HOUSE OF REPRESENTATIVES

TUESDAY, OCTOBER 17, 1967

The House met at 12 o'clock noon.

Rabbi Leo Landman, Beth Emeth Congregation, Philadelphia, Pa., offered the following prayer:

Almighty G-d, we thank Thee for the blessings bestowed upon our Nation. We pray Thee, make us ever cognizant of the fact that liberty and justice, freedom and peace, are not automatic possessions, but are gifts to be constantly guarded in a ceaseless vigil demanding our best energies and our devoutest zeal.

Bless the President, the Speaker, and all Members of this House. May the harvest of their efforts provide amply for the body and soul of each resident of this land. May they as leaders of our Nation choose programs of statesmanship that will alleviate the tensions that separate men, promote harmonious human interdependence, make want and misery disappear, and allow every man in every nation to enjoy the blessings of freedom. Amen.

THE JOURNAL

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

MESSAGE FROM THE SENATE

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

H.R. 2757. An act for the relief of Comdr. Albert G. Berry, Jr.; and

H.R. 10932. An act for the relief of Gilmour C. MacDonald, colonel, U.S. Air Force (retired).

RESIGNATION FROM COMMITTEE ON MERCHANT MARINE AND FISHERIES

The SPEAKER laid before the House the following resignation from a committee:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 11, 1697.

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

DEAR MR. SPEAKER: With a great deal of regret, I find it necessary to resign my membership on the Merchant Marine and Fisheries Committee. The volume of legislation before the Education and Labor Committee does not allow adequate time for the equally important matters pertaining to merchant marine and fisheries.

It has been a privilege and an honor to serve on this Committee under the Chairmanship of the Honorable Edward A. Garmatz and to work with the other members of his Committee.

Sincerely,

EDITH GREEN.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

COMMENDATION OF RABBI LEO LANDMAN

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

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

There was no objection.

Mr. EILBERG. Mr. Speaker, I am grateful to you, to this House, and to Dr. Latch for the opportunity of having today's opening prayer offered by the spiritual leader of my own congregation, Rabbi Leo Landman.

As a member and trustee of Congregation Beth Emeth, I would like to say I am very proud of Dr. Landman. I hasten to add, however, that I hope no one will get the idea I have sought the pulpit of the House as a showcase for him through which other congregations may attempt to lure him from us. I hope he will remain in Philadelphia for as long a time as I know his words will remain with our Members of the House who are here to hear him today.

The high regard in which we hold him is evidenced in part by the fact that a number of congregants sought to share the honor by accompanying him here from Philadelphia today. I wish to state that in addition to being spiritual leader of Congregation Beth Emeth, Dr. Landman holds a number of other distinctions.

He is assistant to the president of Dropsie College for Hebrew and Cognate Learning, vice president of the Philadelphia Board of Rabbis and regional vice president of the rabbinic alumni of Yeshiva University.

He is a graduate of both Yeshiva and Dropsie, from which he received his Ph. D.

It is particularly fitting, I think, that in this body of representatives of all American people, our daily deliberations continue to be begun with a prayer for divine guidance. I am appreciative of the fact that my own congregation also has been allowed to share in these daily invocations.

PERMISSION FOR SUBCOMMITTEE ON GOVERNMENT PROCUREMENT OF COMMITTEE ON SMALL BUSINESS TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Government Procurement of the Committee on Small Business be permitted to sit during general debate today.

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

There was no objection.

PERMISSION FOR THE COMMITTEE ON BANKING AND CURRENCY TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency be permitted to sit during general debate today.

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

There was no objection.

MAJORITY WHIP OPERATED ON FOR APPENDICITIS

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

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

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to advise, with the same regret that I know all Members of the House feel, that our distinguished and beloved majority whip, the gentleman from Louisiana [Mr. BOGGS], while in New Orleans over the weekend was stricken with an attack of appendicitis.

The distinguished majority whip was operated on last night at Sibley Hospital. He is resting well and doing well today.

SIGNAL HONOR TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

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

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

There was no objection.

Mr. CEDERBERG. Mr. Speaker, we were all pleased that you were honored in the city of Boston last Sunday to have an elementary school named after you.

Mr. Speaker, you have performed a great service to your congressional district and to your country in the time that you have served here in the House of Representatives.

It is my understanding that this is the first time in the history of the city of Boston that a new public school has been named in honor of a man during his lifetime. In my opinion it could not have happened to a finer gentleman.

Mr. ALBERT. Mr. Speaker, will the distinguished gentleman from Michigan yield?

Mr. CEDERBERG. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I appreciate what my distinguished friend has said about the beloved Speaker of the House of Representatives and the honor that has been bestowed upon him by the great city of Boston. This, of course, is a signal honor. It is a well-deserved honor, one that comes as no surprise to any Member of the House. This honor comes as a special tribute to a man who, largely, is self-educated, but a man who has done more than any other Presiding Officer in the history of this House to make education possible for all American children. I congratulate our beloved Speaker, and I congratulate those who have honored themselves by honoring him.

Mr. CEDERBERG. I thank the distinguished majority leader.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

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

Mr. CEDERBERG. I am glad to yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Speaker, I wish to join with the distinguished gentleman from Michigan and the distinguished majority leader in their tribute to the distinguished Speaker of the House of *Representatives*.

Mr. Speaker, I know that the honor of having a school named for the Speaker is pleasing to him. Our beloved leader has been a giant in the Halls of Congress in matters attendant to education—on all levels. His name and his efforts in these fields are emblazoned in golden tones. To have this honor—naming a school the John W. McCormack Elementary School—is richly deserved.

Mr. Speaker, I know how much you are delighted with this signal honor.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. CEDERBERG. I am delighted to yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, of course all of us on both sides of the aisle in this Chamber have the greatest respect and admiration for our distinguished Speaker. The dedication of an elementary school in the city of Boston yesterday to the distinguished Speaker, particularly under the circumstances, is a fitting tribute by the people and the public officials of that wonderful community for a great leader and a man whom they, as well as the Members of this body, love and respect. This new elementary school which will bear the illustrous name of an illustrous statesman, our beloved Speaker, the Honorable JOHN MCCORMACK, of Massachusetts.

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

Mr. CEDERBERG. I yield to the distinguished gentleman from Massachusetts.

Mr. CONTE. Mr. Speaker, I wish to join my colleague, the distinguished gentleman from Michigan [Mr. CEDERBERG] in paying tribute to our wonderful leader, the Speaker of the House of Representatives, JOHN MCCORMACK, and in recognizing the wonderful honor that the people of Dorchester, Mass., bestowed upon him yesterday in dedicating an elementary school in his name.

There perhaps could not have been a more fitting or appropriate tribute to our beloved Speaker because of his deep love and affection for children, not only the children of Massachusetts, but the children of the United States and of all the world.

Our Speaker, who has contributed a dedicated lifetime of outstanding service to his Nation at the highest levels of Government, has always shown great understanding of and great sympathy for children and especially for the underprivileged children of the world.

He has always demonstrated that special kindness and human generosity for children which they appreciate and understand so well.

He is a great American, a great leader, a great servant of the people, and most of all a great friend. And no one could be happier or prouder than I am, to see this deserving tribute paid to our Speaker.

Mr. CEDERBERG. I thank the gentleman from Massachusetts.

Mr. Speaker, I yield back the balance of my time.

A LOW BLOW AGAINST SECRETARY RUSK

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

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

There was no objection.

Mr. STRATTON. Mr. Speaker, in these past months we have witnessed an increasingly vocal, intense, and even shrill debate on the subject of American policy in Vietnam. Until last Friday we had fortunately not seen the debate degenerate into personal attack and abuse. But the charge that Secretary of State Dean Rusk, in his brilliant press conference statement on Vietnam last Thursday, was indulging in racial prejudice is certainly one of the lowest blows that I have ever seen in my time in public life.

Secretary Rusk is probably less encumbered with racial prejudice than anyone I know. And those who now talk about the Secretary having conjured up the "yellow peril" really ought to be ashamed of themselves.

Since when have we decided that Red China was nothing but a quiet, peaceloving nation? Since when have we concluded she is not interested in carrying out aggression? Maybe the pundits who say this ought to talk to Tibet, or India, or Indonesia, or Thailand, or even Burma.

Mr. Speaker, those who are so interested in deescalating the war ought to consider deescalating the tenor of their arguments and stick to the facts for a change. It is not the yellow peril Secretary Rusk was talking about. It was the Red peril.

ROMNEY BRAINWASH

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

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

There was no objection.

Mr. HAYS. Mr. Speaker, Governor Romney a few weeks ago charged that he had been brainwashed on his trip to Vietnam some 2 years ago. When he made this charge I invited him to come in and tell my Subcommittee on State Department Personnel which members of the Department had brainwashed him and how.

He later replied to this and I released the complete text of his letter to the press today following his release of a part of it yesterday, in which he waltzes all around the subject and implies that he was brainwashed over a period of 3 years by the administration.

I quote one paragraph from my letter in which I said:

> While we respect your right as a partisan politician to attack the administration on any basis you choose, this subcommittee is not sponsoring "Meet the Press."

His escort officer from the State Department who is now his foreign policy adviser in a letter to the committee advised us and I read one sentence:

> I was not aware of any efforts designed to mislead visitors to Vietnam.

