fact-finding committee made a series of recommendations. These led to comprehensive economic feasibility studies of every water project. The addition of hydroelectric power as an income-producing factor, made the projects sound financially while reducing water costs to the users.

Let us turn now to the Colorado River which drains a 250,000 square mile area of the southwest quadrant and is the lifeline to one-twelfth of the land area of this Nation. It is an area that, to those who saw it early, promised little. Lt. G. C. Ives, the Army officer in command of the first navigation up the Colorado, wrote:

> The region . . . is, of course, altogether valueless. It can be approached only from the south and, after entering it, there is nothing to do but leave. Ours was the first, and will doubtless be the last party of whites to visit this profitless locality. It seems intended by nature that the Colorado River, along the greatest portion of its lonely way, shall forever be unvisited and undisturbed.

Scarcely more than a century later, that waterway is the most completely harnessed and regulated major river in the Nation.

The Spaniards discovered the river. The conquistadors looked out on a river heavy with silt and named it Colorado—Spanish for red. It was later nicknamed the "Big Red" by early American settlers, who feared the murderous floods that came each year, but could not survive without the river's precious waters.

Not until 1922 were the initial steps taken to harness the river. Meeting that year in Santa Fe, representatives of the basin's seven States drew up the Colorado River Compact, which divided the river into an upper basin—Colorado, Wyoming, New Mexico, and Utah—and a lower basin—Arizona, California, and Nevada. The dividing line between the basins is at Lee Ferry, south of the Arizona-Utah border.

The compact allotted each State a share for all time to come. The lower basin States were given an entitlement of 75 million acre-feet, every 10 years, plus an additional million acre-feet a year when available; the upper basin States could retain and use 7.5 million acre-feet per year or the part thereof available after the lower basin allotment and the Mexican allotment had been supplied. Mexico was to get an unstated share to be established by a United States-Mexican treaty. Should no surplus exist for Mexico, each basin was to allot from its own supply half of Mexico's entitlement. By treaty, Mexico now is entitled to 1.5 million acre-feet annually. If the lower basin receives 7.5 plus 1 million acre-feet, and Mexico receives 1.5 million, then the upper basin may retain water in addition to its basic entitlement.

Here is the genesis of the struggle over this bill today—signatories to the 1922 compact proceeded under the belief that the Colorado flow averaged 18.5 million acre-feet each year. This would have been more than sufficient to meet allocations to the upper and lower basin States and Mexico, with enough left over to cover evaporation losses which were estimated between 750,000 to 1 million acre-feet. The signatories were too optimistic. Flow at Lee Ferry averaged only 13 mil-

lion acre-feet annually from 1930 through 1964, short more than 5 million acre-feet a year.

The upper basin States divided their share of the river in 1948. Acrimony and ultimate resort to the courts has dogged the lower basin. However, the 1922 compact paved the way for construction of the great dams that have harnessed the Colorado and stored its water. In 1928, Congress passed the Boulder Canyon Project Act authorizing the Bureau of Reclamation to build Boulder Dam—later Hoover Dam.

The key to downstream regulation and control, Hoover Dam began to store water in 1935. The dam impounds water to form Lake Mead, which has a maximum storage capacity of 29.8 million acre-feet of water—about 2 years of average river flow.

The Boulder Canyon Act also authorized construction of the All-American Canal System and the Imperial Dam and Desilting Works. Water entered the All-American Canal in 1940.

Davis Dam, completed in 1963 in accordance with terms of the United States-Mexican treaty, regulates flow into Mexico. Parker Dam, 88 miles further downstream, was completed in 1938. Lake Havasu, the reservoir impounded by Parker Dam, holds the water that would be pumped to the central Arizona project.

There are some who, in the name of preservation, argue that dam building on our major rivers is uneconomic—even wasteful. The benefits from Hoover Dam should convince them that multipurpose dams in the West have proved their worth through experience.

Since 1935, there has not been a major flood or drought on lands served by the Lower Colorado. Hoover Dam stores water for irrigation, industrial use, municipal use, and recreation. Fish and wildlife have prospered. More than 3 million visitors a year come to see, swim, boat, water ski, and fish on 115-mile-long Lake Mead. Thanks to Hoover Dam, the Colorado now provides some 80 percent of the water used by southern California. Water stored in Lake Mead irrigates three-quarters of a million acres of land in the United States and another half-million in Mexico. Economically priced water is made possible by the nearly 1.4 million kilowatts of power generated at the dam and purchased at bargain counter prices by consumers in southern California, Nevada, and Arizona. Water delivered by the All-American Canal has produced crops worth some $2.5 billion in 25 years. Crop wealth is 37 times the Federal investment. Water users are repaying 92 percent of the $65.5 million Federal construction outlay for irrigation.

Years of planning to control and conserve the waters of the upper basin of the river culminated in 1956, when Congress authorized the Colorado River storage project. Four major storage units were approved: Flaming Gorge, on the Green River in Utah; Glen Canyon on the Colorado River in Arizona; Navajo, on the San Juan River in New Mexico; and Curecanti, on the Gunnison River in Colorado. The first three are completed. Construction is proceeding on Blue Mesa, one of the three dams of the Curecanti storage unit.

The four-State upper basin project will have a total reservoir capacity of 34 million acre-feet and an electric power capacity of 1.3 million kilowatts. Glen Canyon is by far the largest of the storage units. Its dam—710 feet high—backs up Lake Powell, which, when full, will be 186 miles long and have a shoreline of 1,860 miles. The reservoir will store 27 million acre-feet of water and provide 900,000 kilowatts of power.

The question has been asked: Why was Glen Canyon Dam built, since not a drop of irrigation water will be taken from it?

This is a question of utmost significance to the issue before us. The answer is that it was built to make it possible for the States of the upper basin to take physical possession of—to put to use—their legal share of the river's waters. Glen Canyon Dam and the other storage reservoirs make it possible to retain damaging flood waters to be used later to satisfy water rights downstream. Then the upper basin States can divert waters upstream to satisfy the needs of their farms and industries and cities. I remind the Senate today that the Congress approved a great Federal investment to make possible this arrangement that will be jeopardized should this bill be enacted. Moreover, dams make certain that the Federal investment will be paid off and that revenues will be available to help finance the needed upper basin "participating projects."

Under the terms of the Colorado River Compact, the lower basin must receive its share of water even if there are several years of low flow. Under the law that governs water use, the upper basin cannot draw irrigation water from the tributaries of the Colorado—and thus put to use its legal share—unless its compact commitment to the lower basin can be met. By keeping water on hand, the storage dams guarantee that the lower basin commitment will be met. Let me emphasize again that the dams are also the "cash registers" for the project. Sale of hydroelectricity produces most of the revenue to pay back the U.S. Treasury for its advance construction funds. Hoover Dam will be paid off in 1987, after which $11 million of electric power revenue will be available each year to help pay for other lower basin projects, or to be returned to the Treasury. If the electricity rate to consumers is made more realistic, there will be additional millions of dollars.

Water users will pay only about 5 percent of Colorado River storage project—upper basin—costs; sale of power will yield the other 95 percent to repay the Federal outlay. Power is fed into a massive grid connecting both private utility and public power resources. This income from sales of power and water goes into a "basin fund" for the upper basin which is used to repay costs and interest to the U.S. Treasury, and to make assistance payments to other upper basin projects.

The upper basin can put to use the water of Colorado's tributaries through "participating projects." An example is the central Utah project, which will take water from smaller streams that flow into the Green River, a main arm of the Colorado River, and divert this water to some of Utah's populous areas. Eventually, the Green itself will be tapped for use in the Colorado Basin. Potentially, there is room for more than forty participating units within the storage project—upper basin. Four have been completed, and some 24 are in various stages of construction and planning.

Thus reclamation is made possible because surplus flow in the spring and in wetter years can be stored for use in the summer and in dry years. There are losses from evaporation, but they are small compared with the waste that takes place where river waters flow unused to the sea. There are losses from seepage into porous sandstone walls of canyons, but most will return during dry periods when the reservoir level sinks below the upper line of the stored waters.

Inability of lower basin States to reach agreement on division of allotted water caused Congress, when it passed the Boulder Canyon Act, to lodge ultimate responsibility for division in the Secretary of the Interior. The act provides that in years when the flow past Lee Ferry totals 7.5 million acre-feet, plus 1.5 million for Mexico, California will receive 4.4 million, Arizona 2.8 million, and Nevada 300,000 acre-feet. Any lower basin surplus over 7.5 million and over 1.5 million for Mexico will be divided equally between Arizona and California.

Disagreement over these lower basin allotments was finally resolved by the Supreme Court's ruling on Arizona against California.

ABOUT DAMS ON THE RIVER

When Glen Canyon Dam was built, Congress was almost inundated by mail from the status quo conservationists. The question they raised was whether the values created by the Colorado River storage project exceeded the values of nature undisturbed.

One facet of importance to this discussion of water needs to be examined in detail: preservation versus development. This is behind the blind and strident opposition to any dam or reservoir on the lower part of the river. It is masked behind the allegation that the Grand Canyon will be flooded. This is laughable. Not only would the Grand Canyon not be flooded by the Hualapai Dam and Reservoir, but the water would be unseen from the canyon rim. However, people would be able to boat upon the surface of the lake and view the Grand Canyon from the bottom—an experience now reserved to a very hardy few.

What are we to strive for—opening up more areas for recreation use or keeping them undeveloped and unseen and therefore unspoiled? My answer is: strike a balance.

It is desirable that some stretches of scenic rivers be kept in their natural state, and that dams and marinas be kept out. This I believe and support, and this will be done through the legislation to create a wild and scenic rivers system.

Moreover, from the economic point of view, the wonders of nature can be among the greatest assets of a region if they are wisely protected and attractively presented to the general public. These

are the tourists who cover our land. They are the taxpayers who own these wonders. They are entitled to visit and view. But without access at modest cost, they are denied this privilege.

But, every mountain stream need not be turned into a lake for mass recreation, just as every undeveloped and unpolluted stream cannot be set aside for the use of a few or left unused simply because that is how it has always been. New high-density water recreation areas must be created. New recreation areas for less intensive use must be created. And a few truly wilderness streams should be protected and cherished.

This is being done. Conservation is not being forgotten. There are now two national parks on the Colorado gorge—Grand Canyon and Canyonlands. Through them the river will run forever free.

Based on personal observation as well as congressional investigation, it is obvious that Congress made the correct choice in authorizing Glen Canyon Dam.

Years ago, I had the opportunity to go by boat down the Glen Canyon of the Colorado. We used to float past the damsite before construction began, and I have always been grateful for the experience. But this was not a trip to be recommended for most, since it was too hard a journey for the very young or the old, and it took several days to complete, camping on sandbars and drinking river water.

The view of the canyon from the muddy surface of the river was awe-inspiring; but the view is even better today. And today, Lake Powell is the crown jewel of this scenic area, which has been opened up to the many who come to see, swim, boat, fish, and enjoy the outdoors. Those who visit Lake Powell return home enriched by their look at a magnificent setting created jointly by man and nature. The towering multicolored cliffs, changing color as daylight shifts to evening, are made more beautiful by their contrast with the blue waters added by modern engineering.

As it ran downstream before Glen Canyon Dam was built, the Colorado River was red with sediment. Oldtimers said it was too thick to drink and too thin to plow. Lake Powell's waters, nestling within the time-carved orange-red sandstone canyons, are now a deep blue.

Critics complain that Lake Powell has covered irreplaceable natural beauty that should have been left untouched. But without the reservoir, water for tomorrow would not be available. The untouched beauty of yesterday was available only to a hardy handful who entered the area by river raft. Today's beauty is for all to enjoy. Preservation has an important place in water use planning, but not at the expense of essential water conservation.

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

Mr. MOSS. I yield.

Mr. ALLOTT. I am very interested in the discussion of the Senator with respect to recreation, because it is a matter that has caused all of us much concern over the years.

Does the Senator have at this moment any figures relative to the number of people who have used Lake Powell for recreation during the past year?

Mr. MOSS. I do not have the precise figures available, but I do know that they exceed a half million. Lake Mead is now used by more than 3 million people a year. I believe that the number of people using Lake Powell will equal this figure as soon as there is adequate access to the lake. The lake is very remote, and roads have not yet been built to the shoreline.

Mr. ALLOTT. So, actually, with respect to the Lake Powell situation, in excess of a half million Americans a year have access to a great recreation area, whereas before the construction of the lake, there was only a handful, literally?

Mr. MOSS. That is very true.

The Rainbow Bridge National Monument illustrates this fact perhaps best of all. This is the greatest sandstone arch in the world, beautifully set just off the shore of Lake Powell. Presently, people can go by boat and land within a mile of the base of the bridge and take an easy trail up to see it, and they do this by the thousands.

Rainbow Bridge has been a national monument for half a century, yet just the barest handful of people have been able to get there. It is a 14-mile hike or muleback ride to come in overland from the Arizona side. Previously, people could go by river for 2 or 3 days and then hike 6 miles up to see Rainbow Bridge. More people now see Rainbow Bridge in a week than did so in a year in the 50 years before.

Mr. ALLOTT. As an example, although I have been in the southeastern portion of the Senator's beautiful State several times—in my opinion, it is one of the outstanding scenic areas in the world—I do not know how one can approach the fantastic rock formations which are found in that area, down toward the Four Corners area and up north and west of there. Unfortunately, although I have been in that area several times, I have never had an opportunity to see the Rainbow Bridge.

I have one other question along the same line: Is it not true that there is no access, except by a very good jeep or by horseback, into the area where the Hualapai Dam would be created?

Mr. MOSS. That is true. It is almost totally inaccessible.

Mr. ALLOTT. Is it the Kanab Indian Reservation that one can go through to get to that area?

Mr. MOSS. No. That is farther up river. I believe one must go down onto the river and come along the river botton to get into the Hualapai area where the dam would be built.

The point I was trying to make is that this area is nestled in the bottom of a canyon, and it is so far down that one cannot stand on the rim of the Grand Canyon and see the area where this water would back up if the lake were formed down there. Therefore, the great wails and cries that go out, and the articles that appear in national magazines, saying, "Don't flood the Grand Canyon," are ludicrous. Not only could you not flood Grand Canyon; you could not even see the water from the rim of the canyon if the lake were impounded.

Mr. ALLOTT. As a matter of fact, so that the record will be perfectly clear, the Colorado River forms a portion of the western boundary of the Grand Canyon National Park. Is that not true?

Mr. MOSS. That is true.

Mr. ALLOTT. And contrary to the information particularly put out by the Sierra Club and other similar organizations, no part of the Grand Canyon National Park would be invaded except that portion from the center of the stream out to the edge of the reservoir, and in no place would the reservoir actually back into the Grand Canyon National Park. Is that not true?

Mr. MOSS. The Senator is correct. The very maximum elevation that the lake would reach would be that it would touch Grand Canyon National Park for 13 miles on one side of the reservoir. It would not intrude into the reservoir, but it would touch the Grand Canyon National Park for 13 miles.

(At this point, Mr. CANNON assumed the chair as Presiding Officer.)

Mr. ALLOTT. The Senator is well informed about this area. Would it be safe to say, and would it be in line with complete logic and objectivity, that whereas perhaps a very small handful of people out of the entire population of the United States have the money, time, and health to get into this area where the Hualapai Dam would be constructed and see it, if the dam were constructed, it would open up a vast recreation area that could compete with Lake Powell or Lake Mead where so many people have found recreation and fun?

Mr. MOSS. The Senator is correct. That is the purpose of my dwelling on Lake Powell. As the Glen Canyon Dam was planned and built, we had the same objections that it would drown out the canyon and ruin the beautiful formations. There was an emotional campaign in connection with permitting any finger of water from protruding against the Rainbow Bridge Monument.

As the Senator said, hundreds of thousands of people in the United States, the people who own that area, can go there now and enjoy these beauties and they can see Rainbow Bridge. Beyond that, the scenery has been enhanced. They can look out upon the surface of a beautiful green-blue lake, a sight that very few persons had seen before because it was not possible to get there before due to the fact that if one were down on the river bottom he could not climb into that area and no one could come in from the top. That area was not even seen by Indians.

Mr. ALLOTT. This is true, is it not, even with archeological resources? Perhaps these sites have been seen by one individual, maybe one of our old desert rats who was looking for uranium or gold, but otherwise they were hardly ever seen by anyone.

Mr. MOSS. The Senator is correct. That was our experience in connection with Lake Powell. A similar situation would exist on Hualapai. In this case, the

people of the United States would have a chance to come and go on the surface of that lake and be able to look up and see the great massive walls and great expanse of the Grand Canyon. Older people would be able to do that, or people who had only a few days to spend there, or the very young. In fact, the great mass of people could go there because it would be economic. Now, the only way to get there is to float down the river on a raft, which takes money and time.

Mr. ALLOTT. It takes money and time, and a hardy disposition. Is that correct?

Mr. MOSS. The Senator is absolutely correct.

Mr. ALLOTT. Will the Senator yield for another moment or two?

Mr. MOSS. I will be glad to yield.

Mr. ALLOTT. I have been concerned for a long time, as I am sure the Senator has. We have in this country a vastly increasing number of people who have reached the age of retirement at the age of 60, 62, or 65, who retire on either private pension funds from organizations for which they have worked, or on social security. These are people who have been at a desk working all of their lives. They have not been able to get there. It would be foolish for them to go there and attempt to cope with the rigors of a float trip down the river. We have millions of people who reach that age in life who are looking forward to receiving a few of the rewards of the things they have worked for all of their lives. With the situation the Senator describes, this place is forbidden to them for practical reasons and financial reasons, because it is expensive to do, and for physical reasons, because they are not strong enough. These people perhaps have spent all of their lives at a lathe or at a desk or in some occupation and they cannot go through extreme physical rigors. However, this would open it up to these people who have reached retirement age and who have a right to see this area for the first time, because they have been busy raising their families; it has taken all of their money to raise their families and to educate their children. Those persons would be able to see for the first time and have access to this gorgeous area which they could never hope to see and never have access to, because of the way the situation now exists. Does the Senator agree with that statement?

Mr. MOSS. I agree entirely with the Senator. The Senator describes the situation very well. We are now experiencing a veritable explosion of outdoor recreation which consists largely of touring, getting a little camper and going about, and a great proportion of that explosion comes from retired people, as the Senator has pointed out.

One of the facets of the outdoor recreation explosion is water recreation. Water recreation has grown a great deal faster than any other area of recreation in this country in the last 5 or 10 years. Water recreation is being sought everywhere one turns. The dry desert country, which is fantastically beautiful, is very lacking in water except for the one river that goes through the area. To create a lake is to create wealth untold for people to come there, enjoy recreation, and have those beauties available to them, as the Senator described.

Mr. ALLOTT. It is creating almost a second heaven where people with limited physical capability and limited financial capability could come and not only enjoy the wonderful scenic areas there, but also fish, that great American pastime which we do not get to enjoy too much down there.

I believe the Senator has made a real contribution in pointing this out. From a recreational standpoint I do firmly believe that we will accommodate hundreds of thousands of Americans, the very young, the elderly, the physically infirm, who would never and could never hope to have a look at that area in any other way.

I appreciate the Senator's remarks.

Mr. MOSS. I thank the Senator.

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

Mr. MOSS. I yield.

Mr. HANSEN. Mr. President, I compliment the Senator on bringing to the attention of the Senate a number of important facts and valid considerations that I think should enable all of us to make a more accurate judgment in connection with this entire question.

The Senator has spoken specifically about the physical situation as he contemplates what would result were the Hualapai Dam to be constructed.

I wish to ask the Senator if he is familiar with the Flaming Gorge area which is so important to his State of Utah and my State of Wyoming.

Mr. MOSS. I am very familiar with the area. I must make a confession and tell the Senator that last week I was on the lake there, where the fishing is superb. This is similar to what I was talking about with respect to Lake Powell. Lake Powell is a deep lake which got its name from John Wesley Powell who went through there 100 years ago. It is a great, beautiful gorge, filled with blue-green, clear water and it comes out of Utah where the dam is located and goes on up into Wyoming for 100 miles. I do not know whether this should go in the RECORD, but I must say that the fish are a little bit bigger in Wyoming than they are in Utah.

Mr. HANSEN. I thank the Senator for admitting something that Wyoming has long contended to be a fact; namely, that the fish in Wyoming are slightly larger than they are in Utah.

The Senator is making such an excellent statement this morning. Because he is a leader in the field of resource conservation, he recognizes, as I do, the important contribution that these areas of pristine excellence contribute to all the people.

Utah possesses a number of the most important jewels in the national park system. In Wyoming, we are proud to claim title to the major part of the first national park—Yellowstone. In addition to Yellowstone, in my own country—Jackson Hole country—there is the Grand Teton National Park.

Thus, each of us, I am sure, has more than an average perception of the importance of preserving untrammeled and unspoiled the pristine character of the unique areas; yet, at the same time, we recognize that in Flaming Gorge we have brought a great deal of enjoyment to increasing numbers of people. Equally important, a recreational asset is available for a great many people would be denied the benefits which come from fishing, boating, and sightseeing on the important reservoirs. Does the Senator agree?

Mr. MOSS. I agree entirely. I appreciate the Senator's comments about this. I was recently in that beautiful area of the Grand Teton National Park and Yellowstone Park. What a wonderful outdoor scene it is. As I viewed it last, the thought came to me, as I went across the dam which raises Jackson Lake, what a thing of great beauty it is to have Jackson Lake. How superb it looks lying across the face of Grand Teton with Mount Moran in the background.

To think that if the preservationists had been busy then we could never have created a national park in that area by raising the dam and making the lake larger, because they would have charged we were changing nature and therefore the whole thing should be rejected. Yet, the lake would have been flooded had it not been for placing a small earthen dam against it, with a spillway out of it. By doing that, Wyoming has not only created additional beauty and an additional recreation area, it has also been able to control the flow of the Snake River and keep it running at a regulated amount of water all during summer months. So that now one can go out on the Snake River and boat and fish, or whatever else one wishes to do downstream from that dam all during summer; whereas, as it was before, early in the year, there were floods and damage and resultant low water where one could almost jump across it late in the year. That is what used to happen. That is what used to happen with all the rivers down there, which broke out, we will remember, for 3 years to create Salton Sea. But the river was brought under control. Yet late in the year, the water would be so low that we could literally jump across it. Now it runs all year round and runs at a relatively steady pace.

Thus, we have created this additional recreational beauty spot and wonder, in addition to making the lake.

Mr. HANSEN. I thank the Senator for calling attention to the successful coordination of the use of our resources in order to serve many purposes. I think the Department of the Interior has struck out in creating some bold new approaches. The impact of the population has demanded it, that we make multiple use of all our resources.

I should like to point out that it is certainly true that a great many people will use or presently use Flaming Gorge, as I suspect and I know they will use Hualapai, when and if it is built.

After all, many of us could be retired and in our old age by that time—which many of us look forward to with some misgivings. I am one who contemplates old age as not being so bad when we consider the alternatives. Because of that, I think it is understandable that last year, in Flaming Gorge, I am told, there were more than a million and a half

people who enjoyed that area. I remind the Senator that a million and a half persons is over half the total number that visited Yellowstone Park last year. My prediction would be that because of the extended period of use of this area, the time is not far distant when there will be more persons enjoying Flaming Gorge annually than those who visit Yellowstone annually. I suspect that the same thing will be said, at a later date, about Hualapai. This is a great area but is presently restricted only to those who have the unique qualifications of being vigorous, young, and with sufficient time for that kind of vacation.

Mr. MOSS. I thank the Senator, and I agree with his observations. I appreciate his comments on this matter.

Mr. President, let me sum up by saying that Lake Powell is an outstanding example of the kinds of balancing required by today's realities. The waters provide 1,860 miles of shoreline in one of the Nation's most scenic water recreation wonderlands. Recreation areas being completed will provide accommodations for all budgets—those of low-income campers as well as those who can afford luxury. Rainbow Bridge, a beautiful national monument in the State of Utah, was once accessible only to a very few who boated and hiked, or packed into the rugged country. Vacationers at Lake Powell may now take a boat to floating docks at the entrance to Rainbow Bridge Canyon, then walk the trail along the canyon's side. Undamaged by the water, Rainbow Bridge soars high in arched and graceful sandstone beauty carved by time, wind, and rain.

What I have said about Lake Powell and Glen Canyon is applicable to Hualapai Dam in Bridge Canyon. A great blue-green lake below the Grand Canyon National Park would be a tourist mecca in addition to providing storage capacity, hydroelectric power, and water for the Hualapai Tribe of Indians. Hundreds of thousands of people would come to enjoy water recreation and to view the Grand Canyon Gorge from the bottom.

The fact that the lake created would touch the border of Grand Canyon National Monument for a few miles at its extreme western end would not detract from this great scenic wonder. However, should there be objection to this change of the natural state, a very small slice of that vast National Park could be severed, at the same time that great areas are, by statute, added to it in the Marble Canyon Gorge and on the north rim of the Grand Canyon.

DIXIE PROJECT

Mr. President, I turn now to a brief discussion of the Dixie project. Since the occupant of the chair, the distinguished Senator from Nevada [Mr. CANNON], is from this area, I think it very appropriate to describe it at this point.

In talking about the Dixie project, many Senators may be surprised to hear it brought up again, since they voted for it 3 years ago. The path to its completion has been strewn with difficulties, and so my State of Utah is still engaged in the struggle to make Dixie a reality.

As we know, this struggle is of long duration—more than 25 years.

The Dixie project is located in the Virgin River Basin in southwestern Utah. The river rises in the high plateaus and mountains of western Kane County, and flows through Iron and Washington Counties in Utah, across the corner of Mohave County, Ariz., and discharges into Lake Mead in Clark County, Nev., making it a part of the Lower Colorado River Basin.

The area is known as the Dixie of Utah because of its moderate climate and the fact that cotton was grown there when it was first settled.

There is available in the valley considerable water. The river reaches flood proportions in the spring and dwindles to a very limited supply in other months. Average rainfall is 8.42 inches. There are land and resources for both the production of crops not in surplus and for industrial development.

Following passage of my Dixie project bill in 1964, the Bureau of Reclamation conducted complete engineering feasibility studies as is the agency's regular procedure. It was discovered that the damsite chosen was underlain with porous rock and would not hold water. The dam could not be made secure. An alternative site was found which was otherwise satisfactory but at which electric power could not be generated. This placed the project beyond the capacity of the water users to repay, and made essential the provision of financial assistance.

The financial problems for Dixie were aggravated because of the strict provisions insisted on by the House Interior Committee, provisions which I commented on in 1964.

While I was elated to have House action on the project for which the people of southern Utah had waited so long, my elation was considerably tempered by the House amendments.

That committee amended my bill abandoning the concept recognized in Central Valley, Missouri Basin, and other reclamation legislation that a project should bear the costs of necessary highway relocation in the reservoir area. The House Interior Committee, however, amended the Dixie bill to shift about $2 million to the shoulders of the State and to the power consumers in the area. The costs of relocating the highway fell on the State of Utah and on the citizens of St. George through increased power rates. There is no precedent for shifting the road costs to the State, but this amendment was not successfully opposed in the House.

The House committee also rejected a Senate provision allowing the repayment of $3 million of project construction costs from Hoover Dam revenues. This provision also followed a pattern which had been set. Excess costs are repaid by the power revenues in basin accounts in most areas. But the House struck this from the bill. The Dixie project is in the lower basin of the Colorado River, where huge power revenues are available from the great Hoover Dam and other dams on the lower Colorado. Three million dollars is a very minor part of those revenues, yet of greatest importance to a small project like Dixie. It did not seem fair to deny this power revenue support just because no lower basin fund was then in existence.

In anticipation of the establishment of such a fund—which we already had in the Upper Colorado River Basin—the Department of the Interior interposed no objections to plans to allow the project to use this small portion of Hoover Dam revenues. The Senate agreed that this was fair.

I served notice then that I would make an effort, when the lower basin account bill was before the Senate, to amend it to lessen the burden placed by the House bill upon the power and water users of the Dixie project.

When one understands the difficulties that beset the project, and recalls the legislative history, it is plain why I could not turn my back on the Dixie project now.

My somewhat testy reaction to the changes made in the Dixie reclamation bill by the House Interior Committee was heightened, I will admit, by the provisions of another reclamation project reported only a few days before the Dixie project. I am referring to the Savery-Pot Hook project for Colorado and Wyoming. As chairman of the Senate Irrigation and Reclamation Subcommittee, I was asked by the House committee to schedule hearings on this measure as soon as the House had acted on it—which I did within the week and with pleasure, even though we were in the last days of the session.

The Savery-Pot Hook project pays back a much smaller percentage of its costs than will Dixie.

The farmers who will use Dixie water to irrigate their farms must pay back over half of the irrigation costs of the project; the farmers who will use Savery-Pot Hook water will pay back only one-eighth of the project irrigation costs.

Again, the ad valorem tax to residents of Washington County, site of the Dixie project, is 5 mills countywide; Savery-Pot Hook residents will pay less than 2 mills.

I realize that the Savery-Pot Hook project is a high-altitude project, with limited acreage to be brought under cultivation, while Dixie is located in a section of the country where the climate is mild and where it has been proved that water can create lush green fields growing a variety of crops in an extended growing season.

Savery-Pot Hook operations must, therefore, be large-scale farming operations, since it will require a large unit to make them economical. Dixie, on the other hand, will bring water to many small farms, of limited acreage, some of them inadequate for more than marginal living. So when the Congress made it more difficult for the Dixie water users to pay out their project, we put a greater burden on the small farmers on the postage-stamp farm. This I could not accept without making vigorous objection.

The Dixie project is an excellent project. The cost-benefit ratio exceeds 2.2 to 1. It is of regional and national, as well as local, importance.

The opportunity to repair the deficiencies in the 1964 Dixie bill arrived with the bill before us. I felt that I could not permit the bill to authorize the central Arizona project to come to the floor containing a lower basin development fund that did not make that fund applicable to the Dixie project. Therefore, I requested an amendment to include Dixie, and when that amendment was accepted I voted to report the bill. No matter how imperfect S. 1004 is otherwise, Dixie is protected. If the entire bill cannot be perfected and if the imperfect bill passes despite my opposition to it, Dixie yet will be protected.

I should like to read a paragraph from page 51 of the report on the bill. I do this because it has been erroneously stated in several instances that the Dixie project would not enjoy the nonreimbursable feature of fish and wildlife since it was not referred to this legislation. I read from page 51 of the report, referring to section 2(j) of S. 1004:

SECTION 2(j)

The Dixie project, located in Utah, has been authorized but is not yet under construction because present studies indicate it will be $25 to $30 million short of being able to repay the reimbursable costs. This amendment provides that the Dixie project may receive financial assistance from the development fund and thus become a financially feasible project.

It is the intention of the committee that the provisions for the repayment of the Dixie project remain as far as possible in accord with the project's authorizing legislation (Public Law 88–565, 78 Stat. 848). Costs allocated to recreation and fish and wildlife are to remain nonreimbursable as in the original authorization.

I am sure this is in accord with the law. These funds having been originally made nonreimbursable, there could be no change in the law without specific reference to repeal of that section.

Without storage of high-water flows to increase the reliable year-round supply, to agriculture, to the towns of St. George and Hurricane, and to other communities, growth in the valley will be limited. The reservoirs will service the area for increasing numbers of tourists and visitors to Zion National Park, Dixie State Park, Cedar Breaks National Monument, Bryce Canyon National Park, and other scenic and recreational areas in southwestern Utah. Visitors there will increase even faster when Canyonlands—a little to the east—is fully developed as an outstanding national park in southern Utah. There is, consequently, real national, as well as State, interest in the Dixie development.

WATER NEEDS

So much for past history. Let us remember that we, too, are making history.

This August of 1967 is no time to be enacting water legislation tied to narrow sectional interests. Such a bill as this might have been appropriate 30 years ago; today it is an anachronism. It is a horse-and-buggy legislation in a day when rockets orbit the earth. This bill deals with one small facet of the water problem and in so doing jeopardizes the rights of several States. It should take the long view and deal with interbasin transfer and river augmentation.

The PRESIDING OFFICER. The Senator's 1 hour has expired. Does the Senator wish to be recognized?

Mr. MOSS. I would like to be recognized so that I may continue.

The PRESIDING OFFICER. Without objection, the Chair recognizes the Senator from Utah.

Mr. MOSS. The water story of America this year is a national story—and it is frightening.

In fact, the water story today is a cliff hanger.

Will America find ways to meet its growing water shortage?

Will we stop using and misusing and generally wasting our water resources as if there were no tomorrow?

Will we stop polluting our rivers and our lakes, creating health hazards for our people, killing off our fish, and desecrating our recreation areas?

Will we glut the beautiful Ohio with garbage?

Will we let the Great Lakes die?

Will we awaken one morning to find that we have run out of clean water in some sections of our country, and out of water of any kind in others?

No one can answer that today. Ask again in 1980.

Find out whether the people in the richest nation in the world were sufficiently awakened in the sixties to do the things which must be done in the seventies to prevent the country from going through its water ceiling in the eighties.

Learn whether we made enough progress in discovering and employing revolutionary techniques in water resource development and conservation to keep our faucets from running dry, our crops from turning brown, and the wheels of our industry from slowing down and stopping.

Learn whether we kept our water sources clean, our water wastage down, our water reuse cycle high—whether we found out how to control "water hogs," how to bridle unreasonable water use, how to impose disciplinary measures to control waste—whether we discovered how to desalt water cheaply, and how to make rain fall where we want it.

Find out whether we learned how to put to beneficial use surplus water through interbasin and intercontinental water transfer.

Learn whether we saved enough of the precious liquid through recharing of aquifers, and through multiple-use projects to increase supplies of municipal and irrigation water, to improve navigation, to control floods, to provide more power, to create new recreational areas, and to protect our wildlife.

I believe that America will win this water fight.

I say we will win because both the private sector and government, from the county level up, are beginning to realize the immensity of our water problems and are moving to conquer them.

And, finally, I say we will win because the people themselves are awakening to the perils of our water pollution and the vulnerability of our water supply and they are beginning to insist that more be done, and to support financially the doing of it.

The breakthrough to the man on the street is the crucial one. For years, as the Senate well knows, water has been discussed back and forth in the jargon of water experts, resource engineers, technicians, lawmakers, and departmental authorities. But today the pollution of our waters and the ebbing of our supplies is a subject for discussion in editorial columns, in magazine articles, in television specials, in civic clubs, and over backyard barbecue pits.

Many forces have converged to make water of such commanding interest. A real impetus came from the report made by the Select Committee on National Water Resources, on which I served.

Some have forgotten, perhaps, that—8 years ago—the Senate was so concerned about the state of our wastes that we appointed a select committee to study and report.

This committee inventoried our water resources and projected our requirements through 1980, and supplied us with the hard facts.

But it took a whim of nature to dramatize our troubled waters—to make water breakfast table conversation. A shift in wind patterns, causing rain to fall over the ocean rather than upon the coastal areas, greatly reduced, for several years in a row, the normal precipitation which fell from New Hampshire to West Virginia. This is a region of our densest population and our heaviest concentration of industry.

Now, we in the West know all too well what it is to have our cities and towns thirsty, and our fields dusty and dry. But the people of the East and Northeast have almost always had a bountiful supply of water—and they serenely assumed they always would. Then they discovered that it could happen to them.

In August 1965, the chief engineer of the city of New York warned the Delaware Basin Commission that "Fun City" could "run out of water by the middle of February." President Johnson declared the Delaware Basin and New York a disaster area, and a drastic water savings program went into effect.

Well, as we all know, the East and Northeast did not run out of water. It did skimp through. But the interest of the people and their officials and their newspapers and their civic clubs was aroused as it never could have been aroused by a Senate Committee report. A whole new and important area of the country became receptive to the water story.

By now, some of this has been forgotten. In 1967, the rains came. The Potomac's flow in July was three times that of 1965. With thirst gone, the sense of urgency has expired.

But we still must ask—what is the water outlook in the years ahead in concrete terms. The facts compiled by the Senate Select Committee are still our bible on this.

If we in America are to sustain our expanding population and rising standard of living, we will have to double our usable gallonage by 1980 and triple it by the year 2000. We now use an average of 280 billion gallons of water each day for irrigation, industry, and homes; we

will be using about 600 billion gallons in 1980 and 900 billion gallons a day by the year 2000.

We found out further that 600 million gallons of water a day is getting close to the ceiling of the total supply of water of good quality which our engineers have told us could be made available with present knowledge and techniques.

We learned that in five of the Nation's 22 resource regions we stand on the edge of full water use—we could well be out of water in any of them by 1980. One of these water-short basins is the Colorado River Basin about which you are hearing so much this week.

In most of the other water basins, where rainfall is generally adequate, pollution is rampant. Almost every American river of consequence is infested with water pollution from one source or another. Ten times as much industrial waste, per million persons, is being poured into our waters today as in 1900. Municipal waste has increased threefold during that period.

Some estimate it will take $75 billion, spent over two or three decades, to clean up America's rivers.

Nor have our lakes been spared. The Great Lakes are a tragic example. Industry and communities around the lakes have used the once-pure water as a dumping ground. Erie, the northern border for much of industrial America, is the sickest of the Great Lakes. About one-fourth of Erie is all but dead today. A huge expanse contains almost no oxygen, no fish swim about, and the surface is infested with scum.

We learned also from the Water Committee that we were proceeding too slowly in harnessing and developing our rivers through multiple-purpose projects—that we must make the 1970's the decade of advance dam construction, just as we have made the 1960's the decade of advanced highway construction.

We learned that we must do more to combat water variability, which means both floods and low water flow. And finally, we discovered that we have only started to work on the great problem of water waste—on the ways in which water is being used inefficiently, on "water stealing" vegetation, on evaporation, and on allowing water to run off to the sea unused or only used once.

Finally, we found that we had lagged on research in all of these fields—that a constant expansion of knowledge and technical capability in the water field is indispensable.

The committee estimated that the Nation should invest a total of $228 billion in the period between 1958—when the figures were gathered—and 1980 for all types of water resource facilities. This means that we need to spend more in a 20-year period than we have spent in almost 200 years.

This report unbuttoned a surge of both discussion and action in the water field. I think it is safe to say that the Congress has passed more constructive water legislation in the past 5 years than at any other time in history.

We established a Water Pollution Control Administration which will conduct and oversee a broad public and industrial pollution control program, and greatly expand the Federal funds available to communities for the construction of waste treatment and other pollution control facilities.

We launched a water research program which will invest nearly $100 million a year for 10 years on basic water research, over and above the desalting program.

We enacted the Water Resources Planning Act to get water resource planning on a river basin basis, and provide planning money for the States.

All of this—and much more—in 5 short years.

But, through all this water activity, the needs of Arizona are seemingly forgotten. A project that had been proposed for decades—the central Arizona project—lay dormant.

There were two reasons for this and I have previously mentioned both.

First was the court case.

Second, the States of the Colorado Basin were negotiating over the allocation of the water. Month after month the water experts and representatives of the seven basin States met to thrash out an agreement among themselves that would settle this vexing problem with justice to all.

That agreement resulted in the Lower Colorado Basin development bill which was approved by the House Interior Committee last year. As everyone knows, the bill floundered on the issue of the construction of two more dams on the Colorado River in Arizona. This proposal so outraged the preservationists that the House committee was unwilling to bring the bill to the floor.

It was then anticipated that the principal features of that bill would be retained for legislative action this year—but with the elimination of the one most controversial of the dams. With one dam eliminated, and a willingness of Congress indicated to extend the national park in the Colorado gorge, it was hoped this would be a reasonable compromise which could be enacted at this session.

But the administration decided to forget compromise and go all the way in the other direction.

S. 1004, this bill would authorize the central Arizona project but would ignore the problem that has delayed this project all of these years—the fact that there is simply not sufficient natural flow in the Colorado River to meet the demands within the basin beyond the year 1990.

Therefore, any acceptable bill must involve balancing the interests of the State of Arizona with the other States who have rights to the waters of the Colorado River.

Our need is to understand the arithmetic of the situation. The decree in Arizona against California confirms 7,500,000 acre-feet annually to the lower basin and an equal amount to the upper basin. The share of the lower basin has been divided into 4.4 million acre-feet to California, 300,000 acre-feet to Nevada, and 2.8 million to Arizona. This, of course, equals 7.5 million acre-feet. But to that must be added the 1.5 million acre-feet that must be delivered to Mexico under the terms of the Mexican Water Treaty and 1 million that is lost in evaporation between Lee Ferry and the border. This totals 10 million acre-feet—an amount of water which simply is not there.

During all the discussions of the States on this problem, this arithmetic has been foremost in the minds of the conferees. They have recognized that a primary safeguard for all the basin States is a study of sources to supplement the natural flow of the Colorado River. This bill is incomplete without a legislative commitment to study water importation from areas of surplus. The danger will always remain that when the upper basins utilize their allocations, there will be insufficient water for the central Arizona project to divert.

I am anxious to see any area of the United States receive water that it needs. I will support any feasible means of providing that supply. But the only practical method of meeting the problems of the Colorado Basin is to place importation studies in this bill. I would, of course, support any feasible means of augmenting the water supply, but as of today, importation appears to be the only practical method.

Interbasin transfer of water has been transformed into some sort of scare word in some quarters. There is nothing unique in interbasin transfers. Colorado River water is now being transferred into the Missouri River Basin, into the Rio Grande River Basin, and into the Great Basin. There should be nothing startling in the proposal to bring water from either the Columbia or northern California to supplement the flow of the Colorado. Indeed, one could say that the need for importation is to satisfy a treaty with Mexico, not to meet any new uses. Therefore, importation would be to meet a national obligation—not a State or regional obligation.

I have proposed in the bill which I introduced (S. 1409) that we look first to northern California's coastal region as a source of water importation. This would require development of water projects much sooner in this part of California than would otherwise be necessary, but this could be of considerable benefit to the area of origin. It was the water association of this area in northern California that suggested that this might be the best way to solve the shortage in the Colorado River. The fact that the water comes from a State that is itself deeply concerned with the Colorado River, may allay some fears of representatives of the Northwest.

Mr. Ely, representing the State of California in the recent House hearings, stated:

> We are prepared to have the Secretary, the Commission, anybody else look at a plan to take from the streams of northern California, two and a half million acre-feet for the rescue of the entire Colorado River Basin by putting that quantity in to the main stream, even though the amount we get back out of it is less than 20 percent of what we contribute.

I think that is a commendable and statesmanlike position. In a sense, it embodies the real effort of the basin States to resolve their differences, to compromise, and to work out a regional bill. To

discard this unity, so laboriously achieved, will not free the central Arizona project from controversy. Nothing could be more controversial than building a project for which there is not enough water.

The most devasting question anybody can ask about this legislation as it now stands is, "Where do we go from here?"

Proponents of S. 1004 in its present inadequate form have many promises but no answers to that question. There are answers, for the simple reason that there must be answers. We have to find them. My recommendation and the type of amendment that I want to support, is that we put into this bill the start of the search for some of those answers. It is that simple.

The late Charles F. Kettering, genius of the automobile and author of many of the ideas which made General Motors what it is today, is reported to have defined research as the business of trying to find out what you are going to do when you have to stop what you are doing now.

That is the improvement I am asking for this legislation, that we amend S. 1004 by making provision now for the search for answers to the question of what we do next.

I had thought that with all the progressive water legislation of the past half decade the Congress of the United States had learned Dr. Kettering's lesson. Surely, we can foresee the day when we have to stop what we had done for so long, piecemeal planning, short-range projects, uncoordinated resource development planning.

S. 1004 is a step backward. It is out of step with the national planning objectives, the total water management philosophy, and the modern systems analysis approach to the great problems which face our country today.

This will be the first time, I believe, in 5 years, that the Senate will have taken any action of this importance which would reduce the momentum of sound natural resource planning, slow down the progress we have been making toward preservation of our country.