In view of the Governor's shifting position on various subjects, I can only conclude that either "Duz" did it or he took a ride with intensified "Tide."

VACATING SPECIAL ORDER

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the special order granted to me for today be vacated.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 311]

Ashbrook	Hébert	Pool
Boggs	Herlong	Pucinski
Bolton	Holifield	Rarick
Broomfield	Jonas	Rees
Button	Jones, Mo.	Resnick
Cohelan	Kazen	St. Onge
Cramer	Keith	Stafford
Dellenback	Kluczynski	Stephens
Diggs	Landrum	Teague, Tex.
Erlenborn	Latta	Tuck
Everett	McCulloch	Tunney
Fallon	McMillan	Utt
Foley	May	Williams, Miss.
Fountain	Moorhead	Willis
Fulton, Tenn.	Olsen	Young
Gude	Patman	

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 387 Members have answered to their names, a quorum.

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

PRIVATE CALENDAR

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

E. F. FORT ET AL.

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

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

MAURITZ A. STERNER

The Clerk called the bill (H.R. 3865) for the relief of Mauritz A. Sterner.

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

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

There was no objection.

CHARLES WAVERLY WATSON, JR.

The Clerk called the bill (H.R. 8091) for the relief of Charles Waverly Watson, Jr.

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

MARIA KOLOMETROUTSIS

The Clerk called the bill (H.R. 7427) for the relief of Maria Kolometroutsis.

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

H.R. 7427

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, Maria Kolometroutsis may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Stamoulis D. Kolometroutsis, a citizen of the United States, pursuant to section 204 of the Act.

With the following committee amendments:

On page 1, line 6, after the words "in her behalf by", insert "Mr. and Mrs.".

On page 1, line 7, strike out the words "a citizen" and substitute in lieu thereof the word "citizens".

On page 1, line 8, at the end of the bill, strike out the period and add the following: ": *Provided,* That the natural brother of the beneficiary shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act."

The committee amendments were agreed to.

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

LT. ALLAN L. SCHOOLER

The Clerk called the bill (H.R. 6325) for the relief of 2d Lt. Allan L. Schooler.

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

MI SOON OH

The Clerk called the bill (S. 43) for the relief of Mi Soon Oh.

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

S. 43

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, section 204(c), relating to the number of petitions which may be approved in behalf of orphans, shall be inapplicable in the case of a petition filed in behalf of Mi Soon Oh by Mr. and Mrs. Anthony Caucutt, citizens of the United States.

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

DR. PABLO E. TABIO

The Clerk called the bill (S. 62) for the relief of Dr. Pablo E. Tabio.

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

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

There was no objection.

DR. ENRIQUE ALBERTO ROJAS-VILA

The Clerk called the bill (S. 63) for the relief of Dr. Enrique Alberto Rojas-Vila.

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

S. 63

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 Enrique Alberto Rojas-Vila shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 12, 1962.

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

DR. LUIS OSVALDO MARTINEZ-FARINAS

The Clerk called the bill (S. 64) for the relief of Dr. Luis Osvaldo Martinez-Farinas.

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

S. 64

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 Luis Osvaldo Martinez-Farinas shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 8, 1962.

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

DR. ARMANDO PEREZ SIMON

The Clerk called the bill (S. 221) for the relief of Dr. Armando Perez Simon.

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

S. 221

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 Armando Perez Simon shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 29, 1961.

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

DR. JULIO ALEJANDRO SOLANO

The Clerk called the bill (S. 440) for the relief of Dr. Julio Alejandro Solano.

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

S. 440

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 Julio Alejandro Solano shall be held and considered to have been lawfully admitted to the United States for permanent residence as of February 4, 1961.

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

ROSEMARIE GAUCH NETH

The Clerk called the bill (S. 445) for the relief of Rosemarie Gauch Neth.

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

S. 445

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, Rosemarie Gauch Neth, the widow of a member of the Armed Forces of the United States who died in line of duty while serving in Vietnam, shall be held and considered to be within the purview of section 319(a) of such Act.

With the following committee amendment:

Beginning on page 1, line 4, after the name "Rosemarie Gauch Neth", strike out the following language: ", the widow of a member of the Armed Forces of the United States who died in line of duty while serving in Vietnam,".

The committee amendment was agreed to.

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

DR. ANGEL REAUD, ALSO KNOWN AS ANGEL REAUD RAMOS IZQUIERDO

The Clerk called the bill (S. 503) for the relief of Dr. Angel Reaud, also known as Angel Reaud Ramos Izquierdo.

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

SABIENE ELIZABETH DEVORE

The Clerk called the bill (S. 733) for the relief of Sabiene Elizabeth DeVore.

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

S. 733

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of section 301(a)(7) of the Immigration and Nationality Act, Robert William DeVore, a citizen of the United States, shall be held and considered to have been physically present in the United States, prior to the birth of his daughter, Sabiene Elizabeth DeVore, for a period of five years after he attained the age of fourteen years.

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

RUMIKO SAMANSKI

The Clerk called the bill (S. 741) for the relief of Rumiko Samanski.

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

S. 741

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, Rumiko Samanski 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 said Rumiko Samanski by Sergeant and Mrs. Ronald James Samanski, citizens of the United States, pursuant to section 204(a) of such Act.

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

DR. MENELIO SEGUNDO DIAZ PADRON

The Clerk called the bill (S. 808) for the relief of Dr. Menelio Segundo Diaz Padron.

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

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

There was no objection.

DR. RICARDO VALLEJO SAMALA

The Clerk called the bill (H.R. 2275) for the relief of Ricardo Vallejo Samala.

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

H.R. 2275

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 Ricardo Vallejo Samala shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 30, 1959, upon payment of the required visa fee.

AMENDMENT OFFERED BY MR. FEIGHAN

Mr. FEIGHAN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FEIGHAN: On page 1, line 6, after the date "August 30, 1959" strike out the comma and insert a period and strike out the remainder of the bill.

The amendment was agreed to.

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

VISITACION ENRIQUEZ MAYPA

The Clerk called the bill (H.R. 4386) for the relief of Visitacion Enriquez Maypa.

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

MRS. ANTONIA SUBIAS VAL

The Clerk called the bill (H.R. 4985) for the relief of Mrs. Antonia Subias Val.

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

H.R. 4985

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, Mrs. Antonia Subias Val shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of this Act, the said Mrs. Antonia Subias in the case of Mrs. Antonia Subias Val. From and after the date of the enactment of this Act, the said Mrs. Antonia Subias Val shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

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

PANAGIOTIS BASIL PAULUS

The Clerk called the bill (H.R. 5575) for the relief of Panagiotis Basil Paulus.

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

CHRISANTHE SAVAS KARATAPANIS

The Clerk called the bill (H.R. 6326) for the relief of Chrisanthe Savas Karatapanis.

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

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

There was no objection.

VALENTINA SIDOROVA PARKEVICH

The Clerk called the bill (S. 811) for the relief of Valentina Sidorova Parkevich.

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

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

There was no objection.

DR. JULIO DOMINGO HERNANDEZ

The Clerk called the bill (S. 821) for the relief of Dr. Julio Domingo Hernandez.

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

S. 821

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 Julio Domingo Hernandez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 17, 1961.

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

DR. CESAR ABAD LUGONES

The Clerk called the bill (S. 863) for the relief of Dr. Cesar Abad Lugones.

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

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

There was no objection.

MITSUO BLOMSTROM

The Clerk called the bill (S. 975) for the relief of Mitsuo Blomstrom.

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

S. 975

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

ANTONIO LUIS NAVARRO

The Clerk called the bill (S. 1021) for the relief of Antonio Luis Navarro.

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

S. 1021

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, Antonio Luis Navarro shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 22, 1961, and to have complied with the requirements of section 316 of that Act as they relate to residence and physical presence.

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

DR. G. F. VALDES-FAULI

The Clerk called the bill (S. 1105) for the relief of Dr. G. F. Valdes-Fauli.

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

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

There was no objection.

DR. DAVID CASTANEDA

The Clerk called the bill (S. 1106) for the relief of Dr. David Castaneda.

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

S. 1106

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 David Castaneda shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 10, 1961.

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

DR. FELIX C. CABALLOL

The Clerk called the bill (S. 1108) for the relief of Dr. Felix C. Caballol and wife, Lucia J. Caballol.

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

S. 1108

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 Felix C. Caballol and Lucia J. Caballol, his wife, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 19, 1960.

With the following committee amendment:

On page 1, beginning on line 4, after the name "Doctor Felix C. Caballol" strike out "and Lucia J. Caballol, his wife,".

The committee amendment was agreed to.

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

The title was amended so as to read: "An act for the relief of Dr. Felix C. Caballol."

A motion to reconsider was laid on the table.

DR. RAMON E. OYARZUN

The Clerk called the bill (S. 1109) for the relief of Dr. Ramon E. Oyarzun.

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

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

There was no objection.

DR. MANUEL ALPENDRE SEISDEDOS

The Clerk called the bill (S. 1110) for the relief of Dr. Manuel Alpendre Seisdedos.

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

S. 1110

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 Manuel Alpendre Seisdedos shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 30, 1960.

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

DR. LUCIO ARSENIO TRAVIESO Y PEREZ

The Clerk called the bill (S. 1197) for the relief of Dr. Lucio Arsenio Travieso y Perez.

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

S. 1197

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 Lucio Arsenio Travieso y Perez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of June 18, 1961.

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

DR. GONZALO G. RODRIGUEZ

The Clerk called the bill (S. 1269) for the relief of Dr. Gonzalo G. Rodriguez.

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

S. 1269

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 Gonzalo G. Rodriguez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 2, 1962.

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

DR. FRANCISCO MONTES

The Clerk called the bill (S. 1279) for the relief of Dr. Francisco Montes.

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

S. 1279

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 Francisco Montes shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 25, 1961.

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

DR. ALFREDO PEREIRA

The Clerk called the bill (S. 1280) for the relief of Dr. Alfredo Pereira.

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

S. 1280

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 Alfredo Pereira shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 4, 1960.

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

LEE DUK HEE

The Clerk called the bill (S. 1458) for the relief of Lee Duk Hee.

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

S. 1458

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, section 204(c), relating to the number of petitions which may be approved in behalf of orphans, shall be inapplicable in the case of a petition filed in behalf of Lee Duk Hee by Mr. and Mrs. Robert Hansen, citizens of the United States.

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

DR. HUGO GONZALEZ

The Clerk called the bill (S. 1471) for the relief of Dr. Hugo Gonzalez.

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

S. 1471

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 Hugo Gonzalez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of November 7, 1960.

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

DR. ERNESTO NESTOR PRIETO

The Clerk called the bill (S. 1482) for the relief of Dr. Ernesto Nestor Prieto.

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

S. 1482

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 Ernesto Nestor Prieto shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 10, 1961.

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

DR. MARIO R. GARCINI

The Clerk called the bill (S. 1525) for the relief of Dr. Mario R. Garcini.

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

S. 1525

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 Mario R. Garcini shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 12, 1961.

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

DR. CARLOS E. GARCIGA

The Clerk called the bill (S. 1557) for the relief of Dr. Carlos E. Garciga.

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

S. 1557

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 Carlos E. Garciga shall be held and considered to have been lawfully admitted to the United States for permanent residence as of March 11, 1962.

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

DR. MARIA DEL CARMEN TRABADELO DE ARIAS

The Clerk called the bill (S. 1647) for the relief of Dr. Maria del Carmen Trabadelo de Arias.

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

S. 1647

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 Maria del Carmen Trabadelo de Arias shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 30, 1961.

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

DR. ANTONIO MARTIN RUIZ DEL CASTILLO

The Clerk called the bill (S. 1709) for the relief of Dr. Antonio Martin Ruiz del Castillo.

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

S. 1709

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.

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

DR. RAMIRO DE LA RIVA DOMINGUEZ

The Clerk called the bill (S. 1748) for the relief of Dr. Ramiro de la Riva Dominguez.

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

S. 1748

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

DR. ORLANDO HIPOLITO MAYTIN

The Clerk called the bill (S. 1938) for the relief of Dr. Orlando Hipolito Maytin.

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

S. 1938

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 Orlando Hipolito Maytin shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 15, 1962.

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

RELIEF OF AMERICAN PETROFINA CO. OF TEXAS, A DELAWARE CORPORATION, AND JAMES W. HARRIS

The Clerk called the bill (S. 1678) for the relief of American Petrofina Co. of Texas, a Delaware corporation, and James W. Harris.

There being no objection, the Clerk read the bill, 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. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. SAYLOR. Mr. Speaker, I rise in support of S. 1678, a bill for the relief of American Petrofina Co. of Texas, and James W. Harris.

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

The relief called for in this legislation is one which has caused serious problems for the Department of the Interior. And, in many cases, the oil and gas lessee whose lease is terminated on the basis of a nominal deficiency is required to suffer considerable financial loss. Each year a number of private relief bills are introduced in Congress for reinstatement of leases. However, the termination provisions of the Mineral Leasing Act of 1920 are automatic. The Secretary of the Interior, who administers the leases, has no discretion.

In order to correct this situation and eliminate the need for legislation such as S. 1678, the gentleman from Oklahoma, Congressman EDMONDSON, and I have introduced general legislation to authorize the Secretary of the Interior to prevent terminations of oil and gas leases in cases where there is a nominal deficiency in the rental payment, and to authorize him to reinstate under some conditions oil and gas leases terminated by operation of law for failure to pay rental timely. The House Committee on Interior and Insular Affairs has acted and reported this legislation to the House on August 17, 1967. Unfortunately, the other body has not so acted on similar legislation pending in that body.

Until such general legislation is passed, oil and gas lessees will continue to be subject to the automatic termination provisions of the Mineral Leasing Act. Regardless of the procedures instituted to prevent clerical errors in the handling of leases, they still occur. If such error results in a nominal deficiency to any extent, the least must be terminated. As a practical matter, it is impossible to prevent all errors when considering the volume of leases handled by the Bureau of Land Management in any given month.

Two examples of the problem involved is Private Law 89–341, where private legislation was required to enable the Secretary of the Interior to reinstate a lease in which payment was deficient by 25 cents. The other is Private Law 89–365, where payment was deficient by 14 cents.

S. 1678 is no different. Here the acreage figures placed in the original lease were in error. The lessee has made timely payment of the rentals in accordance with the terms of the lease until the acreage error was recently discovered by the lessee. When the lessee brought this matter to the attention of the Department of the Interior, the lessee was informed that under the terms of the Mineral Leasing Act, the lease is automatically canceled. This is the reason this legislation is before you today.

Mr. Speaker, I commend the American Petrofina Co. for its diligence and good faith in bringing this error to the attention of the Department of the Interior.

I urge the passage of S. 1678.

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

EXCHANGE LANDS IN ALBANY, OREG.

The Clerk called the bill (H.R. 7325) to authorize the Secretary of the Interior to exchange certain Federal lands for certain lands owned by Mr. Robert S. Latham, Albany, Oreg.

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

H.R. 7325

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to accept on behalf of the United States from Robert S. Latham, if offered within one year from the date of this Act, a conveyance in fee simple of the following described lands situated in the State of Oregon:

A part of the northwest quarter of section 13, township 11 south, range 4 west of the Willamette meridian, being more particularly described as: Beginning at a point on the east line of the George Cline donation land claim, which point is north 10 degrees 52 minutes east a distance of 196.97 feet from the southeast corner of said George Cline donation land claim; thence north 85 degrees 24 minutes east a distance of 45.4 feet to a point; thence north 14 degrees 12 minutes west a distance of 103.36 feet to a point; thence south 10 degrees 52 minutes west a distance of 105.74 feet to the point of beginning, containing 2,315 square feet, more or less, according to a survey dated June 28, 1966, and signed by Orris A. Carnegie, county surveyor, Linn County, State of Oregon.

SEC. 2. In exchange for the lands conveyed pursuant to section 1 of this Act, plus the payment of $500, the Secretary of the Interior is authorized to convey by quitclaim deed to Robert S. Latham, all right, title, and interest of the United States in and to the following described lands situated in the State of Oregon:

A part of the northwest quarter of section 13, township 11 south, range 4 west of the Willamette meridian, being more particularly described as: Beginning at a point on the east line of the George Cline donation land claim, which point is north 10 degrees 52 minutes east a distance of 78.79 feet from the southeast corner of said George Cline donation land claim; thence north 10 degrees 52 minutes east a distance of 118.18 feet to a point; thence south 85 degrees 24 minutes west a distance of 50.78 feet to a point; thence south 14 degrees 12 minutes east a distance of 115.52 feet to the point of beginning, containing 2,892 square feet, more or less, according to a survey dated June 28, 1966, and signed by Orris A. Carnegie, county surveyor, Linn County, State of Oregon.

With the following committee amendments:

On page 1, line 6, after the word "simple" insert "by warranty deed".

Add a new section 3 as follows:

"SEC. 3. The lands acquired pursuant to section 1 shall have the same status as the lands conveyed pursuant to section 2."

The committee amendments were agreed to.

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

INCORPORATE THE PARALYZED VETERANS OF AMERICA

The Clerk called the bill (H.R. 11131) to incorporate the Paralyzed Veterans of America.

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

H.R. 11131

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following persons, to wit: Burton Little, Chickasaw, Alabama; Tom Goggin, Phoenix, Arizona; Leonard Chrysler, Los Altos, California; Wayne L. Capson, Garden Grove, California; George Boschet, Silver Spring, Maryland; Robert Classon, New York, New York; Edward G. Maxwell, Miami, Florida; Claude C. Beckham, Irmo, South Carolina; Benny Tschetter, Sioux Falls, South Dakota; Frederick T. Gill, Valley Station, Kentucky; Lee M. Gresham, Wixom, Michigan; Conrad M. Standinger, Memphis, Tennessee; Curley Gullett, Denver, Colorado; Charles Swartz, Marblehead, Massachusetts; Bolivar Rivera, Rio Piedras, Puerto Rico; James Schwiem, Pasadena, Texas; Robert T. Kiggins, Pittsburgh, Pennsylvania; Glenn E. Mayer, Hines, Illinois; John Novak, Richmond, Virginia; and such other persons as are members of the Paralyzed Veterans of America, and their associates and successors, are hereby created and declared to be a body corporate by the name of Paralyzed Veterans of America (hereinafter referred to as the "corporation").