The irony of the situation is that the shortcomings of this bill can be so promptly overcome. We need only to amend S. 1004 to reflect the fact that the lower Colorado Basin is an administrative division, not a natural one, that it is part of a much larger Colorado Basin, and that the whole Colorado Basin is a part of the great region we call the West, and that the West is a part of the United States. And, contrary to the situation we in the West faced not so many years ago, there is a sympathy and understanding in other parts of the country of the water problem of the West. This is simply because the water problem is national, not sectional.

The work of the National Water Commission proposed by the President and approved twice by the Senate is now in conference awaiting its turn in the process of ironing out differences between House and Senate versions. I believe it will be a useful body, even though its very existence may tend to delay some decisions that the Congress ought to make on its own.

The Commission would have 5 years in which to write a national water policy. It may make recommendations on specific steps at any time during the 5 years of its life. I hope it will begin studies promptly of the organization problem, that is, the problem of disjointed water resource management that results from separated responsibility, divided authority, differences in the functional orientation of the Federal agencies, competition for funds to meet statutory assignments, conflicts in user interests, Federal, State, and local political prerogatives, and sectional protectivism.

These are problems which can be examined by the seven-man National Water Commission and what I hope will be its competent staff, without spending 2 or 3 years gathering the geophysical data required for technical judgments as a necessary basis for development and evaluation of solutions. These problems call for political and administrative decisions on which the Congress wants recommendations from a competent group of outstanding citizens making judgments free of any bias attributable to a preconceived interest in Federal water policy and with a sound perspective on Government operations.

But this is only half the problem, Mr. President. The political and administrative analysis and evaluation we want from the Commission deal only with the machinery for making the necessary technical judgments. The technical judgments themselves are something else. We have some very difficult judgments to make, as is clearly illustrated by the debate on S. 1004.

The Water Study Commission would not be free to do its job if the Congress gave it statutory instructions to answer questions on specific projects or proposals. We would certainly be wasting our time and the time of the outstanding citizens we want to serve on the Commission if we start telling them what to do. As a matter of fact, if we try to shift the responsibilities of the Congress for making decisions on specific projects to the Commission, or tell them what answers we want to problems necessarily before the Congress, we will not get the caliber of citizens we want to serve on this important Commission.

The principal sponsor of this legislation in the Senate, the chairman of the Committee on Interior and Insular Affairs, the able junior Senator from the State of Washington [Mr. JACKSON], has taken a very firm but constructive position on this point of having an absolutely free Commission. Senator JACKSON has steadfastly maintained, and I trust he will concur in this estimate of his position, that the Commission must be free of any restrictive directions either from the Congress or the President. I share his views on this point.

But there is such a thing as restricting the freedom of the Commission by denying it information on which to base judgments. Unless this Commission has available to it at some time during the 5 years, the information upon which to base recommendations on multibasin interchange of water, we cannot possibly get any guidance on the subject.

My position is that the competent agencies of the executive branch of the Government must be directed promptly to start gathering the necessary data to permit full examination of the possibilities of interbasin transfers of water. It is time to start collecting information required, among other purposes, Mr. President, as a basis for meaningful debate in this body as to whether it makes sense even to talk about importing water from Canada.

My study of the NAWAPA concept convinces me that true continental planning of water resource development makes sense for both Canada and the United States. I believe, on the basis of all the data available, that when Canada has completed the projections of her own ultimate water requirements and the appraisals of her water resources, she will find she has a surplus. I believe she will also find that she can profitably export that water to the United States as a sustained yield crop which is not subject to depletion.

I do not kid myself, Mr. President, that the working out of a treaty, arriving at an equitable arrangement for trade in water taking into account all of the sensitive and complex factors involved, will be an easy job. It will be very difficult. But it will be an impossible job unless we have the necessary base of geophysical data by which to select routes and plan an efficient system to make full use of imported water.

Engineers of the Ralph M. Parsons Co., who worked on the NAWAPA concept, are careful to point out that it is strictly a preliminary demonstration of the principle of continental water planning. They say it would take several years of intensive field engineering work and geological studies to check out the system even before beginning actual design of facilities.

NAWAPA happens to be the most comprehensive water resource development concept, perhaps the stimulator of other plans for interbasin transfers, but not the only one. It is my understanding that the Corps of Engineers, in the course of their studies of droughtproofing of the Northeast, is examining the possibilities of interconnections among the Susquehanna, the Delaware, the Hudson, and perhaps other watersheds as a means of making full use of all our water. Such planning is sound, sensible, and necessary.

Similar planning is going on in other parts of the country. The possibilities of transferring water from the lower Mississippi to West Texas are under study. In Canada, preliminary studies are underway as to the possibilities of collecting water in the midcontinent North with the view to distribution in the Prairie Provinces and export of surplus to the southern High Plains region of the United States, one of our serious water crisis areas.

The State of California, of course, has gone ahead with multibasin development, within State. The monumental California water project is a magnificent tribute to the engineers who designed and the planners and political leaders who sponsored it.

It is, at the same time, an encouraging demonstration to the rest of the country of what can be done if we set our minds to it.

One of the most critical water problems we face today is the Great Lakes. The International Joint Commission is studying the problem of lake levels, but is confined in the search for a solution to building control works on the lakes themselves. Such a solution does not appear to be effective in the long run, nor sound from a resource care and development standpoint.

The most pressing aspect of the problem is pollution, but we are making a start on solving that one. The concerted effort of the Federal Water Pollution Control Administration and the States and cities using the Great Lakes for waste removal is going to pay off. We are still a long way from control of the poisonous inputs to the world's greatest body of fresh water, but we can see the day when we will be able to turn the curve downward. It will be a long time before we can see a change in the water of Lake Erie, for example, but at least we can predict the day when we will stop making it worse.

When this day comes, it makes sense then to talk about adding water to the lakes. Such a proposition has been under discussion in Canada since 1959, when the Kierans plan was first advanced. This is a concept developed by an engineer, Thomas W. Kierans, of Sudbury, Ontario, to bring water from the James Bay watershed into the Great Lakes-St. Lawrence system. He would use the lakes as a massive storage and transfer reservoir to supply water to the whole north central and northeast quadrant of the United States. In this area, the NAWAPA concept and the Kierans plan overlap. The interesting point is that the same ideas have grown independently in both countries.

The continental planning approach has brought water planners to a new look at a number of old ideas and proposals. For example, in Mexico, engineers think now it may be economically feasible to bring water from the rain-rich Tehuantepec region north to the gulf coastal plains, and even into Texas, possibly in exchange for water delivered by an NAWAPA-type system on the western slopes of the Rockies and the plains of the Gulf of California.

Similarly, the Parsons engineers think that the multibasin exchange concept will make economically practical and otherwise appealing to the people of Wisconsin a modernized version or modification of resource development concepts stemming from work done years ago within the State. The new approach involves integration into a multibasin system. It appears that an idealized watershed care program on the Wisconsin and Fox Rivers, with provision for recovery of all the water, might expand recreational potentials, assure rational conservation, remove both low water troughs and flood peaks on the mainstream of the Wisconsin River, and provide several million acre-feet of water a year input to Lake Michigan. This would permit a constructive start on the restoration and maintenance of the geophysical health of the Great Lakes. It would certainly provide evidence to the Canadians, if we want them to do the same, of our good faith and intentions and willingness to share the burdens.

I mention all of these possibilities, Mr. President, not primarily because they are about to be dumped on our doorstep demanding action, but because they reflect the ferment abroad in the land and the fact that traditional subbasin and regional thinking is giving way to national and continental thinking. The Congress is just behind the times.

Most of these ideas, and that is what they are, they are not proposals, cannot be evaluated because we do not have adequate geophysical data by which to make the necessary comparisons, to check one solution against another, or to weigh the costs against the benefits.

We have a problem on our doorstep that has been there for a long time, and is growing. S. 1004 is going to make that problem worse if the bill is passed in its present form. The basic problem is the overcommitment of the Colorado River water.

We cannot avoid coming to grips with that problem very much longer. The more we delay, the more serious the problem becomes. There is simply no logical explanation for the failure of the Congress to deal with the problem. We are wearing blindfolds, not just blinkers, if we continue to deal with this type of water problem on a sectional, subbasin, or State-by-State basis. We are simply making trouble for everybody, ourselves included. I warn right now it is serious trouble, and it may be doubly serious for the people of Arizona.

We are dealing here—in S. 1004 as it affects the lower Colorado—with a matter that affects the economic foundation of nearly a fourth of the country, the livelihood of from 30 to 40 million people, and a great part of the Nation's productive capability in agriculture.

But in principle, we are dealing with the future of our country. Unless we start now the job of preparing for assessment and evaluation of interbasin water transfer potentials, we can undermine the very natural wealth base of the American Nation.

S. 1004 is a good place to start. This bill has gained the status it now has partially because the needs of the people of Arizona are recognized by the administration and Members of the Senate but also the rights, as determined by judicial process.

But neither people's needs nor their rights can change the facts of life in nature's realm. Man has to do something himself by positive action if he expects nature to continue to support him. We have reached the point in our dependence upon the waters of the Colorado River where we have to do something more than try to subdivide flows to meet all claims. We have had adequate warning that there is not that much water.

We can amend S. 1004 to provide for a start of the work which will tell us at some point in the future whether we have to restrict the growth of the Southwest, or that we can sustain our progress there.

The start I want to make involves no commitments. It does not approve any projects in the future. It does not tie the hands of the Congress nor the executive in future policy determination. It does just the opposite. It means assembling the technical data to save us from future policy straitjackets.

My plea to the Senate today is not to authorize another resource development project of any kind without starting the engineering studies which will tell us where we go from here.

How can we pretend that multibasin exchange of water does not offer some hope of solution to problems we know are serious?

How can we refuse even to collect the information we need to make decisions?

How can any of us face an intelligent voter who knows the Nation has to do a better job of resource utilization from now on than we have done in the past?

How can we delude ourselves that water problems in any part of the country can be treated as though the rest of the country had no stake in the solutions, let alone concern for the welfare of their fellow Americans?

We cannot cut the Nation up into a collection of artificially defined geographic units and treat each as though it had no dependence upon the others. Yet, that is exactly what we are doing if we pass this bill without some provision for the future of the water supply.

I must apologize to the Senate for taking so much time, but this problem is so serious that I am compelled to do everything within my power to enable my colleagues to see this problem in its true perspective.

The Nation has a water problem for four basic reasons.

First, the amount of water available in nature is fixed and the number of people and their demand for it are not.

Second, most of our uses of water are degrading.

Third, the water resources and the people are not distributed efficiently with respect to each other.

Finally, we do not make the most of the water we have.

Now, if we expect to continue to live on this North American continent more than just a few generations more, we had better do something about each one of these basic causes of our national, regional, and local water problems.

I do not have to belabor the Senate with the fact that water is essential to life. It is as essential to the life of nations as it is to individuals. We either do better from now on than we have done in the past in taking care of our water, or we will not be the nation we want to be very much longer.

There are not very many things that we can do, in broad terms, but there are a great many specific steps to be taken in each of three general categories.

One category of response to the threatened shortage of water for the long-term future—and the short term in some places—is better control of demand, more discipline in our domestic use of water, improved industrial practices involving water, extensive recycling, and much greater study and care with respect to agricultural requirements.

The second category of action is to generate new supplies of usable water. The first and most pressing step in many parts of the country is abatement of pollution. Along the coast, we can desalt the oceans and at other places, upgrade brackish water which nature has distributed more or less at random over the continent. Finally, it appears that we can alter nature's pattern of desalting and transfer through the atmosphere. Call this rainmaking, weather modification, stimulated atmospheric transfer, or what you will, there is enough encouragement in our research to date to justify increasing investment in research aimed at substantially increasing the precipitation within a defined precipitation area such as the entire Colorado.

The third category is full water resource development. This means intensive conservation of water producing areas, collection, storage, and redistribution of excess runoffs and floodwaters, which, of course, includes interbasin transfers, the cleaning up of the water courses to be used for distribution.

The Parsons studies clearly point to the fact that it makes just as much sense to have a continental water grid as it does a power grid.

The sensible thing for the Senate to do right now is to add to S. 1004 a provision directing the Water Resources Council, which brings together all of the competent agencies in the water field, to start building the geophysical data base which will eventually permit treating our country as a whole, then if we are so minded, and the Canadians and Mexicans deem it in their interest, to treat the continent as a whole.

We have put this matter off much too long. We hear over and over again that the excess runoff from the Columbia River would solve all of the water problems of the Southwest. I do not know whether that is the thing to do or not. I do not know whether it makes sense even to dream of it. I do not know whether new water can be brought into the Texas Panhandle or not. I do not know whether the Colorado should be supplemented from the Columbia Basin, that is, water originating in British Columbia, Idaho, Washington, and Oregon, or water originating in Alaska and coming to the Southwest via the Yukon Territory and the Rocky Mountain Trench. The point is, there is not a water planning engineer in America who can answer these questions.

Why? For one reason, because Congress inserted a prohibition against interbasin transfers in the Water Resources Planning Act of 1965 and has since refused to approach the problem head-on. Now is our chance to recover.

There is not a Senator whose State interests are not adversely affected by our continued refusal to treat the United States as a whole, at least the 49 States on this continent, with respect to water resource planning, development, and preservation.

All of the New England and Northeast Senators are already concerned with interbasin transfers, and they have a stake in our getting ready to talk to our Canadian friends.

All of the Senators from the States which are served by rivers having their fountain sources in Appalachia are directly concerned with unified planning to make certain we protect the water producing capabilities of the Appalachian mountain system.

All of the Senators whose States are affected by the quality and quantity of the water in the Great Lakes have a stake in this type of study.

All of the Senators whose States are concerned with the stabilization of flows and the control of floods and low water period on the Missouri and Mississippi River systems are concerned with our ability to do unified planning.

All of the Senators from States utilizing the groundwaters of the southern high plains region are concerned with the start of data acquisition which will permit evaluation of possibilities of imports for recharge of aquifers.

All of the Senators from States in any way dependent upon the flow of the great Colorado River are concerned, for obvious reasons.

All of the Senators from Pacific Coast States are concerned because by integrating their great water producing and distribution systems with a national or continental grid, they can enjoy the benefits of stabilized flows which mean dependable supply and hydrogeneration with freedom from floods and low water.

There is no justification for our continued refusal to start work on the engineering studies which will eventually make possible the full development of the Nation's water resources.

As far as the people of Arizona are concerned, and the proponents of the water legislation now before the Senate, the amendment I propose would provide the only meaningful insurance available that Arizona will be able to enjoy the water which the Supreme Court said was its due and which the Senate would like to provide within the limits of currently available supplies.

If we are truly the Senate of the United States instead of an assemblage of spokesmen for separate States concerned only with their own immediate interests, then we must act in the interest of the United States as a whole.

As I said to the Royal Society of Canada last spring, if we want to continue to live on this beautiful continent for longer than a predictably limited number of decades, then we had better start taking better care of the life-supported capabilities of both our countries. This means a new day of total water management and unified planning of resource development.

Mr. President, I yield the floor.

Mr. JACKSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JACKSON. 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. CANNON. Mr. President, I appreciate this opportunity to speak on behalf of S. 1004, a measure which will greatly advance the future development of the Southwest and of my State and the Nation.

This bill has many unique legislative features. It is the product of more than a generation of careful study and scrutiny, safeguards and compromise. It is an amazing document, and its authors have gone to great lengths to satisfy all of the objections which have sprung up from the region and elsewhere.

S. 1004 is a testament to the wisdom, skill, and imagination of our beloved colleague, Senator CARL HAYDEN, who has labored tirelessly to formulate a plan which is worthy of support by the entire Senate.

It envisions a continuing era of great growth for the Southwest, which already has made enormous contributions to the economy and progress and vitality of the Nation. It seeks to preserve the beauties of the region for future generations on an economic and practical basis.

Some objections have been made to certain features of this bill as they affect my State. The preponderance of evidence from experts and other authorities in the field, however, demonstrates that the measure will assist Nevada in a very positive fashion, as it will the Southwest and the entire Nation.

In supporting the central Arizona project I feel that we are exercising our responsibility for resource development, and have moulded a plan which does great credit to the States involved and to the Federal Government which assisted in the study and planning.

I congratulate Senator HAYDEN on the brilliance and effectiveness of the legislation which he has conceived and nurtured for a system which would be a living, useful monument to his already enormous contributions to the Nation.

Mr. HATFIELD. Mr. President, I join with the Senator from Washington [Mr. JACKSON] and 13 other members of the Senate Interior and Insular Affairs Committee in recommending prompt and favorable Senate action on S. 1004 as amended and as reported by the Senate Interior Committee.

Passage of the bill is in the best interest of all of the States of the Colorado River Basin. It lays the groundwork for an effective approach to regional water resource development and planning.

The primary feature of S. 1004, of course, is the authorization of the central Arizona project. This project will enable the State of Arizona to use its share of Colorado River as decreed by the Supreme Court in Arizona against California. In addition, the bill will authorize the construction of five reclamation projects in the States of Colorado and New Mexico. The projects will enable those States to use their share of Colorado River water as allocated under the upper basin compact.

Action is necessary and agreement is difficult where the allocation of Colorado River water is involved. Unanimity of opinion has never been a possibility. An exercise of great statesmanship and an honest search for the best possible solu-

tion of the questions of southwest water development have galvanized the committee to action. The myriad questions raised by this bill have received careful answers.

As the Members of the Senate are aware, my State of Oregon, as well as other States in the Pacific Northwest, has rightfully been concerned over proposals which have been made to divert water from the Columbia River Basin into the Colorado River. It is my State's position that these proposals, as found in legislation which has been introduced and in amendments rejected by the committee, are premature and involve the risk of unnecessarily mortgaging the economic future of one region of the country at a great cost to the Nation. I feel it is in the best interests of my State and the Nation that S. 1004 does not undertake to authorize a massive and costly importation program.

It is a myth that Oregon and the Pacific Northwest have a surplus of water. For example, in Oregon over one-half of our land area has an annual precipitation of less than 20 inches. While certain outsiders would have you believe it rains 365 days a year, we know this is not the case, and records prove it. In fact, we have had 40 long days and 40 long nights of dry spell in my State, without any rain.

In other words, Oregon has serious seasonal water shortages, even in some of the western portions of the State. In the eastern part of our State across the Cascade Mountains, the problem is more acute. The same thing is true in some degree in all States of the Pacific Northwest.

Although a complete analysis of western water problems has not as yet been prepared, there is universal recognition that one of the major physical problems is the serious seasonal and geographic maldistribution of our water resources. This maldistribution problem is not unique to California and the Pacific Southwest. It is a real and unresolved problem in the State of Oregon and in the Pacific Northwest generally.

Today, Oregon, Washington, and Idaho are each in the process of evaluating their State needs and supplies of water. In 1965, Oregon began the first phase of our State's "ultimate water needs" study. This year, the Oregon legislature has appropriated additional funds to complete the study. The three-pronged study, scheduled for publication June 1969, identify water supply, benefits and detriments of diversion, and ways of meeting Oregon's long-range water needs. A newly formed Pacific Northwest River Basin Commission will be an appropriate vehicle for developing and coordinating a comprehensive plan when the States have assessed their water future.

At its Portland meeting, the Western Governors' Conference, by unanimous resolution, established a Western Water Resources Council, and agreed to sharing of costs for the first-year operation of this coordinating entity in the amount of $150,000. Thus, the Oregon program is being augmented by cooperative studies of a regional nature, and, with establishment of the National Water Commission, we can expect to gain the knowledge which we must have if we are to solve the total water problem.

Concurrently, Federal agencies have undertaken a $5 million type I comprehensive investigation of the Columbia River Basin to determine water requirements for all authorized purposes to the year 2020. By 1970, Congress will have available information which may or may not justify a feasibility study for transbasin diversion.

If studies by the National Water Commission, by regional river basins planning commissions, and by the States involved indicate that resolution of western water problems will require large-scale transbasin diversions of water, then there will be time to consider this question. Determination of policy alternatives, costs, and the economic ramifications of transbasin diversions, however, precondition any study of how to import water or where to dig a ditch.

Is it in the public interest to prorate water and distribute it on the basis of current need, or should proper safeguards be provided to protect the areas of origin so that they might meet future requirements?

Is it in the public interest to transport water long distances at great expense to grow crops which can be grown near the source of the diverted water?

Is it in the public interest to detract from the economic and social values of one area to enhance the same type of values of another area?

We can act today with sensitivity to the needs of the Southwest, and with foresight regarding the Nation's water resources. This bill reflects patience and dedication to honest problem solving.

If the legislative process holds any promise of justice, if debate and deliberation are the source of any wisdom, then S. 1004, authorizing construction of the central Arizona project, embodies that promise and that wisdom. Senator JACKSON's Committee on Interior and Insular Affairs, of which I am a member, has gathered volumes of testimony and carefully studied numerous counterproposals and amendments. I believe that the bill before us authorizes necessary and appropriate uses of Colorado River water, and represents the best interest of the Nation. I heartily endorse the recommendations of the Committee on Interior and Insular Affairs, and urge passage of S. 1004.

Mr. FANNIN. Mr. President, I wish to commend the distinguished Senator from Oregon for his statement recognizing that this is a regional project and that there is protection to the other States in the region. This is a program which has been sought for many, many years, and it should go forward.

I know that the Senator, as the capable Governor of the State of Oregon, had vast experience in connection with water programs and water problems. It was my pleasure to work with the Senator on these problems when I was the Governor of the State of Arizona.

I am appreciative of the fact that the Senator was a member of this committee. He has given studious thought to this program.

MESSAGE FROM THE PRESIDENT—APPROVAL OF JOINT RESOLUTION

A message in writing from the President of the United States was communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on August 2, 1967, the President had approved and signed the joint resolution (S.J. Res. 98), authorizing the National Advisory Commission on Civil Disorders to compel the attendance and testimony of witnesses and the production of evidence.

CENTRAL ARIZONA PROJECT ACT

The Senate resumed the consideration of the bill (S. 1004) to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes.

Mr. MURPHY. Mr. President, I am not a member of the Interior and Insular Affairs Committee. However, my State is vitally interested in the eventual solution to this problem.

I have been a cosponsor of previous bills, and 4 years ago I realized that the shortage of water was a condition of immediate concern for not only the States of Arizona, California, and other States of the Colorado River Basin, but also the entire world. Scientists have told us that by the year 2000 entire new sources of water must be found or there will be a water shortage affecting the entire world.

Mr. President, today I rise to oppose S. 1004, the proposed Central Arizona Project Act, as reported out by the Committee on Interior and Insular Affairs. I have joined Senators KUCHEL, ALLOTT, DOMINICK, MOSS, BENNETT, and HANSEN in offering amendment No. 214, as a substitute. Four of the seven States of the Colorado Basin thus remain united in support of a basinwide regional solution to our common problems. Ours would be the "Colorado River Basin Project Act." This is substantially identical with the bill which Senators KUCHEL, Moss, and I introduced, S. 861, in this Congress. By contrast, S. 1004 is properly entitled the "Central Arizona Project Act." It is a bill which, if passed, would benefit Arizona at the expense of her sister States. The small bones thrown to them in various sections of the bill are transparent political bait, to divert attention from the bill's catastrophic effect on the water supply and the economy of the rest of the basin—the four upper basin States of the Colorado, New Mexico, Utah, and Wyoming, and the other two lower basin States, California and Nevada.

Our basinwide bill, amendment No. 214, differs from Arizona's bill, S. 1004, in these major respects. I quote from the minority views, at page 99:

(1) The amendment sponsored by the basin States, unlike this bill as reported, gives recognition to the undisputed fact that the dependable available water supply of the Colorado River system will never be adequate to overcome the imbalance between that natural supply and the water demands of the vast storehouse of other natural resources. The Mexican water treaty burden would be lifted from the backs of

the seven Colorado River Basin States and filled as an obligation of the U.S. Government, which it truly is by its origin and nature.

(2) Realistic initial steps would be taken to augment the inadequate flows of the Colorado River.

(3) Priority of right of existing investments would be recognized as against water shortages that would be caused by the Central Arizona Project.

(4) Authorization of the Hualapai project as a 5-million-kilowatt pump-storage peaking installation, one of the Nation's greatest powerplants, would be accomplished.

(5) A development fund would be created by using revenues derived from hydroelectric generation at Hualapai Dam to help repay the costs of water supply augmentation. Over a 75-year period this development fund would accrue about a billion dollars more than the comparable fund in the committee bill.

In the 89th Congress, Senator KUCHEL and I introduced S. 1019, a bill upon which the representation of all seven of the Colorado River Basin States had agreed, drafted by representatives of the Interior Department and these seven States, including Arizona. It was introduced in the House by all three of Arizona's Representatives and by 35 of 38 of California's Representatives. Senator HAYDEN gave Senator KUCHEL a written memorandum, which has been published in the RECORD stating that if the House passed this compromise he would accept it in the Senate.

I should like to mention at this point that I found it to be much more pleasant last year when my esteemed friends Senator HAYDEN and Senator FANNIN were allies than it is this year, when they are opponents. However, there comes a time when even friendships and respect must yield to considerations for the general welfare.

Now to return to my comments on S. 1019, of the 89th Congress. California witnesses supported it before the House committee. It was reported favorably by the House Committee on Interior and Insular Affairs as H.R. 4671, by Representative UDALL of Arizona. All five California members of that committee voted to report the bill out late in the session. It did not reach the House floor for a vote. But that is not our business at this time. Our business today is to consider a bill in which Arizona repudiates all her agreements of last year with her sister States. She then agreed with us on three major principles. They are referred to at page 94 of the present minority report:

Notwithstanding these grim water supply figures, States of the Colorado River Basin, other than Arizona, reluctantly agreed in the 89th Congress to support a bill to authorize a Central Arizona Project, which was substantially smaller than the one now proposed, on three major conditions, all of which, along with other elements of a sound regional approach, are scuttled by the committee's bill. These deserve reiteration:

1. The bill must launch meaningful investigations of means to add at least 2.5 million acre-feet annually to the river on terms fair to the areas of origin. Whenever that water arrives, both basins would be relieved of the Mexican treaty burden. This would be a national obligation, the cost of satisfying it to be nonreimbursable. The present bill deletes all of these provisions.

2. The bill must authorize Hualapai Dam and powerplant to generate revenues to finance that importation program. This bill strikes out that essential feature, too.

3. If the Central Arizona Project is built before imported water arrives to offset the shortage which the new project would create, the Central Arizona Project must bear that risk, not cast it upon potential uses in the upper basin or upon Nevada or California—recognizing that, as a result of the 1928 Boulder Canyon Project Act, California's existing uses of 5.1 million acre-feet per year can be protected only to the extent of 4.4 million. Arizona's bill in the 89th Congress, H.R. 4671, contained this protection, and for that reason California supported it. S. 1004, as reported, gives Arizona's existing water uses explicit and unlimited protection against the Central Arizona Project, gives no protection at all to Nevada's existing and authorized projects, and limits protection for California's 4.4 million acre-feet to 27 years. This is almost precisely the date when it is now calculated that the protection would become necessary if no imported water arrives.

In particular, the present bill, S. 1004, guts the protection to the existing economy in California, to which Arizona agreed in the 89th Congress. Again, I quote from the minority report, at page 95:

California's citizens have spent or committed more than half a billion dollars of their own money on Colorado River water projects in developing their existing economy. Those projects and that economy must be protected within the framework of the "law of the river." The protection is, of course, subject to the limitation imposed on California's protection by the Boulder Canyon Project Act; that is, to 4.4. million acre-feet per year out of the 5.1 million acre-feet presently used. In 1928 Congress required California to so limit her uses by act of her legislature if Hoover Dam, which Arizona opposed, was to be built without Arizona's ratification of the compact. Arizona now proposes, in effect, substitution of a lesser figure, abrogating the 1928 agreement between the Congress and the California Legislature which was imposed on California solely in consequence of Arizona's obduracy in rejecting the Colorado River compact. (She continued her rejection of it for another 16 years, until 1944.)

The provisions of S. 1004, section 2(a), emasculate not only the bargain of 1928 but that of 1965. The bill cuts off all protection of California projects at the end of 27 years, or at about the time when engineers tell us that the odds favor the occurrence of shortages. Such a provision is similar to an insurance policy which lapses on the death of the insured.

Furthermore, although S. 1004 would cut off all protection of California's projects at the end of an arbitrary 27-year period and provide no protection at all to existing water uses in Nevada, it would continue to protect in perpetuity the presently existing Arizona projects as against the Central Arizona Project. Should equities differ on opposite sides of the same river? The bill also protects in perpetuity existing uses on the Gila River against new uses to be made possible by the Central Arizona Project. Should equities differ on the two streams?

Now let us look at the central Arizona project itself and the mammoth aqueduct called for in the bill to divert Colorado River water from Lake Havasu.

To begin with, Arizona's apportionment under the 1964 Supreme Court decision is 2.8 million acre-feet per year, but only if 7.5 million acre-feet per year are available for consumptive use in the lower basin after meeting our Mexican Water Treaty obligations and substantial evaporation losses. That means that some 10 million acre-feet must flow past Lee Ferry to the lower basin, since 1.5 million acre-feet must go to Mexico and another million acre-feet are lost to the atmosphere by means of evaporation.

According to the latest expert hydrological studies, the total annual flow of the Colorado is something less than 14 million acre-feet, half of which belongs to the upper basin States. Now Arizona is presently consuming 1.2 million acre-feet annually of its maximum conditional apportionment, which leaves only 1.6 million acre-feet available—under the best possible conditions—for the central Arizona project. Now, however, we are presented with this bill, which provides for a supersized canal capable of diverting 2 million acre-feet annually. That adds up quickly to 3.2 million acre-feet, which is almost 500,000 acre-feet more than she is apportioned—if the river per chance happens to be full and brimming. This would be very pleasant if we could always expect it; but unfortunately it is not always the case.

Keep in mind, too, that the Bureau of the Budget has never approved the construction of a central Arizona project with a main aqueduct having a capacity in excess of 2,500 cubic feet per second. Yet, this bill asks for a canal that is still 20 percent larger.

Having ignored the mathematics of even the most optimistic estimates of the best river hydrologists, the bill's funding provisions then present still another kind of inconsistency. After deciding to take more water than Arizona is entitled to and more water than the river can spare, the bill's proponents then determine that the power users of California and Nevada should shoulder the financial burden of subsidizing the central Arizona project. The usurpation of surplus power revenues from Hoover and Parker-Davis Dams for the proposed lower basin development fund presents an anomaly that I, for one, am unable to understand.

This inequitable situation is outlined briefly and explicitly on page 117 of the bill's minority views. Allow me to quote the pertinent section:

First, California and Nevada power users would be called upon to subsidize the Central Arizona Project which would jeopardize the future water supply of those two States.

Second, the Secretary is guessing that Congress, after 1990, will allow rates for Hoover power to be increased 50 percent to these same California and Nevada power users.

Third, the Secretary is guessing that Congress will allow power rates on the Pacific Northwest-Southwest Intertie to remain artificially high half a century from now, and will earmark the Nevada portion of those bills for Arizona's exclusive benefit.

Fourth, usurping Hoover and Parker-Davis revenues to subsidize the Central Arizona Project would preclude their use for basin-wide water augmentation in the future.

Fifth, the recently authorized Southern Nevada Water Project, like California's Metropolitan Water District, receives no financial aid from Hoover power revenues, yet Nevada power users and the Metropolitan Water District (MWD to the tune of $100 million-plus after 1990) would be subsidizing the Central Arizona Project by paying higher power rates for Hoover power for that sole purpose.

(At this point Mr. MONDALE assumed the chair.)

Mr. ALLOTT. Mr. President, will the Senator yield at that point?

Mr. MURPHY. I yield.

Mr. ALLOTT. Is it not a fact that under the bill pending, the power rates for the electricity from the Hoover and Parker-Davis Dams, in order to pay out the central Arizona project, would require almost a 50-percent increase in the power rates?

Mr. MURPHY. The information which I have, and I have read from the minority report, would indicate that the Senator from Colorado is entirely correct.

Mr. ALLOTT. So that we end up with the power going from the Hoover-Parker-Davis complex, which is now used by Arizona, California, and Nevada, and most of it, or the greater portion of it, being used in the Senator's State, going into the payment of a project in Arizona.

In other words, the 50-percent increase in power rates in Nevada, California, and Arizona are going to pay off a project for one State only and that is the State of Arizona. I do not have in mind the exact figures of the percentage of power allocated to these particular States, but the bulk goes to California and Nevada.

Mr. MURPHY. That is the situation as I understand it.

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

Mr. MURPHY. I yield.

Mr. FANNIN. In answer to the statement of the Senator from Colorado, the principal part of the power goes to California and the benefits go to California. The question is: Should the Federal Government continue to subsidize industries in California, or should they be treated the same as others?

Mr. President, I ask unanimous consent to include in the RECORD at this point a more detailed explanation of this, and also a more complete discussion of the reasons for the aqueduct size.

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

INCREASE IN HOOVER-PARKER-DAVIS POWER RATES AFTER PAYOUT

Hoover power contracts each contain an option for renewal after payout—at a new negotiated rate.

Dissatisfaction has been expressed recently by the minority members of the Committee as to the proposed use of Hoover and Parker-Davis revenues—at increased rates—after payout. Some suggestion has been made that these rates should be "frozen" by this legislation at present levels—or less.

Use of these revenues for the Lower Basin Development Fund has been contemplated in every lower basin bill—including those introduced by the same members of the minority—except S. 1013—and there, the Secretary stated he had no opposition to a development fund, as provided in all these bills.

Objections—particularly by California—to the use of these revenues come late. Any claim of "surprise" that a rate increase was contemplated could not be seriously made. The 1963 proposal for the Pacific Southwest Water Plan contemplated the use of Hoover-Parker-Davis power revenues, after payout.

In discussing the financial aspects of the plan, the report says: "* * * Saleable Commercial energy from the existing Hoover, Parker, and Davis power plants was priced at 4 mills per kilowatt-hour for Hoover energy and 4.7 mills per kilowatt-hour for combined Parker-Davis energy after these plants have paid out existing costs and obligations.* * *"

The Pacific Southwest Water Plan was widely circulated and was meticulously examined by California and its various interested agencies as well as other states in the basin. In fact, the senior Senator from California prepared a memorandum which specifically touched upon this very point (page 633, et seq., Part II, Hearings, S. 1658). Here, incorporated as a part of his memorandum, was a detailed analysis and study of the Pacific Southwest Water Plan prepared for the California-Colorado River water contractors by Engineer Thomas M. Stetson and associates. The Stetson study sets forth a "Summary of Rates" for both water and power with the power rates being as follows:

Energy rates per kilowatt-hour (mills)

Marble-Bridge:	
On-peak	6.0
Off-peak	3.0
Hoover	4.0
Parker-Davis	4.7

In addition to the foregoing Stetson report, Senator Kuchel introduced into the record numerous resolutions and letters setting forth the objections to the Southwest Water Plan by most every agency in the State of California interested in water. Not one raised an objection to the increased rates or to placing Hoover-Parker-Davis power revenues in the development fund after project payout.

In August, 1963, California's Governor Brown forwarded to Secretary Udall the official comments of the State of California on the Pacific Southwest Water Plan. (See Report of January, 1964, on Pacific Southwest Water Plan, Comments of the State of California, pages 11 and 12.) Reference is made to Hoover and Parker-Davis rates being assumed to be at 4.0 and 4.7 mills per kwh, after payout. These California comments do not quarrel with using these revenues for water development—but say:

"The report also states that the power rates were assumed for purposes of financial analyses and demonstration of program payout, and that as development of water and power resources of the Pacific Southwest proceeds and the pumping loads and financial requirements become better defined, the matter of power rate determination will be under continuing consideration. *Certainly, no attempt should be made at this time to peg future rates at the levels employed in the economic analyses.*" (Emphasis added)

With this part of California's official position the Secretary should be free to negotiate rates under the circumstances and requirements existing at that time.

Back in 1964 the Committee Report on S. 1658 specifically recognized the importance of a Lower Basin Development Fund. "Net revenues from the sale of power at Hoover, Parker, and Davis Dams, after repayment of construction costs and existing obligations, are also dedicated to providing financial assistance in meeting regional water needs." The Senate Committee (Report No. 1330, 88th Congress, 2nd Session, page 10) concluded by recommending a basin development fund in these words:

"The lower Colorado River Basin Development Fund, established by this section, follows generally the precedent of the Upper Colorado River Basin Fund established by the Colorado River Storage Project Act. The Lower Colorado River Basin Development Fund, unlike the Upper Colorado River Basin Fund, *does not include the apportionment of net revenues among the States concerned. There is good reason for this difference.* The fundamental water supply problem in the lower basin is one of insufficiency rather than of underdevelopment. Hence interests of the lower basin States will best be served by using net revenues accruing to the fund to assist in the repayment of costs of projects to be authorized to augment the basin's water supply. An apportionment of revenues for use within each State might, therefore, impede rather than assist development."

To further illustrate that there has been no secret concerning the proposed use of Hoover-Parker-Davis revenues at increased rates, refer to the hearings during August and September of 1965 on H.R. 4671 and similar bills. In those hearings, during a discussion of the economic and financial analysis of the lower basin plan, Commissioner Dominy, at the page 124 thereof said, *"After payout of Hoover and Parker-Davis costs, energy produced at these facilities would be sold at an average of 4 mills and 4.7 mills per kilowatt-hour, respectively."*

The development fund, provided for under S. 1004, amounts to about $1.3 billion by the year 2050. With the exception of approximately $100 million as assistance to the Central Arizona Project (which will ultimately be repaid several times over by Arizona water and power users) the balance of over $1.2 billion is dedicated to lower basin long-range water development and conservation purposes—with the principal direct beneficiaries being California, Arizona, Nevada, and New Mexico. The ultimate division and use of the fund is left for future action by the Congress. With California's great political strength in the Congress, it is hard to believe that California's lower basin water agencies will not get their fair share in the future—just as they have consistently managed to do in the past.

CAPACITY GRANITE REEF AQUEDUCT—3,000 CUBIC FEET PER SECOND

S. 1004 provides that the Granite Reef Aqueduct shall be built to a capacity of 3,000 c.f.s. Other proposed bills provided for capacities ranging from 1,800 c.f.s. to 2,500 c.f.s The following arguments favor the larger aqueduct:

1. On pp. 144–145 of the printed hearings in the House on H.R. 4671, in response to a question from Mr. Udall, Commissioner Dominy stated:

"Mr. DOMINY. We have made some preliminary estimates merely for our own edification, as to what a 3,800 second foot granite reef aqueduct would cost. It is roughly $140 million more expensive as compared to the 1,800 second foot canal.

"Mr. UDALL. Would the project still be feasible?

"Mr. DOMINY. Yes, it would be more feasible as far as the benefit-cost ratio is concerned. It would improve the benefit-cost ratio because we would improve the certainty of water supply over the payout period with a larger canal taking advantage of the peaks in the river's runoff."

2. All of the hydrology studies indicate that there will be excess water in the Lower Basin for many years. A 3,000 c.f.s. aqueduct would permit the diversion of Arizona's share of such surplus water—whereas an 1,800 c.f.s. aqueduct could not even deliver the 1.2 million acre feet average diversion planned for use in the Central Arizona area.

3. The Bureau of Reclamation hydrology indicates that even under conditions of ultimate development there will be recurrent periods of high flow which would result in periodic spills from Lake Mead (p. 236, House hearings on H.R. 4671). Excess capacity in the aqueduct would permit capture and use of Arizona's share of such spillage.

4. While the exact amount of water made available by increasing the size of the aqueduct depends upon the criteria used in analyzing the hydrology, it is reasonable to anticipate that over a 50-year payout period, water made available by a 3,000 c.f.s. aqueduct would average between 100,000 and 125,000 acre-feet annually more than that made available by a 2,500 c.f.s. aqueduct.

The 2,500 c.f.s. aqueduct would, in turn, make available in the order of 300,000 acre-feet annually more than would an 1,800 c.f.s. aqueduct.

5. The cost of increasing the aqueduct capacity from 2,500 c.f.s. to 3,000 c.f.s. would be in the order of $50,000,000 if done at the time of initial construction. This figure includes the cost of prepayment for additional capacity in a thermal plant to permit operation of the larger pumps required to pump at the rate of 3,000 c.f.s. (On page 115 of the Minority Views, the incremental cost of increasing the aqueduct capacity from 2,500 c.f.s. to 3,000 c.f.s. has been incorrectly cited as "over $177,000,000.") The cost of enlarging the capacity of the Granite Reef aqueduct following initial construction would be extremely high. As a practical matter, it would be necessary to construct paralleling facilities to provide such increased capacity.

6. The present overdraft on the groundwater basins in Central Arizona approximates 2,500,000 acre-feet annually. Thus, a 3,000 c.f.s. aqueduct when flowing at capacity for 11 months each year would permit reduction of ground-water pumping to within an estimated 300,000 acre-feet of the present safe annual yield in the Central Arizona Project area. The Central Arizona is unique in that a fluctuating surface supply from the Colorado River can be profitably used—due to regulating reservoirs in the central part of the State, plus pumping facilities, both of which can be operated so as to utilize the Colorado River's fluctuating deliveries without waste.

7. The larger the capacity, the better—at least up to a capacity of 3,800 c.f.s.; but 3,000 c.f.s. seems to be a reasonable compromise. In all of the Reclamation's sizing analyses, the benefit-cost ratio continued to rise with the corresponding increase in aqueduct capacity up to and including the 3,800 c.f.s. capacity which was the maximum size considered.

Mr. ALLOTT. If the Senator is talking about subsidies, $300,000 is paid to Arizona every year because the river is flowing through there.

Mr. FANNIN. Under the bill, $500,000 would be transferred to Colorado.

Mr. ALLOTT. Not Colorado.

Mr. FANNIN. The upper basin States.

Mr. ALLOTT. That is only for the retainment of water.

Mr. FANNIN. Mr. President, will the Senator from California yield to me?

Mr. MURPHY. I yield to the Senator from Arizona.

Mr. FANNIN. Mr. President, we have had a very pleasant relationship with the State of California. Naturally, we want to continue that relationship. I have great admiration for the Senators from California. I want to clarify this point, because it is important to the Senate in the matter that we are considering today.

With respect to what has happened over the years, I think it should be recognized that California has benefited the most. We are glad they have. However, Arizona was allocated 2.8 million acre-feet, California was allocated 4.4 million acre-feet, Nevada was allocated 300,000 acre-feet and these allocations were upheld by the Supreme Court. Arizona is not trying to divert annually an additional 2 million acre-feet as has been suggested, but we want an aqueduct large enough so that when surplus of water is available we will be able to use it—but this will not be in excess of the allocation.

Mr. MURPHY. What is there in the present bill which gives the Senator from Arizona the idea that there will be surplus water?

Mr. FANNIN. There is surplus water today.

Mr. MURPHY. The bill introduced by my distinguished senior colleague from California envisioned research, examination, and study to find out where the sources of available water would be. It is common knowledge that some areas have more water than they can use.

In fact, it is possible that in some areas of California, by research and engineering studies, sources of water may be found. This was the purpose of the bill introduced by my colleague—to search out new sources in the most practical manner and to assist not only the great State of Arizona but other areas as well.

Mr. ALLOTT. Mr. President, will the Senator yield to me?

Mr. MURPHY. I yield.

Mr. ALLOTT. I wish to correct the statement of my friend, the Senator from Arizona. The fact is that under this bill it is true that $500,000 was given in lieu of taxes. However, if the Senator will read the bill and look at the law he will discover that Arizona and Nevada continue to be subsidized at the rate of $500,000 each per year only because the dams happen to be at that point in the Colorado River. The bill does not affect this one bit—not one iota.

Mr. FANNIN. The Senator will realize the benefits they will receive from this project which Arizona was——

Mr. ALLOTT. Mine?