SEC. 2. The persons named in the first section of this Act, or their successors, are hereby authorized to complete the organization of the corporation by the selection of officers, the adoption of a constitution and bylaws, and the doing of such other acts as may be necessary for such purpose.

SEC. 3. The objects and purposes of the corporation shall be—

(a) to preserve the great and basic truths and enduring principles upon which this Nation was founded;

(b) to form a national association for the benefit of persons who have suffered injuries or diseases of the spinal cord;

(c) to acquaint the public with the needs and problems of paraplegics;

(d) to promote medical research in the several fields connected with injuries and diseases of the spinal cord, including research in neurosurgery and orthopedics and in genitourinary and orthopedic appliances; and

(e) to advocate and foster complete and effective reconditioning programs for paraplegics, including a thorough physical reconditioning program, physiotherapy, competent walking instructions, adequate guidance (both vocational and educational), academic and vocational education (both in hospitals and in educational institutions), psychological orientation and readjustment to family and friends, and occupational therapy (both functional and diversional).

SEC. 4. The corporation shall have perpetual succession and shall have power—

(a) to sue and be sued;

(b) to acquire, hold, and dispose of such real and personal property as may be necessary to carry out the corporate purposes;

(c) to make and enter into contracts;

(d) to accept gifts, legacies, and devises which will further the corporate purposes;

(e) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, subject in every case to all applicable provisions of Federal and State law;

(f) to adopt and alter a corporate seal;

(g) to establish, regulate, and discontinue subordinate State and regional organizations and local chapters or posts;

(h) to choose such officers, representatives, and agents as may be necessary to carry out the corporate purposes;

(i) to establish and maintain offices for the conduct of the affairs of the corporation;

(j) to adopt and alter a constitution and bylaws not inconsistent with law;

(k) to publish a newspaper, magazine, or other publications;

(l) to adopt and alter emblems and badges; and

(m) to do any and all acts and things necessary and proper to accomplish the objects and purposes of the corporation.

SEC. 5. The corporation shall have no power to issue capital stock or engage in business for pecuniary profit or gain.

SEC. 6. The corporation shall be nonpolitical and, as an organization, shall not furnish financial aid to, or otherwise promote the candidacy of, any person seeking public office.

SEC. 7. Any American citizen shall be eligible for membership in the corporation who was regularly enlisted, inducted, or commissioned, and who was accepted for, or was on, active duty in the Army, Navy, Marine Corps, Air Force, or Coast Guard of the United States, or our allies. Service with the Armed Forces must have been terminated by discharge or separation from service under conditions other than dishonorable: *Provided, however,* That persons otherwise eligible for membership who are on active duty or who must continue to serve after the cessation of hostilities are also eligible for membership: *And provided further,* That membership shall be limited to such persons as have suffered spinal cord injuries or diseases whether service connected or nonservice connected in origin.

SEC. 8. The headquarters and principal place of business of said corporation shall be located in the District of Columbia, but the activities of said organization, as set out herein, shall not be confined to said city, but shall be conducted throughout the several States and any territory or possession of the United States.

SEC. 9. In the event of a final dissolution or liquidation of such corporation, and after the discharge of satisfactory provisions for the discharge of all its liabilities, the remaining assets of the said corporation shall be transferred to the Veterans' Administration to be applied to the care and comfort of paralyzed veterans.

SEC. 10. The corporation and its State and regional organizations and local chapters or posts shall have the sole and exclusive right to have and use in carrying out its purposes the name "Paralyzed Veterans of America," and such seals, emblems, and badges as the corporation may lawfully adopt.

SEC. 11. The corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, executive committee, and committees having any of the authority of the executive committee; and shall keep at its registered office or principal office a record giving the names and addresses of its members entitled to vote; and permit all

books and records of the corporation to be inspected by any member or his agent or his attorney for any proper purpose at any reasonable time.

SEC. 12. As a condition precedent to the exercise of any power or privilege herein granted or conferred, the corporation shall file in the office of the secretary of each State or of any territory or possession of the United States, in which organizations, chapters, or posts may be organized, the name and post office address of an authorized agent upon whom local process or demands against the corporation may be served.

SEC. 13. Such provisions, privileges, and prerogatives as have been granted heretofore to other national veterans' organizations by virtue of their being incorporated by Congress are hereby granted and accrue to the Paralyzed Veterans of America.

SEC. 14. The right to alter, amend, or repeal this Act is hereby expressly reserved.

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

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the further call of the Private Calendar be dispensed with.

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

There was no objection.

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

PERMISSION FOR COMMITTEE ON RULES TO FILE REPORT

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

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

There was no objection.

CALL OF THE HOUSE

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

The SPEAKER pro tempore. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 312]

Boggs	Hansen, Wash.	Rarick
Bolton	Harsha	Rees
Broomfield	Hébert	Resnick
Brown, Calif.	Herlong	Rivers
Button	Holifield	Roybal
Cederberg	Howard	St. Onge
Cohelan	Irwin	Sisk
Cramer	Jonas	Stafford
Dellenback	Jones, Mo.	Stephens
Diggs	Kazen	Teague, Calif.
Erlenborn	Kluczynski	Teague, Tex.
Everett	Landrum	Tuck
Fallon	Latta	Tunney
Fisher	McMillan	Utt
Foley	May	Williams, Miss.
Fountain	Moorhead	Willis
Fulton, Tenn.	Olsen	Young
Grover	Patman	
Gude	Pool	

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 381 Members have answered to their names, a quorum.

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

DEPARTMENT OF TRANSPORTATION APPROPRIATIONS, 1968—CONFERENCE REPORT

Mr. BOLAND. Mr. Speaker, I call up the conference report on the bill (H.R. 11456) making appropriations for the Department of Transportation for the fiscal year ending June 30, 1968, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 768)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11456) "making appropriations for the Department of Transportation for the fiscal year ending June 30, 1968, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 4, 7, 8, 9, 10, 11, and 24.

That the House recede from its disagreement to the amendments of the Senate numbered 20 and 25, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$7,400,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$342,651,000"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$605,400,000"; and the Senate agrees to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$54,000,000"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$70,000,000"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$59,927,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,770,872,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,012,781,270"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,100,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$25,000,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,100,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$5,000,000"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows:

"GENERAL PROVISION

"SEC. 401. None of the funds provided in this title shall be available for the planning or execution of programs the obligations for which are in excess of $25,000,000 in fiscal year 1968 for 'State and Community Highway Safety'."

And the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$11,750,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendment numbered 13.

EDWARD P. BOLAND,
JOHN MCFALL,
SIDNEY R. YATES,
GEO. MAHON,
WILLIAM E. MINSHALL
(except as to 6 and 25),
Managers on the Part of the House.

JOHN STENNIS,
JOHN L. MCCLELLAN,
WARREN G. MAGNUSON,
JOHN O. PASTORE,
MIKE MONRONEY,
NORRIS COTTON,
KARL E. MUNDT,
MARGARET CHASE SMITH,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11456) making appropriations for the Department of Transportation for the fiscal year ending June 30, 1968, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments; namely:

TITLE I—OFFICE OF THE SECRETARY

Amendment No. 1: Appropriates $7,400,000 for "Salaries and expenses" instead of $6,985,100 as proposed by the House and $7,800,000 as proposed by the Senate. The amount

provided is for support of 470 permanent positions for the Office of the Secretary.

Amendment No. 2: Appropriates $5,950,000 for "Transportation research" as proposed by the House instead of $6,200,000 as proposed by the Senate. Of the sum provided, $2,500,000 is for the Northeast Corridor Project.

TITLE II—COAST GUARD

Amendment No. 3: Appropriates $342,651,000 for "Operating expenses" instead of $339,992,500 as proposed by the House and $344,429,500 as proposed by the Senate.

Amendment No. 4: Appropriates $107,014,000 for "Acquisition, Construction, and Improvements" as proposed by the House instead of $121,514,000 as proposed by the Senate. The sum provided includes funds for construction of two high-endurance cutters and deletes the oceanographic research ship as proposed by the House. In view of the demands of the war on Coast Guard ships, the second high-endurance cutter is considered to be a high priority requirement. The oceanographic ship is postponed pending a comprehensive review of oceanographic research programs throughout the Government.

TITLE III—FEDERAL AVIATION ADMINISTRATION

Amendment No. 5: Appropriates $605,400,000 for "Operations" instead of $593,326,000 as proposed by the House and $618,400,000 as proposed by the Senate. The sum provided is the total amount of the amended Budget request. The conferees are in agreement that the Congress should maintain a continuing surveillance of aviation safety and call on the Department of Transportation to present comprehensive plans for the continued maintenance of aviation safety standards.

Amendment No. 6: Appropriates $54,000,000 for "Facilities and equipment" instead of $30,000,000 as proposed by the House and $65,400,000 as proposed by the Senate.

Amendments Nos. 7, 8, and 9: Restore language combining "Operation and Maintenance" appropriations of Washington National and Dulles airports as proposed by the House. The merged appropriation is agreed to with the understanding that budget justification material will maintain separate data on costs and operations at the two airports.

Amendments Nos. 10 and 11: Restore language combining "Construction" appropriations of Washington National and Dulles airports as proposed by the House.

Amendment No. 12: Appropriates $70,000,000 for "Grants-in-Aid for Airports" instead of $65,000,000 as proposed by the House and $75,000,000 as proposed by the Senate.

Amendment No. 13: Reported in technical disagreement. The Managers on the Part of the House will offer a motion to recede and concur with the Senate amendment making $140,000 available for an airport at Kelley Flats, Montana.

TITLE IV—FEDERAL HIGHWAY ADMINISTRATION

Amendment No. 14. Provides a limitation of $59,927,000 on general expenses to be derived from the Highway Trust Fund instead of $59,833,000 as proposed by the House and $60,000,000 as proposed by the Senate. The amount allowed deletes $73,000 for 10 new positions in highway planning.

Amendments Nos. 15 and 16: Adjust amounts appropriated from Highway Trust Fund in accordance with amount provided in "Limitation on General expenses" as set out in amendment numbered 14.

Amendment No. 17: Provides transfer to "Traffic and Highway Safety" of $1,100,000 for administrative expenses from "State and Community Highway Safety" program instead of $1,000,000 as proposed by the House and $1,400,000 as proposed by the Senate.

Amendment No. 18: Appropriates $25,000,000 for "State and Community Highway Safety" instead of $20,000,000 as proposed by the House and $40,000,000 as proposed by the Senate.

Amendment No. 19: Provides transfer of $1,100,000 for administrative expenses of "State and Community Highway Safety" instead of $1,000,000 as proposed by the House and $1,400,000 as proposed by the Senate.

Amendment No. 20: Appropriates $1,780,000 for "Motor Carrier Safety" as proposed by the Senate instead of $1,670,000 as proposed by the House.

Amendment No. 21: Appropriates $5,000,000 for Alaskan Assistance instead of $4,000,000 as proposed by the House and $8,000,000 as proposed by the Senate.

Amendment No. 22: Restores language proposed by the House and amends amount cited from "$20,000,000" to "$25,000,000".

TITLE V—FEDERAL RAILROAD ADMINISTRATION

Amendment No. 23: Appropriates $11,750,000 for "High-Speed Ground Transportation Research and Development" instead of $10,300,000 as proposed by the House and $16,632,000 as proposed by the Senate. The sum provided includes $1,500,000 for research on tracked air cushion vehicles and restores the $450,000 unspecified House reduction in the demonstration program. The sum agreed to includes $4,500,000 for the Boston to New York demonstration program and deletes all funds for the Auto-on-train program.

TITLE VI—OTHER ACTIVITIES

Amendment No. 24: Appropriates $4,000,000 as proposed by the House instead of $4,291,000 as proposed by the Senate for the National Transportation Safety Board. The funds requested for ten positions for accident safety research are denied.

TITLE VII—GENERAL PROVISIONS

Amendment No. 25: Deletes expenditure limitation proposed by the House.

EDWARD P. BOLAND,
JOHN MCFALL,
SIDNEY R. YATES,
GEORGE MAHON,
WILLIAM E. MINSHALL
(except as to 6 and 25),
Managers on the Part of the House.

Mr. BOLAND (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement of the managers on the part of the House be dispensed with.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Massachusetts [Mr. BOLAND] is recognized.

Mr. BOLAND. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, the conference agreement on the Department of Transportation appropriation bill is a good one. It accomplishes the objectives of your committee. These objectives are to adequately fund the essential requirements of the new Department of Transportation without providing an excess of funds which might start the new Department off in the direction of empire building and waste.

The total amount of funds provided, exclusive of trust funds, is $1,581,905,772. This is $139,411,728 less than the amount provided for the last fiscal year, fiscal year 1967.

COMPARATIVE STATEMENT OF ESTIMATES AND AMOUNTS APPROVED FOR 1968

Item	Budget estimate	House bill	Senate bill	Conference action	Conference action compared with— Budget estimate	House bill	Senate bill
TITLE I—OFFICE OF THE SECRETARY							
Salaries and expenses	$8,300,000	$6,985,100	$7,800,000	$7,400,000	−$900,000	+$414,900	−$400,000
Transportation research	[1] 8,100,000	5,950,000	6,200,000	5,950,000	−2,150,000		−250,000
Total, title I	16,400,000	12,935,100	14,000,000	13,350,000	−3,050,000	+414,900	−650,000
TITLE II—COAST GUARD							
Operating expenses	368,972,000	339,992,500	344,429,500	342,651,000	−26,321,000	+2,658,500	−1,778,500
Acquisition, construction, and improvements	107,014,000	107,014,000	121,514,000	107,014,000			−14,500,000
Reserve training	(2)	24,300,000	24,300,000	24,300,000	+24,300,000		
Retired pay	48,260,000	48,000,000	48,000,000	48,000,000	−260,000		
Total, title II	524,246,000	519,306,500	538,243,500	521,965,000	−2,281,000	+2,658,500	−16,278,500
TITLE III—FEDERAL AVIATION ADMINISTRATION							
Operations	[3] 605,400,000	593,326,000	618,400,000	605,400,000		+12,074,000	−13,000,000
Facilities and equipment	[4] 28,400,000	30,000,000	65,400,000	54,000,000	+25,600,000	+24,000,000	−11,400,000
Research and development	27,500,000	27,000,000	27,000,000	27,000,000	−500,000		
Operation and maintenance, Washington National Airport			3,971,000				−3,971,000
Operation and maintenance, Dulles International Airport			4,529,000				−4,529,000
Operation and maintenance, National Capital Airports	8,500,000	8,500,000		8,500,000			+8,500,000
Construction, National Capital Airport	160,000	160,000		160,000			+160,000
Construction, Dulles International Airport			160,000				−160,000
Grants-in-aid for airports: Fiscal year 1969	75,000,000	65,000,000	75,000,000	70,000,000	−5,000,000	+5,000,000	−5,000,000
Civil supersonic aircraft development	198,000,000	142,375,000	142,375,000	142,375,000	−55,625,000		
Total, title III	942,960,000	866,361,000	936,835,000	907,435,000	−35,525,000	+41,074,000	−29,400,000

See footnotes at end of table.

COMPARATIVE STATEMENT OF ESTIMATES AND AMOUNTS APPROVED FOR 1968—Continued

Item	Budget estimate	House bill	Senate bill	Conference action	Conference action compared with— Budget estimate	House bill	Senate bill
TITLE IV—FEDERAL HIGHWAY ADMINISTRATION							
Limitation on general expenses	(5)	($59,833,000)	($60,000,000)	($59,927,000)	(+$59,927,000)	(+$94,000)	(−$73,000)
Federal-aid highways (trust fund)	($3,773,000,000)	(3,770,778,000)	(3,770,945,000)	(3,770,872,000)	(−2,128,000)	(+94,000)	(−73,000)
Highway beautification	(5)	1,200,000	1,200,000	1,200,000	+1,200,000		
Traffic and highway safety	(5)	21,034,000	21,034,000	21,034,000	+21,034,000		
Operating expenses:							
By appropriation	34,565,000				−34,565,000		
By transfers	(65,875,000)				(+65,875,000)		
State and community highway safety (liquidation of contract authority)	100,000,000	20,000,000	40,000,000	25,000,000	−75,000,000	+5,000,000	−15,000,000
Motor carrier safety	(5)	1,670,000	1,780,000	1,780,000	+1,780,000	+110,000	
Forest highways (liquidation of contract authorization)	33,000,000	32,000,000	32,000,000	32,000,000	−1,000,000		
Public lands highways (liquidation of contract authorization)	10,000,000	9,000,000	9,000,000	9,000,000	−1,000,000		
Inter-American Highway	7,000,000	5,000,000	5,000,000	5,000,000	−2,000,000		
Chamizal Memorial Highway	8,000,000	4,000,000	4,000,000	4,000,000	−4,000,000		
Alaskan assistance		4,000,000	8,000,000	5,000,000	+5,000,000	+1,000,000	−3,000,000
Repair and reconstruction of highways	15,097,772	15,097,772	15,097,772	15,097,772			
Total, title IV (general funds)	207,662,772	113,001,772	137,111,772	119,111,772	−88,551,000	+6,110,000	−18,000,000
Highway trust fund	3,773,000,000	3,770,778,000	3,770,945,000	3,770,872,000	−2,128,000	+94,000	−73,000
TITLE V—FEDERAL RAILROAD ADMINISTRATION							
Salaries and expenses	4,150,000				−4,150,000		
Salaries and expenses, Office of the Administrator	(5)	680,000	680,000	680,000	+680,000		
Bureau of Railroad Safety	(6)	3,414,000	3,414,000	3,414,000	+3,414,000		
High-speed ground transportation research and development	[7] 18,600,000	10,300,000	16,632,000	11,750,000	−6,850,000	+1,450,000	−4,882,000
Railroad research	300,000	200,000	200,000	200,000	−100,000		
Total, title V	23,050,000	14,594,000	20,926,000	16,044,000	−7,006,000	+1,450,000	−4,882,000
TITLE VI—OTHER ACTIVITIES							
St. Lawrence Seaway Development Corporation: Limitation on administrative expenses	(515,000)	(514,000)	(514,000)	(514,000)	(−1,000)		
National Transportation Safety Board: Salaries and expenses	4,300,000	4,000,000	4,291,000	4,000,000	−300,000		−291,000
Total, title VI	4,300,000	4,000,000	4,291,000	4,000,000	−300,000		−291,000
Grand total, all titles:							
General fund	1,718,618,772	1,530,198,372	1,651,407,272	1,581,905,772	−136,713,000	+51,707,400	−69,501,500
Highway trust fund	3,773,000,000	3,770,778,000	3,770,945,000	3,770,872,000	−2,128,000	+94,000	−73,000

[1] Includes $2,300,000 requested under "Federal Railroad Administration, high-speed ground transportation research and development," for transportation information planning and excludes $300,000 requested under this heading for railroad research.
[2] Estimate of $24,535,000 carried under "Operating expenses."
[3] Original estimate increased $7,000,000 (S. Doc. 50).
[4] Original estimate decreased $7,000,000 (S. Doc. 50).
[5] Estimates carried under "Operating expenses."
[6] Estimates carried under "Salaries and expenses, Federal Railroad Administration."
[7] Excludes $2,300,000 for transportation information planning which is transferred to "Office of Secretary, transportation research."