Mr. FANNIN. Yes. I said the upper basin at Glen Canyon. Here we have that project physically located in Arizona that benefits the upper basin States. We supported it. We have the Hoover, Parker, and Davis projects on the river between Arizona, Nevada, and California—from which both California Senators have agreed California receives the greatest benefit.

Mr. MURPHY. Will the Senator from Arizona yield at that point?

Mr. FANNIN. I yield.

Mr. MURPHY. Is the Senator saying that California receives a greater share of the benefits from this? Would the Senator please explain that?

Mr. FANNIN. I would say, because of many circumstances. I do not believe there is only one circumstance involved.

Mr. MURPHY. Would it be because of the greater population?

Mr. FANNIN. Yes, and your consequent greater power in Congress. I would say this, in answer to the question of the Senator from Colorado [Mr. ALLOTT] about water, that Arizona is not trying to take water from anyone.

Mr. ALLOTT. Except from the upper basin States.

Mr. FANNIN. If the Senator will read this:

SEC. 12. (a) Rights of the upper basin to the consumptive use of water apportioned to that basin from the Colorado River system but the Colorado River compact shall not be reduced or prejudiced by any of such water in the lower basin.

Mr. ALLOTT. I am well aware of that, but the only way the central Arizona project can pay out—I repeat, the only way—is by deferring the development of the upper basin. We are going to pay it out of what the upper basin States are entitled to, and there is no getting around that.

Mr. FANNIN. That is not borne out by the record.

Mr. ALLOTT. By deferring it—but I will develop this later.

Mr. FANNIN. All right.

Mr. ALLOTT. My own argument is that by deferring the development of the upper basin, that is the only way to utilize the water to which the upper basin States are entitled, both by the Colorado River compact and the Upper Colorado River compact.

Mr. FANNIN. The State of Colorado agreed to the compact and, in fact, sought it.

Mr. ALLOTT. Which compact is the Senator talking about?

Mr. FANNIN. The Colorado River compact of 1922.

Mr. ALLOTT. Yes, which Arizona did not sign.

Mr. FANNIN. Yes, because we did not think we were getting our fair share, but we had it pushed down our throats, and we signed it in 1944. We accepted that, in 1944. All we want is for Colorado to abide by it, for all the States in the basin to abide by it. We do not want any water that is not legally ours.

Mr. ALLOTT. Let me ask the Senator this question: Can he state any case in which Colorado has not abided by that compact——

Mr. MURPHY. Or California.

Mr. FANNIN. Please, let me answer one question at a time. [Laughter.] Colorado has not used its apportioned amount of water.

Mr. ALLOTT. And why?

Mr. FANNIN. By 1950——

Mr. ALLOTT. And why?

Mr. FANNIN. Because you have not developed the projects. We are trying to help you do that.

Mr. ALLOTT. The projects are and have been developed, but they have been thwarted by the Lower Basin States.

Mr. FANNIN. Yes, but now we are trying to help you get five projects. In fact, five of those Colorado projects are included in this bill.

Mr. ALLOTT. But those five projects are not financed. They are authorized, and feasibility reports have been prepared and are available for them.

Mr. FANNIN. Colorado will get more benefits than ever before, if this bill goes through. It will get far more benefits. It will be much further on its way to getting more benefits than ever before.

Mr. ALLOTT. This is only a start.

Mr. FANNIN. But Colorado will be further along the way than it ever has been before.

Mr. President, I ask unanimous consent to include at this point in the RECORD certain facts brought up by our preceding colloquy.

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

ALLEGED DEPENDENCY OF THE CENTRAL ARIZONA PROJECT ON "BORROWED" WATER

The position of California is simply that she is entitled to use the entire Lower Basin water supply except for limited Arizona uses

in the Yuma area, until there is augmentation of the river which may or may not come about and that the Central Arizona Project should therefore be delayed indefinitely, if not forever.

This is not now—nor ever was—the intent of Congress or the Compact between the Basin States.

The Compact provided 7.5 million acre-feet for the *entire* Lower Basin, to be divided between Arizona, California and Nevada—not for the exclusive use of California. The Congress provided for 7.5 million acre-feet for the *entire* Lower Basin to be divided among California, Arizona and Nevada—not 7.5 million acre-feet for California alone.

The Supreme Court confirmed the action of Congress and held that the 7.5 million acre-feet was for the entire Lower Basin to be divided among California, Arizona and Nevada—not that California should have it all until the river is augmented.

Yet here is California again saying "No" to the plain language of the Compact; "No" to the will of the Congress; and "No" to the Supreme Court. She is saying, "We, California, who contribute nothing to the supply of water to the river itself, are unwilling to share the waters which should be divided, unless and until the river itself is augmented. We, California, want not only the 4.4 million acre-feet we agreed to limit ourselves to, but from 5.2 million acre-feet to 5.6 million acre-feet per year."

And California has apparently convinced Colorado and Wyoming to join her in this unfair position. At page 87 of the Minority views on S. 1004, Senators Kuchel, Allott and Hansen have joined in a gross misstatement of the opinion of the Supreme Court and its decree. They say:

"Arizona's apportionment is 2.8 million acre-feet per year, but only if 7½ million acre-feet per year are available for consumptive use in the Lower Basin after meeting the Mexican Water Treaty obligation and river losses."

This is completely and patently incorrect. The opinion and decree say that if there is a full supply, Arizona obtains 2.8, California 4.4 and Nevada .3 million acre-feet per year. If there is not a full supply, the Secretary shall make a division of that supply based upon the then existing circumstances. Arizona's entitlement of the Lower Basin supply is not conditioned upon augmentation or a full supply any more than California's entitlement is conditioned upon augmentation or a full supply. Each has its apportioned share of a full supply or the Secretary's division of a short supply.

The Minority Views continue at length to argue that the Central Arizona Project is dependent upon "borrowed" water—that is, water "borrowed" from the Upper Basin. Again, this is a gross misstatement of the law and the facts. The Lower Basin is entitled by Compact; by Congress; and by the Court, to 7.5 million acre-feet per year, plus any extra or surplus which flows through the generators of Glen Canyon Dam and past Lee Ferry. Arizona desires to claim its rightful share of this water—nothing more. It neither seeks nor expects to use any Upper Basin water. If there is insufficient water to satisfy all claims, Arizona is willing to take its chances and abide by the decision of the Secretary of the Interior as to how that insufficient supply shall be divided among the three participating Lower Basin States. Furthermore, as a physical fact, the Upper Basin is upstream from the Lower Basin and by virtue of this geographic fact is in a position to physically divert its entitlement before the Lower Basin can make any diversion. The Lower Basin cannot and will not call on the Upper Basin to deliver one drop more than the Upper Basin is obligated to deliver under the terms of the Compact.

If there be insufficient water to satisfy all the Lower Basin requirements it is California's present uses in excess of 4.4 million acre-feet that will first be curtailed—not its lawful entitlement. Is this inequitable? California agreed to limit her use to 4.4 million acre-feet per year in consideration of Congress passing the Boulder Canyon Project Act. By her consistent and unrelenting program of opposition to passage of the Central Arizona Project she has successfully enlarged her use of the Lower Basin water so that she has used each year her own full share plus a major portion of Arizona's entitlement.

The records of the U.S. Geological Survey disclose that each year since California passed the Limitation Act (by which California has voluntarily agreed to limit her use of Lower Basin water to a maximum of 4.4 million acre-feet plus one-half of surplus) she has effectively created surplus by preventing Arizona's use of its water and has in some years used as much as 5.3 million acre-feet. The rule of thumb for valuation of this water for municipal and industrial use is $50.00 to $70.00 per acre-foot. California has therefore by her successful opposition to further river development been able to add to her economy to the extent of $50 to $70 million per year.

The issue before Congress at this time is whether or not California shall be permitted to continue to thwart the Compact, the will of Congress and the decision of the Supreme Court to her own selfish enrichment or whether California, like the other states of the Union, shall be required to live up to her own commitments.

S. 1004 does not make use of "borrowed water" from the Upper Basin. The Upper Basin is protected, first of all by the Compact itself which divides the water between Upper and Lower Basins.

Finally, the Upper Basin is protected clearly and unmistakably by the provisions of Section 12 of S. 1004 which provide:

"Rights of the Upper Basin to the consumptive use of water apportioned to that Basin from the Colorado River system by the Colorado River Compact shall not be reduced or prejudiced by any use of such water in the Lower Basin."

Mr. MURPHY. The Senator from California would like to state that he wishes Arizona would be thoughtful to both the State of California and the State of Colorado by returning to its position of last year. We in California have had many projects started. Because we have such a large share of water is not because California is possibly the most beautiful State, and not because it is the fastest developing State, but because the need for this water was already there.

Mr. FANNIN. I will grant that, but——

Mr. MURPHY. I call to the Senator's attention that the two Senators from California have been in the forefront of trying to do everything possible to implement the furtherance of desalinization so that new sources of water may be supplied from the Pacific Ocean.

Mr. FANNIN. Let me say to the Senator that I also sponsored that bill.

Mr. MURPHY. That, however, takes study. We want to be able to desalinate Pacific Ocean water, perfect weather modification and study transbasin diversions, but at the moment——

Mr. FANNIN. Unfortunately, we must face the situation as it actually exists today. We are not asking for anything except to be able to use our allotted water—2.8 million acre-feet. We are not trying to take water from anyone. We are the only State that has no other water source than the Colorado system.

I have heard from your people in northern California that their water, approximately 30 million acre-feet, runs wasted into the ocean, and that they would like to be protected from the floods that that creates. We would like to help them do that.

Mr. MURPHY. That is exactly what I made reference to in the bill.

Mr. FANNIN. I will develop that further.

Mr. MURPHY. If the Senator will give me the opportunity—I still have the floor.

Mr. FANNIN. Of course.

Mr. MURPHY. I made that reference earlier. The bill which my distinguished colleague introduced last year would create——

Mr. BENNETT. Will my good friends now engaging in this colloquy give me a chance to get in on this? [Laughter.] The Senator from Utah would like to join this colloquy. I should like to make the speech I have ready but I would be glad to join in the colloquy, with the request that the "wolves" leave the Senator from California alone so that he can finish his remarks.

Mr. MURPHY. I was intending to finish my speech when the Senator from Arizona interrupted me.

Mr. KUCHEL. May I join in the colloquy too?

Mr. FANNIN. I say that we are with the Senator so long as we have what the Supreme Court upheld. Arizona was given 2.8 million acre-feet of water. They are legally and morally entitled to it.

Mr. KUCHEL. Mr. President, will my colleague yield to me?

Mr. MURPHY. I am happy to yield.

Mr. KUCHEL. Mr. President, first of all, I want the RECORD to show that my friend and colleague from California [Mr. MURPHY] is contributing a highly important and very relevant address to a very important debate, a debate that involves not only the future of the State of California, but also the future of our neighboring Pacific Southwest States.

I also want the RECORD to show that I congratulate GEORGE MURPHY for pointing out once again the only means by which we can eliminate this terrible problem of water shortage in the Pacific Southwest States is through legislation which will help all of them, rather than helping only one on a temporary basis while the rest suffer.

Let me say that my friend from Arizona is wrong when he suggests the people of Arizona are paying more for their power from Hoover Dam than we are in California.

I have just been informed by the committee staff that the fact is, the people of Arizona paid 2.62 mills per kilowatt-hour, while the people in the home city of my able friend, Los Angeles, paid 3.32 mills per kilowatt-hour for Hoover power. I want the RECORD to clearly show that.

Mr. FANNIN. Could I later answer that? I know the Senator will agree that others are paying for power at the market price. I want to develop this later.

Mr. President, I ask unanimous consent to include at this point in the RECORD an explanation of the respective rate

charges at Hoover by California and Arizona.

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

AUGUST 4, 1967.

MEMORANDUM ON POWER RATES—HOOVER DAM

The 1966 average power rates for all contractors from Hoover Dam are as follows:

	Mills
City of Burbank	2.09
City of Pasadena	2.09
State of Arizona	2.62
California Electric Power Company [1]	19.25
Metropolitan Water District	2.08
City of Glendale	2.08
City of Los Angeles	3.32
State of Nevada	2.88
Southern California Edison Company [1]	4.20
Energy reserved for United States	3.06

[1] These organizations have now been merged and consolidated.

The differences in the rates for the various utilities involved are caused by two factors: one, the date of installation of units ranging between 1935 and 1960, and two, the fact that some agencies have installed more generators in order to be able to utilize peaking capacity rather than baseload energy from the Hoover plant.

Mr. MURPHY. Out of deference to the distinguished Senator from Utah, who is most anxious to speak and has a most important message, I shall complete my remarks promptly but I do want to say that this entire colloquy disturbs me terribly. I know of no two Senators in this great body for whom I have a greater regard than my great, close seatmate and former Governor of Arizona, the great Senator from Arizona [Mr. FANNIN], and the dean of the entire Senate, a man whom we all love and admire so much, the Senator from Arizona [Mr. HAYDEN]. However, it disturbs me, as well as my colleagues, to find ourselves in this position where we are in disagreement.

Last year there was complete agreement on this; is that not true, I ask my colleague?

Mr. KUCHEL. Exactly.

Mr. MURPHY. Everyone had agreed that we had, we thought, arrived at an equitable solution to the entire water problem. There was great joy in California. There was great joy in Nevada. There was great joy in Colorado and Arizona. But now, suddenly, for some strange reason, there seems to be a wholly new prospectus.

I do not know the cause of it. I do not know why suddenly the facts of last year have disappeared and new facts have arrived. Does someone have an idea that may be better, that we do not understand, or have new facts that we do not quite understand? This is why this has disturbed me greatly.

I hope sincerely that my distinguished friend, the Senator from Arizona [Mr. FANNIN], will develop all these points as the debate continues, so my distinguished colleague from California and I will have full knowledge of them and will be able to return to our wonderful, No. 1 State, and explain to our constituents what has happened between these two great, friendly States.

Yesterday I flew over the Senator's wonderful State of Arizona. As I watched the developments of industry on both sides of the river, I realized the joy of the future that is going to be ours, if we can only have a proper solution to these programs. It disturbs me to be in disagreement. I know my distinguished friend will not hold it against me. I am only doing what I regard to be my duty to my constituents in California.

I will remind Senators at this time that the report also points out that California is not opposed to utilizing the Hoover and Parker-Davis power revenues for a development fund. That is a major provision of the bill which I cosponsored with the distinguished senior Senator from California, but the fund envisioned in our legislation—and that of other upper basin members—is earmarked for the benefit of the entire seven-State region. Combined with the revenues from the proposed Hualapai pumped storage power project, which the central Arizona project bill forsakes, ample funds would accrue to help finance the augmentation program so urgently needed now to stave off potential water supply bankruptcy.

It is obviously absurd to create a new use on the Colorado River without providing some solution to the underlying problem thereby aggravated—the lack of sufficient water in the river to meet the demands upon it. While other methods of augmenting the river's flow hold out some speculative hope of distant, future relief, it is manifest that in the present or immediate future, only the importation of large amounts of water from areas of surplus offers realistic hope of solving the problem. The critical element of time requires immediate investigation of intrebasin exchanges of water.

The lack of any specific directions for such studies and the deletion of the Hualapai project as a potential source of funds for implementing the results represent two of this bill's most serious sins of ommission.

For these reasons, I join with my colleague, Senator KUCHEL, and with the Senators from Colorado, Utah, and Wyoming to urge this body to reject the central Arizona project bill now before us and to respectfully suggest to Arizona that she renew her former alliance with her sister States and work for a regional solution to the problems that are common to all of us in the area, so all seven States may be provided for and we can go forward with plans for the present, the immediate future, and the distant future as well, to satisfy the needs of all.

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

Mr. MURPHY. I yield.

Mr. ALLOTT. Being mindful of the request of the Senator from Utah, I simply want to compliment the distinguished junior Senator from California on a very fine statement, which is not only a well-reasoned statement but is also based on the facts. It has been very valuable. The remarks the Senator has made have added a great deal to this debate.

Mr. MURPHY. I thank the distinguished Senator from Colorado. I apologize to all present if I seem to be copying the manner of speech of our distinguished minority leader [Mr. DIRKSEN]. This is not my intent. It is because I have had an impairment in my voice, which is gradually getting better. I fear that if Arizona fails to renew her cooperation with her neighboring States, I will be singing once again long before this matter is settled.

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

Mr. MURPHY. I yield to my colleague.

Mr. KUCHEL. I first repeat my congratulations. Then I join in urging upon our friend from Arizona, even at the last moment as the debate is drawing to an end, to reconsider his position and return, as my able friend has suggested, to the position unanimously recommended by our State and his State and other States in the Colorado River Basin a year ago.

The able junior Senator from California raised the question why these people have changed their minds. Would it not be of intense interest to know what motivated the Secretary of the Interior and the national administration? Why the flip-flop?

Mr. MURPHY. This has occurred to me, but I chose not to discuss it too much today, for fear that there might be a misunderstanding that some partisan, political interjection was involved.

Mr. KUCHEL. That we do not want to do.

Mr. MURPHY. No, we do not want to do that. I am quoting our distinguished Chief Executive when I say, "Come, let us reason together." Why can we not sit down and return to the agreements of last year? What is so wrong with them? Maybe they have gathered a little dust, but let us sit down and gaze upon them and examine them a bit, and under the dust we may find them to be shiny.

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

Mr. MURPHY. I yield.

Mr. FANNIN. The Senator has made an eloquent statement, but I remind him that his State is the home of the Sierra Club, and the proposal of the dam was looked at last year in the House and it failed.

ORDER FOR ADJOURNMENT TO 10 A.M. MONDAY

Mr. MANSFIELD. Mr. President, it is my understanding that after the Senator from Utah [Mr. BENNETT] has completed his remarks, the Senator from Wyoming [Mr. HANSEN] has some comments to make on the pending legislation, and then, following that, the distinguished senior Senator from Colorado [Mr. ALLOTT] intends to speak for some time.

I ask unanimous consent that when the Senate completes its business this afternoon, it stand in adjournment until 10 o'clock Monday morning next.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

LEAK REPORTED ON PRESIDENT'S TAX PROPOSAL

Mr. WILLIAMS of Delaware. Mr. President, yesterday the President sent

to Congress for release a 12 o'clock noon his message recommending a 10-percent surtax increase. A suggestion has been made that there was a leak in connection with this message and that on Wall Street this news was available earlier than noon.

In the New York Daily News of today there is an article entitled "Hint Wall Street Got Tip on Tax News." In the article the question is raised as to how the leak occurred. The suggestion is made that the Securities and Exchange Commission and the stock exchange are now investigating how the leak developed.

Mr. President, there is no secret as to how the leak developed. The way it was handled it was an open secret. This tax message was available to the press early in the morning for release at 12 o'clock noon and was then sent out over all of the wire services. There is nothing mysterious about the fact that somebody may have read this message and took advantage of it.

The question is why somebody in the White House did not realize that potential and did not have the judgment to release news of this importance while the market was closed. Preferably, it should have been released over a weekend. There is no other way for a release of this nature to be handled. Surely the Treasury Department knew that a message of this type would have an impact on the market and that it should always be released after the market has closed or over the weekend. Then all the American people will have the power to evaluate the impact and not just a few people who are on the inside.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. MURPHY. Mr. President, I am pleased that the Senator from Delaware has raised this point. I was in New York last night. I assure the Senator that this matter was the subject of extensive conversation. It would seem to me that the advisers of the President have permitted him to be placed in a very embarrassing position.

Many years ago I was a messenger on Wall Street as a runner for one of the brokerage houses. In those days, we were very careful that news which might affect the stock market so vitally was handled with the greatest of care. News of this type should be released when the market is closed or over the weekend. In that way, the impact of the message would hit and the professionals or those who might get the advantage of knowing the news ahead of time could not take advantage of it.

Mr. President, I think it would be interesting and I wonder if it would not be proper for us, as Senators, to ask the president of the New York Stock Exchange to make available to us a complete record of all stock transactions that took place from the hour of 11 o'clock, when the leak took place, up until 12 o'clock, which would include transactions of selling and transactions of buying.

I am told there were over 13 million shares of stock traded yesterday. This is an abnormal amount. If the release of this news caused that situation. I think that we, as Senators, have an obligation to find out all that we can and make known to the people of the United States how this unfortunate affair occurred. If any great public damage occurred it should be made certain that it will not happen again.

Mr. WILLIAMS of Delaware. I thank the Senator for his remarks, and I agree. The request is being made that the Committee on Finance be furnished with a record of all transactions for the entire day. We should check all transactions during the day, which would cover transactions both before and after the release of the message.

The article in the New York Daily News refers to the fact that while the message was not released until 12 o'clock it was over one brokerage wire service at 11:17. I do not criticize the press; I understand this is standard practice. When a message of this importance is marked for release at 12 o'clock the major wire services naturally put the message on the wire to editors all over the country with instructions to hold for release at 12 o'clock. But certainly the White House knows that one does not keep a secret by telling 5,000 or 10,000 people about it an hour ahead of time. There is no excuse for the manner in which this message was handled by the White House.

There is only one way to prevent such a situation; and that is, to announce all tax messages after the market has closed, preferably over the weekend.

The results of this blunder put the President in a most embarrassing position. I do not suggest that he did this deliberately. I do not think he stopped to consider. However, those advisers around him, the Secretary of the Treasury and others, know the impact of these matters, and they were negligent in not advising the President to hold the message back until the market had closed.

An explanation from them is in order.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. MURPHY. At the very best, the least that could have been done would have been to have the message released immediately.

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. MURPHY. In that way all of the wire services and the people could take advantage of it simultaneously. As the Senator pointed out so correctly, the proper way to have done it, as everybody knows, and certainly the advisers of the President know, would be to release it over the weekend or at a time when the market is closed so that the impact on the market would be minimized. I understand that some of those stocks moved 15 to 20 points.

It will be found that the man taking advantage of the situation, sells going down, buys going up, changes position twice, and doubles the amount of profit he can take. This is the thing that is disturbing to me.

I thank the Senator for bringing this matter to the attention of the Senate. I join with the Senator in requesting that the matter he brought to the attention of the Chief Executive in the White House so that he will be certain his financial advisers and the Secretary of the Treasury never permit this to happen again.

Mr. WILLIAMS of Delaware. I thank the Senator. In the Agriculture Department where the issuance of crop reports often has an impact on the market there is a practice which was adopted many years ago not to release the reports or the material connected with the reports until after the market has closed. The men who work in preparation of the final report do not come out of the room until the market closes and the report is ready for release. In that way it can be made available to all people before the market opens.

The only solution would be to release the information after the market has been closed so that it can be available to everyone in the morning newspapers, and preferably it should be released over the weekend.

I hope the President will get a new set of advisers. At least he should make sure that it does not happen again. Too many innocent investors were hurt as the result of this negligence.

I am going to ask the Finance Committee to examine all in-and-out transactions of yesterday to see who was taking advantage of the premature notice which came direct from the White House.

Mr. MURPHY. I thank the Senator. I join with him and I congratulate him for bringing this matter to the attention of the Senate. I also join with the Senator in the request that there be made available records of all in-and-out sales, along with purchasers, the houses through which the sales were made, and the buying and selling prices. All of this material should be made available to the Senate and to the press.

Mr. WILLIAMS of Delaware. I thank the Senator.

Mr. President, I ask unanimous consent to have printed in the RECORD the article which was published in the New York Daily News of today and the Dow-Jones scoreboard on the half-hour changes in the market. Following this I ask that there be printed a copy of the notice of this tax increase which was sent out over a national wire service at 11 a.m. yesterday. I note that this message was timed for 1 hour before the noon release period named by the President. Certainly any trader reading this message would not wait until noon before acting.

How naive can the White House be to have thought otherwise?

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

HINT WALL STREET GOT TIP ON TAX NEWS

(By Dennis Duggan)

Did Wall Street brokerage houses yesterday leak details of the President's tax proposals a full hour before the scheduled release to the public?

Rumors that "insiders" took advantage of confidential information that reached the brokerage houses by 11 A.M. spread through the financial community.

Millions of dollars could have been made in that hour, during which 2,860,000 shares were traded on the New York Stock Exchange.

COULD HAVE SOLD AT TOP

Traders who were privy to the leak theoretically had an edge over the rest of the trading community. Knowing that news of a tax hike would depress the market, a trader could have sold his stocks at the top of the market and less than an hour later have bought them back at the bottom, bringing a fat profit.

Since the tax hikes were even higher than Wall Streeters were braced for, there was little doubt that the market would undergo a wave of selling, which is precisely what happened.

A spokesman for the Stock Exchange said: "It is still too early to pass judgment, but we will definitely look into these reports, and if they are true there will be a full-scale investigation."

COMMISSION SIFTS RUMORS

Manuel F. Cohen, chairman of the Securities and Exchange Commission, watchdog of the securities market, declined comment on the reported leak of so-called embargoed news.

But a source close to the SEC said that the agency was looking into rumors that traders may have taken advantage of early knowledge of the tax news.

It is known that at least three of the Street's biggest brokerages had news of the tax proposal by 11 A.M. on a "hold for release at noon" basis.

The advance report came over a news service wire just before 11 a.m. Minutes later, selling of stocks accelerated at a rapid pace.

THE MARKET PLUNGES

At 11 A.M., the Dow Jones industrial average was slightly off, down .77. By 11:30, however, still half an hour before the tax outline was to be made public, the market had plunged 5.08 points.

At noon, the industrial average had fallen 8.61 points and at 12:30 P.M., the average had skidded to its low point—off 9.30 points.

How fast the news of the Administration's proposed tax hike flashed throughout the financial community was spotlighted by an advisory bulletin dispatched at 11:17 a.m. a major brokerage house on its nationwide interoffice wire service.

TOLD TO KEEP IT QUIET

In it the brokerage house spelled out the details of the President's tax proposal for its boardroom tape watchers, numbering in the thousands.

One broker, who requested anonymity, said employes were told "not to spread the news around" before noon.

DOW JONES SCOREBOARD

Here is the half-hour scoreboard on how the Dow Jones industrial average reacted to the President's surtax proposal.

10:30 a.m.	−0.06
11:00 a.m.	−.77
11:30 a.m.	−5.08
Noon	−8.61
12:30 p.m.	−9.30
1:00 p.m.	−7.74
1:30 p.m.	−5.37
2:00 p.m.	−2.83
2:30 p.m.	−1.27
3:00 p.m.	−.58
Close	−.29

WASHINGTON.—President Johnson asked Congress today to impose a temporary 10 percent surtax on corporations and individuals. This is a 4-percent increase over his previous request.

The surcharge on individual income taxes would take effect October 1. The surtax on corporations would be retroactive to July 1.

In a special message to the House and Senate, Johnson warned that unless these and other new tax proposals are enacted, the Federal deficit for fiscal 1968 will rise from his earlier estimate of $8.8 billion to a probable $23.6 billion.

POVERTY WARRIORS—THE RIOTS ARE SUBSIDIZED AS WELL AS ORGANIZED

Mr. HICKENLOOPER. Mr. President, I ask unanimous consent to make a preliminary statement and then an insertion in the RECORD.

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

Mr. HICKENLOOPER. Mr. President, in the July 31 issue of Barron's Weekly, which is, of course, a highly respected financial weekly in the country, there is an editorial entitled "Poverty Warriors: The Riots Are Subsidized as Well as Organized." It contains a startling compilation of the money that is being funneled by Government officials into various programs and various organizations that are stimulating riots, supporting subversion, and generally causing a lot of the trouble in this country.

It is a startling editorial, or article—whatever one might want to call it—and I call particular attention to the last paragraph, which is rather significant and carries much meaning.

I ask unanimous consent that the editorial be published in connection with my remarks at an appropriate place in the RECORD.

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

POVERTY WARRIORS: THE RIOTS ARE SUBSIDIZED AS WELL AS ORGANIZED

Marion Barry and Rufus Mayfield are angry young men. Former national head of the Student Nonviolent Coordinating Committee (SNCC), Mr. Barry in August, 1965, took part in a protest demonstration organized by the so-called Assembly of Unrepresented People. He was arrested and charged with disorderly conduct while leading demonstrators onto the Capitol grounds. "Riot power and rebellion power," he was quoted as saying last week, "might make people listen now." Mr. Mayfield is a Black Muslim. Twenty-one years old, he has spent most of the past eight years in prison for various offenses, including petty and grand larcency. This month Marion Barry acquired gainful employment. He was hired as a $50-per-day consultant by the United Planning Organization, top anti-poverty agency for the District of Columbia. Rufus Mayfield, according to Rep. Joel P. Broyhill (R., Va.), will serve as Barry's "back-up man."

While perhaps more arresting than most, these are not isolated instances. On the contrary, the files fairly bulge with equally radical cases in point. Thus, federal and state investigations of New York's Mobilization for Youth, pilot project for the Job Corps, disclosed that its staff included several members of the Communist Party. LeRoi Jones, who was taken into custody during the riots in Newark and charged with illegal possession of deadly weapons, once ran a hate-the-whites Black Arts Theater which got $115,000 in federal funds from Haryou-ACT before police discovered an arsenal on the premises. The Southwest Alabama Farmers Cooperative Association of Selma, which the Office of Economic Opportunity recently granted $700,000, numbers among its principals John Zippert and Shirley Mesher. Louisiana's Joint Legislative Committee on Un-American Activities recently documented Mr. Zippert's association with radical causes, including the Kremlin-financed World Youth Festival. According to the Alabama Legislative Commission to Preserve the Peace, Miss Mesher, a former coordinator for SNCC, is "a prime participant in the Black Panther movement designed to overthrow the government . . ."

Right after Watts (Barron's, August 23, 1965), we observed: "In the name of civil rights, a small band of ruthless men has not hesitated to stir up violence, break the law and undermine duly constituted authority. The so-called civil rights revolution . . . has begun to mean exactly what it says." Since then compelling evidence, including eyewitness testimony and the findings of a Cleveland grand jury, has shown that the riots are less spontaneous outbreaks than carefully planned subversion. To judge by the record, moreover, civil unrest is not only organized but also subsidized. Thanks to the Office of Economic Opportunity, the U.S. taxpayer now has a chance to finance his own destruction. The Great Society, so Newark, Detroit and scores of other smouldering cities suggest, cannot coexist with the American way of life.

Like the poor, slums and rats have always been with us. Only the devastating riots—and the professional agitators who prepare the tinder, await a spark and fan the flames—are significantly new. The 1964 outbursts in Harlem turned up William Epton, vice-chairman of the Red-Chinese-oriented Progressive Labor Party, who taught people how to make Molotov cocktails. Mr. Epton was convicted of criminal anarchy for his part in the riots. The Rev. Billy Graham called Watts a "dress rehearsal for revolution," a description in which radical spokesmen ever since have gloried. Last year's riots in Cleveland, charged Sen. Frank Lausche (Dem., O.) were the work of a "national conspiracy executed by experts." Shortly afterward a Cleveland grand jury, after hearing the testimony of detectives who penetrated the conspirators' ranks, found that "the outbreak of lawlessness and disorder was organized, precipitated and exploited by a relatively small group of trained and disciplined professionals." In a story on the Newark riots, the current issue of Life Magazine describes its reporters' "clandestine meeting with members of the sniper organization." Finally, SNCC's Stokely Carmichael, whose subversive interests range far and wide, openly boasts of what's afoot. After a quick trip to Prague, he landed last week in Havana. There he told newsmen: "In Newark we applied (guerrilla) war tactics . . . We are preparing groups of urban guerrillas . . . It is going to be a fight to the death."

So much for subversion, which the country will ignore at its own risk. As to federal subsidy of violence, an ominous pattern has emerged. From the beginning, as radicals recognized, the war on poverty, notably the Community Action Programs, had impressive trouble-making potentials. Somehow CAP has expanded much faster than OEO expenditures as a whole, surging from $246.5 million in fiscal '66 to an estimated $500 million in the current fiscal year. As noted above (much of the material comes from a forthcoming book, "Poverty Is Where the Money Is," to be published by Arlington House and written by Shirley Scheibla, Washington correspondent for Barron's), some of the money funded dubious ventures and put jailbirds and subversives on the federal payroll. Mrs. Scheibla cites other horrible examples: John Ross, member of the Progressive Labor Party, who served on an anti-poverty board in San Francisco; Howard Harawitz, member of a similar board in Berkeley and former member of the W.E.B. DuBois Clubs, which the FBI calls "Communist-spawned"; and a number of U.P.O. personnel in Washington, D.C., who turned out to be SNCC organizers and agitators.

Taxpayer-financed trouble has exploded in one part of the country after another. Last fall the mayor of Perth Amboy, N.J.,

accused the local anti-poverty leader of seeking "to foment and incite unrest, agitation and disorder," a charge which the city manager of Rochester echoed last week. Newark's police chief weeks ago warned that the city faced anarchy because of agitation by federal anti-poverty workers, several of whom were arrested during the riots. In New York City five marauding young Negroes, collared while looting stores on Fifth Avenue, worked for the anti-poverty program; one wore a sweater blazoned, after the OEO-funded agency, "Harlem Youth Opportunities Unlimited."

To fight riots with OEO grants, in short, is like fighting fire with gasoline. However, Sargent Shriver alone is not to blame. Some of the fault lies with local officials like New York's Mayor Lindsay (tapped last week to serve on the President's special advisory body), who repeatedly refused to condemn the appearance of his Human Rights Commissioner at the Black Power conference in Newark, as well as with Mayor Cavanagh of Detroit (first recipient of OEO aid and welfare state showcase), who tied the hands of the police for the first few strategic hours. On the federal level, the country should call to account the Office of the Attorney-General and its three recent occupants: Robert Kennedy, who once wrote a letter to the head of an identified Communist front, seeking advice on a national service corps; Nicholas Katzenbach, who shrugged off all evidence of conspiracy; and the incumbent, Ramsey Clark, who testified against pending anti-riot legislation. The blame reaches right up to the official White House family, to Vice President Humphrey, who last summer said that if he lived in a rat-infested slum: "there is enough of a spark left in me to lead a pretty good revolt."

Law and order are the stuff of civilization; they are also the first duty of government. On the record, "liberals" of both parties, by tolerating subversion, have made a mockery of their oaths of office and forfeited the public's trust. Appeals to prayer are all well and good, but what this country needs is a political and philosophic call to arms.

ORDER FOR RECOGNITION OF SENATOR ALLOTT MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the morning business on Monday, the distinguished senior Senator from Colorado [Mr. ALLOTT] be recognized.

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

CENTRAL ARIZONA PROJECT ACT

The Senate resumed the consideration of the bill (S. 1004) to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes.

Mr. BENNETT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

UTAH'S INTERESTS MUST BE PROTECTED

Mr. BENNETT. Mr. President, the State of Utah wants to take a constructive approach in helping to provide additional water to meet the needs of our sister State, Arizona. Throughout the years our good neighbors to the south have been very helpful to Utah on many congressional, business, regional, and personal problems. Many of Arizona's problems down through the years have been very similar to Utah's as these two States have struggled to solve their various growing pains.

That Arizona has a critical water problem requiring early solution, there is no doubt at all. All of us from Utah, be it Members of the Senate, the House, water officials in the State, or what have you, have pledged to help where we can.

Arizona's right to water in the river was covered in the lower basin allocation in the famed Colorado River compact which was an interstate agreement providing the best means to an acceptable and equitable apportionment of the river. Arizona ratified the compact in 1944.

The agreements were founded on the basis of mutual help, protecting the rights of all involved, through this fine cooperative effort.

However, I regret to say that this bill, S. 1004, the so-called central Arizona project or Lower Colorado River Basin project, in the opinion of Utah's water authorities, does not reflect the spirit of the compact.

It seems to me that basically the bill before us completely ignores the fact that the water supply of the Colorado River is inadequate to meet the future demands on the river. Let me repeat, Mr. President, there simply is not enough water in the Colorado River.

The addition of a new major project to the Lower Colorado River Basin without at the same time making a start on meeting the necessity of finding additional long-range solutions to the water supply problems of the entire basin will only aggravate the problem and jeopardize resource development in the upper basin.

As the committee and the Senate know, Utah and its upper basin friends have joined in pointing out that we were willing to support the central Arizona project, asking in return for provisions authorizing studies of augmentation of the supply of water in the Colorado River Basin.

Utah's water officials—and I have held many conferences with them and I am convinced they are correct—feel that we must have this legislative safeguard in any lower basin legislation so that Utah will have the right to proceed with the development of its entitlement of Colorado River water.

Any large, new project, such as the central Arizona project, can exist only on presently unused compact apportioned water belonging to the upper basin—and can exist only so long as water is not withdrawn by the upper basin States beyond their present capacity to use it.

Utah's present depletions and committed uses total only about 60 percent of our compact apportionment. We are afraid that in the future when we need this water for our own uses we may be standing alone when we try to withdraw it from a going downstream economy for the establishment of new upstream developments. Therefore, Utah's support of any lower basin legislation is dependent upon the inclusion of certain protective measures that will give some assurance that our future water resources development will not be jeopardized.

Unfortunately, S. 1004 as reported by the Senate Interior Committee does not include such protective measures as we feel are necessary. The administration has seen fit to abandon the regional approach to Colorado basin problems to benefit Arizona at the expense of her neighbors. Utah is opposed to a system providing pumping power for the central Arizona project from a thermal generating plant because, among other things, such a plan fails to contribute to a solution of a pressing regional problem.

As I said earlier, this fundamental regional problem revolves around an uncertain future water supply; therefore, it is my State's position that it can support legislation only if there is a "legislative commitment" for a study of an importation of water from sources outside the Colorado River Basin. We feel it is essential for the protection of our own water rights.

In view of the imminent critical water shortage in the Colorado River, Utah will support any feasible means of augmenting the water supply. This protection can and should be realistically provided in this legislation at least by authorizing studies of all forms of augmentation of water supplies, such as reductions in water losses, water conservation practices, desalination, weather modification, importation of water from outside the natural drainage basin of the Colorado River, and any other means. Directly, or by exchange, the new water from any of these sources could be utilized by States in both the lower and upper basins.

Moving now to the next point, Utah feels that the authorization of a high Hualapai Dam is vital to provide revenues for a development fund for repayment of other features of the project, including Utah's Dixie project, and for providing a sound approach for future augmentation of the river. Instead of a dam, however, a financing scheme has been injected into the bill which will effectively stifle any chance that a fund will be created to relieve the water crisis in the Colorado River Basin in time to be useful. According to all the water experts, the basin will need more water before 1990. But there may not be money for anything other than the central Arizona project costs in the development fund for at least 50 years, which takes us to the year 2017.

Mr. President, on this last point, I make the statement because Utah's water officials and I agree with the excellent summary and analysis of the costs in the development fund which are in the committee report under the minority views signed by Senators KUCHEL, ALLOTT, and HANSEN. They appear on page 120 of the report; and, so that the record can be complete, I ask unanimous

consent that the summary and analysis be printed in the RECORD at this point.

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

PUFFING THE BASIN FUND

On June 26, 1967, the Department of the Interior provided Senator Kuchel with financial tables reflecting development fund income and disbursements which will accrue under S. 1004 as reported. A copy of Secretary Holum's letter and accompanying tables is attached as appendix C to these views.

Secretary Udall predicts gross development fund revenue over the payout period of $2,261,352,000 and deductions of $1,882,646,000, leaving a balance of $378,706,000 in the fund by the year 2025. Careful study of the Secretary's table reveals:

1. The balance in the fund by 2025 is overstated by $173,203,432.

2. There will be no balance whatsoever in the fund until 2018.

3. Raising the main aqueduct size to 3,000 cubic feet per second adds $177,147,000 to the project costs. There will be no water to fill the inflated aqueduct unless it is drained away from the upper basin, diminishing the prospect of filling Lake Powell.

4. The tables fail to disclose the possible additional $100 million drain on the fund for distribution and drainage systems in Arizona.

GROSS OVERSTATEMENT

The Secretary's estimate of $2,261,352,000 of gross revenue to the basin fund cannot increase unless the rates for the sale of water and power, or the quantities which he estimates will be sold, change. But his estimate of deductions, $1,882,646,000, is misleading; it can and must change, and change upward only. The Department based its estimates of project costs on 1963 prices. There has already been a rise of 9.2 percent in the cost index (he ignores it), which would result in increasing the deductions from the development fund by $173,203,432, as of A.D. 2025, even if there is never any further increase in construction costs—a most unrealistic assumption. As the cost index rises higher in future years, this incremental cost, hence these total deductions, will also rise. If the balance in the development fund were corrected to reflect increased construction cost, by the end of the payout period it could be not over one-half of the $378,000,706 claimed by the Secretary. The proposed new $30 million Dixie project drain on the development fund further reduces the balance in A.D. 2025.

The Secretary admitted that there will be no net balance in the development fund until the year 2010. When corrections for even present (1967) costs and the Dixie project deficit are incorporated into the calculations, the Secretary's table shows that the fund will be empty until at least 2018, or 51 years from now.

Obviously, the financing scheme which has been injected into the bill kills off any possibility that a fund will be created to mitigate the water crisis in the Colorado River Basin. The basin needs more water before 1990, but for half a century (until at least A.D. 2018) there will not be a single cent in the development fund for use to defray any costs other than Central Arizona Project costs.

Mr. BENNETT. Mr. President, in addition, and to back up the statement the minority views include a chart entitled "Repayment Analysis: Central Arizona Project With Development Fund and 2,500-Cubic-Foot-per-Second Aqueduct" which begin on page 136 of the report. The information was obtained from the Bureau of Reclamation so I am assuming that it is as accurate as any information available. On page 141 where the chart continues we find that the first sign of any net revenues to the development fund appears in the year 2009. However, by the time increased costs and other payments are made the money for the development fund probably will not be available until later, perhaps in 2016—some 50 years from now.

When this lower Colorado River project proposal came before us many of my colleagues in the Senate urged me to join them in sponsoring many and varied versions of proposed bills. These included proposals by Senator KUCHEL, Senator ALLOTT, Senator Moss and others. After analyzing all of the bills, looking over the administration's bill and conferring with interested Utah water officials, I told all of my colleagues who sought my support that I would be pleased to join in any bill that provided the following legislative safeguards for Utah:

First. The authorization of studies to augment the water supply of the Colorado River Basin.

Second. Inclusion of equitable criteria for the coordinated long-range operation of the Colorado River storage reservoirs.

Third. Language making it clear that the lower basin projects shall in no way affect the division of water between the upper basin and lower basin States as established by the compact.

Fourth. Language establishing the planning report on the Ute Indian unit so that it will be finished by 1972.

Fifth. Language providing that it will become a national obligation that augmentation of water from outside the Colorado River Basin will relieve the upper basin from the burden of the Mexican treaty. This, of course, is tied in with any augmentation language.

Sixth. Language including a comprehensive Dixie project, authorizing it to participate in the development fund and providing nonreimbursable fish and wildlife sections.

Seventh. Language providing that the Upper Colorado River Basin fund be reimbursed for all expenditures diverted from it to meet so-called deficiencies in generation at Hoover Dam during the filling period of Glen Canyon Reservoir.

Eighth. Language providing for the Hualapai Dam.

Safeguards 2, 3, and 7 are in the bill before us today.

Safeguard 4 regarding the Ute Indian unit is in the bill, but there is no deadline giving the Bureau of Reclamation guidance or a requirement that the planning report must be completed by 1972, mainly because we all know how these planning reports have a tendency toward taking years upon years to be completed.

Safeguard 5 is really part of No. 1, the augmentation section, so it is not included in the bill.

This brings us to what I consider the most important safeguards as far as Utah is concerned.

No. 1 is water augmentation.

No. 8 is the Hualapai Dam.

No. 6 is a complete Dixie project.

As we know, there is no augmentation and there is no Hualapai Dam. There is some language for the Dixie project, but many questions still remain to be settled with respect to it.