I think this is about the only appropriation bill for which this can be claimed.

While the Department of Transportation was not in existence throughout fiscal year 1967, many of the activities of the Department, and agencies which are in the Department, did exist and appropriations provided for these agencies and activities last year totaled $1,721,317,500. So, as I said, the bill which we bring before you today would provide for, in round figures, $140,000,000 less than was provided for similar activities in the last fiscal year. Even though the total appropriation is less than last year's sum, we are fully convinced that the sum provided will adequately fund the necessary and essential requirements of the Department of Transportation.

Under the permission granted by unanimous consent, I shall include as a part of my statement a tabulation showing the congressional actions on the Department of Transportation bill

In summary, the House cut $188,420,400 from the budget estimate of $1,718,618,772. The Senate added back two-thirds of the House reduction, or $121,208,000. In the conference, and I might add that the conference was one of the most spirited I have attended, both sides were tenacious and adamant in maintaining their positions, the managers on the part of the House were successful in prevailing upon the Senate to recede on $69,501,500 of their increase and we agreed to increases totaling $51,707,400 above the amount as passed by the House.

The item in the bill on which there was the greatest amount of discussion, both on the floor of the House and on the floor of the Senate, was not in the conference. Both Houses provided the same amount, $142,375,000, to carry on the development of the supersonic transport, the SST. So this item was not in conference.

OFFICE OF THE SECRETARY OF TRANSPORTATION

The budget request for salaries and expenses for the Office of the Secretary of Transportation was $8,300,000. The conference amount provides $7,400,000. This is a cut of 11 percent. The Secretary of Transportation has been careful and has exercised great prudence in building up his staff. We applaud him for this caution. The House figure, $5,950,000, prevailed for transportation research.

COAST GUARD

For the Coast Guard the conference agreement is very close to the House position. On the large item in controversy, the conference agreement is the House position. The House provided the exact amount of funds requested for "Acquisition, Construction, and Improvements" for the Coast Guard, but directed that an oceanographic research ship which had been requested be postponed and in lieu of that ship a second high endurance cutter—there is one in the budget—be constructed. The Navy has taken a number of Coast Guard ships to Southeast Asia and they are making a valuable contribution to the war effort there. We feel that, in view of the war situation and in view of governmental financial stringencies generally, it makes more sense at this time to provide the additional cutter. The Appropriations Committee is making a study of oceanographic research throughout the Government. Similar studies are being made by other groups. When some of these studies have been completed, we can better determine what the oceanographic requirements of the Nation are. Oceanographic research has now spread to 29 departments and agencies of the Government—I think we are spending in the fiscal year 1968 some $460,000,000 on oceanography or on some phase of oceanography. And this makes it most difficult for Congress to review adequately oceanographic programs.

THE FEDERAL AVIATION ADMINISTRATION

The greatest difficulty, let me say to the Members of the House, the items in which the conferees on the part of the other body were most tenacious in the conference involved the Federal Aviation Administration. After the Transportation appropriation bill had passed the House, a budget document, Senate Document No. 50, was transmitted requesting an additional $7 million for the "Operations" appropriation for the FAA. The funds requested are to provide 900 new air controller and flight standards personnel.

The Senate added the $7 million requested and another $13 million above the budget.

The Secretary of Transportation had stated that the numbers of personnel

allowed in the amended budget was the maximum number which the FAA might reasonably expect to hire during the remainder of the fiscal year, and the House conferees were adamant in their position that the budget request should not be exceeded.

The amount agreed to is $605,400,000, and it is the full amount of the amended budget request.

The House had made a reduction of $5 million in items not directly related to aviation safety. At the insistence of the other body, we relented on our reductions and also included the additional $7 million provided by the budget amendment. We still feel that the House-proposed reductions in such programs as "Administration of airports," "Research direction," and "Administration of medical programs" should be made, and the funds saved applied to the operation of the air traffic control system. Thus, the amount for "Operations" for the FAA is $12 million in excess of the amount provided in the House, but it is also $13 million less than the sum provided by the Senate.

All Members of Congress are interested in aviation safety. All of us are closely involved with the FAA, and those of us who have been closely involved with it on this committee know that the growth of aviation has been and is tremendous. We know that additional personnel and additional facilities will be required. However, there are differences of opinion as to what the particular requirements are and how they may best be satisfied.

Under the amount provided in the conference report, the Federal Aviation Administration will be able to hire more than 1,600 new personnel directly involved in aviation safety activities.

I am fully convinced, and the subcommittee joins me in this conviction, that if the FAA hires this many qualified people in the 8 months remaining in this fiscal year, it will be a notable achievement, and that the provision of the additional funds at this time would be a useless gesture.

In order to reach an agreement on the funds for personnel which I have just discussed, and on other matters, the managers on the part of the House had to yield to the demand of the other body to some extent in the provision of funds for "Facilities and equipment." The original budget request for "Facilities and equipment" was $35,400,000. The House provided $30 million. The amended budget reduced this amount by $7 million, making the budget request total $28,400,000.

This action took place after the bill passed the House and before it passed the Senate. The other body added $37 million more than was requested in the budget.

There are legitimate requirements for additional aviation equipment.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. BOLAND. I am delighted to yield to the distinguished minority leader.

Mr. GERALD R. FORD. So the House knows the exact facts—and the gentleman has been very helpful in establishing them for us—the original budget figure for this item was what?

Mr. BOLAND. It was $35,400,000.

Mr. GERALD R. FORD. And the House version of the bill reduced that to what figure?

Mr. BOLAND. To $30 million.

Mr. GERALD R. FORD. And subsequently to that, the President and the Bureau of the Budget reduced it to $28 million?

Mr. BOLAND. To $28 million.

Mr. GERALD R. FORD. Then the bill went to the other body. What happened or what transpired there as far as the Bureau of the Budget and the other body are concerned?

Mr. BOLAND. The other body added the $7 million that was requested in Senate Document No. 50.

Mr. GERALD R. FORD. The original budget figure?

Mr. BOLAND. That is right, and also added an amount which made the total $65,400,000 for this activity, "Facilities and equipment." The total amount that the Senate passed was $65,400,000 for "Facilities and equipment" for the FAA.

Mr. GERALD R. FORD. How much over the budget request by the President and the Bureau of the Budget was that?

Mr. BOLAND. That amount was $37 million over the amount requested by the President and the Bureau of the Budget. I might say that the Senate document which was transmitted to the Congress, after we had passed the transportation bill in the House, as the gentleman knows, included a $7 million reduction in this item to be transferred to "Operations." They asked that $7 million to provide for the 900 additional positions under "Operations" to be taken out of "Facilities and equipment." This the Senate did not do. They provided the $7 million plus an additional $30 million.

Mr. GERALD R. FORD. So that the net result, if we approve the conference report, is to add $25 million over and above any Presidential request for this item?

Mr. BOLAND. It is $26 million.

Mr. GERALD R. FORD. I thank the gentleman.

Mr. BOLAND. Let me say there are legitimate requirements relating to aviation safety to explain why the House took this position in agreeing to part of the increase that was put in by the Senate. This committee believes—and also I am sure all Members who are interested in aviation safety in this House, and we all are—that there are legitimate requirements for additional equipment. As the gentleman knows better than some of the Members of this House, some of these items are long leadtime items. Equipment must be ordered now and paid for later on. This is what we are trying to do.

Mr. GERALD R. FORD. May I make an observation there. I personally rely to a great extent upon the skill of the people that operate the towers and the equipment they use, and I have great faith in the competence of the people and in the equipment, but would it not be more orderly procedure, would it not be the proper way for the legislative branch to consider this matter, to have the President and the Bureau of the Budget submit to the Congress and have the officials from FAA come up and testify specifically in justification of this additional requirement?

Mr. BOLAND. I agree with the gentleman. This is a good way to do it, but I think there is another way to do it. I think members of the legislative branch have some knowledge as to what the needs may be in their own respective areas. There are crying needs for instrument landing systems. And there are crying needs for towers in particular areas, and this committee is importuned often by members of this body—and rightly so—for needed and necessary aviation facilities and equipment in their particular localities. I think in a sense the Members of this body ought to have some leeway about providing some of the equipment that the Members believe to be essential and necessary for aviation safety in their own areas. I know the gentleman agrees with me on that point.

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

Mr. BOLAND. I yield to the gentleman from California.