Going back a few years, I should point out that it was my privilege to introduce the first Dixie project bill, offered after the Bureau of Reclamation had completed its restudy of the project in 1961. We authorized this project in the 88th Congress only to discover technical difficulties which apparently the engineers had overlooked. After the project was authorized, they found that the ground beneath the planned power dam and reservoir was unsafe and would not hold water. Alternate sites proved inadequate and from all indications it appeared that Dixie had lost its feasibility because of the inability to sell enough power at a profit so that the water users could repay the construction costs.

This was a severe blow to the people of southern Utah who have been waiting for the Dixie project since the turn of the century. The Dixie project involves a dam on the Virgin River, and the pioneers who went into Dixie 115 years ago began to develop their own version by building an aqueduct, and the small dam which they built with horse-drawn equipment and hand tools—literally carving that aqueduct out of the side of the hill—is still here and still operating. However, this is of course a very minor thing compared with what we are interested in now. The opinion of the people has not changed. As an example of their interest and support for the project, the local citizens agreed to impose an almost unprecedentedly high tax to repay their share of the project costs.

Despite all of this, however, Dixie has become an authorized project that cannot be built. The only apparent way out is to give the project some help from the Hoover Dam power profits. The pending bill does integrate the Dixie project into the development fund. The committee report estimated that the fund could provide $25 to $30 million in assistance.

Admittedly on the surface this appears good, but it is not clear at all whether or when Dixie will get any of this money because it is not clear whether or when any of this money from Hoover Dam might be available. One account I saw on the subject rightfully called it "a mortgage on money that will not be available at least until 1991, when Hoover has paid back its own costs—although Congress may draw on that fund earlier in anticipation of Hoover profits."

As I pointed out earlier Utah's water authorities feel that there is some question as to when we can expect any help from the development fund and the minority views covered the subject in my previous insert into the RECORD.

On another aspect of the Dixie project, I should say at this time that I consider it necessary that all of the separable and joint costs allocated to recreation and fish and wildlife in the Dixie project shall be made nonreimbursable. As the language in the bill now stands, Utah's water officials inform me that the local people in southern Utah—the same citizens who have agreed to the 5-mill ad valorem tax which was later dropped to three—would be called upon to pay even more tax money for the fish and wildlife portions of the Dixie project. Reclama-

tion Bureau officials in Utah have told Dixie officials in the fields that under Federal Water Project Recreation Act—Public Law 89–72—which calls for certain amounts of cost sharing of wildlife and recreation features of reclamation projects—they, the local citizens, probably will be called upon to pay half of the fish and wildlife costs.

That is why in every discussion of the Dixie project, be it amendment or bill, we have included the provision that fish and wildlife features be made nonreimbursable. It is regrettable that this language was not included in the bill when the Dixie section was considered on the last day of the markup session in the Interior Committee.

What we have here is a disagreement of interpretation of two words in the bill. Those two words, as I remember, are "previously authorized," and the people who refer to the Dixie project's right to nonreimbursable income for fish and wildlife costs assume that, because the Dixie project had previously been authorized, these words protect them adequately.

Actually, the Dixie project was authorized before Public Law 89–72 was passed. Then, that project as authorized was declared infeasible, and there developed a cloud on the meaning of this phrase "previously authorized."

I cannot understand why our friends, to whom this is not a major problem, either did not get specific authorizations for this use of fish and wildlife money in the pending bill, or why they would resist language to include it in the bill now. It has been in virtually every other bill that was introduced with the exception of the administration bill.

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

Mr. BENNETT. I yield.

Mr. FANNIN. The bill on page 27, line 7, states:

> The Secretary shall integrate the Dixie project, heretofore authorized—

Has that not been provided for previously?

Mr. BENNETT. All I can say is that the water users in Utah, apparently backed by the Governor and his legal advisers, feel this is not adequate. It seems to me that the Utah people have a deep interest and serious concern with it.

Why not make it doubly sure by adding specific language to say that?

Mr. FANNIN. Was it in the previous legislation to which the Senator referred?

Mr. BENNETT. It was.

Mr. FANNIN. It says "heretofore authorized," and it is considered as being sufficient.

Mr. BENNETT. We, in Utah, believe that that leaves us at the mercy of a future Secretary of the Interior, who may say, "That is not the same project. We authorized a project up the river, and now you have had to move it down the river."

Mr. ALLOTT. Or even, unfortunately, the present Secretary.

Mr. FANNIN. I referred to the words "heretofore authorized' because I believed it would help.

Mr. BENNETT. Does the Senator not realize that interpretation of two- and three-word phrases are the basis of some of the most difficult lawsuits in the world?

Mr. FANNIN. If they are not specific. I believe that in this instance it is very clear. It refers to legislation "heretofore authorized." Only one bill has been authorized. Am I correct?

Mr. BENNETT. How firm does the Senator feel about that? Does he feel so firmly that he would not give Utah the satisfaction of language which would make it perfectly clear?

Mr. FANNIN. Only one bill has been authorized heretofore, and I believe it is clear.

Mr. ALLOTT. I must observe that not only do the Governor and the water people in Utah feel this way, but many other people who have had some experience in water matters also are of the same opinion as the able Senator from Utah.

Mr. BENNETT. It is beyond my comprehension why, when the question is raised, it would not be handled immediately, because it is of no great concern to anybody but the people of Utah.

Mr. President, it seems to me that the carrot that was dangled in front of us in the form of a Dixie project is merely bait to gain our support for S. 1004. I am afraid that I cannot bite, and I can report that the people of southern Utah support my reluctance to go along on the terms as outlined in the present bill. The official position of the State of Utah, of the Governor, of Utah's Director of Natural Resources, Mr. Jay R. Bingham, of the Central Utah Conservancy District, and of virtually everyone in the State who has an interest in this bill, remains unchanged, as I have described it.

That generally outlines my views on this proposal, Mr. President. I very much would like to support it, and I could support it if the so-called Allott-Bennett-Dominick-Kuchel-Moss-Murphy amendment, which I understand will be offered soon, could be adopted.

In summary, the amendment to the bill would provide for construction of the Hualapai Dam: a reconnaissance study of importation of water; a basin fund to provide money for importation; the comprehensive Dixie project; nonreimbursable status for Fish and Wildlife features of the Dixie project; priority status for the Ute Indian unit of the central Utah project; establishment of equitable criteria for the coordinated long-range operation of the Colorado River storage reservoirs; as well as a number of Colorado participating projects.

This amendment, if adopted, will provide what I believe is a constructive approach to the problems of the Colorado River. It also would give Utah that long-sought legislative protection.

I had the honor to represent Utah when the Colorado River Storage Project Act was enacted and signed into law by President Eisenhower in 1956. I sincerely hope that the amendments to be offered will be accepted by the Senate to safeguard the interests of all the Colorado Basin States, so that I will have the additional honor of representing Utah when the central Arizona project is signed into law.

Mr. President, so the record can be complete and so that the Senate can have an idea of the feelings of Utahans I ask unanimous consent to have printed in the RECORD at this time editorials from Salt Lake City's two daily newspapers on the central Arizona project proposal.

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

[From the Salt Lake Tribune, July 2, 1967]

CENTRAL ARIZONA BILL BIG DISAPPOINTMENT

The Central Arizona Reclamation Project as reported out of the Senate Interior and Insular Affairs Committee is a disappointment to Utah interests. While it contains financing for the Dixie Project, it lacks any assurances that Utah's unused water entitlement from the Colorado River will be protected. A crumb is little consolation if the whole cake is lost.

That Arizona has a critical water problem requiring early solution, there is no doubt. As a matter of record, Utah officials and reclamation leaders acknowledge the situation and have pledged help. Arizona as part of the Colorado River's Lower Basin was allocated water from the river by solemn agreements dating back to 1922. But these agreements were founded on the principle of mutual assistance, western state signatories believing each would benefit from cooperative efforts. The Central Arizona Project bill as now written does not reflect this spirit.

Utah and its Upper Basin neighbors were willing to support the bill, asking in return for provisions authorizing studies of ways to augment the supply of water in the Colorado River Basin. One such possibility would involve diversion from the water-rich Northwest. Certain Colorado River operation requirements on Glen Canyon's upstream side were also requested. All these concessions were stripped from the bill in the Senate committee, headed by Senator Jackson (D-Wash.), unyielding opponent of diversion of any Columbia Basin water to the Colorado Basin.

Central Arizona was planned on the basis of water supply expectations estimated more than 40 years ago when Upper and Lower Basin entitlements were divided by compact. Subsequent flow measurements show early estimates over-generous and if Arizona is to receive its allocation as river rights were originally distributed, the subtraction will come from the Upper Basin's share.

Utah, Colorado, Wyoming and New Mexico, in the Upper Basin, are as vitally concerned with ultimate development of their water rights as are Arizona, California and Nevada in the Lower Basin. Our future prosperity is limited by the amount of water we can reclaim for industrial, agricultural and residential use. The cooperative approach to region-wide water development must not be abandoned now, but if one of the seven Colorado River Compact states insists on using the leverage of private advantage at the expense of its former partners, the other states have no alternative but to resist.

The Central Arizona bill faces several obstacles before reaching a final congressional vote. It must be examined in the House Interior and Insular Affairs Committee, chairmanned by Rep. Wayne Aspinall (D-Colo.). On June 1 as featured speaker at the Central Utah Reclamation Project's Bonneville Unit groundbreaking, Mr. Aspinall called for the highest degree of water statesmanship in meeting requirements of a growing, but oftentimes arid, West. He said such diplomacy contemplates the idea of transbasin diversion. We hope Mr. Aspinall remembers those words when his committee considers the Cen-

tral Arizona Project bill, for, as currently written, it should not pass.

[From the Deseret News, July 1, 1967]

PROTECT UTAH INTERESTS ON THE COLORADO

It's hard to imagine that anyone in Congress wants to stunt Utah's growth and replace regional cooperation with reclamation rivalry. But the Colorado River Water Bill reported out this week by the Senate Interior Committee would, if approved, do just that.

The bill would give Arizona water not in the river if Utah and the other states ever are to get their full shares.

It eliminates the Hualapai Dam at Bridge Canyon, which was relied upon under previous agreements to provide revenue to finance projects to bring water from areas of water surplus into the arid Colorado River Basin.

It calls for a steam electric power generating plant to pump mainstream Colorado River water onto thirsty Arizona acres. This plant is beyond the scope of reclamation in previous western history. It would meet Arizona water users' needs by burning Arizona coal in a facility financed by taxpayers of all states.

How about Utah's future needs?

The bill agreed upon by the seven states last year called for investigations looking toward augmenting dwindling water supplies of the Colorado River Basin, possibly from the Columbia Basin. The new bill, however, contains no provision for any such investigation.

Without imports, how is Utah to get the projects that have been authorized if Arizona and California are allowed to use all available flow of the Colorado River?

Moreover, is it just by chance that Secretary of Interior Stewart L. Udall, an Arizonan, has permitted use of Colorado River water for huge steam generating plants near Farmington, N.M. and for the Mohave Project near Davis Dam, but has said "no" so far to water for the Kaiparowits Project in eastern Kane County?

The Mohave Project will pipe coal slurry from the Black Mesa coal fields in northeastern Arizona to the generating plant in central Arizona. The Kaiparowits Project would use Utah coal. But Secretary Udall has been imposing such conditions for use of the Utah-owned water that the Resources Co. has been unable to firm up its plan for a $96 million operation in Utah.

Obviously a thorough repair job is in order before either House of Congress should even consider acting on the Colorado River water bill.

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

Mr. BENNETT. I yield.

Mr. ALLOTT. Mr. President, I compliment the distinguished senior Senator from Utah upon his very valuable contribution to the discussion of this subject.

It is obvious, not only from the complexity of the subject matter but also from the lack of understanding generally of what it entails, that it will take a long time to educate and inform the Senate about this situation.

I say to the distinguished Senator that I recall when he, as the junior Senator from Utah, and I, as the junior Senator from Colorado—although he was my senior—sat in the long hearings, particularly the session in Denver, when the real future of the Upper Colorado River Project Act was settled; and when, through the pressure of one minor lobby group, the upper Colorado River project was forced to yield to that pressure group, and there was not developed the most feasible, the most economic, and the best revenue producer of all the dams which were originally in that bill.

The Senator from Utah has been unflinching, and he has kept a straight course on his reclamation position throughout all the years of my acquaintance with him. I do not know how many problems connected with reclamation he has discussed with me, particularly those relating to his own State, during the years. His advice and his sound, good judgment have been of help and of value, not only to me but also to other members of the Committee on Interior and Insular Affairs. In this matter, he has kept a steadfast position.

The representatives of his State, of my State, and of the other seven States in the basin worked for years to come to a common plan and a common concept of development, only to find their efforts overturned in one night by the Secretary of the Interior, with a rather peculiar—that is the best adjective I can use—concept to the approach in reclamation which is contained in the pending bill.

I believe that the Senator has made a great contribution in keeping his eyes on the road and stating in such a plain fashion that we cannot solve the problems of the great Southwest for the benefit of one State, and we cannot solve them without looking down the road to the future, whether it is 5 years, 20 years, or 50 years.

As I hope to develop later in my more comprehensive discussion, I believe I will be able to illustrate, that if the pending bill passes in its present concept, there simply will be no future development on the Colorado River for anybody else for a long time.

We used to have a saying on the Arkansas River, along which I was born, where I practiced law, and the waters of which I was very well acquainted, that the Arkansas River rose above Leadville and emptied into the Fort Lions Canal. All I can say is that if the pending bill is passed, we will have to paraphrase that and say that the Colorado River rises mainly in Colorado and empties into the central Arizona project.

I thank the Senator for his contribution, and I appreciate it.

Mr. BENNETT. I thank the Senator very much.

Mr. FANNIN. Mr. President, I commend the Senator for agreeing that this is a basin project, inasmuch that he recognizes that most of his objections have been answered in the bill. I shall go down the list. First, the National Water Commission. I know that is not an acceptable answer to the Senator. On No. 2, the answer is in the bill. On No. 3, there is an answer to his satisfaction. The only question on No. 4 is the date of 1972. I feel that, too, is answered, but not fully. No. 5 is not answered.

With respect to No. 6, I would say that since the language is not clear to the Senator, would it not be in order for us to get a letter from the Secretary on this matter? I am sure the intent is as the Senator understands it should be, and, therefore, if a letter were obtained, would that satisfy the Senator?

Mr. BENNETT. No, because we will have another Secretary one of these days and one man can not bind another man.

Mr. FANNIN. Does not the Senator feel if the intent is written in the RECORD it would be upheld?

Mr. BENNETT. We feel the safest thing is to have the language in the bill that clearly sets it forth. Anything less than that leaves a loophole which may create future trouble.

Mr. FANNIN. What language would meet that situation, I do not know. However, if the Secretary clarifies it, I think that should be satisfactory. I am not sure what the Senator would desire in this respect.

Mr. BENNETT. The Senator will be glad to supply a suggested amendment which we can debate before we finish with the bill.

Mr. FANNIN. In the hearings and in the markup session, this was discussed, and "heretofore authorized" was considered sufficient.

Would the Senator like a letter to be obtained, at least in that respect?

Mr. BENNETT. I keep saying to my friend from Arizona that we do not trust a letter. A letter is not a substitute for the law.

Mr. FANNIN. But the wording here would be the law. Consequently, it is a matter of interpretation; is that right?

Mr. BENNETT. If the language in the law needs interpretation before the administration of the law begins, I think we are in——

Mr. FANNIN. Evidently, out of 17 members of the committee, there were 14 who voted for it, and that is an overwhelming majority.

Mr. BENNETT. It is the impression of the Senator from Utah that most of those 14 Senators had no direct interest in the problem of Utah. This is one of those things that went by in the normal process of reporting a bill as being insignificant.

Mr. FANNIN. I am sure the Senator realizes the Senator from Arizona has an interest in Utah. We will work closely together.

I would like to do that, and we will do so, if the Senator does not object.

Mr. BENNETT. Does the Senator mean he will get a letter from the Secretary?

Mr. FANNIN. Yes. The letter will be forthcoming.

Mr. BENNETT. I do not object to the Senator getting the letter, but, as I keep saying, a letter is not a substitute for the law.

Mr. FANNIN. But we have the law, so I feel that this would be helpful. I feel an obligation to get the letter. With respect to No. 7, I think we are in agreement that the language is satisfactory.

Mr. BENNETT. That is right.

Mr. FANNIN. We now come down to No. 8, the language providing for the Hualapai Dam. I think the Senator recognizes that we had this language in previous bills in the House of Representatives. They were not accepted. The bills were not passed. We had a bill last year and he realizes that the dams have been a great problem.

Consequently, I ask the Senator if he has any reason to feel the bill would be

more acceptable to the House of Representatives this year than it was last year?

Mr. BENNETT. There is no way of knowing that the bill in its present form is acceptable.

Mr. FANNIN. Yes, and so this is not a determining factor.

Mr. BENNETT. With respect to the people of Utah, for whom I am attempting to speak, they are concerned.

Mr. FANNIN. That is, about the dam in Arizona.

Mr. BENNETT. The Senator is correct.

Mr. FANNIN. It is not connected with Utah.

Mr. BENNETT. But it is a source of funds.

Mr. FANNIN. To the development fund.

Mr. BENNETT. To the development fund, which is vital to Utah, because out of that will have to come funds for the Dixie project, for water augmentation, and, as the able Senator from Arizona has often pointed out, Hualapai Lake will be a recreation haven of incomparable beauty.

Mr. FANNIN. The Senator is correct. There are funds in the bill to take care of the Dixie project.

Mr. BENNETT. This is a matter of disagreement.

Mr. FANNIN. What is the matter of disagreement? Why would funds from Hualapai have any more to do with the Dixie project than the funds now?

Mr. BENNETT. It is a question of the volume of funds. The Hualapai Dam could add to the volume and make it available sooner. As it says in the minority views of the report on page 121:

There will be no balance whatsoever in the fund until 2018.

Mr. FANNIN. Does the Senator agree with the report?

Mr. BENNETT. I agree with the report of the minority.

Mr. FANNIN. As far as the development funds are concerned?

Mr. BENNETT. Yes; the report of the minority.

Mr. FANNIN. Does the minority give an amount that would be involved?

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

Mr. FANNIN. I yield.

Mr. ALLOTT. I do not think the central Arizona project is feasible.

Mr. FANNIN. The Senator is very much in a minority in that view.

Mr. ALLOTT. No.

Mr. FANNIN. The vote was 13 to 3.

Mr. ALLOTT. Seven of those votes were proxy votes. They were proxy votes.

Mr. FANNIN. They have all had a chance to express themselves differently. Has the Senator heard anybody express himself differently?

Mr. ALLOTT. Only a few took part in the committee's deliberations.

Mr. FANNIN. I see. Of the 13 who voted, has the Senator had any Senator express himself differently?

Mr. ALLOTT. Not of the 13.

Mr. FANNIN. That answers the question.

Mr. ALLOTT. It does not answer the question, because, of the votes voted, seven were by proxy.

Mr. FANNIN. I have asked the Senator if he has had anyone express himself differently.

Mr. ALLOTT. They were not in attendance at the meeting or at the markup.

Mr. FANNIN. They voted, and it was legal.

Mr. ALLOTT. Let us lay it cold on the record. In amendment 214, which is the amendment the Senator from Colorado and others will offer, page 27, commencing on line 9, there is a proviso which reads as follows:

Provided, That all of the separable and joint costs allocated to recreation and fish and wildlife enhancement at the Dixie project, Utah, and the main stream reservoir division shall be nonreimbursable. Costs allocated to nonreimbursable purposes shall be nonreturnable under the provisions of this Act. Costs allocated to the additional capacity of the system of main conduits and canals of the central Arizona unit, referred to in section 304(a), item (1), in excess of two thousand five hundred cubic feet per second shall be recovered as directed in section 304(a).

This is the language the Senator is talking about, is it not?

Mr. BENNETT. The Senator is correct.

Mr. ALLOTT. This is not in S. 1004, the bill presently under consideration.

Mr. BENNETT. This language is not in this bill because, as the Senator from Arizona explained, they are relying on two words.

Mr. ALLOTT. The Secretary of Interior.

Mr. BENNETT. They are relying on the good nature of the Secretary of Interior.

Mr. ALLOTT. It is about time that we quit relying on the good nature of the executive branch of Government and start writing into law what we mean it to be. The Senator is correct on his position in this matter.

Mr. BENNETT. I say to my good friend from Arizona that I have had the experience of getting an amendment on a bill which was accepted in advance by the administration, and then they decided they did not like it, so I was notified they would not enforce it because there was not sufficient debate on the floor of the Senate to satisfy it. Therefore, I say to my good friend from Arizona that I am gun shy; I am very gun shy.

Mr. FANNIN. I feel the wording is in the bill. I sat through what would be called debate in the committee. I feel that a letter from the Secretary would be appropriate.

Mr. ALLOTT. Did the recent action of the Secretary of the Interior on the central Arizona project—and I am referring to his flip-flop of position—have any influence on the Senator's trusting nature?

Mr. BENNETT. There is an old saying: A foolish consistency is the hobgoblin of little minds.

Mr. HANSEN. Mr. President, it has been suggested by some of those whose sentiments are directed in favor of the passage of the central Arizona project bill that opposition to the measure as reported by the Interior Committee and, indeed, opposition here on the Senate floor, tends to be largely along partisan lines.

Nothing could be further from the truth. In fact, from my own point of view, I think the falsity of this assumption can be illustrated in no better fashion than the unity in opposition to the committee bill that the Wyoming senatorial delegation has on this matter.

My senior colleague from Wyoming [Mr. McGEE] has joined me in sponsoring those amendments to the measure which we feel imperative from the standpoint of Wyoming and the upper basin States. We have conferred frequently as this legislation has progressed through the Congress. We have met with our State officials and others who have such great interest in this bill and its effect. We are in agreement. The bill must not pass in the form reported by the Interior Committee if Wyoming is to reasonably expect to play its proper role in national development and make its just contribution to the national economy and welfare.

Mr. President, the senior Senator is in Wyoming today, so I would like to present to the Senate a brief statement he left with me to read for him in the event this legislation reached the floor in his absence.

STATEMENT BY SENATOR M'GEE, READ BY SENATOR HANSEN

Mr. McGEE. Mr. President, I wish to join with my Western colleagues today in voicing my most strenuous opposition to the pending central Arizona project legislation.

Without the safeguards pertaining to water importation into the upper basin, as suggested by those who disagreed so emphatically with the report of the Interior Committee, we in Wyoming have no alternative but to assume that the lower basin States want to rob Peter to pay Paul.

Without the guarantee of water importation specifically written into the legislation, Wyoming cannot accede to a bill that in its present form can be characterized no other way than special purpose legislation—to the sole benefit of a single State—Arizona.

Wyoming has been willing to cooperate, and has cooperated through the years in realistic basin-wide programs. But Wyoming cannot sit idly by and see its future spent to quench the thirst of others without solid guarantees to protect her own water resources. Language in a committee report is not enough. You cannot irrigate crops with language. A feasibility study is not enough. You cannot squeeze water out of a study. You get water only when it is delivered to you.

Without provisions for augmenting the Colorado Basin's water supply, passage of this bill and construction of the central Arizona project would have the effect of foreclosing future development in the upper basin, including Wyoming's Green River, because the water would already be committed to the central Arizona project.

Mr. President, I can think of no more graphic illustration of the shortsightedness of the proponents' position on this bill than that evidenced in a press release which arrived from the Department of Interior in my office just today. That

press release quotes a just-completed study by the Bureau of Mines on present and future water demands in Wyoming. In that report, the Bureau predicts that by the year 2000 Wyoming mineral industries will annually require 40 billion gallons of new water—a 100-percent increase.

Thus, we are being told on the one hand that the downstream demands on upper basin water are not unreasonable, nor penalizing toward future development and demands, and on the other hand we are being warned by the Department of Interior—which ostensibly has some expertise on these matters—that Wyoming is going to be faced with a 100-percent increase in the demands on its water usage in the future.

Mr. President, if we in Wyoming were to agree to this legislation as reported by the Senate Interior Committee, we would be guilty of not only abetting a short-range and temporary solution to the problem of a single State with the application of a multistate resource, but we would be equally guilty of shortchanging the expectations of thousands of upper basin citizens who hope to fulfill the destinies and expectations of their own areas of this great country by the sound and reasoned development of our God-given water resources.

Mr. HANSEN. Mr. President, I yield the floor.

Mr. ALLOTT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ALLOTT. 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. ALLOTT. Mr. President, the hour is growing late. For obvious reasons, due to the day of the week, it will be impossible this afternoon to present the amendment by way of a substitute which it is contemplated that certain Senators, including the senior Senator from Colorado, will present to the Senate next week. Nevertheless, I feel impelled to discuss, in a general way, some of the background of the proposed legislation now pending, in order that Senators who are not from the Western States, and who are not acquainted with the seriousness of the water problem in the Western States, will perhaps have a little better idea of what the proposed legislation is all about.

I am fully aware that to the great bulk of the people in the United States, water is something that simply comes out when one turns on the tap. To those pioneers who went across the country and settled in the West many years ago, this was not true and has never been true. The achievement of water in the tap has been the result only—I say only—of many years of long, hard planning, scraping out long, tortuous canals by means of mules and horses, digging reservoirs and damming rivers by the same arduous efforts, and hoping that ultimately, even when hydrological information was not available, that there would be sufficient water left for the people to accomplish their purpose, so one could, in fact, turn the tap and get water.

Unfortunately, this is something that is not understood by most people of our country, including our great Midwest, who, as a whole, have never had to contend with this problem. I think the people of the East, of the seashore, and of the South were brought closest to this in the last 4 or 5 years with the drought situation which developed in the East. They started thinking, for the first time, in terms of reclamation programs that have made water available in the West. But no one can sympathize more with the people of Washington, D.C., Maryland, Virginia, Pennsylvania, New York, or the New England States than the Senators who have spoken here on the floor from the Western States, and who all of their lives have been associated, either peripherally or directly, with the supply, conservation, and use of water.

I happen to be one of those who has been associated with it intimately for 25 years, in the practice of law, before I came to the U.S. Senate a little over 12 years ago. So what I say this afternoon I say from the heart, and mean it—the problems that we are talking about here today are going to be the problems of New England, New York, Pennsylvania, New Jersey, Maryland, Virginia, and perhaps even some of our Southern States, unless they have the foresight and the willingness, to face the problems that our forerunners in the Western States faced, starting over a century ago, and to learn from the problems what we learned to deal with.

Another difficulty of understanding this problem from the viewpoint of the average Senator—and I speak of Senators because, although there are very few on the floor, perhaps they will read these words—is that the basic water law of the East and the basic water law of the West are entirely different.

The basic water law of the East is derived from the old common law, operating under the legal principle of what is known as riparian rights. Stating this in a very rough way, it is that one who owned land adjacent to a stream or a lake was entitled to enjoy the use of that water undiminished in quantity or in quality.

When the great development of the West started—and the States of Wyoming and Colorado were the first States to develop this—the economic necessities of the times dictated that a different principle be adopted. We in the West—and this is almost uniformly true in the West now, slightly modified in some States such as California—have adopted a system of laws relative to the use of water which is known as the doctrine of prior appropriation.

The doctrine of prior appropriation is stated briefly by many people as, "First in time, first in right." This is not all of it, however. It is simply that the first man on a stream to beneficially use water acquires a legal right in the use of that water. This is an oversimplification of a complex principle, but I believe it will be helpful to Senators. When the various States came into the Union, they, either by constitution or statute, or by both, set up certain priorities for the use of that water, and certain statutes providing for the perfection of the legal rights to the title of that water.

Just as a brief example, which would not be specifically applicable to every other Western State, but specifically applicable in my own State, if a man wishes to perfect title to water, he makes a filing with his county and with the State engineer, and then subsequently goes to court and proves the date of his filing and the beneficial use to which he has put the water. He then gets a decree for the use of that water as of that date, and is entitled to the legal right to the use of that water thereafter.

This system raises many complications, as anyone can easily see, but this whole system lies at the basis of the claims and the counterclaims of the West for the Colorado River. Actually, the whole development of the West was, to a large extent, dependent upon this water principle.

The things of which I have spoken, Mr. President, are very, very basic, and not only any lawyer, but almost any farmer or rancher in the West, understands them.

But it is important that the Members of the Senate understand them. Not having lived with the situation, as some of us have, all of our lives, they perhaps do not appreciate the deep significance that these differences in the water law place on the drama now being played before the U.S. Senate—because it is a drama. This is not cut-and-dried technical argument. This is a debate over a matter which affects the future of my State in a very real way. In fact, I can say that it affects the future of every one of the seven States in the basin—Colorado, Utah, Wyoming, New Mexico, Arizona, Nevada, and California.

I do not take my friends from Arizona to task, no matter how wrong I think they may be in their present position. I do not take them to task for attempting to protect and develop what they believe is theirs; because that is exactly what the senior Senator from Colorado intends to do, on this floor, until he has exhausted every ounce of strength to continue.

Perhaps I can make the point more clearly by saying that water is such a valuable commodity in the West that if one man would even attempt to place his hand on the headgate of a lateral or ditch of another man in the West, he would be subjecting himself to the possibility of immediate and violent physical damage. In fact, the history of the West is replete with killings and gunfire just for the protection of such rights. Water, to us, is liquid gold; so much so, I repeat, that anyone in the West who is knowledgeable at all would not think of laying his hand on the headgate of another man, knowing that in doing so, he risks not only a lawsuit—that would be the fortunate part of it—but bodily harm, if he were caught in the act.

So this is the background against which we speak about the matter. In 1922, 45 years ago this year, the seven States of the Colorado River Basin—with the exception of Arizona, which came in

subsequently—entered into a solemn compact dividing the waters of the Colorado River. That instrument is commonly known as the Colorado River Compact. That compact was solemnized with approval by an act of the Congress of the United States.

Basically, in simple words, it did the following:

First, it divided the waters of the river, allotting 7.5 million acre-feet a year to the States of the upper basin, which are Colorado, Utah, Wyoming, and New Mexico, and 7.5 million acre-feet to the three States—Nevada, Arizona, and California—in the lower basin.

This was further restricted by the proviso that the upper States had to deliver, at a point on the Colorado River known as Lee Ferry, down near the Utah-Arizona border, 75 million acre-feet over a 10-year period. The 10-year period being rolled forward 1 year each year, so that each succeeding 10 years of history the upper basin States are obligated to deliver 75 million acre-feet at Lee Ferry.

Despite the fact that the compact was signed in 1922, the upper basin States were repeatedly held back in the development of their water and the means with which to use it until the passage of the Upper Colorado River Storage Project Act in 1956, in which I was happy to have played some small part, although at that time I was a very junior Senator to such people as Senator Millikin, Senator ANDERSON of New Mexico—who had already been in the Senate for some time—Senator Watkins of Utah, Senator O'Mahoney of Wyoming, Senator BENNETT of Utah, Senator Chavez of New Mexico, and our former Senator and great Governor of Colorado, Edwin C. Johnson, who even today, 12 years after his retirement, is one of the great water authorities on the river, and is still most active, physically and mentally, in the protection of our water.

Mr. President, I expect on Monday to call up amendment No. 214. At that time I shall go into many ramifications of that amendment, compared with the present bill, and discuss them in great detail.

But there is one further matter—or perhaps two—that I shall discuss briefly today.

It has been said repeatedly on this floor that Colorado is protected in S. 1004, now pending before the Senate, because we have five Colorado projects authorized—not financed, only authorized in that bill. Those five Colorado projects have gone through all of the feasibility studies that a very reluctant, I must say, Department of the Interior can impose, and now, by virtue of the law of the land, are ready for authorization.

But one thing which has not been discussed—and I shall discuss the other features later—is this: That even though the Colorado projects and the Utah project are authorized, the history of the appropriation process in Congress does not offer us much hope for the future.

As a matter of fact, it seems to me that the development of our water will be a very long deferred process. I must state, however, Mr. President that even when we develop these five projects, we still will not have the opportunity to use all of the water to which we are entitled under the Colorado River compact and under the upper Colorado River compact, which in turn again divides among the upper States the water of the upper Colorado River.

I see the distinguished Senator from Wyoming in the Chamber [Mr. HANSEN], my great and good friend. Among the States in the upper basin which have barely been permitted to get started—and I say barely permitted to get started—Wyoming stands in first place. Surely, after 45 years, Wyoming has a right to stand up, as she has through her great Senator here, and express her will that she be permitted to develop through the reclamation process the water of her State so that she, too, can share in that which is lawfully and rightfully hers and has been for 45 years. And, we in Colorado feel the same way.

We have been too long denied. We have been too long starved for the projects with which to develop the use of our water.

When I consider all the great opportunities in my State, and I do not want to engage in a chamber of commerce speech, to develop the great agricultural lands which will grow almost anything if we put water on them; when I think of the recent tragedy in the Near East and the necessity that we develop oil shale in Colorado for the protection of the national interest, then I think we can get concerned and even emotional, because in the development of oil shale alone, a trillion barrels of it which is many times more than has ever been discovered in liquid petroleum in the world, we have the greatest single national resource that exists. And these deposits extend over into the State of Wyoming and the State of Utah.

So, there is a national interest. And when we consider that oil from oil shale is short in the element of hydrogen, and that it will take from 1 to 1½ barrels of water in the cracking process to supply the hydrogen that needs to go into a barrel of that oil in order for it to be utilized in the commercial market, we then see something of the demand that we will have for water in Colorado, coupled with the development of our agricultural lands and the demands of our municipalities.

We still have a great area east of the Rockies. There will be further demands, I am sure, for further transmountain diversion down the line to take care of the municipal supplies of our great cities on the east side of the Rocky Mountains—Denver, with all of its environs, and Colorado Springs and Pueblo, plus supplemental water for irrigation.

When I can foresee down the line the need for the development of this water, I say today that the mere authorization of these projects will not solve the problem for Colorado.

So, I turn to the first subject that I want to discuss here very briefly for the sake of the record. Everything in the Congress of the United States falls into a certain pattern. And there has been a certain amount appropriated each year for the development of reclamation projects in the West.

The appropriations for construction of reclamation projects for the last 10-year period—that is, from 1958 through 1967—has averaged $242 million per year.

The anticipated appropriations for the next 5 years for the construction of reclamation projects in the West—and this includes the Manson unit, which is a part of Chief Joseph project in the State of Washington, in the home State of the distinguished chairman of our committee, and the Tualatin project in Oregon—run as follows:

In 1968, the present fiscal year, it will require an appropriation of $238,128,000. In 1969, it will amount to $406,191,000. In 1970, it will amount to $437,573,000. In 1971, it will amount to $422,019,000. And in 1972, it will amount to $342,714,000. These figures represent the economic rate of construction of presently authorized projects and do not reflect any new authorizations during that period.

The picture is simply this: that, from a financial standpoint, with the projects now underway plus the two which have been authorized by this Congress—and for which funds will be demanded this year—instead of a $242 million average for the last 10 years, we will be running, except for fiscal year 1968, more than $100 million over the average that has been appropriated for the past 10 years—allegedly the most prosperous 10 years of our economy in this country.

What will happen if the central Arizona project is authorized, a project which is for the benefit of only one State?

In 1969, it would require $6,886,000.

In 1970, it would jump to $17,538,000.

In 1971, it would be $103,381,000.

In 1972, it would be $118,543,000.

In 1973, it would be $115,023,000, which is almost half of what has been appropriated for all 11 States in the last 10 years on the average.

To continue, in 1974 it would be $100 million. In 1975 it would be $75 million. In 1976 it would be $75 million. In 1977 it would be $50 million. In 1978 it would be $25 million. From 1979 on, it would drop down from $15 million to $1⅓ million in 1985.

What is the significance of this? Let us just take the next 4 years after the present fiscal year.

With the projects which are now authorized, plus the one in Washington and the one in Oregon—and I am certain that the distinguished chairman of the Interior Committee will be able to see that funds are supplied for the Washington project—Congress, just to take care of what is now authorized, not what Colorado or Utah or anybody else has in this bill, except Arizona, would have to appropriate in 1969, $413,077,000; in 1970, $455,111,000, in 1971, $535,400,000—over twice the average of the last 10 years; and in 1972, $461,257,000. At that point, of course, most of the projects under construction will be pretty well finished. It is not possible to project what will happen in the future, but I anticipate that other projects will be authorized

and that there will be requests for appropriations for those projects.

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

Mr. ALLOTT. I yield.

Mr. COOPER. I do not wish to interrupt the flow of the Senator's speech, but I am certain he understands that to Members of the Senate who do not live in his great section of the country, this is a difficult subject. I had the opportunity of reading the speech of the Senator from Arizona, and I have heard almost all of the other speeches. My questions may seem simple, but answers to them may help me in arriving at a decision.

Do I correctly understand that the Colorado Basin is divided into two sections—the upper and the lower basin?

Mr. ALLOTT. The Senator is correct.

Mr. COOPER. Is my understanding correct that in the Supreme Court decision—was it in 1964?

Mr. ALLOTT. In 1963.

Mr. COOPER. Is my understanding correct that the Supreme Court held that the flow of water to the lower basin could not be reduced to a point where it would be less than 75 million acre-feet over a 10-year period? In other words, that is assuming an average of about 7.5 million acre-feet a year.

Mr. ALLOTT. May I interrupt the Senator at this point?

Mr. COOPER. The Senator knows much more about this subject than I do.

Mr. ALLOTT. I do not believe the matter of which the Senator is speaking came from the Supreme Court decision. It came from the Colorado River compact, which was entered into in 1922, which provided—for the purpose of the Senator's discussion of the moment—two things: First, that 7.5 million acre-feet was allotted to the States of the upper basin and 7.5 million acre-feet to the States of the lower basin; and, second, that the upper basin would deliver, at a point called Lee Ferry, 75 million acre-feet over a rolling 10-year period.

Mr. COOPER. That is correct. I did know that it was based on the compact, but the Supreme Court referred to the compact.

It is provided now that the supply water in the upper basin cannot be reduced so that it would not have available 75 million acre-feet?

Mr. ALLOTT. Seven and five-tenths million.

Mr. COOPER. Seven and five-tenths million acre-feet per year over a rolling period of 10 years. Does the pending bill change that in any way? Could it deplete the upper basin below 7.5 million acre-feet?

Mr. ALLOTT. I will have to answer that question in two ways, and the Senator from Arizona will disagree.

It would not deplete the waters of the upper basin, but the waters of the upper basin can be used only as reclamation projects are developed to permit them to withhold the water for use. It is the lack of this development, for example, that has permitted, over these 45 years, the great majority of the water from the States of Wyoming, Colorado, Utah, and New Mexico to go down the river, where it has been utilized.

I must say this frankly, that Arizona has never been able to utilize all the water to which it has been entitled, and the water has been utilized to a great extent by the State of California. For example, when the Supreme Court decision was announced in 1963, California was put in the position of cutting back its use of water—and this is complicated by previous agreements also—from 5.2 million acre-feet a year to 4.4, provided there was 7.5 million acre-feet of water in the lower river.

Mr. COOPER. I will hear the Senator's speech on Monday. But am I correct in my understanding that the thrust of the argument that the Senator has been making—at least one point of it—and which I assume he will make on Monday, is that these projects in his State and in the State of Wyoming should be developed so that those States could have a use of this water which they do not now have?

Mr. ALLOTT. That is part of the matter. The other part which has great significance and is contained in the amendment by way of a substitute which will be offered by several Senators, including myself—is that a study of augmentation of the water supply in the river must be undertaken. As the situation now exists if the central Arizona project were in operation today, we would still be adjusting shortages of water in the river.

Mr. FANNIN. Does the Senator mean that as of today we would be adjusting shortages of water in the river?

Mr. ALLOTT. Not as of this minute.

Mr. FANNIN. The Senator is talking about 30, 40, or 50 years from now?

Mr. ALLOTT. I am talking about the situation as of today, if we had the river developed.

Mr. FANNIN. But the river is not developed.

Mr. ALLOTT. Water is going down the river now, yes.

Mr. FANNIN. I was merely seeking to be helpful.

Mr. ALLOTT. Perhaps I should have put it in the context of the developed river. As I see the river developed, there is no escaping the fact that if the central Arizona project is developed, and if we develop just the five Colorado projects which are authorized in the bill, which do not utilize all of Colorado's share of water—and Wyoming is still sitting outside in the cold, for the most part—there would be a shortage of water in the entire Colorado River Basin.

Mr. FANNIN. Does the Senator not agree that the upper basin States have the obligation to release the amount of water that the Senator from Kentucky has referred to, and that this will not be changed by the proposed legislation?

Mr. ALLOTT. I do not understand that the Senator from Kentucky asked that question.

Mr. FANNIN. I believe he did.

Mr. COOPER. Yes, I did ask the question whether the bill, if adopted, would in any way change the present requirement that 7.5 million acre-feet a year must be preserved for the upper basin.

(At this point, Mr. SPONG assumed the chair.)

Mr. ALLOTT. It does not change that requirement. I thought the Senator was going to ask a simpler question which is whether we would have to provide 7.5 million acre-feet or a rolling average of 7.5 million acre-feet to the lower basin. The answer is "Yes." The bill, however, does not change the fact that the upper basin is still entitled to 7.5 million acre-feet of consumptive use.

Mr. COOPER. Assume there was not 15 million acre-feet available in 1 year. Would there be an equal division or would the lower basin or upper basin have priority to use or consume 7.5 million acre-feet?

Mr. ALLOTT. The purpose of the construction of the Glen Canyon Dam, which impounds Lake Powell, was for the purpose of enabling us to regulate the river in order to accomplish these deliveries on a year-by-year basis. Before that time, without the development of the upper basin, there was no choice. The water came down and that part which could be used was diverted by irrigation ditches. The remainder went down the river, and anybody who had use for the water and could justify its use under State laws, grabbed it. In that respect it does not change the fact that we are still entitled to 7.5 million acres of water in the upper basin.

Mr. COOPER. Is there a priority of one basin over another basin, assuming the river could not supply 15 million acre-feet? Who would lose?

Mr. ALLOTT. The river cannot and will not supply 15 million acre-feet. I do not have those hydrological tables with me. But, because of the delivery requirement, the upper basin loses.

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

Mr. ALLOTT. I shall yield in a moment, but first I wish to complete my answer.

In the minority views, page 87, we pointed out:

> The experts agreed that, while the project could not be justified on the water supply actually available during the past 45 years, which averaged only 13.7 million acre-feet for all uses in both basins, there was a 50–50 probability that 14.9 million acre-feet might be available.

This was based on conjecture. That is all it could be based on. I do not agree with that conjecture.

To answer the question, there is no way I can see that the upper basin States can avoid their obligation to the lower basin States under the Colorado River compact of delivering 75 million acre-feet of water, regardless of what is in the river, over a 10-year period.

Mr. COOPER. That is the interpretation I had from reading the statement.

Mr. ALLOTT. It was a most unfortuitous compact for the upper basin States. We had some of the most brilliant water minds, representing Colorado and the upper basin States at that time, in connection with the entire river. Now it is very easy for us to look back and see that they made a mistake. However, with the hydrological information they had available at that time they guaranteed delivery of 7.5 million acre-feet. They may have thought they were gain-

ing some advantage on the river to the upper basin States. But, it must be remembered, they thought there was 18 to 20 million acre-feet in the Colorado River. However, as history developed, and taking the last 20 to 30 years, the water simply is not there.

Mr. COOPER. For industry and agriculture.

Mr. FANNIN. I would like to answer the question further, if the Senator will yield.

Mr. COOPER. First, I would like to ask this question, and perhaps the Senator can answer it.

Mr. FANNIN. Surely.

Mr. COOPER. There is 1.5 million acre-feet, which I understand has, by treaty, been contracted for delivery to Mexico. Is that a part of the 7.5 million acre-feet which must be delivered into the lower basin or an additional amount of water which is to be delivered?

Mr. ALLOTT. One of the great quarrelsome points we have is the extent to which the upper basin is obligated to share Mexican Water Treaty burden.

Mr. FANNIN. If the Senator will yield, I shall answer the question.

Mr. ALLOTT. I yield.