Mr. HOSMER. Mr. Speaker, can the gentleman inform us whether or not this item of "Facilities and equipment" is totally facilities and equipment relating to aircraft safety and aircraft control and other items directly contributing to safety and air transportation?

Mr. BOLAND. This committee has been supplied with a memorandum by the Federal Aviation Administration indicating that the entire amount above the budget is a sliderule projection which will provide air traffic safety, which will provide in a number of instances for landing lights, and so on, so the answer is "Yes."

Mr. MINSHALL. Mr. Speaker, if the gentleman will yield. I will try to answer that in more detail.

Mr. BOLAND. I yield to the gentleman from Ohio.

Mr. MINSHALL. A breakdown of that figure of $54 million is $4.8 million for airport surveillance radar at eight locations.

Instrument landing system, 80 locations; approach lights, 76 locations; $11.7 million.

Direct beacon code identification and altitude readout, 23 locations, $2.1 million.

The original request was for $35 million. That is an increase of approximately $36 million.

Mr. HOSMER. I thank the gentleman.

Mr. BOLAND. The answer is "Yes." I believe we ought to qualify it a bit.

The gentleman from Ohio [Mr. MINSHALL] has really been a giant on this subcommittee on matters affecting the FAA. Since he does pilot his own plane, perhaps he knows more about this subject than any other one of us. I am pleased to have his cooperation, as are the other members of the subcommittee.

In addition to what the gentleman from Ohio said, it might be that provision will be made for tower facilities in particular locations around the Nation. Tower facilities are an essential element of air traffic safety. Firm decisions as to the application of the funds have not yet been made.

In addition to the memorandum from

which the gentleman from Ohio read, the Department also supplied us with a list of towers that might be built. It is not an absolute promise to build them, but they are needed and they might be built in areas all over the Nation and in most States.

Is that correct?

Mr. MINSHALL. I should like to add that I have a complete tabulation, which I will put in the RECORD, which does spell out precisely what the gentleman has said.

Mr. BOLAND. The lists to which I referred to will be placed in the RECORD at this point:

STATEMENT BY DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION

The Conference amount of $54.0 million for the Facilities and Equipment appropriation for fiscal year 1968, enables us to provide the additional air traffic control and navigation aids in terminal areas which are our major problem. With this amount we intend to provide in addition to the items in our original request of $35.4 million (1) eight airport surveillance radars which provide our controllers with position information on aircraft in the terminal area; (2) eighty instrument landing system with associated approach light aids which will provide approach and landing guidance; and (3) equipment to provide the controller with altitude information and beacon code identification of beacon equipped aircraft on displays of twenty-three existing air port surveillance radars as follows:

Airport surveillance radar (8 locations)	$4, 800, 000
Instrument landing system (80 locations); approach lights (76 locations)	11, 700, 000
Direct beacon code identification and altitude readout (23 locations)	2, 100, 000
Total	18, 600, 000
Original request	35, 400, 000
Total	54, 000, 000

SUMMARY OF REQUIREMENTS

[In thousands of dollars]

Activity	Original request	Distribution of conference amount	Difference
1. Air route traffic control centers	16,018	16,018	
a. Long-range radar			
b. Automation equipment	14,300	14,300	
c. Other center facilities	1,718	1,718	
2. Airport traffic control towers	10,638	17,538	
a. Terminal area radar	330	7,230	+6,900
b. Terminal area automation	8,500	8,500	
c. Other tower facilities	1,808	1,808	
3. Flight service stations	1,044	1,044	
a. Domestic	976	976	
b. International	68	68	
4. Air navigation facilities	3,503	15,203	
a. VORTAC	455	455	
b. Low/medium frequency facilities			
c. Instrument landing systems	3,048	14,748	+11,700
d. Visual aids			
e. Intermediate fields			
5. Housing, utilities and miscellaneous	175	175	
6. Aircraft and related equipment	3,632	3,632	
7. Research, test and evaluation facilities	390	390	
Total	35,400	54,000	+18,600

DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION FACILITIES AND EQUIPMENT—TOWER FACILITIES, 45 LOCATIONS

Locations	Fiscal year 1967 estimated itinerant operations	Total cost
Alabama: Dothan	45,004	$279,000
Alaska: Kenai	39,626	385,000
Arkansas:		
Fayetteville	26,978	279,000
Pine Bluff	25,331	279,000
California:		
Carlsbad	44,700	279,000
Chino	35,800	279,000
Compton	27,650	279,000
El Monte	49,300	279,000
Imperial	27,300	279,000
Livermore	42,230	279,000
Marysville	26,000	279,000
San Diego (Brown International)	27,900	279,000
Connecticut:		
Danbury	30,834	279,000
New London (Groton)	32,582	279,000
Hartford (Brainerd)	26,321	279,000
New Haven	40,000	279,000
Florida:		
Fort Lauderdale (Executive)	89,000	279,000
Gainesville	33,563	279,000
Jacksonville (Craig)	24,911	279,000
Lakeland	27,352	279,000
Vero Beach	32,620	279,000
Georgia: Albany	30,156	279,000
Illinois: Carbondale	26,206	279,000

DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION FACILITIES AND EQUIPMENT—TOWER FACILITIES, 45 LOCATIONS—Continued

Locations	Fiscal year 1967 estimated itinerant operations	Total cost
Indiana: West Lafayette	41,897	$279,000
Kansas: Olathe	35,421	279,000
Maryland: Gaithersburg	33,360	279,000
Massachusetts: Norwood	32,450	279,000
Michigan: Benton Harbor	28,253	279,000
Minnesota:		
Anoka	38,585	279,000
South St. Paul	24,578	279,000
Misssissippi: Greenville	27,080	279,000
Missouri: Columbia	31,420	279,000
Nevada: North Las Vegas	31,700	279,000
New Jersey: Linden	28,000	82,000
New York: Poughkeepsie	31,772	279,000
North Carolina: Hickery	31,096	279,000
North Dakota: Grand Forks	26,700	279,000
Ohio: Cleveland (Cuyahoga)	33,360	279,000
Oklahoma: Norman	24,273	279,000
South Carolina: Crescent Beach	27,076	279,000
Tennessee: Knoxville (Downtown)	44,070	279,000
Washington: Everett	51,292	279,000
West Virginia: Morgantown	30,000	279,000
Wisconsin:		
La Crosse	36,125	279,000
Waukesha	27,469	279,000
Total		12,661,000

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

Mr. BOLAND. I am delighted to yield to the gentleman from Iowa.

Mr. GROSS. We can add and subtract any way we want, but I believe the gentleman stated previously that this bill is $51.7 million more than the House approved? The conference report calls for $51.7 million more than the House approved on its original passage?

Mr. BOLAND. Yes.

Mr. GROSS. Is that correct?

Mr. BOLAND. That is correct.

Mr. GROSS. This is not very much in the way of economy, would the gentleman believe?

Mr. BOLAND. I suppose it depends on how one economizes. It is also $69 million below the Senate figure. I would remind the gentleman that the Senate figure was $121 million above the House figure.

Mr. GROSS. I understand all that, but they, of course, like some of the agencies downtown, have an asking price. The fact remains that this is $51.7 million plus above the House figure.

Mr. BOLAND. The gentleman is precisely correct.

Mr. GROSS. Let me ask the gentleman about the Inter-American Highway. When did that get out of the State and Justice Departments appropriation bill and come to this subcommittee?

Mr. BOLAND. It is administered by the Federal Highway Administration, and that is why it is in this bill.

Mr. GROSS. Historically it has been in the other subcommittee, has it not?

Mr. BOLAND. So was the old Bureau of Public Roads. It was all in the other Department.

Mr. GROSS. The Chamizal Memorial Highway, I see, is in this bill. Is this the total cost of the Chamizal Memorial Highway?

Mr. BOLAND. No, it is not the total cost. When we had this bill on the floor the House agreed to an amount of $4 million. The budget request was $8 million. We reduced it $4 million. I am sure they will be back next year for an additional $4 million.

Mr. GROSS. Does the gentleman believe they will be back in a deficiency appropriation bill this year?

Mr. BOLAND. If it is in a deficiency appropriation bill, this subcommittee will not approve it.

Mr. GROSS. To take care of that superhighway down in Texas?

Mr. BOLAND. To take care of the superhighway this year.

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

Mr. BOLAND. I am delighted to yield to the gentleman from Missouri.

Mr. HALL. I wonder if the gentleman will tell the Members of the House what happened to the motion to recommit which passed this body on July 18, 1967, with instructions, by a vote of 213 to 189, in the conference committee.

Mr. BOLAND. Actually, that was one amendment to which the Senate would not even listen. This was one of those cases. This was the Laird amendment. It was same as the Bow amendment offered on other bills, but it was offered, as Members will recall, by the gentleman from Wisconsin [Mr. LAIRD] who is very knowl-

edgeable and persuasive but a very practical Member of the House. He has been a conferee, as the distinguished gentleman from Missouri has been.

Mr. HALL. I appreciate all that.

Mr. BOLAND. When we got to that amendment, we just lost.

Mr. HALL. I have complete notes here about what the Laird amendment did contain, on page 19 and so forth, but I want to say I wonder if, as in so many other areas, perhaps the managers on the part of the House did not yield to the other body and not insist it be considered, which was a mandate from the elected Members of this body.