Mr. FANNIN. There is an obligation to deliver 1.5 million acre-feet. It was considered that water would be delivered on surplus. If the time came that it could not be delivered because of a shortage, we would all share the shortage. If there were a shortage of 100,000 acre-feet the upper basin and the lower basin would each share by delivering 50,000 acre-feet.

Mr. ALLOTT. I shall clarify the last answer. If there is a deficiency in the lower basin we would be obligated to that extent.

The Senator from Kentucky has put his finger on one of the most sensitive aspects of this controversy. If the river could free itself today of the Mexican Treaty obligation of 1.5 million acre-feet a year I think it would be possible for us to resolve many of our differences. But we cannot free ourselves of that obligation at the moment. We have had many disputes with Mexico. The Senator from Arizona participated in those discussions. I heard him talking about the matter the other day where the Mexicans are complaining about the quality of water they receive there. But, Mr. President, there is no point in talking about this because we have no way to rid ourselves of the problem. This is why we think that a water augmentation study is a necessary part of the bill.

Mr. COOPER. Does the Senator fear, if this bill is passed, that it will reduce or, if not, prohibit for some time possible legislation dealing with the augmentation of water in the Colorado Basin?

Mr. ALLOTT. If this bill is passed in its present form there will be no study for the augmentation of water. We will have to wait on the decision of the National Water Commission which hopefully will be appointed. At the time that bill went through the Senate the senior Senator from Colorado offered an amendment to the bill, to place the study of the Colorado River Basin at the top of the list. This amendment was unacceptable to the chairman of the Interior and Insular Affairs Committee even though the Secretary of the Interior said that this was the most critical and crucial water problem in the United States. Now we must wait for a willy-nilly commission report which is off in the future some 5 years or more.

I would say that there is no augmentation in this bill. I must state quite frankly that I think that one of the chief purposes of the present bill is to defer a study of augmentation.

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

Mr. ALLOTT. I yield.

Mr. HANSEN. Mr. President, in an effort to be helpful to the Senator from Kentucky I would like to call attention to some official records that I think may be interesting and informative. I refer to page 408 of the central Arizona project hearings and I call attention to reports made by the Colorado River Board of California, the annual report of 1964–65 and the USDI Pacific Southwest Water Plan Report.

These figures show the average annual consumptive use from the mainstream in lower basin, for the years 1961 through 1965. This is for a 5-year period. During that 5-year period, the State of Arizona used an average each year of 976,400 acre-feet; California used 4,989,400 acre-feet; Nevada used 24,000 acre-feet; Mexico used 1,850,400 acre-feet. There was evaporated from Lake Mead 800,000 acre-feet. The computed net losses—Hoover Dam to Mexico amounted to 988.2 acre-feet.

These uses and losses total 9,628,600 acre-feet.

I point this out to the distinguished Senator from Kentucky, because it demonstrates quite graphically that the lower basin area of the Colorado River and the nation of Mexico presently used far in excess of the 7.5 million acre-feet plus the 1.5 million acre-feet that are to go down to Mexico according to the treaty ratified in 1944, that when we consider these uses alongside the fact that for a period of years there has been measured at Lee Ferry, taking into account what is used above and is used below, between 13.7 and 14 million acre-feet of water in the river annually, we begin to realize what the situation in the upper basin States is and what the situation is in the lower basin States.

Were it not for the fact that the States of Colorado, Wyoming, and Utah are not using their present entitlements, there would not be any water at all for the central Arizona project, because they are already using far in excess of what their legal commitments are under the terms of the compact.

Mr. FANNIN. Not Arizona. It is not even close to what the Senator is referring to. I want to cover that in a moment, because I think it is very important.

Mr. HANSEN. If I may, I simply call attention to the fact that this area down here in California is in excess of the use recognized by the Supreme Court decision.

Mr. FANNIN. And Mexico.

Mr. HANSEN. There are 4.4 million acre-feet under the terms of the Court decision available for California, except when there is a surplus in the river. According to the terms of the Court decision, when there is a surplus, that surplus is to be divided equally between the States of Arizona and California.

It is also true that the Mexican Treaty calls for 1.5 million acre-feet of water. They used 1,850,000 acre-feet. There are other uses, not authorized uses, yet they are real uses. We cannot stop evaporation. Maybe they will be able to stop it by squatters along that stretch of the river.

Mr. FANNIN. Mr. President, will the Senator from Wyoming yield?

Mr. HANSEN. I will be glad to yield to the Senator in just a moment, but I should like to make this point, that we are talking about the situation existing there now, with the exception of the additional use of water made by California and what little extra of the 350,000 acre-feet that go to Mexico. That is the situation. Before that can be changed, something else must be done down there, which must be made available for the lower basin if the central Arizona project is going to have water down there. It means some of these uses will have to be cut back, and even if they are cut back, we cannot hope to save enough water, I think, to make the central Arizona project feasible without using water which is presently credited and authorized for the upper basin States.

I invite attention to this, because I think it is important to understand what our position is.

Mr. FANNIN. Mr. President, will the Senator from Wyoming yield?

Mr. ALLOTT. I have the floor. I will yield in just a moment.

Mr. FANNIN. I thank the Senator.

Mr. ALLOTT. The distinguished Senator from Kentucky, as always, has asked some very cogent questions, particularly with respect to the water supply. I invite his attention, particularly for his own reading, to my individual views toward the end of the report, and particularly to pages 150 and 151. I discuss the question of water supply and the three chief engineering studies which have been made most recently upon this question: one by the Bureau of Reclamation, one by the engineering firm of Tipton and Kalmbach, for the Upper Colorado River Commission, and another study made by engineers of lower basin States.

Because of the Senator's interest, and from his questions about the water supply, I think he would be interested in reading this.

Now I am happy to yield to the Senator from Arizona.

Mr. FANNIN. I thank the Senator from Colorado. I would say that if we look back we might say, "Why do we have a compact?" We have a compact because California was developing much more rapidly than any other State. They were diverting water which could have posed a serious problem for the other States, especially the upper basin States. Thus, the compact was devised as protective matter.

Arizona did not agree to that compact for almost 15 years because we did not

think—since 700 miles of the river runs through and along the borders of Arizona and California with less than 250 miles of river border—that we had a fair arrangement—an allocation of 2.8 million acre-feet and California 4.4 million acre-feet. But, nevertheless, we were forced to agree to it, by 1944, because we did want to go forward with our own development.

S. 1004 does provide for the conservation of water. If we will notice, the computed net losses on the river from Hoover Dam to Mexico are almost 1 million acre-feet.

Senate bill 1004 contains a provision to enable going forward with practices to save water, such as channelization, by methods of free enterprise. So we are hopeful that with that and other conservation practices on the river it will be possible to save around 680,000 more acre-feet of water.

We have tried to get our project for 20 years. If we had been successful, we would not be in the dire need that we are today. That was no fault of the upper basin States, but California insisted that we did not have the rights we contended we did have. Consequently, we were forced to go to the U.S. Supreme Court and were delayed by that law suit 11 years in our attempt to get legislation. We are still trying to get that legislation for a survival project for Arizona.

Colorado has not developed its projects so as to use even one half its water. We wish Colorado well. We hope to assist Colorado in doing so. But why should our State that has the greatest need continue to suffer the most, when the other States have water. For instance, although California contends it may be short of water, it is in a position to obtain water from other sources within its own borders. I have before me a report or a statement of the executive committee of the Eel Flood Control and Water Conservation Commission of California in connection with bills considered in the House of Representatives.

I also have a table which illustrates the amount of water used in California. According to this particular statement, the counties of northern California, because of their overabundant supply, were desirous of having water diverted from their area to the south, so that it could be used to alleviate problems in the south, specifically in the Lower Colorado River Basin.

I shall at a later time place the entire statement in the RECORD.

Mr. ALLOTT. Would the Senator agree that the bill before us would not even allow us to make such a study for importation of water, even though Mr. Ely, in testifying for the State of California in the hearings, said that California would ask for such a study?

Mr. FANNIN. The bill would not prevent a study. The National Water Commission will obviously study it. Arizona does not have any other source of water, such as California, Colorado, and Wyoming have. We are dependent on the water from the Colorado River.

Mr. ALLOTT. Will the Senator from Arizona tell me what other sources of water Colorado has?

Mr. FANNIN. Colorado is fortunate in having other sources of water.

Mr. ALLOTT. Colorado has only the streams that flow in that State. The Senator from Arizona asked a while ago: Why should not Arizona have the water? I ask: Why should not the State that furnishes 70 percent of the water that flows into the Colorado River have a chance to develop its resources?

Mr. FANNIN. Colorado made a compact several years ago. In that compact, Colorado was protecting its rights on the Colorado River but by that compact clarified the rights of the other lower and upper basin States. Arizona merely wants Colorado to live by that compact. We want to live by that compact. That compact entitles us to have 2,800,000 acre-feet of water.

Mr. ALLOTT. Colorado will be so protected when and if Congress authorizes and provides funds for the development of every single drop of water to which she is entitled, and not until then. It is not worth a hoot to us as long as it keeps flowing down the river for anybody in the lower basin to grab. The Senator knows that.

Mr. FANNIN. Every month and year we are suffering more and more.

Mr. ALLOTT. Arizona is not the only one.

Mr. FANNIN. We are the only one suffering to this extent.

Mr. ALLOTT. My position on S. 1004 is premised upon the relief of suffering of all our sister States, not just one.

Mr. COOPER. Mr. President, this discussion has been very interesting. If the Senator will permit me, I would like to ask the Senator from Arizona a question. Under the compact, how many acre-feet of water are appropriated annually?

Mr. FANNIN. It is 2,800,000. We recognize that if there is a shortage, it is up to the Secretary of the Interior to decide the allocation of that shortage. All we are asking is our rights to the percentage of water allocated. We want the water that would be so utilized.

Mr. COOPER. I have enjoyed listening to the debate the past few days. I want to compliment all of you. I have never heard a group talk about a problem which is of vast importance to all of you with your knowledge and understanding of it as it affects your States in that whole area. I have enjoyed hearing the statements, and I have learned something, due to your clarity and your belief in your positions. I also think it is very important from the country's standpoint that the Senators have pointed out the absolute necessity of water.

Mr. ALLOTT. Some of the Eastern States may be facing this problem. The Senator has been helpful with his questions.

Mr. FANNIN. I wish to thank the Senator from Kentucky.

Mr. ALLOTT. I want to say one thing to the Senator from Arizona. I know he misspoke a moment ago. Actually, the compact did not give Arizona any water.

Mr. FANNIN. The Supreme Court did.

Mr. ALLOTT. The Supreme Court's decision perfected Arizona's right to the specific amount of water contained in the compact.

Mr. FANNIN. That is a technicality. Arizona was given water included in the amount coming down to the lower basin.

Mr. ALLOTT. But not any specific amount.

Mr. FANNIN. But it was given water. The amount was settled by the Supreme Court.

Mr. ALLOTT. Is that not exactly what I just said?

Mr. FANNIN. The Senator said we did not have specific water in the compact.

Mr. ALLOTT. Arizona did not have a specific amount of water until the Supreme Court decision.

Mr. FANNIN. We thank the Senator for clarifying that.

Mr. ALLOTT. The Senator knows that.

Mr. FANNIN. The Supreme Court did clarify it. We do have 2,800,000 acre-feet of water allotted to us in the lower basin. According to the Supreme Court, we are just as entitled to those rights as California is.

Mr. ALLOTT. If the 2,800,000 acre-feet are available.

Mr. President, I have concluded my preliminary remarks for the day and will continue Monday, when we take up this matter again.

Therefore, I yield the floor, because I told the distinguished Senator from Vermont [Mr. PROUTY] some time ago that I would.

INCOME TAX TREATMENT OF CERTAIN DISTRIBUTIONS—DEDUCTION OF MEDICAL EXPENSES BY TAXPAYERS AGED 65 AND OVER

AMENDMENT NO. 242

Mr. PROUTY. Mr. President, today I have had printed an amendment to H.R. 4765, which was reported from the Committee on Finance yesterday. When H.R. 4765 is called up I intend to offer that amendment to it.

The amendment would essentially do two things:

First. Restore the right of a taxpayer age 65 or over to deduct all medical expenses he incurs for himself and his spouse; and

Second. Restore the right of taxpayers in this age bracket to deduct all amounts spent for medicine and drugs for themselves and their spouses.

Both provisions were applicable to taxable years prior to 1967. Beginning for the taxable year 1967, under present law, the medical expenses deduction for persons 65 or over will be reduced to that portion which exceeds 3 percent of adjusted gross income. My amendment will continue the present deduction for these older people.

Last year, the Committee on Finance amended the Foreign Investors Tax Act of 1966 to include these provisions and the amendment was approved by the Senate. However, the Senate conferees found it necessary to recede. The Senate had, also, passed this same amendment in 1965.

Despite medicare, 55 to 60 percent of the medical costs of elderly citizens have to be paid by them, and this constitutes

a terrific and frequently unsurmountable burden for a great majority of older people.

Common humanitarianism suggests that those now trying to exist on grossly inadequate social security benefits and small pensions should not be forced to assume an obligation which was not theirs prior to January of this year.

I sincerely hope that all Senators will recognize the importance of this amendment and will support it when it is called up on the floor.

FAR-REACHING FEDERAL CONTROLS OVER MUTUAL FUNDS NOT IN PUBLIC INTEREST

Mr. BENNETT. Mr. President, this week, the Banking and Currency Committee began hearings on legislation recommended by the Securities and Exchange Commission which would change the philosophy and purpose for which that Commission was established. From its beginning the fundamental purpose of the Securities and Exchange Commission has been to provide full disclosure of information regarding securities. How often, we have heard it emphatically stated by spokesmen of the Commission that its purpose is not to pass on the quality of securities or to determine what is or is not appropriate with respect to price or profits.

DISCLOSURE IS DESIRABLE AND EFFECTIVE

It is with this long background and history that one cannot help but be surprised at the recommendations presently being discussed in the Banking and Currency Committee. I believe that most of us, including myself, are in sympathy with the responsibilities granted the SEC, to provide for full disclosure. Securities are a special type of commodity, the value of which depends on many factors not readily apparent. When one considers the purchase of a home or an automobile, or household appliance, he may not know very much about the construction, or operation of the product, but at least he can see what he is purchasing. Not so with a security. He receives only a certificate representing part ownership in something that he probably has not seen and will never see. Thus, it is important that he be provided with facts regarding the enterprise in which he is purchasing a part.

Disclosure requirements have been very helpful to investors who do not have the time or knowledge to delve into those intricate facets of an enterprise which determine its value. Once the disclosure is available, it has been the general philosophy that the prospective investor should be free to determine whether or not he desires to invest, without any additional protection by Government, except, of course, from fraudulent or dishonest operations.

PROPOSED AMENDMENTS ARE TOO BROAD

In the present proposals for supervision of open-end investment funds we have a request for powers suggested for the Securities and Exchange Commission which are not limited to disclosure or regulations regarding disclosure but are concerned with the decisions that have always been reserved to shareholders, investors, market forces, and management.

It is unfortunate that agencies of the Federal Government sometimes lose confidence in the operation of the free enterprise system to the extent that they seem to feel the only way to protect the public is to regulate prices, profits, and methods of operation of private nonmonopolistic and nonutility enterprises. This is exactly what the legislation pending before our Banking and Currency Committee would do.

MUTUAL FUNDS ARE WELL MANAGED

The mutual fund industry has been developed to give the person who has a relatively small amount of capital to invest an opportunity to acquire expert management and a diversity in his investment; it has been operated in a reasonable manner. It has provided investors who have little capital to invest and sometimes must build that capital by saving a small monthly amount the advantages of excellent management of their funds at a fee far lower than would have otherwise been possible. The record indicates that those who have purchased mutual fund shares have profited handsomely over the past three decades.

If mutual fund shareholders generally were dissatisfied with their investments, or if even a significant number had begun to complain to Congress there would be some reason to be sympathetic with the idea that there should be certain restrictions on the industry, but the shareholder reaction is all to the contrary. Of the thousands of letters I have received from shareholders and industry since this legislation was introduced, not one correspondent has expressed support for the legislation. And, I would wager that the correspondence of all other Members of this body has not been far different from my own. The general comment from shareholders is that when they purchased their shares they knew what the sales charge was, and considering the doubling or tripling of the value of their investment, they consider the sales cost to be insignificant. Incidentally, the sales cost is disclosed on the face of every prospectus, and from the information supplied at the hearings it is obvious that it is discussed with every prospective buyer. No one would suggest that all investors in mutual funds are completely aware of all facets of their investment, since many are unsophisticated in matters of investment. This does not mean, however, that because of their lack of knowledge or sophistication the mutual fund industry is taking advantage of them. The very fact that some very sophisticated investors with many millions to invest purchase mutual funds in order to make use of the same management and get the same results as the person with only a few dollars and no investment know-how is evidence that the funds have demonstrated their power to provide a good investment vehicle. The fact that the amount invested in mutual funds has grown from about $450 million at the end of 1940 to more than $40 billion at the present time is convincing evidence that millions of investors have found them to be a good investment.

NO REASON FOR SUCH STRINGENT CONTROLS

With a record like this and without any obvious abuses, one is puzzled to find a reason for the far-reaching nature of the proposals recommended by the Securities and Exchange Commission. I do not intend to discuss all of the proposals contained in the bill we are now considering in the committee, but I would like to mention a few of the more drastic ones.

First, the legislation would limit the maximum sales commission that could be charged for the purchase of mutual fund shares to 5 percent of the sales price of the shares. Present maximum charges range from "no-load" funds with no sales charge to some charging up to 9 percent. The typical maximum is around 8½ percent. The SEC proposal, if approved, would bring about a statutory reduction of about 40 percent in sales charges on the typical small mutual fund purchase. And, I might add, that this recommendation by the Securities and Exchange Commission admittedly is not based on economic analysis of what its effect would be to the industry in general and to small brokerage dealers and salesmen throughout the country specifically. A study made by the National Association of Securities Dealers with the assistance of a well-known research firm, Booz-Allen Applied Research, Inc., comes to the conclusion that the imposition of a 5-percent ceiling on sales charges would seriously disrupt the investment company industry and would drive many small brokerage houses out of business. This is not inconsistent with the conclusion found in the study published in 1962 by the Wharton School of Finance and Commerce from which I quote:

> The regulation of selling charges and fee rates would be disruptive, and would, in addition, raise extremely difficult problems of equitable rate fixing.

Despite these facts, the SEC Chairman has suggested that the lower sales limit could cause the industry to grow even more rapidly.

PRESENT SEC POWERS SUFFICIENT TO PROTECT PUBLIC

I would also like to point out that the SEC is not now without authority to take action against sales rates which it considers unconscionable or grossly excessive. Since the SEC was never intended to be a ratesetting agency, it appears that its present authority should be sufficient to provide whatever protection to investors is necessary in the public interest.

Not only would the legislation we are considering impose a ceiling price on sales commissions, but it would authorize the Securities and Exchange Commission to effectively determine, through court action, the compensation to be paid to management companies. Most mutual funds are managed by external companies called investment advisers. The investment advisory company historically organizes and manages a group of funds. It provides many services to the mutual fund company and shareholders. For this management, the investment advisory firm receives an ad-

visory fee which is almost always a percentage of the net assets of the fund, generally one-half of 1 percent per year but often less. The rate of charge is set forth in the prospectus, and must be approved by the funds shareholders and unaffiliated directors each year. The proposed legislation would substitute SEC judgment for the judgment of owners and directors of the funds.

GOVERNMENT INTERFERENCE WITH MANAGEMENT FUNCTIONS

During the early years of a mutual fund, the operation is seldom profitable. The advisory group takes the loss because it expects to recoup and make a profit as the fund grows and becomes successful as a result of the investment decisions made which it makes on their advice. The SEC has come to the conclusion that the advisory company and the mutual funds are not dealing at arm's length; that there is no competition between advisers and, therefore, it is necessary in the interest of shareholders that SEC should have the power to determine the compensation to be paid by the funds to the advisers. The bill would require that the compensation be "reasonable." I doubt that anyone could argue against a requirement that the compensation be reasonable. In fact, the funds and the advisers favor such a result. It is, however, not only questionable, but, in my opinion, highly improper for the Securities and Exchange Commission to get involved in the determination of management fees. The legislation provides that the determination, if the matter went to court, would be decided finally by the courts, not the SEC. The important thing, however, is that the SEC has the right to sue the advisers if they do not feel that the advisory fees are reasonable. With all due respect to the SEC, this effectively puts that agency in a position to coerce the management into setting a lower fee. To accomplish that result the SEC needs only to threaten to sue, and it can so undermine public confidence and good will that any management so attacked will be forced to bow to the SEC demands. Chairman Cohen, in answer to a question which I asked on this subject, said:

> We do have a coercive power in the sense that, of course, if we think the fee is unreasonable, that we would discuss it with the company, and if we didn't resolve the issue, as we do most issues, we would have authority to bring action.

SEC COULD COERCE ANY ACTION IT WANTED

There would need to be few, if any, actual suits under the proposal, however, because not only would the SEC have authority to threaten to bring action in the courts, but it has the right under present law to compel disclosure in mutual fund prospectuses of any existing litigation or any prospective litigation of which the mutual fund has knowledge. And, of course, it is the SEC which determines the adequacy and form of disclosure in prospectuses. The threat of a suit, therefore, would be sufficient to bring about SEC fee recommendations.

This effective coercive power gives me deep concern because the Commission's basic attitude is revealed by its proposal on sales-commission ceilings, which I have discussed before. If the SEC can sustain a 40-percent cut in sales charges as being reasonable even though it admits that this may bring about a drastic reduction in sales forces in the industry and that this may throttle the "forced institutionalization," which is what the SEC calls the growth in mutual funds, then could one not expect a similar drastic attitude toward management fees? And, I might add, since the proposal for a 5-percent ceiling admittedly is not based on reasoned economics, why would we expect the reduction in management fees to be based on anything other than arbitrary standards?

This appears as a real possibility when one realizes that it was suggested by one witness in our hearings that management in mutual funds has not done any better than a person could have done if he had used a completely random selection of stocks listed on the New York Stock Exchange. Even selection by the method of just throwing a dart at the listing of the stocks on the business page was discussed as an acceptable alternative. I know of no one who would be willing to invest money on such a basis. This suggests there is really no value in any intelligent management judgment, and I cannot subscribe to such a view. In fact, in the funds with which I am acquainted, the management function and selection of securities is a highly specialized operation, and the large ones use modern computers to provide the most accurate data possible to back up and assist the finest human investment judgment available. When this type of management brings about profitable results, it should be compensated fairly and adequately.

GOVERNMENT SHOULD NOT CONTROL PROFITS AND PRICES

Human ingenuity and judgment form the basis on which industry in this country has been able to provide the highest standard of living that the world has ever known, and I greatly fear that this proposal to regulate management fees in this industry directly or indirectly could be just the beginning of many inroads by Federal agencies into the determination of profit margins and prices, in all industries, which, heretofore, have been considered nonmonopolistic and nonutility industries. I am not familiar with any similar industry into which entry was unrestricted, and in which a vast number of firms are competing with each other, which has been put in the position of having prices and management compensation determined by a Federal agency in peacetime. Of course, we have had general wage and price controls during war emergencies. I am strongly opposed to the peacetime extension of such economic controls by the Federal Government under any guise.

PLANS FOR SMALL INVESTORS TO BE ELIMINATED

This legislation would seek to eliminate what are called contractual plans for the purchase of mutual funds. These plans are ones in which the purchaser decides to undertake a program of investing a certain amount monthly in order to attain a specific investment goal over a period of 10 or more years. The monthly payments are quite low, and, in order to provide a reasonable incentive income to the salesman, the plans provide that up to 50 percent of the first year's payments may go for sales commission. This results in an offsetting lower commission throughout the remaining years of the plan, so that the commission over the period is virtually the same as it would have been in a plan in which the sales commission represents a fixed proportion of each payment.

I do not doubt that there are some individuals who do not complete their plans and therefore pay a higher-than-normal commission. If a person pays for only 1 year and then cancels, half of his payments would be absorbed by the salesman's commission.

INDUSTRY IS SOLVING ITS PROBLEMS

In virtually all cases of cancellation, within the first year or two the purchaser would cancel at a substantial loss. However, there are many advantages which offset this risk for those who can hold on to contractual plans, and elimination of this investment alternative is not the answer. I am sure that some plan can be found to mitigate the loss should one be unable to complete his personal commitment which would not eliminate the whole program, as the SEC proposal would. Already various firms have reimbursement and insurance features that meet part of the need, and with some sympathetic assistance from the Securities and Exchange Commission, it is my view that the industry will be able to work out some additional reasonable programs. I have been informed that some such discussions have already taken place, and I hope that there will be future discussions which will be fruitful.

FAR-REACHING CONTROLS NOT WARRANTED

As I mentioned in the beginning, I did not intend to go into all of the provisions of the proposed legislation. I have briefly touched on three, which I consider most important and far reaching. I am not aware of any abuses that would warrant the far-reaching controls proposed in this legislation for this important segment of American industry. Investors are protected under the present law by the requirement of full disclosure, disclosure of complete information which must be supplied by the prospectus and which must be given to each investor, the forces of competition, and the existing provisions of Federal securities laws and SEC regulations. So far as I know, the SEC has never used its present authority to successfully challenge either present management fees or sales commissions, as being unreasonable or excessive. Of the 58 private lawsuits, of which I am aware, challenging management compensation, only three got to trial on their merits, and in each of those, management compensation was found to be reasonable.

The hearings now going on have resulted in serious discussion of some problems that need attention. The economic relationships in the mutual fund industry are somewhat different from those in other industries, and therefore, it may be necessary to make some adjustments in the law under which mutual funds operate. But I do not feel that the pro-

tection of any fundamental consumer or investor interest requires that the Government take over the control of sales commissions, management fees, and methods of operation of this industry, which for many years has produced very satisfactory investment results for many investors large and small.

ONLY A MINORITY OF NEGROES FOLLOW THE RAP BROWNS AND CARMICHAELS

Mr. HOLLAND. Mr. President, during this period of rioting, looting, and killing in many of our Nation's cities and of mass violations of law and order which, in some instances have reached a state of anarchy, and while Negro leaders such as Rap Brown and Carmichael are preaching rebellion, it is most interesting to note that they by no means are representative of the Negro community.

A recent issue of the Florida Star News, one of our leading Negro papers with a large circulation in the State, having offices in Miami and Jacksonville, Fla., ran an editorial entitled "SNCC's Counsel Doesn't Hold Water."

Mr. President, I know my fellow Senators will be most interested in this editorial as it very clearly shows that the sounder elements of the Negro community are not of the Rap Brown and Carmichael variety but are citizens who strongly believe in their country, and are interested in the betterment of themselves. Mr. President, I ask unanimous consent to have printed in the RECORD the editorial to which I have referred.

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

SNCC'S COUNCIL DOESN'T HOLD WATER

A student chapter of SNCC, civil rights organization on FAMU's campus, is sending letters protesting the University's mandatory Reserve Officer's Training Program to Governor Kirk, state legislators, and the Board of Regents.

The FAMU chapter of SNCC feels that the program should be elective, on the grounds that it teaches us to kill our brothers in Asia, Africa, and Latin America in their struggles for self-determination.

Before giving the SNCC chapter a supporting yell, let us examine the position of the FAMU chapter.

A loyal citizen is duty-bound to support his nation's military efforts, no matter how he feels about fighting war. No male citizen is more despicable than the one who refuses to shoulder arms for his country.

However, we are objecting to these letters of petition for another sound reason. Mandatory requirements that all freshmen and sophomore males take ROTC is one of the best things that could happen to some Negro youths. The training makes them men who stand for something, who can be counted upon to obey authority, to report to classes promptly, to give respect wherever it is due, to keep one's person clean and neat to pass inspection.

Never for a moment should the ROTC program be elective, because too many male students would miss an opportunity that cannot be matched anywhere.

Mr. HOLLAND. Mr. President, Florida A. & M. State University is an institution of higher learning established to educate the Negro youth of my State. There is ample evidence to show that there are many of the Negro race who have the desire and will to move forward in the right way and have done so. To illustrate this point, I ask unanimous consent that an article appearing in the St. Petersburg Times, Sunday, April 2, 1967, entitled "Source of Pride: A. & M. Graduates," be inserted in the RECORD.

The article mentions many notable alumni of Florida A. & M. such as Althea Gibson, the tennis player, Bob Hayes, the sprinter, and Willie Gallimore, the former football player. It mentions that there are 18 professional football players now, from that one school, and mentions numerous deans of colleges, doctors, and other graduates of whom the institution is very proud.

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

SOURCE OF PRIDE: A. & M. GRADUATES

Florida A & M University takes great pride in its graduates.

In almost every state, and several foreign countries, enough of them are achieving strong marks in sports, business, the professions and the Foreign Service to "justify our existence as a university," in the opinion of Dr. George W. Gore Jr., the school's president.

Two graduates have acquired international reputations in sports:

Althea Gibson, a 1953 A & M physical education graduate became the greatest Negro woman tennis player in history, winning the U.S. and Wimbledon championships in 1957 and 1958; then switching to professional golf where she also became top rank.

Robert Lee (Bullet Bob) Hayes, spring champion of the 1964 Olympic Games, holder of national and international speed records, now an outstanding professional football player with the Dallas Cowboys.

Other sports heroes:

The late Willie Lee Gallimore, one-time star running back for the Chicago Bears.

Eighteen former Rattler stars now in professional football; one head college coach (Texas Southern); four grads playing professional baseball.

"We're certainly proud of these fine athletes," says Gore, "but we don't want anyone to think we produce only sports stars. We have outstanding graduates in many other fields, too."

David C. Collington, A & M's energetic director of public relations, has the list at his fingertips:

Thirty dentists, one instructor of dentistry; 52 medical doctors; 60 school principals in Florida, three in New Jersy, Pennsylvania and New York;

Two college deans of women, two deans of men, three deans of colleges; 39 winners of doctoral degrees in education at 20 universities; eight National Science Foundation fellows; 4 graduate assistants at medical colleges;

Fifteen instructors in colleges of nursing; 9 supervisors of departments in hospitals.

The list is long and certainly impressive.

A & M graduates are now teaching at Temple and the Universities of Michigan, Minnesota, Indiana, Wayne State, Florida and Florida State; Alma College and Morehead State College.

Dr. Jack White is professor of surgery at Howard Medical College. Dr. L. D. Leffall is assistant dean of the Howard Medical College. Dr. Daniel T. Rolfe is dean of the Meharry Medical College at Nashville. Dr. George Rawls is a staff surgeon at University of Indiana.

Several are working in foreign countries in programs sponsored by the U.S. State Department.

A & M alumni are scattered across the nation. Dr. Gore, on a recent visit to the Pacific coast, was honored at a dinner in Los Angeles given by 100 graduates now living there. Fifty greeted him in San Francisco. East Coast graduates are planning their annual reunion meeting in Washington next month. Fifty have formed an alumni chapter in Cleveland.

"All are doctors, lawyers, professional athletes, teachers and businessmen who are doing very well in these communities," Dr. Gore says.

Adds Collington:

"Don't forget Jesse Bennett Sams, whose book 'White Mother' was a best-seller in 1957. Or Dr. Ted Hunter who is the senior research chemist for Goodyear Rubber Co. in Akron, Ohio, or Jim Matthews, an assistant U.S. attorney in Miami, or Noah Bennett, who is vice president of North Carolina Mutual Insurance Co. in Durham."

"If it is correct that a university should be judged by its product—the alumni—then our record is outstanding," says Dr. Gore.

Mr. HOLLAND. Mr. President, I also ask unanimous consent that there be printed in the RECORD a very fine article from an editorial column, entitled "It's Our Opinion" appearing in the Fort Lauderdale News and Sun-Sentinel under date of July 30, 1967, captioned "Levi Henry, Jr., Represents What Can Be Achieved Through Work, Self-Esteem," be printed in the RECORD at this point, for this article vividly illustrates that a man of the Negro race, having the will and desire, can be a responsible member of his community though he has experienced many personal adversities.

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

LEVI HENRY, JR., REPRESENTS WHAT CAN BE ACHIEVED THROUGH WORK, SELF-ESTEEM

With just about everybody and their brother seemingly now engaged in trying to explain the whys and the wherefores behind the racial outbreaks in our nation these days, a couple of simple truths about these nasty affairs need to be emphasized if for no other reason than to keep things in proper focus.

One of these truths is that there are still a tremendous number of Negroes in this country who don't subscribe to the belief that looting, pillaging and rioting are proper ways for anybody to accomplish anything.

There are also a tremendous number of Negroes who still don't believe the White man is their enemy and who, by their own example and their own station in life, have amply demonstrated there are opportunities available for just about everyone in this country, White or Black, to climb a good way up the ladder of success if they are willing to expend the time and the effort to do so.

We can think of no better representative of this type of person than the man who was recently chosen as Father of the Year by the Northwest branch of the YMCA and who, in this newspaper last Friday, voiced some thoughts and some ideas about the racial situation that make sense all the way.

Levi Henry, Jr. is certainly no stranger to poverty nor to the squalid living conditions that so many members of his race are born under and are forced to live under during their formative years.

He was one of eight children, and there was seldom enough money available to feed such a large family, much less provide any of the so-called luxuries.

But Levi Henry, Jr. didn't believe he was chained to this kind of existence for the rest of his life. As he so eloquently put it, the sense of being a free man dwells as much in a man's mind as it does in his physical make-up and early in his life he set out to prove

for himself, and perhaps for others, that when "you're free in your mind, you are free."

Establishing this proof didn't come easy. It entailed work, lots of it, and much of it at unskilled jobs bearing low pay. It entailed earning, not being handed, a high school diploma. It entailed traveling around as illustrated by the fact this man had been in 36 states by the time he was 18 years old. And it also entailed fighting for his country in Korea where he admits he first started thinking whether or not when the fighting was done he could come back home and be accepted "in all phases of society."

"I knew from furloughs that I probably wouldn't be—so I prepared myself to meet this challenge, not violently, but intelligently, legally."

So Levi Henry, Jr. came home; got a job, found himself a wife and started raising his family. There were six children, the youngest one 11 months, when he came home from work one night to find his wife dead—struck down by a cerebral hemorrhage.

Many weaker individuals would have succumbed to such an overwhelming tragedy. But not this man. Though his mother and his sister offered help in raising his children he decided to do the job himself. Why? His own words explain it.

"I've seen too many children raised by three or four people. They get three or four ideas about life and it confuses their minds about who's right and who's wrong."

So Levi Henry, Jr., cooked, washed, ironed and supported six children all by himself for two years. Last fall he remarried, and today at the age of 35 he has a nice home, a good job in the sales department of a local radio station, and he has, what is even more important, won the full respect of all who know him and have worked with him, both White and Negro.

What does this man think about all the recent riots? "There's no reason behind Detroit or Newark that I can see," he says. "Because you feel you've been mistreated for the past 100 years doesn't give you the right—or the reason—to destroy yourself.

"The solution, as I see it, is to fight with your own ideas—legally not violently. If you know you're being neglected, why throw bricks to accomplish what you want?"

And what does this man prescribe as a remedy for improving racial relationships in this community?

"The only way we can prevent it is to treat the disease of this violence by listening and acting—stop making promises and start creating tangible evidence. Let the people see that you're doing something.

"There are so many jobs that could be created right now. I don't care if the city just gets three or four wreckers to drag those old abandoned cars out of the city.

"They could clean up these open lots. This would give these kids money to spend. It would keep them occupied. It will keep them from gathering on street corners and discussing the problems of other cities. It would give them a sense of responsibility."

There's an awful lot of truth in what Levi Henry, Jr. says. That sense of responsibility he talks about is what has driven him to climb above all the obstacles in his path and make a success out of his life. It has won him the admiration and the love of his children and the respect of his fellowmen. To us he has proved his point that when "you're free in your mind, you are free," and what a contrast there is between this man and the example he has set and the words and the deeds of men like Stokely Carmichael and H. Rap Brown who can only urge their people to go out in the streets and burn and destroy to get what they want.

Mr. HOLLAND. Mr. President, in conclusion, I ask unanimous consent to have printed in the RECORD an article entitled "Tylear Sanders: Big Bend Success Story," published in the Tallahassee Democrat of July 23, 1967, an article about a Negro citizen who has made a success, as an illustration, again, of a man of the Negro race who has earned the respect of his fellowmen in his community.

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

TYLEAR SANDERS: BIG BEND SUCCESS STORY—AREA FARMER FITS PATTERN OF "THE SELF-MADE MAN"

(By Clarence Bizet)

QUINCY.—He doesn't remember anybody ever stopping him, and he has always tried to do a decent job with confidence he could strike out on his own.

He succeeded and the stream of success took him into the heart of his community's activities. Significant because he's Tylear Sanders Jr. of Quincy? No, because success even defies opposition, and accrues to the working worthy.

Success, Sanders finds, grows on your neighbors and friends.

Among farmers of yesteryear the man who wasn't afraid of work, wouldn't go hungry or want for the basic needs of life. And there was special respect for the fellow who could look beyond that red ball of fire sinking in the West. If he could satisfy all his needs and build up a nest egg for that special wish, there was the compliment, "He knows what he wants."

HE'S FARMER

Sanders earned these plaudits out on the farm. He was born on Oct. 21, 1909, on a 35-acre farm on State Road 267, in Gadsden County, the oldest of nine children.

He attended a rural school until he was in the fifth grade, then hard times forced him out to earn a living for the family.

He and his father raised corn and peanuts to fatten the hogs the family raised for meat, and he worked out in his spare time. His mother would wash and iron for "white people in the city." They kept her supplied with work with a one-horse wagon, and Sanders pitched in with the ironing and washing until he was grown.

Old enough to do outside work, he spent 12 years laboring before World War II, when four brothers went to war, and he stayed home to be given eight acres of land. He built a house on the land even before he was married as his father insisted that sooner or later the lovebug would get him and he had better be prepared for the added responsibilities.

MARRIED AT 25

The bug got him when he was 25 and he married. With less than $75 he entered business and opened a small country store.

It seemed his father knew that Tylear could take on many responsibilities and keep them all going at a progressive pace, and suggested he take charge of the farm. But Tylear felt he didn't know enough about agriculture; nonetheless he had the instinct of making money and planted Spanish peanuts and sun tobacco for income.

After paying for the necessities, Sanders invested the surplus in land, 20 acres of it. That made him a partner with his father.

They now had 90 acres in cultivation and 30 acres in pasture and the remainder in timber. The timber provided the lumber for two tobacco barns and his father's house.

The farm was not to be denied, its potential called for improvements. Sanders got rid of a 15-year-old mule and a blind one, and bought two young mules and a cultivator.

AN OBSERVER

Someone was watching Sanders. It was former Sen. A. L. Wilson. Why not raise cattle, he suggested. The advice was accepted, and Tylear had himself three Hereford heifers and a purebred Polled Hereford bull.

The herd grew and its by-products were used as fertilizer for shade tobacco. One enterprise drew another and Tylear's pace to success had been set. He couldn't stop it. Nor could his children.

His son Solomon, and daughter, Ellen, followed his footsteps. They were active in 4-H activities. Solomon showed the reserve champion steer two years in a row and Ellen won a $200 scholarship for her 4-H work.

Tylear listened again to advice. Gadsden County Agents A. G. Driggers and Russell H. Stephens suggested he attend a seven-day institute at Tuskegee Institute on soil erosion.

This was a highlight of his career. Now he wasn't only the Mr. Sanders who farmed outside of Quincy. Now he was the Sanders who had been successful in every venture and had something to share with his fellow students. Maybe, this was as important as putting to work what he had learned.

CONSULTATION

As soon as Sanders got back to Quincy he consulted a soil conservation specialist. His land was properly terraced, he learned to plant cover crops and improved his pastures. The following year he boosted his bushel-of-corn-per-acre-yield from 15 to 30.

Sanders' list of crops was growing—Spanish peanuts, corn, truck crops, shade tobacco, hogs and cattle. He had added to his equipment inventory, buying a tractor and more tools.

Somebody else was watching Sanders. J. T. Budd Jr. offered him a contract to raise shade tobacco. As if it could be otherwise, this was a successful venture too.

BIG HONOR

The year was 1953 when all this was happening, and while he was working, the honor of Florida's No. one Negro Soil Conservation Farmer of 1953 slipped up on him.

Southeastern Livestock Foundation directors were also observing Sanders. He was a natural for their gold medal for distinguished service. They recognized "one of the outstanding citizens of Gadsden County, a man who has long been a leader in his community. Over the span of his 57 years this man has built a reputation for industry, integrity, thrift and high moral character.

"He is . . . a capable tobacco grower and steer feeder. He has headed his stock show committee since 1940, is a member of the loan committee of the Farm Home Administration, a member of the Gadsden County Tax Commission . . . and has always unselfishly given his time and his money to help with any worthwhile effort in the field of agriculture.

"Mr. Sanders has been very active in church and civic affairs. He is a founder of the Mt. Cavalry Baptist Church, having personally built the church as well as guaranteed the loan on the building. He continues to serve on the advisory board of the American Red Cross and is always active in the United Fund drive . . . suffice it to say that he is always eager to help with a worthy cause or to aid those less fortunate than himself."

A BETTER PLACE

The Foundation concluded, "Perhaps, the most fitting thing that could be said about Mr. Sanders is that his community is a better place for his having lived here . . . we solicit his continued counsel and assistance in the years ahead."

Sanders hadn't stopped since then and the trust he has earned was exemplified recently during the 23rd Annual Fat Cattle Sale and Show in Quincy. Among the bidders was no other but Sanders, not for himself, but for the May Drug Co. that wanted to do its civic share. His cattle-know-how was sufficient evi-

dence that the May Drug Co. could be assured of a good and reasonable buy.

Perhaps the most significant thing about Sanders, the Negro, is his modesty and concern for peaceful relationship with his fellow men, white and black.

"Are you sure this article will not create friction?" he asked.

Not on his life will it create friction, he was told by this reporter. What Tylear Sanders Jr. is comes from what he earned. What image he has today is a permanent fixture in the life of Gadsden and Sanders could no more divorce himself from that role than one of his cows could jump over the moon.

Sanders said it well, "I thank my Creator and would like to give honor to our many friends both white and colored of Gadsden County who have made it possible for us to have gone thus far."

Mr. HOLLAND. Mr. President, I believe the articles I have inserted in the RECORD very clearly show that Negroes can move forward and establish themselves successfully as respectable and accepted members of their community when they have the motivation to do so and there is no place of respect in the Negro community for radical troublemakers such as Rap Brown and Stokely Carmichael.

I believe there is too much tendency, these days, to emphasize the fact that the Negro community has some bad citizens, just as the white community has, and not enough attention is paid to the fact that there are literally thousands of Negroes who are fine citizens, who have made their way in professional life, business life, athletics, or other respected fields that are distinctly worthwhile.

I hope that our Negro citizens, especially the youngsters, will not conclude that the white community does not realize that many Negroes are good citizens, who make their own way and are capable of showing others the way to attainment and success, which is generally the way of hard work and devotion to duty.

THE ROLE OF THE PRESIDENT IN CIVIL DISORDER

Mr. GRIFFIN. Mr. President, on Monday of this week, President Johnson told a press conference that he knew of nothing that could be gained by trying "to justify or explain" the actions of the Federal Government during the recent civil disorders in Detroit.

However, the next day, on Tuesday, Attorney General Clark held a press conference and attempted to justify and explain the Federal Government's action and inaction during the crisis. Then, yesterday, on Thursday, the President held still another press conference and tried again to justify and explain the Federal role in the Detroit riot. Perhaps we shall see even more press conferences on this subject in the days and weeks ahead, because the President, in my opinion, stands on shaky ground.

I realize that most people have heard enough of the charges and countercharges about who played politics while Detroit burned. It is not my purpose today to rehash all of the particulars of that dispute.

However, several points which came out of the President's press conference yesterday should not pass without comment.

I am convinced that some discussion of these points will serve the national interest, if it helps to assure that the Federal executive will be better prepared to promptly assume its proper role in the event of another crisis of similar proportions.

Less than 2 weeks before the Detroit riot, a very serious disturbance had occurred in Newark, N.J., beginning on July 12. According to press reports, the President had talked directly with Gov. Richard Hughes of New Jersey, during that crisis, and had offered all necessary assistance. Although the disorder in Newark was quelled without dispatching Federal troops, it is not unreasonable to assume that the White House and the Attorney General must have considered the question of a possible need for Federal troops, and it should have been determined and made clear at that time what procedures would have to be followed in the event such a need arose.

When violence erupted in Detroit, however, it became apparent that Federal authorities were not clear as to the procedures which had to be followed—politics or no politics. The President's press conference yesterday has only served to emphasize that point.

According to a report in today's New York Times, the President explained at his press conference that three elements were necessary before he could use Federal troops to put down violence within a State. He listed those elements as follows:

First, a request . . . by the (state) Legislature, . . . or if the Legislature cannot be convened, by the governor.

Two, certification of insurrection or domestic violence.

Three, . . . demonstration of a clear inability of state and all local authorities to control the situation despite the use of all law enforcement resources which can be brought to bear.

Mr. President, I suggest that these assertions may be open to serious question.

Did the Governor of Arkansas declare a state of insurrection and formally request assistance before President Eisenhower sent Federal troops to Little Rock in 1956? Of course not.

Did the Governor of Mississippi declare a state of insurrection and formally request Federal troops before President Kennedy sent Federal troops into Mississippi in 1962? Of course not.

It appears that President Johnson may have exaggerated the limits on his authority in this instance whereas it seems to many that he tends to exaggerate the expanse of his authority in other situations.

There was considerable conflict about who said what, to whom, when, and why, before Federal troops were actually ordered into Detroit. Since I was not present at either end of the telephone conversations I, of course, cannot shed light on what was said or not said. Yet there are certain facts which do not appear to be in dispute. For example:

Shortly after 2:30 a.m., on July 24, Mayor Cavanagh, of Detroit, spoke with Vice President HUMPHREY, asking his advice on the disorders in Detroit.

The Vice President told Mayor Cavanagh that he should talk to the Attorney General.

The mayor then talked by telephone with the Attorney General, who advised him that a request for Federal troops should come from the Governor of the State.

When the mayor talked to Governor Romney and informed him of this, the Governor immediately called the Attorney General to discuss the situation, including the possible use of Federal troops. In the next 7 hours, the Attorney General and the Governor talked on the phone at least four times.

Now we leave the area of agreed-upon facts and return to areas of controversy.

On Sunday the New York Times reported White House charges that the Governor had "vacillated for nearly 20 hours" about the need for Federal troops. Governor Romney has strongly denied that charge. To be sure, we will not resolve the dispute which has grown out of that series of events in Detroit, but we can and should learn from it.

A substantial part of the delay was apparently due to prolonged discussions about legal and semantic questions. The Attorney General was reported to have told the Governor at some point during that period that he, the Governor, would have to formally request Federal troops, and that he, the Governor, would have to declare a state of insurrection.

Governor Romney was understandably reluctant to declare a state of insurrection. He was aware that such a declaration would virtually wipe out the insurance coverage of thousands of people.

It should be noted that while Governor Romney did request Federal troops, thus meeting one of the elements listed at yesterday's press conference, he never did certify that a state of insurrection existed in Detroit.

It is clear now that much of the delay which has been the subject of discussion resulted because the White House was apparently relying solely on section 331, title 10, of the United States Code, which reads as follows:

Whenever there is an insurrection in any state against its government, the President may, upon the request of its legislature or of its governor if the legislature cannot be convened, call into Federal service such of the militia of the other states, in the number requested by that state, and use such of the armed forces, as he considers necessary to suppress the insurrection.

While it is clear that the use of Federal troops can be predicated upon this section, I submit that it is also abundantly clear that this is not the only section of the United States Code to which the President can point to justify such an exercise of authority.

To cite again the use of troops in Mississippi and Alabama when the Governors of those States did not request them underscores this point.

I return now to focus attention again upon the second element which President Johnson said was necessary yesterday in his press conference:

Two, certification of insurrection or domestic violence.

Section 331, which I have just read, and which requires a request by the Governor—or the legislature—is clearly

operative only in case of insurrection. That section makes no reference whatsoever to "domestic violence."

However, another section of the code, section 333 of title 10, does authorize the President, without a request by the Governor, to "suppress domestic violence if it so hinders the execution of the laws of a State that any part or class of its people is deprived of a right, privilege, immunity, or protection named in the Constitution."

Mr. President, the prolonged discussion about the action and inaction of the Federal authorities in this situation reveals that there was doubt and uncertainty for a number of hours as to what was necessary and who had to do what before troops could be sent in. If no other benefit comes out of all this, I hope that at least we have learned and that we will be prepared and ready the next time such a crisis occurs.

Mr. President, I ask unanimous consent that the sections of the Federal code and the text of the New York Times article to which I have referred be printed in the RECORD at this point.

There being no objection, the statutory sections and article were ordered to be printed in the RECORD, as follows:

§ 331. Federal aid for State governments.

Whenever there is an insurrection in any State against its government, the President may, upon the request of its legislature or of its governor if the legislature cannot be convened, call into Federal service such of the militia of the other States, in the number requested by that State, and use such of the armed forces, as he considers necessary to suppress the insurrection. (Aug. 10, 1956, ch. 1041, 70A Stat. 15.)

§ 333. Interference with State and Federal law.

The President, by using the militia or the armed forces, or both, or by any other means, shall take such measures as he considers necessary to suppress, in a State, any insurrection, domestic violence, unlawful combination, or conspiracy, if it—

(1) so hinders the execution of the laws of that State, and of the United States within the State, that any part or class of its people is deprived of a right, privilege, immunity, or protection named in the Constitution and secured by law, and the constituted authorities of that State are unable, fail, or refuse to protect that right, privilege, or immunity, or to give that protection; or

(2) opposes or obstructs the execution of the laws of the United States or impedes the course of justice under those laws.

In any situation covered by clause (1), the State shall be considered to have denied the equal protection of the laws secured by the Constitution. (Aug. 10, 1956, ch. 1041, 70A Stat. 15.)

[From the New York Times, Aug. 4, 1967]

JOHNSON EXPLAINS DETROIT RIOT ROLE—RECALLS THREE MESSAGES TO HIM BEFORE TROOPS WERE SENT

(By Roy Reed)

WASHINGTON, August 3.—President Johnson broke his public silence today on his handling of the dispatch of Federal troops to Detroit on July 24.

Mr. Johnson, explaining one part of his actions, did not mention Gov. George Romney of Michigan, who has accused the President of "playing politics" with the Detroit situation. But the Johnson explanation was clearly in rebuttal to the Governor's charge.

The President's first open comment on the controversy was made in a meeting with surprised newsmen who had been given to understand earlier that the White House was tired of the dispute and considered the episode ended.

He had refused to comment on the controversy at a news conference Monday, saying that nothing was to be gained by "trying to justify or explain."

DETROIT AIDES PRAISED

The President's explanation came as he introduced and warmly congratulated Cyrus R. Vance, his chief envoy in Detroit, and Maj. Gen. John Throckmorton, commander of the Federal troops there.

Mr. Vance and General Throckmorton had come to the White House to report the restoration of law and order and the return of law enforcement responsibilities to state officials.

Mr. Vance added after the President had left the room that "there were no politics involved" in the dispatch and use of Federal troops.

After his announcement that he was sending troops to Detroit Mr. Johnson was criticized for his repeated statements that Governor Romney was unable to control the situation.

Obliquely answering that criticism today, Mr. Johnson went into history to explain his reluctance to send the troops and the reason for his seemingly pointed language in finally announcing his decision.

"Under the Constitution and laws of this country and the uniform practices of all past Presidents," he said, "before troops can be used in any civil disorder, the following elements must be present when a state seeks assistance:

"First, a request for troops by the Legislature, if the Legislature can be convened, or if the Legislature cannot be convened, by the Governor.

"Two, certification of insurrection or domestic violence.

"Three, the demonstration of a clear inability of state and all local authorities to control the situation despite the use of all law enforcement resources which can be brought to bear." He continued:

"There are a good many reasons for this, which go back to the Constitution itself in 1789, and the great debate that took place in Congress in 1792, so that Presidents would not be throwing Federal troops around states.

"They were actually none of any consequence that were called into states until the Reconstruction period, which was a period that is vivid in our memories and not always pleasant memories, either. At that time troops were called out to occupy 60 to 70 places around election time by Governors and by Presidents.

"So we tried to be very careful.

"THREE STEPS CITED

"The Presidency is involved in two instances here, or really three.

"The first was in the middle of the morning at 2:30 or 3 o'clock when we were notified that there was a problem in Detroit which might necessitate troops. They were momentarily alerted, as was the Secretary of the Army and the Chief of Staff of the Army, and the appropriate commanders.

"So much for the 3 A.M. meeting.

"The next time a request was presented to the President was a telegram filed at 10:46 that reached here at 10:56, requesting troops.

"The President approved that telegram and replied by saying troops would be sent. They were ordered loaded at 11:02.

"Now the third requirement, either insurrection or domestic violence, was certified to the President about 11 that evening by Mr. Vance and by General Throckmorton. They had declined to do that at 8:30 that evening. They can go into that with you if they want to. When they made that certification, the President, in the same conversation, ordered the deployment."

Mr. Johnson went on to congratulate Mr. Vance, General Throckmorton and the 4,800 Federal troops for a job "well done."

He said that none of the 4,800 soldiers had been wounded or injured and that only one person had lost his life at the hands of the Federal troops.

Mr. Vance was asked if he had found evidence of "outside agitators" in the Detroit disorders. He said "there may have been some," but that he had seen no indication "of any over-all conspiracy to incite or to conduct a riot."

He said there was no evidence that the snipers firing into the streets had been organized or trained.

A TAX INCREASE WILL THREATEN THE ECONOMY

Mr. HARTKE. Mr. President, Congress yesterday received the long-awaited fiscal and tax policy message from President Johnson.

This tax proposal does not really present to the American people the central issue involved in whether we should or should not have a tax increase. The question that it presents to the American people is simply whether we shall place the United States in the position of, in effect, pursuing a course of conduct which would accomplish exactly what the Communists could not directly do for themselves—that is, to damage severely the U.S. economy.

In his message, the President paints a dire picture of the consequences if we do not enact the tax proposals he presents. These include—if I may paraphrase and summarize—a return of "strong inflationary pressures," an "intensified wage-price spiral," spiraling interest rates and return of tight money.

Finally, the President says that if we fail to increase taxes as we are requested, "the consequences of that irresponsibility would haunt America and its people for years to come."

In other words, this is an implied threat to Congress that if anything goes wrong in the future of America because we do not adopt this proposal, it will be the fault of Congress. The President is attempting to put Congress right squarely on the spot.

Mr. President, I want it understood that I differ diametrically with his view. In fact, I hold that, quite to the contrary, it is at least equally possible—and in my judgment more probable—that to increase taxes now would be irresponsible and that, to repeat, "the consequences of that irresponsibility would haunt America and its people for years to come."

Let me specify the reasons for my complete disagreement with the President:

First. The economy is not booming toward an inflationary danger, and there are as many signs of current softness as of strength.

Second. To put on the brakes is to halt needed growth in the economy. We must not sacrifice longrun strength for short-run demands for a temporary and politically palatable smaller deficit.

Third. The proposal itself is self-defeating in the long run. The overall long-range effects on the economy will de-

crease its growth potential, and a smaller base of gross national product on which to raise taxes will decrease the tax take itself to the point where it will, in the longer run, be self-nullifying.

For these reasons, Mr. President, and I shall elaborate on them, I believe that a tax increase as recommended is not only unwarranted and unjustified at this time but that it is dangerous to the longrun health of the American economy.

Let me begin with the third factor. This is an element which might in terms of sports be called the hidden ball factor. Stated bluntly, if we increase taxes we reduce gross national product. When GNP is made smaller, there is a smaller tax base and therefore smaller tax revenue. In other words, the tax which will result from the President's proposal is not all gravy for the Federal Treasury. Instead, it carries at least in part the seeds of its own decrease. In the long run, those seeds can have an effect which can be restored only with much effort over a long time.

Let me be specific. The current issue of U.S. News & World Report, dated July 31, discusses the effects if taxes are raised. One section of the article is headed "Multiplier Effect of Tax Rise." The magazine's economic unit has made calculations based on the expectation that a tax rise request would call for a 6-percent rather than a 10-percent surtax. I read from that article:

> (The "multiplier effect" of a tax increase) means that the restraint caused by higher taxes has a cumulative effect as it spreads through the economy. Thus, business activity would be reduced by considerably more than the mere 5.8 billion dollars of the proposed tax increase.

The article goes on to indicate how much the result of this "multiplier effect" would be. The result is that with a 6-percent surtax, in the first year gross national product would drop $11.2 billion, personal income would be $7.1 billion lower, profits would be $4.1 billion lower, personal spending would be $4.8 billion lower.

These results are items which are not included in the President's discussion of the evil effects of doing without the tax increase. But they are in reality evil effects of adopting the tax increase.

But what about the effect of the proposed 10-percent surtax rather than a 6-percent surtax?

I have made inquiry concerning that effect, and I am told by responsible economists that, although they are at this very time continuing their analysis, the 10-percent surtax will result in a decrease of gross national product during the first full year of its effectiveness which would be no less than $23.3 billion. If the tax should go into effect in the current quarter, the rate of GNP loss by the end of 1968 calendar year would be $28 billion.

What does that mean in the amount of revenue derived from the tax proposal? In order to get perspective on this question, I asked the Treasury how much loss of revenue to the Treasury would be involved if there were a decline of $24 billion in GNP. Treasury has no formula, no rule of thumb which can be applied, and there appears to be a range of estimates. But it was conceded that a figure of 20 percent has been frequently used, and it was also conceded that while this is much higher than Treasury feels warranted in applying to the total GNP, it may very well be close to the truth when it is applied to an amount taken off the top, so to speak.

In other words, if GNP is reduced by the final $24 billion which it has added on with rising productivity, the revenue loss may well be close to $5 billion. Let us cut that 20 percent to about 17 percent or $4 billion, in order to be generous. This is the amount of built-in reduction in income to the Treasury which the built-in drop of GNP resulting from the proposed 10 percent surtax will achieve.

According to the President's message, the surcharge will—and this leaves out the "hidden ball" play—bring in in fiscal 1968 $6.3 billion in revenues. But let us subtract the $4 billion drop I have just described and the net to the Treasury is only $2.3 billion—and it may well be less than $2 billion if the 20 percent "multiplier effect" is the closer one.

Certainly in this respect the 10-percent tax does more damage than the 6 percent. As I stated, the figures on the 6-percent increase result in a GNP reduction of $11.2 billion in the first year, but the 10 percent will result in more than double the GNP loss, $23.3 billion. Do we want to cut our own economic throats by deliberately provoking a recession in this fashion?

I noted in the beginning that I differ with the tax proposal on the grounds that it is fallaciously based on assumptions of inflationary danger, of what the President calls a spiral of ruinous inflation which will ruin us if more taxes do not take heat out of the economy. The truth is that if we do have inflation, we will add to the dangers of inflation by the amount of the surtax.

Let us look at the current economic facts. The indicators are mixed, and there are some hopeful signs: personal incomes have continued to rise; but that includes the increase in social security; housing starts are above a year ago; there has been a small growth in real GNP in the second quarter. But at the same time—

Industrial production, in the words of a New York Times article a week ago last Sunday, has "drifted gently downward since the beginning of the year."

Growth in employment has slowed up, and by June there was a noticeable rise in unemployment, to 4 percent.

Profits are off sharply. Net profits for the first half of the year, among the first 500 companies reporting—and this is from the New York Times for July 28—have dropped 5.28 percent from the profits of a year earlier, the sharpest decline for any half year since 1959.

On the same point, Walter W. Heller has forecast: "For the year as a whole, I anticipate a decline of about 5 percent" in before-tax profits. This is without taking any new tax into account. It is worth noting that Treasury officials pointed out to me that one reason for their inability to fix a ratio between GNP and revenue decline is that the effect would vary with the amount of corporate taxes—because the effect there is far more noticeable than in the personal income sector.

Factories are operating at only 85 percent of capacity. This is the latest figure, for the second quarter of 1967. One year ago, in the like quarter, they were operating at 91 percent. At present we have more idle capacity than at any time since early 1964—hardly an indication that we are on a "spiral of ruinous inflation."

A survey by the Commerce Department and the Securities and Exchange Commission, reported in March, showed a low level of business investment planned for this year—only 3.9 percent. This contrasts very strikingly with the figure for the rise in business investment outlays in 1966—which was 16.7 percent. In other words, in this area we are doing less than a quarter as well as last year.

In reference to business outlays, it should be noted that the facts I have recited were among those persuading Congress to restore the investment credit tax—which in effect was a tax cut—which I have consistently said should never have been removed. But now we are asked to go in exactly the opposite direction, although a couple of months ago we were asked by the administration, in view of these circumstances, to cut taxes. Now we are asked to go ahead and increase taxes. This policy is discouraging rather than encouraging more economic growth.

Mr. President, all of what I have said adds up to an appraisal of the President's message, which is in complete agreement with the editorial in the Washington Post this morning:

> The grim prospects envisioned by the President are more firmly anchored in rhetoric than in fact.

It would be less than charitable, but still perhaps factual, to quote some of the other words of the editorial:

> A singularly unimpressive document, devoid of the sound reasoning and supporting evidence on which so important a fiscal proposal should be based.

The lead editorial in the New York Times begins in a similar vein:

> President Johnson gave Congress dubious economic advice in yesterday's tax message. Neither his assessment of national priorities nor his prescription for economic health squares with the country's real needs in this anxious period.

Let us look at the last assessment. What are our real needs in "this anxious period"?

Is the real need to balance the budget, or is the real need to deal with the explosive situations on our second front, our home front, the racial riot front in our explosive cities?

Is the real need to cut social security increases for the poorest of our poor below the President's recommendation, in order to provide the funds for Vietnam? This is what we are faced with—even though the message complains that nothing is achieved if "every time the executive branch saves a dollar, the Congress adds another dollar—or more—to the expenditures recommended."

One ought to ask, For what are these expenditures added? Is it completely ir-

responsible, or is it a higher order of responsibility, to consider the needs of the mentally retarded and add a few dollars for construction funds as this body did the other day in support of my amendment? Is it no achievement, or is it rather for the welfare of the people in the long run that we in the Congress feel we cannot sacrifice improved education, halt the poverty program, give no support and attention to the problems of pollution, of housing, of the anguished cries of those who in riots shout "Burn, baby, burn," and who in other times suffer the malnutrition, lack of jobs, and rat bites of the ghettos? Where is our order of priorities?

Indeed, where is the truthfulness with which our problems are approached? Can we, indeed, continue to fight a big conflict 9,000 miles away from home as we are told is necessary, without sacrificing the great domestic programs we have underway? Are we to continue to neglect the unfinished business of America, or are we to bow down to the balanced budget—which could not even be balanced by the assumptions of the President's message—to throw our hundreds of millions, indeed thousands of millions, into the war machine every month, while starving our domestic social improvement?

We have been told by students of the Communist society that they see as one of their primary objectives the weakening of the "imperialist," "capitalist" society by driving it into its own self-destruction. This they can do if they can involve us in fruitless commitments and expenditures sufficient to drain us of our wealth to the detriment of our real welfare—to a form of social and economic suicide.

We are a strong nation—without doubt the strongest in the world—and there is no strong second. Of this there is no doubt. We probably will not suffer suicide if the tax cut is adopted. But we will bleed a little more and the effects of such bleeding are protracted and weakening. The effect of the tax increase will be, in the world of business, much more immediate than in the past because of the practice of shortening the timelag for corporate income tax payments. This means we will halt the "inflation"—so far not a reality but only a bogey word—more immediately. The shock will be more drastic. By including deferral of the excise tax reduction on automobiles, we will add to the problem of new car sales. Let no one be misled about those sales being up, because I cite the total for the first 6 months of this year: 4,042,856, down from 4,918,856 for the same period in 1966.

General Motors' net profit for the half-year was down 20 percent from a year ago; Chrysler's profit was off 43 percent. No corporation pays taxes when there are no profits. The continuation of the excise tax rather than its scheduled reduction will certainly not benefit car sales and the great segment of the economy which rests on them. If this tax increase is adopted, car sales will be badly hurt.

What about the individual, the man in the marketplace, who is going to have to pay an increase of 10 percent of the amount of his present taxes? Let us take, for example, a man earning $7,500 a year who is married and has two children. His income tax in 1966, without what is to be asked for, was $686. Under the proposal of the President this tax will be $755. In addition, if we take only the increase in social security taxes under the new proposed schedule in the House of Representatives, there would be an additional $44. This means that the individual would pay, beginning on January 1, 1968, $113 a year more in taxes. He is presently paying $686. This means that he will have an increase in tax of 16 percent, or more truthfully, a cut in his pay of $113.

Mr. President, it is the attack on our needs in the riot-torn unrest of the Nation's cities which needs to be put in first place, not subjected to a higher priority in balancing the budget.

We listened to Dean Rusk as he said that we can have both guns and butter and provide all that is necessary in connection with Vietnam. We have been given a partial picture of what that will mean. He said that we can pay for all that is necessary at home in addition to what is in the budget at the present time. However, in the message of the President to Congress nothing has been added to take care of the problem in the cities. If we are to have Federal programs, where will the money come from? In effect, the President is saying that nothing more will be done for the riot-torn cities.

Here we have a social problem for our society greater than the problem of Vietnam, so far as America in any real sense is concerned. Were it not for that conflict, we would not have our present proposal and our unbalanced approach to priorities.

We cannot afford a tax rise. The effect, as I have shown, is too greatly against our own best interest, too counterproductive in having a "hidden ball" loss whose long-range GNP reduction is extremely dangerous—like a chronic illness—and too neglectful of the necessities which lie before us for dealing with the great and serious problems of our poor, our elderly, our minorities, our undereducated, our mentally ill and mentally retarded, our neglected economically deprived at the bottom of the heap of "forgotten" citizens on whom the burden of society rests. We cannot afford and we should not have a tax rise. Therefore, I conclude with the words of the New York Times at the editorial to which I have referred:

> It is understandable that the politician in President Johnson quails at the thought of campaigning next year with the albatross of a $20- or $25-billion budgetary deficit around his neck. But an even bigger albatross would be the explosion of much more of the social dynamite now stored in the concentrations of unemployed and bitter men in the ghettos of all the nation's major cities. This tax program provides no good answer to that danger.

Mr. President, the effect of this tax increase would most certainly be strongly felt in the cities. The effect of the tax increase, if it is adopted, will be to increase the likelihood more riots. In effect, the proposal is to put one more stick of dynamite in every major city in the United States, because it will slow down the economy. We know that these people are the last to be hired and the first to be fired. They are in the heart of the ghettos. They are trying to break out of the depressing situation they are in, and they are trying to look to society to end their difficulty.

Mr. President, perhaps this is a good way to put Congress on the spot. I do not think that Congress has done all that it should. But I do not think that Congress should bear the full brunt of the troubles growing from neglect in years gone by. I do not think that Congress at this moment has had an opportunity even to voice itself in connection with a declaration of war, and it should not be made the scapegoat of an unnecessary war in Vietnam.

WHERE IS THE CHEAP CREDIT?

Mr. HARTKE. Mr. President, I invite attention to the possibility that there will not be a coming upsurge in the economy. Several negative forces are building pressure against any upsurge.

The Vietnam costs are so great that the Government demand for money will keep money in short supply and thus keep interest rates high. This negative pressure on the economy led Mr. Harold B. Dorsey to write in his financial column in the Washington Post of July 17, 1967.

> Under these circumstances it is difficult to see the logic in the forecasts of an upsurge in the economy in the next six months.

I ask unanimous consent that Mr. Dorsey's article be printed in the RECORD.

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

WHERE'S THE PREDICTED CHEAP CREDIT?—INVESTMENT VIEW

(By Harold B. Dorsey)

NEW YORK, July 16.—The interest yields now available on corporate bonds have risen to the peak levels of last August—levels which were the highest in forty years. To some investors, these yields have become more attractive than an investment in mortgages.

Of equal significance is the fact that interest rates on short-term debt instruments have been rising in recent weeks to levels which are as attractive to savers as deposits in the savings institutions which are a primary source of mortgage money. This most recent increase in the short-term rates undoubtedly is related to the Federal Government's demand for $6.2 billion of short-term money. And the credit markets are completely aware of the fact that much more of this demand for credit is yet to come between now and the end of the year. Furthermore, the short-term rates rose very sharply in spite of massive support by the Federal Reserve.

In brief, the interest rate situation has become as critical as it was ten months ago when the condition was recognized as one which would have a negative effect on the economy.

Nevertheless, one still hears predictions by some Administration economists that a business boom will develop before the end of the year. This seems inconsistent with arguments advanced last January that there would be an upsurge in the second half of the year because there would then be an ample supply of cheap credit. In view of the present position of credit markets and the enormous government demands for credit yet to come to finance the deficit, it seems entirely inconsistent to assume that there will be an

ample supply of cheap credit in the fall and early winter.

At this point nobody seems to know what the actual size of the government demand for credit will be in the next six months because nobody knows the size of government expenditures, or the degree to which these expenditures will be offset by higher taxes, or when those higher taxes, if any, will become effective. If taxes are going to be increased but the effective date is not before January 1, then the government's demand for credit between now and the end of the year seems certain to be enormous.

And how can anyone have a reasonably reliable opinion about the state of the economy next fall and winter if he has no basis for appraising the impact on the economy of higher taxes or for appraising the state of credit markets that seem certain to be influenced by financing the government deficit.

Under these circumstances it is difficult to see the logic in the forecasts of an upsurge in the economy in the next six months. Certain timing elements involved suggest that the government demand for credit in the fourth quarter will be very large, just at the time when the seasonal demand for ceridt by the private sectors is greater than any other period of the year.

It seems highly likely that mortgage money will become more expensive and more difficult to obtain. Hence, it is not logical to assume that rising residential construction activity will be making a contribution to the anticipated upsurge in the economy.

Although the pace of inventory accumulation has subsided very significantly, the fact remains that inventory/sales ratios are still high. This basic fact, combined with a deceleration in the growth of sales to the private sectors, provides an insecure basis for assuming that a resumption of inventory accumulation will contribute to the anticipated upsurge.

An assumption that a renewed upward trend in capital spending will contribute to the upsurge anticipation does not have a good foundation in the facts of the situation. With the utilization of capacity already in a downward trend, with competition increasing and with profit margins contracting, there would seem to be a greater likelihood of a declining trend in capital expenditures rather than a revival of the upward trend.

THE WRONG JUNGLE

Mr. HARTKE. Mr. President, the Washington Evening Star of July 31, 1967, contains an article by Mr. Eliot Janeway which very pointedly describes the relationship of Vietnam costs to our domestic economy. I believe that what Mr. Janeway says is "must reading," I ask unanimous consent that his article, entitled "Vietnam War Gulps Domestic Funds," be printed in the RECORD.

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

VIETNAM WAR GULPS DOMESTIC FUNDS

(By Eliot Janeway)

NEW YORK.—Since 1965, the Johnson administration has been bogged down in the jungle. But it is beginning to look like it is the wrong jungle. The explosions in our cities have caught the federal government overcommitted in Vietnam and undermobilized to root out the source of the cancer at home.

Money cannot win wars but lack of money can lose them. If money could buy victory, Vietnam would long since have been won. It has set a new record for dollars spent and goals unrealized.

LOCAL MONEY NEEDS

Worse yet, we are far from the end or even the beginning of the end. Expensive though the war has already become, our commitments of money are necessarily escalating along with our commitments of military manpower and equipment. The cost of the war is admittedly running substantially ahead of the budgetary provision for it.

A year ago, when war costs were already running at the rate of $2 billion a month, Secretary of Defense Robert McNamara was admitting to only $1 billion a month. If McNamara's arithmetic proves as wrong this years as it did last, the country will wake up to discover it has a $4-billion-a-month war on its hands. A realistic estimate of the present drain is $3 billion a month, or at an annual rate of $36 billion.

The $36 billion will not buy a year's peace in our riot-torn cities. But it would begin to put together the makings of a pretty impressive shopping list of everything that's needed—all the way from nursing homes for the old people to nursery schools for the young, with schools, hospitals, and housing.

Of course, the money that's needed to meet the challenge of the second front—in the jungle war in our cities—could not and would not come from the federal government, even if Vietnam were over and done with. This is the kind of money the cities and states are obliged to raise by their own borrowings, backed by their own use of the taxing power. It is the kind of money need that is best identified and met close to home.

The trouble is that the federal government needs to scoop so much money out of the stream to pay for the running cost of the war that it has crowded state and local governments away. Even before the disaster in Detroit forced the country to recognize that it is involved in not one jungle war but two, and while Vietnam was still costing very much less than it is now, states and cities were withdrawing bond issues and making do without new money for old projects.

LITTLE LEFT FOR CITIES

The underfinanced condition of the federal treasury is the main reason why the present inflation is making cash worth more, not less, and why it is going to be worth still more. The banking firm of Salomon Brothers & Hutzler, in its authoritative weekly commentary on money conditions, calculates that the Treasury supplied $12 billion of lendable cash to the money market during the first half of 1967, but will borrow more than $16 billion back during the second half—a greater than seasonal shift. The latest Treasury borrowing announcement suggests that this may be a low guesstimate.

This net change in the federal government's money-using operations will preempt $28 billion of market availability from less powerful borrowers within half a year. This is the scale on which the cities and the states behind them are on notice to find the money to get ahead of their blight and to defuse the time bombs ticking in their ghettos.

Lyndon Johnson is on notice to make room in our congested money market for our war-torn cities and their tax-burdened citizens.

THE CBS "WARREN REPORT"—PART II

Mr. HARTKE. Mr. President, earlier I placed in the RECORD, part I of a remarkable four-part broadcast, the CBS news inquiry entitled "The Warrent Report." That part, which was broadcast on Sunday, June 26, appeared in the RECORD of July 18, beginning on page 19143. I now ask unanimous consent to have printed in the RECORD, part II, which was broadcast on Monday evening, June 27. It is my intention to offer the other two parts, as well, during the course of next week.

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

THE WARREN REPORT—PART II

(As broadcast over the CBS television network, June 26, 1967; 10:00–11:00 PM, EDT with CBS news correspondents Walter Cronkite, Dan Rather and KRLD–TV News Director Eddie Barker; Executive producer Leslie Midgley)

CRONKITE. Last night, in the first of this series of four broadcasts about the Warren Report, CBS News considered and tried to give reasonable answers to some major questions about the Report.

Did Lee Harvey Oswald take a rifle to the Book Depository Building? Our answer was yes.

Where was Oswald on the day President Kennedy was shot? In the building on the sixth floor.

Was Oswald's rifle fired from the building? Yes.

How many shots were fired? Most likely three.

How fast could Oswald's rifle be fired? Fast enough.

What was the time span of the shots? At least as large as the Warren Commission reported? Most likely the assassin had more time, not less.

These, CBS News concluded, added up to the answer to last night's central question: Did Lee Harvey Oswald shoot President Kennedy? Our conclusion was that he did. Beyond reasonable doubt, the chronic misfit and malcontent was at least one of the men who fired on President Kennedy. But was he the killer or a killer? A lone madman or the agent to the monstrous and successful conspiracy? Tonight's central question: Was there a conspiracy to assassinate President Kennedy?

ANNOUNCER. This is a CBS News Inquiry: "The Warren Report." Here is Walter Cronkite.

CRONKITE. In the 888 pages of the Warren Commission Report on the assassination, these are certainly among the most significant words: "The Commission has found no evidence that either Lee Harvey Oswald or Jack Ruby was part of any conspiracy, domestic or foreign, to assassinate President Kennedy." And the Report also states: "The Commission has found no evidence that anyone assisted Oswald in planning or carrying out the assassination."

Let's stop a moment to examine just what that says and, more important, what it does not say. Note that, contrary to the popular impression, the Commission, by these words, left the door open on the question of conspiracy just a crack. The words do not preclude the possibility of a conspiracy. They don't say that the Commission concluded that there was no conspiracy, or that Oswald was the sole assassin. They only say that the Commission could find no evidence that others were involved, no evidence that there was a conspiracy.

If there was a conspiracy, it could have taken one of two forms: either Oswald was a sole triggerman for behind-the-scenes manipulators, or there were one or more additional gunmen firing at the President. Most of the critics of the Report insist there were other gunmen.

Within the broad matter of conspiracy, our basic questions for tonight are: Where did the shots come from? If the shots did not all come from the Book Depository window, then there was most likely some form of conspiracy. Could a single bullet have wounded both President Kennedy and Governor Connally? The single bullet theory has become perhaps the most controversial aspect of the report. The Commission said it was not essential to its conclusions. But,

to make those conclusions square with the facts, either three groups of wounds were caused by two bullets, which is the single bullet theory, or all three bullets from Oswald's rifle struck President Kennedy and Governor Connally, which the Commission rejected in the belief that one bullet missed completely.

The only other alternative is a second assassin. Let's look first at the scene of the assassination in Dealey Plaza, Dallas, Texas. Correspondent Dan Rather.

RATHER. First, Walter, here's the part of the story that is not in dispute, and that any theory of the assassination must explain. The Presidential motorcade entered the plaza in a sharp right turn off Main and onto Houston. It ran slowly along the eastern edge of Dealey Plaza. Then the motorcade slowed even more, for the extremely sharp left, more than 90 degrees, onto Elm Street, which runs directly under the windows of the Texas Schoolbook Depository. It's a perfect place for an ambush. And as the limousine drifted into the odd S curve, shots began to rain on it.

CRONKITE. Here is our first basic question for tonight: Where did the shots come from?

RATHER. We decided on last night's program that some of the shots came from up here, Lee Harvey Oswald's nest in the sixth floor window. But, there are persistent reports of other virtually simultaneous shots, which would admit more than one assassin and therefore a conspiracy. Most often the other shots are reported from over there, the famous grassy knoll, ahead of, to the right of, and slightly above the President's car. The witnesses for both sets of shots are generally positive and persuasive.

This photograph, taken only seconds after the assassination, shows one group of those witnesses, Oswald's co-workers, who perched themselves in fifth floor windows to watch a parade and instead saw a murder.

BONNIE RAY WILLIAMS. So, when the President came around, we remember seeing him standing up and waving. And as he's turning to go down Elm Street, we heard a shot, and we saw the President slump. Well, before that, though, we decided there was some fireworks and everything, you know? And then after we saw him slump, we said—I think one guy, I don't remember which one he was, say that I believe they're shooting at the President, and I believe it came from right up over us.

HAROLD D. NORMAN. Then I think, about that time, well, Jarman says, somebody's shooting at the President. And I told Jarman, I said, I said, I know it is because I could hear—they are above me, and I could hear the shots and everything, and I could even hear the empty cartridges hitting the floor. I mean, after the shots had been fired.

And so, after the shots were fired, well, all the officers and everyone else seemed to think they came from by the track over by the underpass, because that's where everyone ran, over that-a-way. But, I—just like I said, I've been hunting enough to know the sound of a rifle from—from a backfire or a firecracker or anything like—especially that close to me.

RATHER. The witnesses in the fifth floor windows say they heard the shots right overhead. But other observers below thought they heard firing from other directions. This is the view of Elm Street from the grassy knoll, up behind the picket fence where some critics claim another gunman lay concealed. We're looking through the trees at the spot where the final shot took effect, the shot that killed the President.

At this point, the President would have presented as good a target from here as from the Schoolbook Depository. Some think that right here is where the fatal shot came from.

EDDIE BARKER. Now, railroad man, S. M. Holland, was up on this overpass when the firing started. From here, you can see the Book Depository and the grassy knoll. Mr. Holland came back up here with us a short while ago, and his is perhaps the most telling account in favor of the grassy knoll theory, not only because of what he saw and heard during the assassination, but what he says he found on that grassy knoll immediately afterward.

S. M. HOLLAND. Just about the time that the parade turned on Elm Street, about where that truck is—that bus is now, there was a shot came from up—the upper end of the street. I couldn't say then, at that time, that it came from the Book Depository book store. But I knew that it came from the other end of the street, and the President slumped over forward like that and tried to raise his hand up. And Governor Connally, sitting in front of him on the right side of the car, tried to turn to his right and he was sitting so close to the door that he couldn't make it that-a-way, and he turned back like that with his arm out to the left. And about that time, the second shot was fired and it knocked him over forward and he slumped to the right, and I guess his wife pulled him over in her lap because he fell over in her lap.

And about that time, there was a third report that wasn't nearly as loud as the two previous reports. It came from that picket fence, and then there was a fourth report. The third and the fourth reports was almost simultaneously. But, the third report wasn't nearly as loud as the two previous reports or the fourth report. And I glanced over underneath that green tree and you see a—a little puff of smoke. It looked like a puff of steam or cigarette smoke. And the smoke was about—oh, 8 or 10 feet off the ground, and about 15 feet this side of that tree.

And I immediately ran around to the spot that this shot came from. Of course, there was no one there because it took us quite a little while to thread our way through the cars—there's so many parked there—and they parked at every angle, that when I got over there I did find where a man had been standing and walking from one end of the bumped to the other, and I guess if you could have counted the footsteps there'd a been 200 or more on the muddy spots—footprints. And there were two mud spots on the bumper of this station wagon.

BARKER. Would you take me over there and show me this place you're talking about?

HOLLAND. Yes, I will.

BARKER. All right, let's go. Well now, Mr. Holland, where would the person have to be standing to have fired that shot that you heard that came from up here?

HOLLAND. From the footprints and all indications, he was standing right here.

BARKER. Were they fresh footprints?

HOLLAND. They were fresh. It had been raining that morning. There was footprints—mud on these two-by-fours—there was mud on the bumper of the station wagon, and they was only two sets of footprints that I could find that left this station wagon and they went behind a white Chevrolet car that was settin' over there.

BARKER. Abraham Zapruder, whose film of the assassination was studied at length on last night's program, was standing up on this little wall right at the edge of the grassy knoll. Now, shots from behind that picket fence over there would have almost had to whistle by his ear.

Mr. Zapruder, when we interviewed him here, tended to agree that the knoll was not involved.

ABRAHAM ZAPRUDER. I'm not a ballistics expert, but I believe that if there were shots that come from my right ear, I would hear a different sound. I heard shots coming from—I wouldn't know which direction to say—but they was driven from the Texas Book Depository and they all sounded alike. There was no difference in sound at all.

BARKER. Associated Press Photographer James Altgens was actually looking toward the Book Depository.

JAMES ALTGENS. As I was getting ready to make some pictures, why, I heard this noise. I thought it was a firecracker explosion. So, I just went ahead and made the picture, which shows the President right after he was struck by a bullet, struck in the neck, the first shot. And this was a picture that the Warren Report later fixed as being made two seconds after the shot was fired. And as they got in close to me, and I was prepared to make the picture, I had my camera almost at eye level; that's when the President was shot in the head. And I do know that the President was still in an upright position, tilted, favoring Mrs. Kennedy. And at the time that he was struck by this blow to the head, it was so obvious that it came from behind. It had to come from behind because it caused him to bolt forward, dislodging him from this depression in the seat cushion, and already favoring Mrs. Kennedy, he automatically fell in that direction.

The one thing that did seem to be a little bit strange, immediately after the car proceeded on to Parkland Hospital, men with drawn guns ran up the terrace of this plaza, up into what is considered to be and referred to as the knoll area. And, thinking that they had the assassin cornered up in this knoll area—and it seemed rather strange, as I say, because knowing that the shot came from behind, this fellow had to really move in order to get over into the knoll area.

BARKER. You had no thoughts about another assassin behind the fence or on the knoll?

ALTGENS. I've had a lot of people to contact me in that they felt there was another person involved, and trying to get me to verify either photographs they had or to work out some information they felt they had come across to substantiate the evidence of—substantiate the fact that there was another assassin behind the fence or on the evidence proved to me beyond a shadow of a doubt that there was another assassin.

OFFICER JACKS. The car in which I was driving, which occupied the Vice President, was—had just completed its turn, and I felt a blast which appeared to be a rifle shot come from behind me. I turned and looked up to the School Book Depository.

BARKER. Well now, what about these people who say shots came from this fence area up here? Would you agree with that at all, or not?

JACKS. No, sir. I—I—I don't think there was. I heard three shots and I could feel the concussion from all three.

CRONKITE. Eddie Barker went to Austin to ask the same question of Governor and Mrs. Connally, who were in the best possible position to know the direction from which the shots came.

Governor CONNALLY. All of the shots came from the same place, from back over my right shoulder. They weren't in front of us, or they weren't at the side of us. There were no sounds like that emanating from those directions.

BARKER. Was there any doubt in your mind, the direction that those shots came from?

Mrs. CONNALLY. No. They all came from the same direction.

BARKER. Which was?

Mrs. CONNALLY. It was behind us, over my right shoulder. You see, the first one—the first sound, the first shot, I heard and turned and looked right into the President's face. So, the sound drew me to that direction and had a definite reaction.

(Announcement.)

ANNOUNCER. A CBS News Inquiry: "The Warren Report" continues. Here again is Walter Cronkite.

CRONKITE. In Abraham Zapruder's film of the assassination, the fatal shot appears to move the President's head back. The critics contend this can only mean the shot came not from the Book Depository, but from

somewhere in front. Not for the first time, nor for the last in these reports, we find equally qualified experts in disagreement.

We put the question of the President's head movement to an experienced photo analyst and two expert pathologists.

RATHER. From a physicist's point of view, from a photographic analysis point of view, what can you tell about the direction of the bullet?

CHARLES WYCKOFF. Well, the—in frame 313, the—there was an apparent explosion at this point, which would be on the front side of—of—the head. Now, characteristically, this would indicate to me that the bullet came from behind, and this is what's called spalling. It's a minor explosion where pieces of material have—have left and go generally in the direction of the bullet.

RATHER. But now, the explosion, this minor explosion, occurs forward of the President. Now, wouldn't that indicate the bullet coming from the front?

WYCKOFF. No, quite contrary. It does indicate that the bullet was coming from behind.

RATHER. Well, you're aware that some critics say that by the very fact that in the picture you can clearly see the explosion of the bullet on the front side of the President, that that certainly indicates the bullet came from the front.

WYCKOFF. Well, I don't believe any physicist has even said that. This picture might explain the principle that we've been talking about just a little bit more clearly. It's a picture taken in a millionth of a second, of a 30 calibre bullet being shot through an electric lightbulb. The bullet was traveling from this direction, entered the lightbulb here, passed through and caused a rather violent explosion to occur on the exiting side, and it's very similar to the situation in the Zapruder-Kennedy assassination films.

CRONKITE. That is one explanation from a physicist as to how a head could move backward after being struck from behind, which seems to many laymen not possible. Forensic pathologists are experts in the examination of victims of violent death, both medically and legally qualified. Dan Rather put the matter to one of them, Dr. Cyril W. Wecht, professor at Duquesne University.

CYRIL W. WECHT. I have seen too many biological and physical variations occur in forensic pathology to say that it would have been impossible. I say that it is quite unlikely. I say that it is difficult for me to accept, but I would have to admit that it is a possibility that his body could have moved in that direction after having been struck by a bullet that hit him in the back of the head.

CRONKITE. Eyewitnesses, and even film analysts often produce as many problems as they solve. In this case, the physical evidence would seem to be more reliable, and that evidence came first to the attention of the doctors at Parkland Hospital, who were the first to look closely at both the massive head wound and the less critical neck wound.

At Parkland, Dr. Malcolm Perry, attending surgeon, tried desperately to keep the President alive. But the very urgency of that problem prevented him from examining the two wounds, as he now explains in his first public statement since the Report was published.

Dr. MALCOLM PERRY. I noted a wound when I came into the room, which was of the right posterior portion of the head. Of course, I did not examine it. Again, there was no time for cursory examination. And if a patent airway cannot be secured, and the bleeding cannot be controlled—it really made very little difference. Some things must take precedence and priority, and in this instance the airway and the bleeding must be controlled initially.

BARKER. What about this wound that you observed in the—in the front of the President's neck? Would you tell me about that?

PERRY. Yes, of course. It was a very cursory examination. The emergency proceedings at hand necessitated immediate action. There was not time to do more than an extremely light examination.

BARKER. There's been a lot said and written about was this an exit wound, or an entry would? Would you discuss that with me, sir?

PERRY. Well, this is a difficult problem. The determination of entrance or exit frequently requires the ascertation of trajectory. And, of course, this I did not do. None of us did at the time. There was no time for such things.

The differentiation between an entrance and exit wound is often made on a disparity in sizes, the exit wound generally being larger, in the case of an expanding bullet. If, however, the bullet does not expand—if it is a full-jacketed bullet, for example, such as used commonly in the military, the caliber of the bullet on entrance and exit will frequently be the same. And without deformation of the bullet, and without tumbling, the wounds would be very similar—and in many instances, even a trained observer could not distinguish between the two.

BARKER. Did it occur to you at the time, or did you think, was this an entry wound, or was this an exit wound?

PERRY. Actually, I didn't really give it much thought. And I realize that perhaps it would have been better had I done so. But I actually applied my energies, and those of us there all did, to the problem at hand, and I didn't really concern myself too much with how it happened, or why. And for that reason, of course, I didn't think about cutting through the wound—which, of course, rendered it inviolate as regards further examination and inspection. But it didn't even occur to me. I did what was expedient and what was necessary, and I didn't think much about it.

BARKER. You did not turn the President over?

PERRY. No, there was no reason to. There was not time at that problem, and there was really no reason to. It made very little difference to me, since my immediate concern was with an attempted resuscitation.

CRONKITE. The nature of the throat wound can no longer be verified, for no records were made and no pictures taken before Dr. Perry cut through it in attempt to relieve his patient's breathing. The doctors at Parkland were engaged in a desperate struggle to keep the President alive; all else was secondary. But their task was impossible. One of the shots had virtually destroyed the President's head. Even as the doctors worked, the President died.

At the hospital the scene was turbulent and disordered. The press and public were clamoring for news. Dr. Perry was rushed from the emergency room to a news conference, where he was badgered into giving a description of the wounds.

The neck wound, he told the press, looked like an entry wound, and he pointed to the front of his neck. In the transcript of that news conference there's no doubt that Dr. Perry made it sound as if he had a firm opinion. Well, the reporters flashed the news, and in that moment of confusion and misunderstanding established once and for all in the minds of a great many people a conviction that at least one bullet had been fired from the front to the motorcade.

Legally, the dead President was now just another part of the evidence in a Texas homicide case. The murder had been committed in that state, and there were no laws which gave the federal government jurisdiction.

In his book, "The Death of a President," William Manchester describes a scene of almost horrifying confusion, in which the Dallas County Medical Examiner tried to prevent the removal of the President, and Kennedy aides almost literally bulldozed his coffin out of Parkland Hospital.

During the flight to Washington it was agreed that an autopsy had to be performed, and Manchester writes Mrs. Kennedy chose Bethesda Naval Hospital because her husband had been a naval officer.

The autopsy was performed by the Chief of Pathology, Commander—now Captain—James J. Humes; Dr. J. Thornton Boswell; an Army Lt. Colonel, Pierre Finck, a forensic pathologist. They reported in a document reproduced in the supplementary volumes of the Warren Report that the President's wounds were inflicted from the rear. As part of standard procedure, they had photographs and X-rays taken as they proceeded.

Confusion continued at Bethesda, as it had reigned at Parkland. F.B.I. agents submitted a report, later disclosed in Edward J. Epstein's book, "Inquest," which said they had heard one pathologist state that he had found a wound in the President's back, and could not find an exit.

The Warren Report version was explicit, that there was no wound in the back, but one in the neck. However, details of these published sketches tended to indicate that there was a wound below what could be described as the neck.

The photographs and X-rays which might clear up the issue were in possession of the Kennedy family, and only officially turned over to the Archives on October 31st, 1966—with the provision that they not be made public for five years. Now, there the matter has rested until now. But Captain Humes, the Senior Pathologist at the autopsy, has since gone to the Archives and re-examined the X-rays and photographs. His conclusions we will hear later in an exclusive interview, the only one he's granted since that fateful night.

But first, the observations of Dr. Wecht, whom we heard earlier.

WECHT. This sketch was made by Dr. Boswell, Mr. Rather, is a very important sketch. It shows the bullet hole which he diagrammed in at a point approximately several inches below the collar level, although he does give other measurements to the side—which would place it at a higher level.

RATHER. Now, the Commission Report accepted that the bullet entered very near the neck, did it not?

WECHT. Yes. Take a look at this sketch, if you would, please. This was made by a medical illustrator at Bethesda Naval Hospital. This sketch shows the one that was accepted by the Warren Commission. It shows the point of entrance in the back at a much higher level, and it shows the point of exit again at approximately the level of the knot of the tie. You can then see why it was very important to accurately determine whether or not the bullet wound in the back was at this point, or whether it was five and a half inches below the collar level.

CRONKITE. Since the X-rays and films were turned over to the Archives, Captain Humes has re-examined them. And tonight, for the first time, he discusses with Dan Rather what is contained in them.

RATHER. Commander—now Captain Humes, have you had a look at the pictures and X-rays from the autopsy since the time that you submitted them to the Warren Commission?

HUMES. Yes, Mr. Rather, we have.

RATHER. And do you have any different conclusion, any different ideas, any different thoughts now, after seeing them again, than you had at that time?

HUMES. No, we think they bear up very well, and very closely, our testimony before the Warren Commission.

RATHER. How many wounds in the President's body?

HUMES. There were two wounds of entrance, and two of exit.

RATHER. And the two wounds of entry were where?

HUMES. Posteriorly, one low in the right posterior scalp, and one in the base of the neck, on the right.

RATHER. Let's talk about those two wounds, Captain. Both of these are blowups from the Warren Commission Report, these sets of drawings. Now, there are people who think they see discrepancies in these two drawings from the Warren Commission Report, in that this drawing shows the—what you called an entry wound at the base of the neck of the President—shows it to be, or seems to show it to be, in the upper back, near the shoulder blade—considerably below the base of the neck. Whereas, this drawing does show the entry wound to be at the base of the neck. Now could you talk about these, and reconcile that?

HUMES. Yes, sir. This first drawing is a sketch that—in which the outlines of the figure are already prepared. These are on sheets of paper present in the room in which the examination is conducted, and are routinely used to mark in general where certain marks or scars or wounds may be in conducting a post mortem examination. They are never meant to be accurate or precisely to scale.

RATHER. This is a routine in—in preparing autopsy reports, to use this kind of drawing, and at this stage for them not to be prepared precisely?

HUMES. No. No precise measurements are made. They are used as an aide memoire, if you will, to the pathologist as he later writes his report.

More importantly, we feel, that the measurements which are noted here at the margins of the drawing are the precise measurements which we took. One states that—we draw two lines, points of reference—from bony points of reference. We note that there were—the wound was fourteen centimeters from the tip of the right acromiom, and fourteen centimeters below the tip of the right mastoid. Now the acromion is the extreme outermost portion of the shoulder. The tip of the mastoid is the bony prominence just behind the ear. And where these two lines intersect was, in actuality, where this wound was situated. And if we would try and draw that to scale, which we weren't trying to do as this mark was made, this, I think, would appear a little bit higher.

RATHER. Now, you examined this whole area of the back?

HUMES. Yes, sir.

RATHER. Were there any other wound except one at the base of the neck, and one up in the skull?

HUMES. No, sir, there were not. Now the second drawing, which you mentioned, was prepared as we were preparing to testify before the Warren Commission, to rather schematically and as accurately as we possibly could depict the story for the members of the Warren Commission.

RATHER. In this drawing you were trying to be precise?

HUMES. Yes, sir, we were. We were trying to be precise, and refer back to our measurements that we had made and noted in the margins of the other drawing.

Also, of course, since this time we have had opportunity to review the photographs which we made at that time. And these photographs show very clearly that the wound was exactly where we stated it to be in our testimony before the Warren Commission, and as it is shown in this drawing.

RATHER. Your re-examination of the photographs that the wounds were as shown here?

HUMES. Yes, sir, they do.

RATHER. About the—the head wound——

HUMES. Yes, sir.

RATHER. There was only one?

HUMES. There was only one entrance wound in the head, yes, sir.

RATHER. And that was where?

HUMES. That was posterior, about two and a half centimeters to the right of the midline, posteriorly.

RATHER. And the exit wound?

HUMES. And the exit wound was a large irregular wound to the front and side—right side of the President's head.

RATHER. Now, can you be absolutely certain that the wound you described as the entry wound was, in fact, that?

HUMES. Yes, indeed, we can—very precisely and incontrovertibly. The missile traversed the bony skull. And as it passed through the skull it produced a characteristic coning, or beveling effect on the inner aspect of the skull—which is scientific evidence that the wound was made from behind and passed forward through the President's skull.

RATHER. This is very important. You say the scientific evidence—is it conclusive scientific evidence?

HUMES. Yes, sir. it is.

RATHER. How many autopsies have you performed?

HUMES. I—I would estimate approximately one thousand.

RATHER. Is there any doubt that the wound at the back of the President's head was the entry wound?

HUMES. There is absolutely no doubt, sir.

CRONKITE. So the Chief Pathologist at the Kennedy autopsy, after re-examining the X-rays and photographs, states without the slightest qualification that the shots which killed the President came from the rear.

(Announcement)

ANNOUNCER. A CBS News inquiry: "The Warren Report" continues. Here again is Walter Cronkite.

CRONKITE. In answer to our major question as to whether shots came from a direction other than the Book Depository Building, indicating other gunmen and a conspiracy, we have eye—or ear witnesses inside the building saying the shots came from there. Now, Mr. Holland who was on the railroad overpass, here, insists that he heard a shot from here. And in Mark Lane's book, "Rush to Judgment," he writes that 58 out of 90 people who were asked about the shots thought they came from the grassy knoll.

Now, expert opinions differ. All the experts agree that the shots could have come from the rear. But where some experts, such as Dr. Humes, say bluntly that they did, others—such as Dr. Wecht—find it highly unlikely.

CBS News concludes that the most reasonable answer is that the shots came from the Book Depository Building, behind the President and Governor Connally. But if the shots came from the rear, and if there were only three of them, can all the wounds be accounted for? The President was struck at least twice. Governor Connally was wounded in the chest, the wrist, and the thigh. One bullet was recovered intact, as well as two large fragments. The Warren Commission concluded that of the three bullets fired, one missed entirely, one struck the President's skull and fragmented, and the third—this one—passed through the President's neck and went on to inflict all the Governor's wounds. This is the single bullet theory. And so we must ask: Could a single bullet have wounded both President Kennedy and Governor Connally?

Now, this is what the Report says: "Although it is not necessary to any essential findings of the Commission to determine just which shot hit Governor Connally, there is very persuasive evidence from the experts to indicate that the same bullet which pierced the President's throat, also caused Governor Connally's wounds. However, Governor Connally's testimony and certain other factors have given rise to some difference of opinion as to this probability but there is no question in the minds of any member of the Commission that all the shots which caused the President's and Governor Connally's wounds were fired from the sixth floor of the Texas School Book Depository."

Well, through the tortured English of that paragraph, a sentence that begins with "however," and has "but" in the middle, we can make out the Commission's struggling to paper over internal dissension. It's unfruitful to try to puzzle out the meaning of the statement.

Instead, we asked Arlen Specter, Assistant Counsel to the Commission, and now District Attorney of Philadelphia, and the author of the single bullet theory.

SPECTER. The possibility of one bullet having inflicted the wounds on both the President's neck and the Governor's body came in a very gradual way. For example, the first insight was given when Dr. Humes testified, based on his autopsy findings. And at that time it was made clear for the first time that the bullet that went through the President's neck hit no bone, hit no solid muscle. And, according to Dr. Humes, came out with great velocity.

Now, it was at that juncture that we wondered for the first time what happened to the bullet. Where did the bullet go? The probability is that it went into Governor Connally, because it struck nothing else in the car. That is the single most convincing piece of evidence, that the one bullet hit both men, because looking down the trajectory, as I did through Oswald's own rifle, and others did too, the trajectory was such that it was almost certain that the bullet which came out of the President's neck with great velocity would have had to have hit either the car or someone in the car.

RATHER. It stated in the Warren Commission Report that belief in the single bullet theory is, quote, "not essential"—end of quotation—to support of the conclusion of the Warren Commission Report.

Now, can you describe for us any other theory, besides the single bullet theory, that would support the conclusions in the Report?

SPECTER. The Commission concluded that it was probable that one bullet inflicted the wound on the President's neck, and all of the wounds on Governor Connally. But you could have three separate bullets striking under the sequence as we know them. For example, the President could have been struck at frame 186 of the Zapruder film, which is a number given to the Zapruder film. Then Governor Connally could have been struck some 42 frames later, which would be a little over two and a quarter seconds at about frame 228 or 229; and then the third shot could have hit President Kennedy's head at frame 313, which was pretty clearly established. So that it is not indispensable to have the single bullet conclusion in order to come to the basic finding that Oswald was the sole assassin.

CRONKITE. The Commission's dilemma lay in the fact that it had to choose between two unpalatable alternatives in order to make its case stand up. Having decided that three shots were fired, and having three sets of wounds to explain, the Commission could only find either that all three shots hit their marks, or that one of the three bullets hit two men.

But, if all three shots hit, then one of them would have had to pass through the President's neck, emerge at 1800 feet per second, headed on a downward path toward the midst of the Presidential car and the six people in it, and vanish in mid air, hitting nothing and leaving no mark. Well, this was more than the Commision could stomach. Despite its own words, the single bullet theory is essential to its findings.

The bullet was found after it rolled off a stretcher at Parkland Hospital during the tumult that followed the arrival of the two wounded men. The man who found it was Darrell C. Tomlinson, senior engineer at Parkland.

DARRELL C. TOMLINSON. There was a doctor that went into the Doctors' Lounge and he had to pull this stretcher out, the one I'd taken off the elevator, and whenever he came out he failed to push it back up against the wall, so I just stepped over and gave it a little kick to get it back in line, and then I turned to walk away and I heard a rattle, and I turned around and looked. I didn't see anything at that time, but I walked back over to the stretcher and there was this bullet was layin' there. So, I picked it up, looked at it, put it in my pocket.

BARKER. Do you recall, was there any blood on the bullet, or was it—how did the bullet look?

TOMLINSON. Well, it was copper colored bullet and I couldn't tell whether it had blood on it or not. I—I really didn't look for it.

BARKER. It was a spent shell?

TOMLINSON. Yes.

BARKER. Well, now, as you think back, is there any doubt in your mind today that the stretcher on which you found that bullet was the stretcher that came off of the elevator?

TOMLINSON. Well, I know that. That I know. I just don't know who was on that stretcher.

BARKER. But, the stretcher was on the elevator?

TOMLINSON. Right.

BARKER. And this was the elevator that Governor Connally would have taken, or would have been placed on to go to the operating room, is that right?

TOMLINSON. Yes, sir, that's—that's the one he went up on.

CRONKITE. Critics have claimed that in fact the bullet came from the President's stretcher, which would rule out the single bullet theory. But the President's stretcher was never in that elevator and consequently Mr. Tomlinson's recollection disposes of that particular dispute. It does not dispose of another claim, however, the claim that the bullet was planted on the Governor's stretcher as part of a plot to link Oswald to the assassination. And that claim can never be disproved.

The bullet is almost intact, only slightly flattened, with a little cone of lead missing from the rear end. Could such a bullet have penetrated successively, a human neck, a human torso, a wrist and a thigh, and emerged in this condition? The Commission used animal carcasses and blocks of gelatin to test the bullet's penetrating power, firing repeated shots from Oswald's rifle. Now, this is standard technique. But, because of the difficulty of lining up such a shot, the Commission experts fired their bullets separately through the various simulators. Each time they measured how much speed the bullet had lost from its initial 2,000 feet per second, and in the end, concluded that the bullet would have retained enough velocity to penetrate the Governor's thigh.

But, it seemed to us that the only completely valid test would be a single shot directly through a series of objects with the same thickness and density as the two bodies. We decided to make that shot.

RATHER. Dr. Alfred G. Olivier, Chief of Wound Ballistics at Edgewood Arsenal who conducted the tests for the Warren Commission, served as consultant to CBS News in these experiments at the H. P. White Ballistics Laboratory. Dr. Olivier suggested using gelatin blocks to simulate human tissue. The main object was to line up targets simulating the President's neck and the Governor's chest, wrist and thigh, spaced as far apart as Mr. Zapruder's film indicated they were in the limousine, and then to see how far a 6.5 Mannlicher-Carcano bullet would penetrate.

Extensive research at Edgewood Arsenal has shown that gelatin, in a 20 percent concentration, gives a good simulation of human tissue. The first gelatin block was made five and a half inches thick to simulate the President's neck with cloth added to represent his coat and shirt. Set two feet or so away was a 12 inch block representing the Governor's chest, also with appropriate clothing. This high speed sequence, taken at 22,000 frames a second, shows the chest simulation block and how the bullet, slightly unstable after passing through neck simulation, begins to turn off course as it tears through the gelatin, exiting in an attitude pointing down.

The wrist block was two and a half inches thick, inset with masonite to represent bone. Beyond was a fourth gelatin target representing the Governor's thigh. Dr. Olivier told reporter Walter Lister about the tests.

OLIVIER. When the bullet struck the simulated neck, it was perfectly stable, passed through making a small track in the gelatin. This—this very closely simulates the wound received by the President. It was a small entrance and a small exit, as described on the autopsy report.

WALTER LISTER. This is about the way it would look through human muscle tissue?

OLIVIER. Yes. After the bullet left this simulated neck, and passed from this dense medium into air, which is less dense, then it had a chance to start to tip and by the time it struck this block it was tipped, and you can see the difference: a much larger track in the gelatin block, which represents a more serious wound, as the Governor received. In his case, the bullet passed along the rib, fractured the rib, throwing fragments into the lung. Of course, we have no rib here, but it still simulates passing through the flesh.

By the time it had passed through here, it had lost considerable velocity, and entered the simulated wrist. In some cases, it passed through the wrist; in other cases, it lodged in the wrist. Behind this wrist, we had another gelatin block, representing the Governor's thigh. In none of the cases did this thing actually penetrate that, but it would have taken very little more velocity to have caused a similar wound.

LISTER. What do you think that these tests have indicated here?

OLIVIER. Well, that they—I think they very strongly show that this one bullet could have caused all the wounds.

LISTER. Did someone outline these experiments for you?

OLIVIER. No, I'm afraid I'm guilty of the whole business.

CRONKITE. Our tests confirm that a single bullet could indeed have wounded both men. But conceding that it is possible, we must also ask if it is probable. We asked two distinguished pathologists, both experienced in the study of wounds, to give us their best judgment. They are Dr. William F. Enos of Northern Virginia Doctors Hospital, who has studied wounds both as a military and civilian pathologist; and Dr. Cyril Wecht, from whom we heard earlier. First, Dr. Enos with Dan Rather:

ENOS. I have had cases in which the missiles have gone through relatively heavy bone and very little deformity. The fact that it went through two men is perfectly acceptable because of its velocity.

RATHER. Now, most of us have an idea that the minute a bullet hits a bone that it shatters that bullet.

ENOS. No, not necessarily. Again, it depends on the construction of the missile, of the bullet. If it's a full-jacketed bullet it can remain intact with very little or no deformity.

RATHER. Is it possible that the bullet would have gone through President Kennedy, gone through Governor Connolly and not suffered any more damage than is shown in this photograph?

ENOS. No, without hedging. In medicine we always fall back upon the trite expression; we never like to say that something is impossible. I—I would say that it is highly improbable. I—I—I would hesitate, really, to say that it's absolutely 100 percent impossible, but it is highly improbable. Another one, you see, another one of the very many highly improbables that we are asked to accept by the Warren Commission, if we are to accept the validity of their full Report.

(Announcement)

ANNOUNCER. This is a CBS News Inquiry: "The Warren Report." Here again is Walter Cronkite.

CRONKITE. The most persuasive critic of the single bullet theory is the man who might be expected to know best, the victim himself, Texas Governor John Connally. Although he accepts the Warren Report's conclusion, that Oswald did all the shooting, he has never believed that the first bullet could have hit both the President and himself.

CONNALLY. The only way that I could ever reconcile my memory of what happened and what occurred, with respect to the one bullet theory, is that it had to be the second bullet that might have hit us both.

BARKER. Do you believe, Governor Connally, that the first bullet could have missed, the second one hit both of you, and the third one hit President Kennedy?

CONNALLY. That's possible. That's possible. Now, the best witness I know doesn't believe that.

BARKER. Who is the best witness you know?

CONNALLY. Nellie was there, and she saw it. She believes the first bullet hit him, because she saw him after he was hit. She thinks the second bullet hit me, and the third bullet hit him.

MRS. CONNALLY. The first sound, the first shot, I heard, and turned and looked right into the President's face. He was clutching his throat, and just slumped down. He just had a—a look of nothingness on his face. He—he didn't say anything. But that was the first shot.

The second shot, that hit John—well, of course, I could see him covered with—with blood, and his—his reaction to a second shot. The third shot, even though I didn't see the President, I felt the matter all over me, and I could see it all over the car.

So I'll just have to say that I think there were three shots, and that I had a reaction to three shots. And—that's just what I believe.

CONNALLY. Beyond any question, and I'll never change my opinion, the first bullet did not hit me. The second bullet did hit me. The third bullet did not hit me.

Now, so far as I'm concerned, all I can say with any finality is that if there is—if the single bullet theory is correct, then it had to be the second bullet that hit President Kennedy and me.

CRONKITE. The Governor insists that he heard a shot before he was struck, and that therefore he could not have been struck by the first bullet, as the Warren Commission supposes.

Those of you who were with us last night remember that we cited indications in the Zapruder film that it was Oswald's first shot, fired earlier than the Commission believed, which missed. Now if that is so, then the Governor could indeed have heard a shot and begun reacting to it before he himself was hit. We have, in fact, three theories to explain the same facts—the single bullet theory, the second assassin theory, the theory that all three bullets that were fired found their targets.

Our own view, on the evidence, is that it is difficult to believe the single bullet theory. But, to believe the other theories is even more difficult. If the Governor's wounds were caused by a separate bullet, then we must believe that a bullet passed through the President's neck, emerged at high velocity on a course that was taking it directly into the

middle of the automobile, and then vanished without a trace.

Or, we can complicate matters even further, as some do, by adding a second assassin, who fires almost simultaneously with Oswald, and whose bullet travels miraculously a trajectory identical with Oswald's, and that second assassin, too, vanishes without a trace. Difficult to believe as the single bullet theory may be, it seems to be the least difficult of all those that are available. In the end, like the Commission, we are persuaded that a single bullet wounded both President Kennedy and Governor Connally.

The Warren Report's contention that there was only one assassin rests on the conviction that all the wounds suffered by both men were inflicted by no more than three shots, fired from behind and above them. We have heard Captain Humes, as well as other doctors and experts. We have looked hard at the single bullet theory. The case is a strong one.

There is not a single item of hard evidence for a second assassin. No wound that can be attributed to him. No one who saw him, although he would have been firing in full view of a crowded plaza. No bullets. No cartridge cases. Nothing tangible.

If the demands of certainty that are made upon the Commission were applied to its critics, the theory of a second assassin would vanish before it was spoken.

As for the Governor, he now concedes he might have been struck by the bullet that pierced the President's throat. And our own investigation makes it likely that the bullet was the second, and not the first, that Oswald fired. The Governor's objections, which were the most troubling of all, now disappear. CBS NEWS concludes, therefore, that Oswald was the sole assassin.

But was he truly alone? Or were there others in dark shadows behind him, co-authors of a plot in which Oswald was cast as a triggerman? Tomorrow we will look into those charges, and concern ourselves with Officer Tippitt, with Jack Ruby, and the murky accounts and strange personages introduced into the case by District Attorney Jim Garrison in New Orleans.

GARRISON. He did not touch a gun on that day. He was a decoy at first, and then he was a patsy, and then he was a victim.

CRONKITE. We will hear Garrison, and some of those whom he has involved. And we will try to answer the third of our major questions: Was Lee Harvey Oswald part of a conspiracy?

This is Walter Cronkite. Good night.

ANNOUNCER. This has been the second of a series, a CBS News Inquiry: "The Warren Report." The third part will appear tomorrow night at this same time.

This broadcast has been produced under the supervision and control of CBS News.

Mr. HARTKE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

ADJOURNMENT TO MONDAY NEXT AT 10 A.M.

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 10 o'clock a.m. on Monday next.

The motion was agreed to; and (at 5 o'clock and 19 minutes p.m.) the Senate adjourned, until Monday, August 7, 1967, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate August 4, 1967:

IN THE ARMY

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3305:

To be colonels

Doriot, Jack V., O52386.
McManus, Vincent J., O36334.
Stein, William H., O33837.

To be colonel

MEDICAL SERVICE CORPS

Grow, George L., O37573.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

To be lieutenant colonel

Alberti, Donald W., O56695.

To be lieutenant colonels

MEDICAL CORPS

Svjagintsev, Juiri J., OF108317.

To be majors

Abercrombie, Edward, O76933.
Adams, Basil R., Jr., O86982.
Adams, John E., O88544.
Adams, Paul M., Jr., O98506.
Adamson, George F., O87990.
Adessa, Anthony J., O76935.
Agnew, James B., O85473.
Aguanno, Edwin M., O70580.
Aguilar, William P., O68856.
Ahearn, John F., O97948.
Ainslie, Robert E., O69844.
Aitken, Milton L., O70581.
Albro, Ames S., Jr., O70583.
Alderman, Nathaniel, O95547.
Allen, Charles B., O89173.
Allen, Stanley C., O72809.
Alston, Lonnie N., O68860.
Alvey, Everett L., O76937.
Anderson, Andrew H., O73283.
Anderson, Darrell R., O70588.
Anderson, George B., O76938.
Anderson, Jerome H., O70589.
Anderson, Robert C., O85122.
Andre, Nick J., O68864.
Andrew, Donald G., O76939.
Anklam, Frederick M., O70591.
Anthis, Robert F., O70592.
Applewhite, Ray, O74627.
Archer, William T., O70593.
Archibald, Norman E., O79167.
Arkley, Robert J., O80206.
Armstrong, Raymond, O68867.
Arnold, Thomas H., O81370.
Arrington, Saul, OF105221.
Asente, James, O88327.
Atkinson, Ellis O., O68869.
Ault, William E., O89027.
Avveduti, Paul R., O68874.
Awtrey, Sherry E., O77257.
Bachman, Clayton J., O92155.
Bacon, Norman J., O96879.
Bacon, Willis G., O70596.
Baddaker, William L., O76941.
Bailey, Kenneth R., O70599.
Bailey, Robert H., O94989.
Bailey, Ronald O., O76942.
Bain, John R., O81372.
Baker, Ralph H., Jr., O98169.
Baker, Russell A., O75140.
Baldwin, Jessie E., O74629.
Baldwin, William R., O70600.
Ball, Fred R., O96580.
Ballantyne, John L., O70601.
Balzhiser, Robert M., O79171.
Bard, John C., O70602.
Bardwell, James E., OF104371.
Barker, James R., OF105321.
Barksdale, Clifford, O81374.
Barnes, Harold F., O70603.
Barnes, Robert S., O81375.
Barnitt, George W., O71139.
Barrand, Kerwood W., O70605.
Barron, William T., O88563.
Bartlett, Leslie R., O98521.
Bartolacci, Alfred, O79177.
Barton, Robert H., Jr., O99787.
Bass, Richard H., O79179.
Bauer, Daniel H., O81376.
Baughman, Richard C., O70608.
Bayer, William S., OF105611.
Beam, James D., O94042.
Bean, John F., O68888.
Beaumont, Charles D., O70610.
Becker, Donald C., O99789.
Beckwith, George G., O79182.
Bedell, Norman H., O70611.
Belcher, Eugene R., O71759.
Bell, Frederick D., O76949.
Bellows, Robert E., O69856.
Beltman, Laurence J., O78635.
Benfer, Richard H., O70613.
Benn, Clark H., O70614.
Bennett, George C., O70615.
Bennett, John C., O70616.
Bennett, Raymond G., O76951.
Bennett, Willard M., O79185.
Bennetto, Edward, II, O84472.
Beringer, Jack M., O70618.
Berkey, Ronald R., O71443.
Bernstein, Harold, O82141.
Bertrand, Milton A., O94047.
Bidwell, Bruce W., O70619.
Biggerstaff, Jack, O75145.
Bilderback, Gerald, O76952.
Billy, Myron D., O68900.
Bindrup, Lavere W., OF103657.
Blanche, John G., III, O81379.
Blichmann, Donald J., O81381.
Bockman, Leonard I., O74641.
Bodine, James F., O79188.
Boe, Richard I., O70622.
Boggs, Joseph C., O72823.
Boggs, William L., O73291.
Bole, Albert C., Jr., O76954.
Bond, Gene T., O67896.
Bonner, Laurence B., O70623.
Bonomo, Reno J., O76956.
Bonsall, Edward H., O82144.
Boon, Ivan G., O99794.
Boose, Gordon D., O70624.
Borum, Louis M., OF100900.
Borum, William D., OF108118.
Boster, Philip L., O81382.
Bostian, Robert E., O81383.
Bowden, John C., Jr., O76958.
Bowdoin, Arthur C., OF103675.
Bowling, Frederick, O70625.
Boyd, David T., O92163.
Boyd, Gerald M., O79192.
Boyle, Dean G., O81384.
Boyle, Dennis M., O76960.
Boyle, Willard F., O84955.
Boyle, William P., O81385.
Bozeman, Wallace B., OF106508.
Bradbury, Donald K., O70627.
Bradel, James F., O70628.
Brady, James P., O76961.
Branch, William E., O76962.
Brandt, Leo M., O76963.
Breeding, Gene L., O70630.
Breeding, William B., O85296.
Brenner, James J., OF100362.
Brinkpeter, Paul F., O92165.
Brinton, John R., O81388.
Brizee, Harry A., O71154.
Brobeck, Irvin, Jr., O79201.
Brock, Eldridge W., O87690.
Brock, Mervin E., O68919.
Brodeur, Alfred F., O81390.
Brogan, Thomas W., O68920.
Broman, Ralph W., O78242.
Brookshire, Grail L., O70133.
Broumas, Andre G., O70635.
Brown, Charles W., O69869.
Brown, Elmer A., O69870.

Brown, Ollie, O97090.
Brown, Robert F., O79203.
Brown Sam A., O73437.
Brown, Thomas D., O68458.
Browne, Robert T., Jr., O76965.
Browne, Roger J., II, O70638.
Brownlee, Emory W., O76966.
Bryson, Jack M., OF106527.
Buckheit, Wilbur C., O70639.
Buckley, Donald C., OF102423.
Buckley, Fletcher J., O70640.
Buckley, Paul R., O97174.
Buckner, Allen M., O73299.
Bullock, Charles A., O84960.
Burbules, Peter G., OF106067.
Burch, Olger D., Jr., O79205.
Burkland, James M., O68462.
Burnett, Clark A., O82151.
Burnett, Sheldon J., O70643.
Burnison, George E., O79206.
Burr, Richard A., O69873.
Burris, James C., O70644.
Butler, Henry W., O70645.
Butler, Joe C., OF108130.
Bynum, Donald K., O79210.
Byrd, Roger D., O73226.
Cain, David L., O88245.
Caldwell, James K., O68932.
Calhoun, George B., O70648.
Call, Thomas J., OF106533.
Callaway, Luke L., Jr., O70649.
Callis, Bennie E., O72410.
Campbell, Harold T., O81394.
Campbell, Laurence, O76972.
Canham, Thomas R., O68464.
Canja, Safron S., O71325.
Cannon, Archie S., Jr., O81395.
Carey, Gordon T., O79215.
Carey, William K., O97095.
Carlile, Cecil O., O98472.
Carlson, Charles W., O70650.
Carlson, Earl C., O85407.
Carlson, Gustaf R., O77306.
Carmichael, Horace, O73301.
Carrasco, Valentine, O82155.
Carroll, Henry S., O70653.
Carson, David L. O76973.
Carter, William J. OF105643.
Carvell, Richard F., O94917.
Catudal, Joseph U., O70080.
Caudle, Lester C., Jr., O79219.
Caulfield, Robert N., O99803.
Chacon, Jose L., O70655.
Chancellor, George, O70657.
Chandler, James D., O70658.
Chandler, Robert P., OF106076.
Chaney, Otto P., Jr., O76976.
Chant, Robert J., O71165.
Chapman, James L., O70659.
Chesbro, John S., O70660.
Childs, John O., O70174.
Ching, John Y. S., O79222.
Chirio, Michael L., O79223.
Choat, Buddy J., O76978.
Chritton, William R., OF105353.
Churchill, Ralph T., O81398.
Churchman, Robert, OF110210.
Cicchinelli, Robert, O70662.
Clark, Dallas W., O81399.
Clark, David R., O68952.
Clark, Denzel L., O88623.
Clark, Donald O., O76982.
Clark, Gene E., O68954.
Cleary, Arthur C., O74660.
Clements, John K., O79229.
Coates, Fred A., O81400.
Cochran, Jerry L., O87709.
Coder, John D., O92297.
Cole, David A., O79233.
Cole, Raymond F., O76985.
Cole, William W., O73304.
Coleman, James P., O69884.
Collier, Alvis W., O68958.
Collins, Franklin W., OF110212.
Collins, Howard L., O89193.
Colpini, Frank P., O70665.
Combs, Oliver B., Jr., O70666.
Comer, Ralph L., O68961.
Connell, Thomas E., O92641.
Connors, James P., O73307.
Conover, Nelson P., O70082.
Cook, Larry L., O87711.
Cook, Richard R., O85141.
Cooper, James C., III, O70667.
Cooper, Robert G., O76988.
Corbett, William T., O91798.
Corliss, Reginald H., OF102163.
Cosgrove, William C., O81402.
Costello, John L., Jr., O78576.
Cottingham, John B., O68966.
Cottle, Robert S., O70670.
Cowley, John F., Jr., O73310.
Cox, Newton C., O84478.
Cragun, Benjamin M., O68968.
Craig, Michael F., O71471.
Craig, Robert B., O71775.
Craighead, Doyle T., O69890.
Crain, Leonard B., O82159.
Cramer, Eugene G., O81403.
Cranford, Charles R., O89047.
Craver, Roger H., O72330.
Crisp, William H., O81404.
Crosmun, Clifford A., O84902.
Crouch, Harry C., O75168.
Crowley, John D., OF105367.
Crown, Ray H., O70083.
Culver, James V., O76990.
Cummings, Clarence, OF 102167.
Cunha, Frederick R., O76991.
Cunnigham, Martin, O73311.
Cunningham, Walter, O76992.
Curry, Jerry R., O94285.
Custer, Robert G., O82162.
Cutolo, Edward P., O70675.
Daggett, Robert W., O73312.
Dahl, Bruce E., O69895.
Daniels, Thomas W., O99810.
Daniels, Walter C., O68976.
Daoulas, Arthur, O85151.
Darden, Fred A., O97897.
Darling, Sterling P., O70679.
Daschle, Charles L., OF103371.
Daugherty, Paul R., O85152.
Daura, John, Jr., O70676.
Davia, Albert J., O81407.
Davis, Edward E., O73315.
Davis, Jack C., O85312.
Davis, Jethro J., OF103819.
Davis, Jonah B., Jr., O94067.
Davis, Willie L., O94068.
De Jarnette, Larry, O75171.
De Rouen, Milton, Jr., O89199.
Debelius, Charles A., O70681.
Deis, Donald R., OF106094.
Delamain, Frederic, O70682.
Deming, Roger M., O76997.
Dendy, Norris F., OF105375.
Denton, Walter M., O70180.
Derrick, George E., O68985.
Detwiler, Harvey C., O81412.
Dewey, Desmond D., O94069.
Diamond, Eugene M., O75174.
Diener, Everett P., O88655.
Diesu, Angelo J., O79253.
Dietsch, Richard K., O91199.
Diggory, Mark L., O79255.
Diller, Richard W., O70684.
Dimtsios, George J., O68510.
Doby, Robert F., O77001.
Doherty, James J., OF102853.
Dolfi, Eugene, O87732.
Doray, Paul D., OF109898.
Doty, Daniel W., OF101032.
Downen, Robert E., O70687.
Doyle, William P., O77005.
Drake, Charles E., OF106100.
Drisko, Shapleigh M., O70690.
Drumm, Donald R., O81416.
Du Beau, Leo F., O92318.
Duke, Lynwood R., OF102049.
Duncan, Ross E., O68998.
Dunn, James F., Jr., O73320.
Dure, John H., O84480.
Dyer, Gerald D., O81420.
Ealer, George L., O69002.
Eaton, Prescott, O70089.
Eberhard, Floyd, O88666.
Eberhart, Loren M., O70693.
Eberle, John S., O71486.
Eckhart, John W., III, O71487.
Eckles, Donald R., O68233.
Edmonds, Maurice O., O77007.
Edwards, William H., O69909.
Eitel, John C., O70697.
Eldred, Marshall S., O77008.
Elliott, Richard L., O99313.
Ellis, Mike, O81421.
Ellis William T., O77011.
Ellis, William L., O84982.
Elmore Louis N., Jr., O69010.
Elton, Robert M., O70699.
Eng, Charles, O71178.
Enger, Kenton O., OF103823.
Engram, Edwin J., O74684.
Ennis, John A., O79266.
Enright, Eugene J., O82168.
Epling, William Y., O70700.
Erickson, Eric A., Jr., O99640.
Esplin, Willard B., O74686.
Etheridge, James R., O70182.
Eubanks, James M., O89054.
Evans, Herbert C., O87736.
Everett, Robert W., OF100817.
Ewing, Leroy B., O89055.
Fague, Donald L., O73328.
Falter, Vincent E., O94075.
Farrar, John H., Jr., O70704.
Farris, John T., O71180.
Faulk, Emmett A. L., O87519.
Feilke, Glenn T., O69019.
Feist, Robert J., OF106593.
Fellerhoff, John H., O79273.
Fellows, Robert L., O81423.
Ferguson, Harold C., OF109124.
Ferguson, James H., O77016.
Ferullo, Generoso J., O81424.
Fiesler, Robert J., O97905.
Finehout, Arthur W., O77388.
Finley, John L., O81425.
Finney, Don E., O75184.
Fisher, George E., Jr., O94855.
Fitzgerald, Thomas, O79277.
Flanigan, Clifford, O70706.
Flenniken, David B., O94079.
Flickinger, Robert, O79280.
Floore, Billy H., OF106597.
Flynn, Thomas J., O85323.
Foley, William R., O72332.
Fontaine, Sully H., O94581.
Forman, Robert C., O70707.
Fountain, Charles D., OF102464.
Fowler, Roy, O68538.
Fowler, Thomas R., O77024.
Francis, John K., O71184.
Francis, Phillip M., O77025.
Francois, Frank, O82172.
Franklin, Charles D., O77026.
Franklin, Raymond D., O99646.
Fritchman, Lynn V., O88688.
Froede, Carl R., O69036.
Fuchigami, Harry H., O99846.
Fuerst, Werner F., O81431.
Fuller, Leonard H., O70709.
Gabardi, David L., O77028.
Gabbert, Howard M., O70710.
Gabel, James M., O70092.
Gallagher, Thomas M., O88693.
Galliher, Kay O., O73332.
Galloway, Frederick, O70713.
Galloway, William W., O92191.
Galvin, John R., O70714.
Galyon, Norman L., O79289.
Ganahl, Joseph, O70715.
Gannon, Norbert J., OF104426.
Garcia, John L., O69927.
Gardner, William S., O81433.
Garretson, Edmund S., OF106115.
Gartman, Frank T., O67921.
Gassaway, Kenton C., O69931.
Gaston, Donald E., O70717.
Gatti, Raymond E., O79293.
Gazlay, John C., O81436.
Geraci, John F., O79295.
Gerda, Joseph J., O70720.
Gernon, Thomas E., O77029.
Gettings, Theodore, O75191.
Gheen, John W., O70721.
Gibson, Henry L., OF105404.
Gilbert, Wendell H., O70723.
Gilboux, John W., O70724.
Giles, George R., O71089.
Gillespie, John T., O73335.
Gillingham, Richard O79299.

Gillis, John B., O69043.
Gilmore, Edward R., O82174.
Gimple, Lloyd A., O79300.
Glover, Alfred P., O83625.
Glover, Rupert F., O79302
Godwin, Ralph L., O79303.
Godwin, William C., O69049.
Goetzmann, Philip A., O75193.
Golden, Robert K., O91636.
Gomez, Robert M., O70727.
Gonzales, Ralph V., OF108179.
Goode, Franklyn C., O75194.
Goode, Ralph W., Jr., O81441.
Goodman, Wilbur G., O81443.
Goodwin, Clifton R., O79306.
Goodwin, Robert E., O70728.
Gorvad, Peter L., O69051.
Goss, Ephriam M., O72716.
Goss, Wallace F., Jr., O82176.
Grace, William P., O70730.
Graham, Jones R., O83627.
Grant, Donald E., O94084.
Gray, Jack, OF102887.
Greeley, John M., O81445.
Green, Alford W., O81446.
Green, David E., O74703.
Green, Richard D., O69053.
Green, William T., O77033.
Greer, Richard B., O74704.
Gregerson, William, O77034.
Griffin, Richard W., O70735.
Griffith, Joseph K., O77035.
Griswold, Donald E., O69059.
Gross, Robert H., O70739.
Grubbs, Brandt F., O70740.
Guenther, Leo A., O82178.
Guffey, Howard R., O94085.
Guidroz, Evans J., O75200.
Guy, George S., Jr., O70741.
Guyton, Robert E., O82179.
Haas, Virl E., O70742.
Hackworth, David H., OF103837.
Hall, Harry E., O77038.
Hallenbeck, David R., O81448.
Haller, Douglas L., O77039.
Halsted, Robert E., O81449.
Halvatgis, James N., O70745.
Ham, Lewis H., Jr., O70746.
Hampel, Victor H., O77426.
Hampton, Wade, O70747.
Hance, Carl W., O87774.
Hannas, Robert O82181.
Hannaway, Harold C., O81451.
Hannon, Clarence W., O70748.
Hannum, David B., Jr., O77041.
Harber, Gerald J., O75204.
Harman, Asher W., Jr., O79319.
Harmon, Tommy J., O77042.
Harper, William B., O70751.
Hart, Franklin A., O70754.
Hartert, Richard A., O84485.
Hartman, Donald F., O88721.
Harvey, Aaron C., Jr., O92386.
Hathaway, Warren A., O77045.
Hauser, William L., O70757.
Hawes, Richard W., OF106643.
Hawley, Richard S., O89699.
Haws, Elbert D., O73343.
Hayes, Alva W., O69070.
Hayes, James B., Jr., O99329.
Hayes, Walter P., O75206.
Haynes, Harvey R., O88091.
Hays, James E., O70758.
Hazlett, John W., O91864.
Headley, Fred C., Jr., O99123.
Healey, Thomas F., O70759.
Heath, Arthur M., O73501.
Hedgepeth, Leroy J., O87532.
Heffner, Gary R., O96980.
Heiter, James A., O92394.
Hellmuth, Harry E., O77047.
Helms, Jack E., OF104446.
Henderson, Berry H., O85562.
Henry, Cecil M., O94932.
Henry, Frank L., OF105699.
Henry, James R., O70760.
Herring, Shelby D., O88733.
Hess, Boyd G., OF104449.
Heverly, Clifford C., O72374.
Heyward, James O., O79324.
Hickey, Thomas B., O79325.
Hicks, Franklin D., O70761.
Higgins, Alan R., O74722.
Hight, Adolph A., O69948.
Hill, Clarence O., O84488.
Hillsman, Dan A., O69080.
Hilsman, William J., O70763.
Hilt, George H., O70764.
Hincke, John I., Jr., O70765.
Hobbs, Guy E., Jr., O79327.
Hobbs, Leo P., O70766.
Hobbs, Richard W., O70767.
Hoffert, Charles E., O77451.
Hogg, Jerry W., OF105704.
Holden, Joseph B. J., O65663.
Holder, John B., O81458.
Holland, David K., O81459.
Holler, John C., O81460.
Holloway, James E., O82337.
Holloway, Teddy G., O79329.
Holly, John W., OF105430.
Horlitz, Alfred E., O71522.
Hormann, Vaughn A., O79331.
Hornsby, Jesse S., O71208.
Houy, Edward W., Jr., O69092.
Howard, Lonnie T., O97922.
Howard, Newman A., Jr., O69094.
Howard, Samuel A., O76243.
Hoy, Richard P., O70770.
Hubp, Frank, O88746.
Hudachek, John W., O70771.
Hughes, Norman J., O79336.
Hugo, Victor J., Jr., O70772.
Humphries, George D., OF108206.
Hungerford, Franklin M., O71810.
Hunt, Robert L., O70773.
Hunter, Robert L., OF100292.
Hurst, Dale W., O96989.
Hurtubise, William, O79338.
Hutchens, Douglas L., O88109.
Hyatt, Frederic D., O84492.
Ianni, Francis A., O70774.
Ice, Ronald E., O69101.
Ingram, Thomas A., O69102.
Ironside, Robert A., O70775.
Jackson, Wilfred A., O69108.
Jackson, William S., O87801.
Jacobsen, Richard L., O79342.
Jacquez, Oscar S., O70100.
Janairo, Maximiano, O70776.
Janssen, Arlo D., O77055.
Jeffers, Sam E., Jr., O77056.
Jenne, Dale E., O70778.
Jeo, Herbert, OF108211.
Jessee, William T., O70779.
Johnson, David L., O97457.
Johnson, Edward K., OF102931.
Johnson, James D., O92436.
Johnson, Kenneth F., O99335.
Johnson, Richard T., O72740.
Johnson, William A., O97141.
Johnston, Johnny J., O73349.
Jones, Charles R., O77060.
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Jongebloed, Nicholas H., O74740.
Jordan, William R., O85337.
Jorgensen, Norman E., O97928.
Kamandulis, Donald, O97143.
Kampschror, Darrell, O71818.
Kay, Joseph V., O88764.
Keaton, Jack L., O73353.
Keener, Robert E., O70789.
Keiser, Edwin C., O70790.
Keith, Harlan A., O80215.
Kells, Robert A., O97931.
Kelly, James J., O92439.
Kelman, Manfred, O87817.
Kent, John F., O77067.
Kesterson, William, OF102208.
Kincaid, Jack D., O70792.
King, Charles R., O71215.
King, William W., O70201.
Kinne Milton J., Jr., O71819.
Kinney, Philip R., O74747.
Kirkland, Faris R., O77068.
Klein, William E., O70796.
Klick, Clyde F., O84494.
Kline, Edward F., OF109193.
Klingenfus, Emil J., O77070.
Klippel, Kenneth L., O77071.
Klugh, James R., O90194.
Knight, Bobby M., O71216.
Knoff, Edward M., Jr., O70799.
Koehler, William F., O77074.
Koloski, John J., O95347.
Komornik, Ronald G., O75225.
Korpal, Eugene S., O75227.
Kortum, Marvin R., O70800.
Kourakos, George S., O70804.
Kros, William J., O77075.
Krueger, William H., O77076.
Kvernes, Roger W., O69137.
Lachance, Martin P., O70809.
Lackey, Marvin E., O81473.
Lacour, George A., O70810.
Lacy, James F., O89239.
Lafever, Morris, O79358.
Lambert, Richard T., O77079.
Lampkin, George W., O96772.
Landau, Bernard M., O81475.
Lane, James C., Jr., O69146.
Lane, Pearce A., O94604.
Langford, Paul P., O82196.
Langston, Gary E., O92697.
Lanier, Albert B., Jr., O77081.
Lanphere, Robert F., O77082.
Larsen, John W., O77083.
Larson, Harry D., O73452.
Lasher, Sebastian A., O70811.
Laskowski, Frank W., O79361.
Laucirica, Xavier A., O69150.
Lawrence, William J., O70104.
Lax, Joseph O., Jr., O77085.
Lay, Gilbert R., O77523.
Laybourn, William E., O69154.
Le Clair, William J., O77088.
Le Mere, John R., O70813.
Leach, Ercie J., OF104185.
Leathers, Billy J., O77087.
Ledford, William V., O77089.
Lee, Lynn L., O73364.
Lee, Ronald B., O70814.
Lees, Robert E., O77090.
Leese, Donald A., O77091.
Leiser, Maurice H., O70815.
Leister, Richard W., O88122.
Leland, David P., O77092.
Lemanski, Ronald J., O70816.
Lenard, Stanley, O69161.
Leonard, Dan S., O88785.
Leone, Peter N., O70817.
Leszcynski, Joseph, O73366.
Leva, Neil I., O81479.
Levanger, John C., O99679.
Levine, Edwin R., O88280.
Lewis, John P., O77093.
Ley, Robert E., O70819.
Lilley, Aaron L., Jr., O85027.
Lilly, Richard A., O84497.
Lindsay, James J., O75235.
Lindsey, Fred S., O70821.
Lindsey, Tommy G., O77095.
Littlefield, Richard E., O70822.
Loane, Jabez W., IV, O78597.
Lobdell, Edward D., O79366.
Lochner, Jack A., O70823.
Logan, Jack R., O70825.
Long, James L., O73367.
Lovato, Lawrence L., O78598.
Lowery, Carlton M., O77098.
Lowery, Rolla W., O92090.
Lowrey, Patrick R., O88424.
Lucas, Andre C., O70827.
Luce, Charles M., O70828.
Luepnitz, Carl A., O77101.
Lummis. Mason M., O86433.
Lundy, William H., OF105471.
Lutsch, John W., O97151.
Lykke, Arthur F., Jr., O70831.
Mackey, William C., O89098.
Macklin, Joseph D., O70832.
Madigan, John J., III, O74763.
Maga, Fred D., O77102.
Mallia Louis A., A84498.
Mallo, Harry R., O77103.
Mallonee, John B., Jr., O77104.

Malmgren, Alfred C., O77105.
Malone, Dandridge M., O71832.
Maloney, James P., O71386.
Mangold, Clarence A., A81481.
Mann, William M., Jr., A72757.
Mantooth, John W., OF102040.
Marcrum, Robert H., O70835.
Marcy, Edwin J., Jr., O72928.
Marder, Everett J., O91596.
Marini, James L., O88807.
Marker, Robert H., O77107.
Martellini, Carmen, O77108.
Martin, Arnold, Jr., OF101292.
Martin, Haywood H., O69199.
Martin, James R., O79372.
Martin, Jesse H., O70837.
Martin, John R., O88810.
Martin, Paul E., O91634.
Martin, Quinton T., O88811.
Mason, Elijah F., O79374.
Massaro, Joseph M., O70840.
Massengill, James R., O85033.
Massey, Joseph O., Jr., O69979.
Masters, Barrie P., O72759.
Masuck, Joseph, O70841.
Matsumoto, Glenn K., O70842.
Matthews, Lloyd J., O70843.
Matthews, Ralph A., OF106726.
Mattmuller, Norman, O70846.
Mayberry, Thomas S., O70848.
Mayhew, John W., O87555.
McBee, Willie H., O70107.
McCarthy, Richard, O70108.
McCaskill, John L., OF103531.
McCloskey, William, OF102546.
McClusky, James D., O71836.
McCollum, James M., OF103876.
McCollum, Richard, O81485.
McConnell, Lewis J., O84499.
McCord, John S., O75247.
McCormick, Richard, O85349.
McCoy, Don S., O69176.
McCrea, J. Hollis, O77112.
McCue, James A., O79376.
McDonald, John F. J., O95407.
McDonald, Payton R., O75394.
McDonnell, Gerald, O88543.
McEvily, Robert E., OF103877.
McGee, Calvin A., O85041.
McGraw, John F., Jr., O89105.
McGraw, Russell M., O85350.
McGreevy, Edgar R., O82207.
McGuire, William E., O70852.
McKay, William L., O73374.
McKee, Jona, O97945.
McKenzie, Moran A., O69985.
McKnight, Don A., OF106712.
McKnight, James R., O73375.
McLaughlin, Thomas, O74772.
McLean, Raymond O., O88287.
McLennan, Richard, O84500.
McPherson, Robert, O70857.
McQueen, James T., O94488.
McRill, Billy I., O83105.
McSorley, Lester F., O71559.
Meador, Marion F., O70858.
Meadows, Thomas R., O69202.
Meanor, John E., O68270.
Meese, John R., O71839.
Meister, Melvin E., O71099.
Mendenhall, Robert, O74773.
Menetrey, Louis C., O71395.
Mentillo, Louis R., O70859.
Merklinger, George, O88290.
Merrick, Philip B., O74775.
Merritt, Ronald H., OF100428.
Metzger, Ronald W., O88832.
Meyer, Harvey B., O84223.
Meyer, Richard W., O84915.
Michel, Robert W., OF106729.
Mikle, Franklin O., O69218.
Milburn, Lloyd E., O79385.
Miller, Charles E., O70861.
Miller, George F., O77124.
Miller, Harold L., O89261.
Miller, Harry W., O81489.
Miller Harvey F., O77126.
Miller, James M., O70862.
Miller, John T., O70863.
Miller, Kenneth M., O77127.
Miller, Paul, Jr., O70864.
Miller, Richard J., O85046.
Miller, Thomas A., Jr., O70112.
Miller, William D., OF100664.
Mills, Robert W., O96701.
Minturn, Lindsey B., O70866.
Mitchell, William T., O87569.
Mix, James E., O81493.
Mizell, Dan J., O70214.
Mizell, John J., Jr., O82210.
Mock, Newell A., Jr., O79386.
Modica, Donald, O77128.
Moeller, Gene L., OF109603.
Monroe, Charles A., O77130.
Mooney, Harley F., Jr., O77131.
Mooney, Robert, O71233.
Moore, Clay P., O92227.
Moore, Gordon E., O70145.
Moore, James E., Jr., O70869.
Moore, Patrick J., O69226.
Moore, Richard E., O69228.
Moore, Robert L., OF102568.
Moore, Robert O., O69229.
Moran, John F., Jr., O99516.
Mordente, Joseph, OF109244.
Morn, Charles P., O71234.
Morrill, Donald P., O81494.
Morrill, George H., O77133.
Morris, Henry F., O85222.
Morris, Robert P., O70872.
Morsey, James A., O69236.
Moseley, Robert L., O79392.
Moses, Edward M., O70874.
Moses, William C., O69994.
Mosher, David L., O79393.
Motsko, Myron M., O97170.
Mott, Carl M., Jr., O69995.
Mountain, Benjamin, O73379.
Moxley, Robert J., O79394.
Moye, Harold W., OF100758.
Mullen, Jack L., O79395.
Mullen, Warren E., O93063.
Mullins, Thomas E., O70441.
Mulvanity, Donald C., O74786.
Munn, William R., O77138.
Murphy, Alvin F., O77139.
Murphy, James K., O79397.
Musser, John B., O79398.
Mustain, James C., O77141.
Muth, Roy W., O70878.
Nagorski, Walter J., O71405.
Negris, Rocco, O77144.
Nelson, Russell D., OF106194.
Neu, George T., O70881.
Newnham, Donald F., O70882.
Nicholson, Rowland, O79402.
Nicholson, Thomas G., O85053.
Niedermeyer, Frederick H., O94626.
Niemi, John A., O75260.
Nikkel, Roy G., O68036.
Nix, Eddie M., O89116.
Noffsinger, Gordon, O79404.
Nolan, John R., O81499.
Nolin, Edmond R., O70004.
Noonan, Richard B., O99937.
Nordgren, Courtland, O68662.
Northcutt, Maurice, O85056.
Nosek, George F., O87574.
Nowalk, Charles L., O82216.
Nutter, Raymond T., O79407.
Oates, John T., O95370.
O'Brien, George F., Jr., O70885.
Odom, William E., O70888.
O'Keefe, Neil L., O71849.
Old, William D., II, O70889.
Oliver, Henry M., O77150.
Olson, Ronald D., OF106762.
O'Malley, John M., O73383.
Openchowski, Kenneth F. A., O81501.
O'Quinn, James J., O69256.
Ormsby, Mark A., O70891.
Ornstein, Alvin, O97017.
Orr, Charles E., Jr., O84503.
Orr, Charles R., O70892.
Owens, Joe S., O73384.
Pace, Ray D., O70894.
Page, Harold R., O81504.
Palastra, Joseph T., O70895.
Palermo, Frank J., Jr., O74799.
Palmer, Warren T., O70896.
Panageas, Dan P., O70007.
Panton, William E., O70218.
Panzer, Donald F., O70898.
Pappageorge, John G., O70899.
Parini, Romano J., O79413.
Paris, Kenneth G., O90602.
Parker, Hassel L., O73385.
Parker, Russell W., O70901.
Parker, Velma F., O92661.
Partridge, Charles, O77151.
Pascarella, Pascal, O81507.
Passmore, Edwin E., O70903.
Patterson, Mercer H., O70904.
Paul, William V., Jr., O70905.
Pawlowski, Edward J., O70906.
Paxman, James C., O79417.
Payne, Thomas L., O79419.
Peisinger, Roman J., O70907.
Penney, Hubert F., O77621.
Percy, Francis J., O70908.
Perkins, Andrew D., O82219.
Perkins, Rodney B., O82220.
Perrin, Everett I., O75264.
Perrin, George E., O70909.
Person, David E., O71712.
Persons, George A., O79420.
Peters, Billy, O77154.
Petersen, Peter B., O79421.
Phelan, Michael J., OF102244.
Philbrick, Donald F., O72774.
Phillips, Edward L., O99952.
Phillips, Ted N., O77158.
Piepho, Carlton D., O79425.
Piolunek, Chester J., O70913.
Pistone, Louis J., O91979.
Plencner, Francis B., O88877.
Poarch, James W., Jr., O71111.
Podurgal, Emanuel, O99711.
Poel, David J., O77160.
Pole, Freddie R., O81509.
Pollard, Louis M., Jr., O69273.
Ponder, William L., O79430.
Pope, William A., O77161.
Porter, Clair E., O72968.
Porter, Covington B., OF100331.
Porter, John G., O70916.
Porter, Robert C., O94780.
Portteus, Willard L., O70114.
Poteat, John A., Jr., O70917.
Powell, William G., O93072.
Powers, George F., Jr., OF100332.
Powers, Paul V., O70918.
Prescott, Warren T., O77628.
Price, Francis K., Jr., O77165.
Proctor, Lawrence B., O77166.
Proietto, Raymond T., O73111.
Prokopowich, Lucien, O77167.
Puckette, Cecil L., O84067.
Purdy, John T., O70922.
Pursell, Alfred B., O77170.
Qualls, Orbun F., Jr., O70923.
Quedens, Bernard B., OF108278.
Quinn, William J., O79436.
Radke, Galen W., O77172.
Radu, Cornelius J., O91985.
Ragains, Robert L., O74818.
Ralls, Dan H., O70023.
Ralph, James R., O81513.
Randall, Starr D., O85074.
Ransone, James F., Jr., O70925.
Rapkoch, James M., O77638.
Ratcliff, Walter A., O79439.
Rathburn, Vinton L., O72779.
Rawlings, Charles R., O70026.
Rayl, Wallace I., O82227.
Raymond, Robert A., OF102251.
Reddell, Eugene B., O79440.
Redic, Maxie O., Jr., O84507.
Reding, Charles H., O75275.
Reed, Leonard F., O70926.
Reed, Robert T., O70927.
Reese, Mark L., Jr., O70928.
Reid, Frederick L., O71413.
Reisling, Glenn M., O81515.
Remus, Melvyn D., O70930.
Renfro, Richard M., O70931.
Resley, Robert D., O70932.
Rhea, Donald M., O70933.
Rice, Harrold E., O73389.
Rich, Jordan M., O98538.
Richard, Alan V., O70934.
Richards, Charles D., O70935.
Richards, David A., OF102258.

Richards, Howard C., O77180.
Richards, Joseph F., O85366.
Richards, William E., O99972.
Ricker, Norman H., Jr., O73390.
Ridgway, John J. Jr., O77182.
Riede, James R., O69295.
Riese, Robert C., O70936.
Rife, Byard W., O69298.
Riley, Frank J., O70027
Riley, Walter G., Jr., O70227.
Ripple, Larry M., O77652.
Ritz, Karl C., O79445.
Roberts, Leo M., OF105530.
Robinson, Frank E., O66413.
Robinson, Hugh G., O70937.
Robinson, Robert E., O75279.
Roderick, Edward E., O70938.
Roeder, Harold Y., O93494.
Rogers, Clare R. J., O77184.
Rogers, John C., O70939.
Rogers, Roland B., O74827.
Rollinger, Jack R., O69308.
Roper, Charles A., O79447.
Rorke, Donald M., O71260.
Rose, Myron W., O70940.
Rose, Ronald J., O75280.
Rosen, Leslie M., O69310.
Rosing, Willis S., Jr., O79449.
Ross, Ernest E., OF106797.
Rouchon, Anthony C., O82229.
Routh, Harry M., O77186.
Rudser, John L., O69312.
Rue, Norman L., O73393.
Rufe, Charles P., O79453.
Rumsey, Frank A., Jr., O75281.
Runnion, John E., OF108288.
Ruskauff, Donald R., O85371.
Ruth, Charles W., O85799.
Ryan, Dennis W., Jr., O75282.
Ryan, James P., O70945.
Salvador, Ronald L., O70948.
Samouce, Warren A., O70949.
Sampson, Edward E., O79457.
Sanders, Bobby L., O77188.
Sanders, Drexel E., O71595.
Sanders, Richard D., O89848.
Sandla, Robert S., O82232.
Scales, David E., O98048.
Schaefer, John R., O89287.
Schludecker, Otto A., O75288.
Schmidt, Theodore H., O69321.
Schneider, George J., O77191.
Schnoor, Jack E., OF108291.
Schoen, Frank C., O82234.
Schoendorfer, Frank, O82235.
Schoening, George W., O71718.
Schrodetzki, Robert, OF104535.
Schwarz, Charles E., OF102268.
Schweikert, Paul, Jr., O70953.
Scibilia, Anthony J., O75290.
Scoggins, John, OF104539.
Scott, Charles G., O71269.
Scott, Hugh A., O81521.
Scovel, James L., O70954.
Seale, Billy G., O79466.
Seaman, Richard T., O79467.
Searls, Billie E., O69329.
Seay, Jefferson, III, O71719.
Segrest, William D., O77193.
Serven, Harold M., Jr., O70035.
Sesslar, James R., Jr., O75292.
Severance, Fayette, O79469.
Shafer, John C., O70955.
Shallcross, George, O83633.
Shaughnessy, Thomas, O81523.
Shaw, Donald P., O70956.
Shebat, Donald, O70957.
Shedden, Eckols L., O70036.
Sheider, Augustus L., O82237.
Sherron, Gene T., O74841.
Shields, George D., O77197.
Shiro, Marvin L., OF106820.
Short, Audrey J., O70959.
Sikorski, Bennie W., O88309.
Simmons, Marvin E., O69338.
Simpson, Claude S., O69340.
Sims, Roy D., O77200.
Sisson, Deryl A., OF101161.
Skeen, Henry G., O79477.
Skibbie, Lawrence F., O70964.
Skinker, Harry J., O85259.
Slater, Burt E., O77202.
Slater, James J., O69342.
Slesnick, Bruce W., O85377.
Sloan, James H., Jr., O70965.
Slocombe, Donald K., O71871.
Smiley, Robert D., Jr., OF103736.
Smith, Albert J., O77203.
Smith, Bill J., O70039.
Smith, Blair E., OF108304.
Smith, Donald L., O69350.
Smith, Douglas S., O71725.
Smith, George E., O77204.
Smith, John A., O74846.
Smith, Julian H., O69351.
Smith, Marion G., O73405.
Snyder, Clinton W., O77205.
Snyder, Quay C., O70967.
Sorrels, Charles V., O70122.
Spang, Alan W., O79482.
Speer, Robert M., O65804.
Spence, Craig H., O70968.
Spence, Thomas H., O79484.
Spradlin, Glenn D., O77210.
Springman, Robert W., O77699.
Spry, Alfred E., O74853.
Stallings, Joseph L., O69358.
Stamper, James M., O89294.
Stanberry, Billy M., O71876.
Stanton, Martin P., O77211.
Starkey, James E., O88957.
Ste. Marie, Normand, O85674.
Steed, Robert B., O79487.
Stein, Henry J., Jr., O69360.
Stelmachowicz, Peter J., O79488
Stenehjem, George N., O70974.
Stephens, James E., O71727.
Stephenson, Lamar V., O77213.
Sterling, Allan C., O70975.
Sterzik, Wilfred L., O69364.
Stevens, Perry G., OF104549.
Stevenson, Leroy P., O69366.
Stewart, Dennie W., O77214.
Stewart, John K., O71286.
Stewart, Richard K., O96347.
Stewart, Robert R., O70977.
Stodter, Charles S., O70978.
Stoessner, Richard, O90504.
Stotser, Don M., O69370.
Stout, Glen W., O70981.
Stout, Herald F., Jr., O70982.
Strand, Vincent W., O73411.
Stuart, Douglas B., O70984.
Sugg, Richard H., O70987.
Sulik, John A., O70988.
Sullivan, Harry E. B., O70989.
Sullivan, William F., O81539.
Sunell, Robert J., O82240.
Surber, James W., O70990.
Suso, Anthony, O97046.
Swaren, John W., Jr., O70991.
Swisher, Robert K., O77219.
Talley, John D., Jr., O70050.
Tallon, Richard J., O94142.
Tanner, Lester W., O88968.
Tawes, Robert H., O70993.
Taylor, Leon B., OF103571.
Taylor, Willie M., Jr., OF109655.
Teberg, David T., O70994.
Terry, Richard T., O71288.
Therianos, Pericles, O82243.
Thomas, John A., Jr., OF102645.
Thomas, John D., O81544.
Thomas, Julius O., Jr., O70996.
Thompson, Bill T., O70997.
Thompson, Charles H., OF104161.
Thompson, Kenneth R., O69385.
Thompson, Richard W., O71733.
Thoreson, David P., O70998.
Thornton, James F., O82370.
Thorpe, John C., O77720.
Thorpe, Marion E., O79503.
Thurman, Maxwell R., O70125.
Tinsley, Philip, Jr., O71613.
Tippett, Jesse R., Jr., O71000.
Tobin, Daniel J., O71001.
Todd, Harold C., O79504.
Tom, Harry K. L., O94145.
Tomsen, Willis C., O71002.
Toreson, Lowell E., O71003.
Trahan, Leon J., O99748.
Travas, John E., O82248.
Troutman, Gregory, O77223.
Tucker, Charles E., O77224.
Tunmire, Dana, O74873.
Turner, James M., Jr., O70240.
Uhrig, Richard A., O81546.
Underhill, Victor S., O77226.
Underwood, Andrew F., O71007.
Van Sickle, James P., O77227.
Van Vranken, Robert, O71291.
Vaughn, Luther C., O79508.
Vermillion, Lewin E., O79510.
Vesser, Dale A., O71010.
Vidrick, Robert L., O74878.
Vining, Ray E., OF106248.
Vinson, Newell E., O71012.
Visscher, Robert E., O77228.
Vittorini, Domenic, OF100028.
Vorba, Richard G., O73419.
Vosel, Donald M., O81548.
Wagner, Louis C., Jr., O71013.
Wall, Frank B., Jr., O74881.
Wall, Henry L., Jr., O85383.
Walters, Howard C., O84069.
Walton, Ben L., O77230.
Ward, Felker W., Jr., O97647.
Ware, Fletcher K., Jr., O71018.
Warf, Elmer R., O71741.
Wash, William B., O81552.
Washer, Robert J., O71019.
Waters, Thomas L., OF105579.
Watkins, James E., O71297.
Watkins, William W., O73422.
Watson, Jack D., O73423.
Watson, Ronald J., O87964.
Watson, Shelly F., O92269.
Watts, William E., O73425.
Weafer, William J., O71021.
Weall, Robert H., O69408.
Weathersby, Russell, O77231.
Weaver, Richard L., O71024.
Webb, John F., Jr., O85696.
Webber, Herbert M., O92430.
Weeks, Frederick H., O71298.
Weeks, Robert E., O71026.
Weidenthal, Carlton, O69412.
Weinstein, Kenneth, O77232.
Weinstein, Saunder, O79519.
Welch, Gene B., OF103918.
Wells, Robert W., O71027.
Wells, Roy D., O79520.
Welsch, Hanno F., Jr., O77770.
Welsh, Milton, O94661.
Welzel, Lewis A., O90558.
West, Kenneth L., O81554.
West, Pleasant H., O87663.
Westervelt, John R., O71029.
Whalen, John J., Jr., O82376.
Whaley, Zachary, O81555.
Whitaker, Malvern R., O71299.
White, Ulysses X, O79527.
White, Walter J., O69420.
Whitehead, Ruby L., O81556.
Whitehorn, Jack A., OF105589.
Whitley, James R., O71031.
Whittington, Richard H., O69422.
Whittington, Wesley, O69423.
Wilcox, Robert L., Jr., O70066.
Wilkinson, Paul F., O67524.
Wilks, Clarence D., O75318.
Williams, Billie G., O81558.
Williams, Edmund R., O75320.
Williams, Emanuel L., OF105873.
Williams, Herbert E., O71032.
Williams, Howard M., O70158.
Williams, James R., O94156.
Williams, James A., O71033.
Williams, Lawrence, O74892.
Williams, William H., O78198.
Williamson, Richard, O69428.
Williamson, Thomas, O81560.
Williamson, William, O69429.
Williford, Henry G., O79534.
Willner, Larry E., O71034.
Willwerth, Dean R., O82257.
Wilson, Dennis F., O69434.
Wilson, Dwight L., O70067.
Wilson, Francis V., O69435.
Wilson, Parks W., Jr., O74894.
Wilson, Robert E., O71307.
Wilson, Robert D., O77238.
Wilson, Virgil H., O92846.

Wilson, Walter C., Jr., O77239.
Wise, David L., O71629.
Witt, John R., O77240.
Witteried, Peter F., O71038.
Wohlman, Melvin, OF103080.
Wolfe, Oren, O70069.
Wood, Joseph S., Jr., OF102681.
Woodbury, Grayson C., O71040.
Woodruff, Albert R., O73431.
Woodyard, John H., O71041.
Wooge, Luvern J., O71042.
Wright, Elden H., O81563.
Wright, Lewis W., O79541.
Wyatt, James E., O71632.
Wyatt, Lloyd L., O81565.
Young, Clyde A., Jr., O70070.
Young, George D., O73433.
Young, John G., O71044.
Young, Robert L., O77243.
Young, Roy J., O70129.
Young, Thomas C., O71045.
Yoxtheimer, Donald, OF108337.
Zapata, Roland T., O79543.
Zeleznikar, Louis J., O81567.
Ziegler, Richard G., O71046.

To be majors, Chaplain

Anderson, Alister C., O97276.
Barry, Raymond E., O92156.
Boggs, James R., O91207.
Clark, Albert V., O85989.
Cook, Richard G., O88634.
Davis, Pat H., O88252.
Degi, Joseph, Jr., O88651.
Dryer, Richard E., O94071.
Ettershank, John P., O86127.
Everett, Paul P., O86129.
Floyd, William R., O96355.
Forsythe, Walter D., O85749.
Garner, Calvin H., O88694.
Green, John E., O88711.
Harding, Richard M., O86222.
Harrell, Ralph E., O86226.
Hartman, Richard W., O88722.
Hayes, Quentin O., O86236.
Helton, Clinton, O92064.
Johnson, Kermit D., O96936.
Kienitz, John E., O86363.
Logan, Fred G., O88421.
Logan, John D., O89091.
Lyon, Wilson L., O88802.
Martin, William A., O88813.
McCloy, Charles H., O88818.
Moorfield, Claude E., O84232.
Moss, Ira G., O89113.
Nagata, William M., O88856.
Nybro, Richard, O88864.
Raynis, Edgar A., O84252.
Salemme, Robert A., O86714.
Stevey, John E., O94140.
Swager, Robert G., O88963.
Tate, David F., O88969.
Tibbetts, Alan C., O88976.
Wright, Wendell T., O89017.
Young, Willis F., O89169.

To be majors, Women's Army Corps

Austin, Audrey H., L495.
Collins, Joyce L., L539.
Johancen, Mary G., L607.
Ossenkop, Eva L., L591.
Purcell, Mary M., L498.
Russell, Marilyn J., L624.
Smith, Ann B., L474.
Theodoroff, Mary J., L501.
Veach, Eva M., L648.
White, Jocelyn A., L491.
Williams, Mary R., L515.

To be majors, Medical Corps

Bagg, Raymond J., Jr., O88000.
Bartelloni, Peter J., O86992.
Berry Sidney R., O86999.
Blechschmidt, George F., O97408.
Blee, William A., OF109076.
Bogard, Francis H., OF105864.
Brickner, Theodore, O88340.
Buker, Robert H., OF102425.
Burdick, Claude O., O88345.
Canales, Luis, O94574.
Caplinger, Carl B., O94055.
Carson, John W., Jr., O92635.
Cataldo, Joseph R., O94056.
Catton, Raymond M., O95259.
Chamberlain, Eugene, O87702.
Chipman, Martin, O94448.
Conant, Charles N., O87494.
Cooper, Neill S., Jr., O88033.
Copas, Howard L., O88355.
Cruciani, Dominick, O88359.
Curzon, Eugene C., Jr., O97061.
Daly, Anthony F., Jr., O88038.
Decker, John T., O87725.
Dilworth, John H., O88047.
Dobbs, Robert M., Jr., O88048.
Dyer, John T., O94289.
Enstrom, Oscar G., II, O86119.
Franger, Alfred L., O88063.
Freeman, James H., O91830.
Frick, Ross T., O88066.
Friedlander, Harvey, O94080.
Froker, Lowell D., O88380.
Fugelso, Peter D., O87747.
Gamber, Herbert H., O87520.
Garcia, Guillermo, OF110248.
Gerster, Paul W., O88264.
Graham, Arthur D., O88384.
Graham, John L., O87761.
Gray, John H., O87762.
Grodsky, Leonard H, O94086.
Hagen, Raoul O., O96974.
Hammond, Charles, O96680.
Hardman, John M., O88388.
Haug, James A., O95034.
Hawes, William J., O94588.
Hazlett, David R., O89220.
Hedges, James K., O87782.
Heisterkamp, Charle, O88094.
Hennessy, William J., O88393.
Hernandez-Fragoso Ignacio, O96487.
Herrick, Clyde N., O88098.
Hill, Jay M., O92066.
Hill, John E., Jr., O87790.
Hoffmeister, Richard A., O87534.
Holloway, Harry C., O88397.
Hunt, Walter L., O94089.
Huott, Archer D., O94937.
Jackman, Roger L., O92423.
Jaques, Darrell A., O97313.
Jiamachello, Nicholas, O96686.
Johnson, Herbert F., O88111.
Jones, Billy E., O94091.
Karshner, Paul H., O87813.
Kelsh, James M., O88410.
Kleck, Henry G., O94477.
Knovick, George C. O94478.
Koebele, Eberhard, OF100140.
Kriz, Frank K., Jr., O89082.
Kurland, Kenneth Z., O94598.
Leaver, Robert C., O88279.
Lopez, Ramon E., O88131.
Marshall, William R., O88434.
Martens, Thomas J., O99080.
Marx, Ralph L., O88436.
Massad, Louis B., O89252.
Mayes, Hubert A., O94107.
Mayfield, Gerald W. O94318.
Meyer, James A., O88292.
Michie, James L., O92226.
Miller, William C., O94491.
Mologne, Lewis A., O70868.
Montegut, Ferdinand, O94114.
Mullins, Charles E., O88294.
Myers, Charles R., O88454.
Neil, Alexander L., O88164.
Nelson, Joseph H., O88459.
Nelson, Roald A., O94119.
Newton, John K., O94947.
Nowosiwsky, Taras, O94325.
Nuss, Donald D., O88167.
Nusynowitz, Martin, O88298.
Park, Robert C., O95471.
Paulsen, Carl A., O87876.
Peterson, Richard B., O89276.
Phillips, Ran L., II, O88471.
Pierce, Clovis H., O88303.
Pitcher, James L., O88176.
Poindexter, James L., O94124.
Price, Harold M., OF101210.
Pruitt, Basil A., Jr., O96711.
Reed, William A., Jr., O87895.
Reeder, Maurice M., O88482.
Reiley, Carlton G., O94784.
Ritter, Richard R., O87900.
Rokous, Joseph R., O88486.
Ruback, Irwin H., O88488.
Rugani, Peter R., O92245.
Rupp, Richard N., O88191.
Russell, Philip K., O94957.
Scheetz, Walter L., O92790.
Shambaugh, George E., O94787.
Sieber, Otto F., Jr., O88493.
Siegal, David L., OF108299.
Sollie, Stanley C., O97260.
Stewart, James L., Jr., O87934.
Strader, Lorenzo D., O88311.
Strevey, Tracy E., Jr., O92567.
Terra, Justin C., OF110079.
Tomlinson, Fred B., O88508.
Torp, Richard P., O88216.
Treasure, Robert L., O87953.
Valpey, Jack M., O88316.
Vennes, George J., Jr., O88512.
Verdon, Thomas A., Jr., O88513.
Vila-Balzac, Gilberto, O93534.
Webber, Peter B., O97052.
Wergeland, Floyd L., O88521.
Wettlaufer, John N., O88226.
Whaley, Robert A., O88524.
Wimsett, Willard B., O99122.
Zurek, Robert C., O88238.

To be majors, Dental Corps

Acomb, Kent M., O78564.
Amand, Donald S., O95130.
Barnes, George P., O94566.
Bowles, William F., O99294.
Brown, John S., O92628.
Brudvik, James S., O99297.
Brunton, Donald A. J., O88595.
Burger, Robert B., O94052.
Cheatham, Joe L., O91791.
Cohen, George R., O99627.
Combs, Frank F., OF101260.
Daniels, Jon L., OF102844.
De Champlain, Richard W., O84775.
Dearr, Marvin D., O99815.
Decker, Richard M., O99052.
Duffey, Horace H., OF103087.
Endicott, William R., O97399.
Engelhardt, Herbert, OF102863.
Fedalei, Albert F., O87512.
Feeney, George E., O97115.
Hart, Richard I., O99969.
Heid, Theodore H., OF106133.
Hoffman, William, Jr., O92413.
Hutchinson, Rowland, O86297
Johnson, Robert M., O85423.
Jost, Thomas J., O84788.
Kleehammer, Daniel, O94941.
Klinar, Karl L., O88277.
Lane, James J., O93050.
Lederer, Robert M., O94482.
Leonardo, Raymond C., O92087.
Lewis, Jack A., O92703.
Lhomme, Paul R., O89245.
Loke, Michael W. T., OF102535.
McConnell, Richard, O94773.
Milder, Jay J., O99355.
Newell, Donald H., O84797.
Olson, Robert A. J., O97177.
Ott, Gerald R., O94495.
Parker, Warren A., O94123.
Preston, Jack D., O99959.
Saari, James T., O96792.
Smith, Paul E., O94135.
Staehle, William, O84804.
Stanford, Hilton, Jr., O94792.
Stoll, Robert P., O92019.
Storie, David Q., O84806.
Strader, Robert J., O92258.
Tsagaris, George J., O78136.
Tye, Edward J., O94148.
Van Swol, Ronald L., O84811.
Vatral, John J., O91713.
Walker, Alton L., OF104571.
Wallace, John R., O95362.
Zingale, Joseph A., O96727.

To be majors, Veterinary Corps

Chandler, Harold K., O88614.
Dean, Richard F., O97298.
Oakes, Richard G., O85059.
Stewart, Roland R., O87936.
Stookey, James L., O92257.

To be majors, Medical Service Corps

Axtens, Frank W. B., O73462.
Bigham, Harral A., O84331.
Bizer, James E., O94441.
Blackburn, Edward W., O71147.
Brandt, Clarke M., O70132.
Briot, William R., O85730.
Brissee, John A., O76809.
Buell, Leonard K., O76810.
Burdick, Robert L., O87486.
Cabell, Ben M., O85734.
Carr, Robert A., OF105347.
Christie, Thomas C., O78663.
Clark, Scott W., O88628.
Clyde, Norman E., O80333.
Dysart, Stanley H., O94290.
Ertell, Charles H., O97113.
Evans, Billy W., O74943.
Evans, Wayne O., O94295.
Flanery, Colbert L., O84332.
Fowler, Harland W., O73031.
Gensler, Herman H., O78680.
Guibor, Milferd T., O73467.
Hawkins, William H., O85762.
Herwig, Lee C., Jr., O80335.
Hille, Robert A., O71362.
Hoen, Warren K., O88739.
Ikeda, George, O92072.
Johnson, Aaron B., O89790.
Killo, William S., O78668.
Latham, Robert M., O84334.
Lawrence, Frank P., O88783.
Lucas, Walter H., O81874.
MacEntee, John L., O96695.
Mateer, Charles A., O69200.
McKenney, William, O70854.
McKinley, Fred W., O84336.
Miller, Norman G., O67945.
Minx, Ramon P., O84228.
Montalvo, Frank F., OF103879.
Noble, Ralph E., O78685.
Patterson, William, O73534.
Radke, Myron G., O73479.
Rizer, Charles B., O86684.
Rosen, Arthur, O86703.
Ross, Don R., O75424.
Roy, Edward E., OF106220.
Russell, James L., Jr., O74954.
Sadler, Tom H., O75425.
Singletary, Winfield S., Jr., O71601.
Smith, Robert C., O78687.
Sperling, Gerald J., O94964.
Stiles, Peter W., O74959.
Stover, James W., O75433.
Temperilli, John, Jr., OF106846.
Thomas, Evan T., O76816.
Thomas, Tommy, O70051.
Triano, Donald H., O86313.
Trudeau, Thomas L., O84288.
Walker, James F., O70058.
Webb, Richard, III, O78675.
Weber, Charles J., Jr., O80338.
Yamamoto, Hiroshi, O75443.

To be majors, Army Nurse Corps

Antonicci, Anna E., N2889.
Ayers, Donna M., N3051.
Baker, Evaline R., N2785.
Baskfield, Margaret, N2797.
Betz, Catherine T., N2766.
Burke, Frances M., N2811.
Canfield, Margaret E., N3318.
Cooper, Robbie F., N3174.
Geissinger, Amy D., N2793.
Gilson, Claire E., N2874.
Glisson, Bessie R., N2900.
Hall, Marjorie, N3057.
Hall, Natalie, N3058.
Heckman, Edna M., N3036.
Houle, Alice T., N3019.
Knox, Edith V., N2798.
Lyons, Mary E. D., N2756.
Mackey, Helen J., N3170.
Nichols, Glennadee, N2762.
Raffety, Gladys L., N2868.
Rivera, Jeanne E., N3031.
Robinson, Agnes L., N3089.
Shoemaker, Vera E., N2965.
Smith, Marjorie A., N2773.
Steckbar, Janette L., N2927.
Sullivan, Louise E., N2690.
Tauroney, Teresa J., N3039.
Ware, Jean M., N3044.
Whitten, Blanca A., N3287.

To be majors, Army Medical Specialist Corps

Beitzel, Barbara A., J83.
Bogrette, Ann, M10167.
Day, Donna J., J90.
Gregory, Rita T., M10162.
MacTaggart, Lois, M10171.
Metcalf, Virginia A., M10164.
Street, Dorothy R., J99.

SECRETARY OF THE NAVY

Paul R. Ignatius, of California, to be the Secretary of the Navy.

UNDER SECRETARY OF THE AIR FORCE

Townsend Hoopes, of Virginia, to be the Under Secretary of the Air Force, vice Norman S. Paul, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 4, 1967:

U.S. ATTORNEYS

Louis M. Janelle, of New Hampshire, to be U.S. attorney for the district of New Hampshire for the term of 4 years.

Stephen H. Sachs, of Maryland, to be U.S. attorney for the district of Maryland for the term of 4 years.

U.S. MARSHALS

Frank Udoff, of Maryland, to be U.S. marshal for the district of Maryland for the term of 4 years.

John H. Phillips, of Mississippi, to be U.S. marshal for the northern district of Mississippi for the term of 4 years.

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 7, 1967

The House met at 12 o'clock noon.

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

"Obey My voice," saith the Lord, "and I will be your God and you shall be My people; and walk in all the ways that I command you, that it may be well with you." Jeremiah 7: 23.

O God, our Father, who art the spirit of truth and the life of love, as we set out upon another week of work may Thy presence within give us courage and strength and fidelity. Cleansed by Thy forgiving grace we would make our bodies temples of Thy spirit, our hearts the dwellingplace of Thy love and our minds the center of Thy wisdom.

We bring to this altar of prayer ourselves, cluttered up with a lot of little things and confused at times about what is right and wrong. May the splendor of Thy spirit and the glory of Thy greatness shame our little thoughts, our petty prejudices, and our unworthy ways. May the vision of what we ought to be, and by Thy grace can be, spur us on to do our best for our country and for the people we represent.

Grant unto each one of us an inner greatness of spirit, an inner purity of heart, and an inner nobility of mind.

God, who touchest earth with beauty
Make us lovely, too,
Keep us ever, by Thy spirit,
Pure and strong and true.

Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, August 3, 1967, 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 without amendment bills of the House of the following titles:

H.R. 4496. An act for the relief of the village of Brooklyn Center, Minn.;

H.R. 4833. An act to provide for the conveyance of certain real property of the United States situated in the State of Pennsylvania;

H.R. 7043. An act to authorize and direct the Secretary of the Department under which the U.S. Coast Guard is operating to cause the vessel *Northwind*, owned by Wallace P. Smith, Jr., of Centreville, Md., to be documented as a vessel of the United States with coastwise privileges; and

H.R. 8485. An act for the relief of Eddie Garman.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 5876. An act to amend titles 5, 14, and 37, United States Code, to codify recent law, and to improve the code; and

H.R. 6056. An act to amend the Internal Revenue Code of 1954 to provide rules relating to the deduction for personal exemptions for children of parents who are divorced or separated.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 454) entitled "An act for the relief of Richard K. Jones," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ERVIN and Mr. HRUSKA to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 109. An act to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes;

S. 234. An act for the relief of James W. Adams and others;

S. 706. An act to amend section 27 of the Shipping Act, 1916;

S. 975. An act for the relief of Mitsuo Blomstrom;

S. 1550. An act to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for release of valueless liens, and for other purposes;

S. 1657. An act to extend for 1 year the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers who are directed to remove their milk from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government;

S. 1678. An act for the relief of American Petrofina Co., of Texas, a Delaware corporation, and James W. Harris;

S. 1709. An act for the relief of Dr. Antonio Martin Ruiz del Castillo;

S. 1748. An act for the relief of Dr. Ramiro de la Riva Dominguez; and

S. 2126. An act to amend the Food and Agriculture Act of 1965.