Mr. BOLAND. Well, that is true, but, of course, the other body has a right to make amendments, as the gentleman well knows. It is a coequal body legislatively. Consequently, when we got to that amendment, we really had no choice, and they would not listen to our maintaining it. Let me say to the gentleman, also, it was the feeling of the conferees in the other body that we had substantially cut this bill. The Department of Transportation bill was cut something like 11 percent when it left this body. It was cut substantially more than any other appropriation bill that we had heretofore considered. I think perhaps—and this is my judgment and it was the judgment of the conferees, also—it should not have been recommitted. It was recommitted by about 24 votes, I think.

Mr. HALL. Mr. Speaker, if the gentleman will yield further?

Mr. BOLAND. I yield to the gentleman from Missouri.

Mr. HALL. I believe it is time for individual opinion when you are acting as the managers on the part of the House and there has been such instruction. Also, I take some exception to the question as to whether the other body is coequal or not.

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

Mr. BOLAND. I yield to the gentleman from Ohio.

Mr. MINSHALL. In response to my friend from Missouri, I should like to point out that I did except as to amendment No. 25, which was the Laird amendment that you referred to, Congressman HALL. Also my good friend CHARLES JONAS, of North Carolina, was not able to attend the conference. He was unavoidably absent. But I am sure that he would have excepted to it as well.

Mr. HALL. I would like to say, too, that some of us who voted for it on final passage would not have done so if we had known we would be so easily taken over.

Mr. BOLAND. I think that each House has to trust the judgment of the conferees. That is why we have conferences. We do have to compromise. It has been done all the time, for a long time before you and I ever arrived here, and it will be done long after we are gone.

So, Mr. Speaker, in the judgment of the conferees, we have arrived at a figure that we think is a fair and equitable compromise with the other body. One of the items in this bill that has given us some difficulty—and I am sure it has given other Members of this House difficulty, too—involves the Federal Highway Administration.

FEDERAL HIGHWAY ADMINISTRATION

In the title of the bill which involves the Federal Highway Administration, the position of the House was for the most part maintained. Some of the House reductions were not appealed. The House had provided $20 million for the new program of grants to States for highway safety. The Senate increased this figure to $40 million. The conference agreed on $25 million. I think all of us can agree that it is a substantial victory for the House position.

Also, and even more importantly, language controlling the obligation of these funds which was proposed by the House is maintained. If the language had not been maintained, the Federal Highway Administration could have gone merrily on its way and spent the entire $100 million, because it was a liquidation of contract authority. So, in this instance, the House did an exceptionally fine job, and I compliment the Members of the House on it. This was an item which was a real stickler in the conference.

I might mention that a program in which many Members have expressed interest, highway beautification, is not included in this bill except for funds for administrative purposes related to the obligation of funds heretofore appropriated. No new highway beautification program funds are included in the bill since authorization for this purpose has expired and new authorization has not been enacted.

In the appropriation for Alaskan assistance, the House proposed $4 million and the Senate proposed $8 million. The conference agreed to $5 million.

STATE AND COMMUNITY HIGHWAY SAFETY

Mr. Speaker, I know that many Members have received pleas from organizations in their States on the programs carried in this conference report titled "State and Community Highway Safety." I am in receipt of a number of telegrams from my own area. All of them are similar in context and contain the following message:

> We urge you to approve Senate Amendment increasing Federal Highway Safety Bureau appropriation to forty million dollars. Traffic accidents can be reduced only through massive statewide programs effective on all motorists which have not been undertaken by the states to date. The National Highway Safety Program standards provide excellent guide for such programs. Preliminary standards and planning will be concluded by the end of 1967 and states will be able to put federal funds into effective highway safety programs which meet federal standards. Congress must prime the pump of state activities for Massachusetts and other states to implement these life saving programs.

Mr. Speaker, all of those who sent the above telegram to me are outstanding citizens who are deeply and sincerely interested in all aspects of safety and all of them are members and/or directors of the Western Massachusetts Safety Council. This organization has done an outstanding job in constantly pounding and alerting the community to highway safety and safety at work or play. It has compiled an enviable record in my area and its advice and counsel in the field of safety is sought and often followed. I am pleased to have the opinions of its officers and members. I know that they respect my views and actions.

Mr. Speaker, all of the House conferees insisted on the action previously taken by the House on last July 18 when the Department of Transportation appropriation bill passed the House. In the conference last week, some of the Members of the other body agreed that this new program should be started slowly and looked at cautiously. Thus, the agreement of the conferees to the $25 million figure.

Of course, all of us realize that many persons are killed or injured in auto accidents. We agree that something must be done about it. We do not always agree as to what must be done.

The program of making grants to the States to assist the States in highway safety efforts is a new program. Funding plans have grossly overestimated requirements in the early months of the program. Congress authorized obligations of $67 million in fiscal year 1967; $10 million was appropriated and $902 thousand actually obligated in the fiscal year.

In the first quarter of the present fiscal year, 1968, obligations total $3.8 million, with another $0.5 million approved but deferred. The obligation rate in the first quarter indicates that the House proposal of a $20 million appropriation is adequate. Since a new program will grow throughout the year, and since the Senate provided $40 million, in conference we agreed to a $5 million increase above the House amount, making an appropriation of $25,000,000.

The plans for this program as presented to the committee were neither firm nor persuasive. You can not just spend money labeled "highway safety" and expect to save lives. Sound, sensible plans must be developed and implemented. We plan to look very carefully at the activities under this program. If, next year, it appears that a sound program is being carried out, we will support a higher level of funding. We believe in looking at what we are buying before spending large amounts of the taxpayers' money.

We think that some parts of the program presented are either of a low priority or should be left entirely to the States. School bus safety can be left to the States. Do we really need more Federal influence in the local school systems? Community support for highway safety has long been carried out by State, local, and private organizations such as the National Safety Council. Do we really need to put people on the payroll to do this?

Debris removal and motorcycle safety do not appear to be problems requiring Federal funds.

Do we really need Federal spending in the area of State and local "enforcement practices"? This is in the program.

Good management requires that this program be developed carefully, not hastily. The conference report provides

enough money to carry out a useful program in fiscal 1968, a program which can be studied and redirected, if need be, before Federal spending reaches a high level.

HIGHWAY CONSTRUCTION

The bill provides $3,770,872,000 from the highway trust fund for the Federal highway program. There was only a minor difference between the two Houses involving administrative expenses.

The conference report does not cut funds requested for highway construction, not even one dollar.

Members have inquired about the status of the highway program. The executive branch has made inquiries of the Governors of the various States as to the impact of certain reductions. As of today, no decision to reduce the program has been made. As we all know, the executive branch, as well as the Congress, is looking for ways to cope with our fiscal problems. Funds from the highway trust fund do not contribute to the administrative budget deficit. The spending of those funds, however, does have an impact on the overall national economy. I hope no reductions are required in the highway program. None have been made thus far in fiscal 1968, but the future of all programs must be considered to be somewhat uncertain at this time.

FEDERAL RAILROAD ADMINISTRATION

The conference agreement provides $16,044,000 for the Federal Railroad Administration. The House provided $14,594,000 and the Senate provided $20,926,000. The conference agreement is $1,450,000 above the House and $4,882,000 below the Senate figure.

The House maintained its position that no funds should be allowed to continue the so-called auto-on-train demonstration program.

Mr. Speaker, this program provides for Government participation in the construction and operation for a certain period of time of a new type of train which is designed to carry passengers and their own automobiles between Washington, D.C., and Jacksonville, Fla.

Mr. Speaker, it may be that this approach can be of some use in attracting long-distance passengers back to the railroads. In my judgment I thought we should have gone along with this proposal. However, the other Members and all of the Members on the part of the House who served as conferees, with the exception of myself, maintained and insisted upon the position of the House. Therefore, no funds were granted for this program.

Mr. Speaker, the Boston-to-New York demonstration program is fully funded. The sum of $1.5 million is provided for research on track-air-cushioned vehicles.

NATIONAL TRANSPORTATION SAFETY BOARD

The House position was maintained with reference to the National Transportation Safety Board. The amount is $4 million, plus, the same amount as was provided in the House bill.

We feel it is important in the formative years for the Department of Transportation to curtail areas of possible duplication. We saw that possibility in the request for accident prevention and research personnel for the National Transportation Safety Board. The House position with reference to such personnel which had been requested was that we did sustain the position of the House and denied positions for accident research for the National Transportation Safety Board.

So, Mr. Speaker, in the judgment of myself and the House conferees, we feel we have brought back from conference a good bill. I would hope that all the Members would sustain the action of the conferees.

The only item on which we are above the budget, I would remind the Members of the House, is the item which the distinguished minority leader, the gentleman from Michigan [Mr. GERALD R. FORD], mentioned a moment ago, and that was for facilities and equipment for the Federal Aviation Administration.

Mr. Speaker, the only other item for which funds were not budgeted was the Alaskan assistance program wherein we provided the sum of $4 million when this matter was considered in the House while the other body provided the sum of about $9 million. We reduced that figure to $5 million.

Mr. Speaker, in my opinion, and on an overall basis, the action of the conferees is one that all the Members of this Congress can stand by.

We earnestly solicit the support of all the Members in behalf of this bill.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. BOLAND. I shall be glad to yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Mr. Speaker, I should like to call to your attention my concern about the action of the House Appropriations Committee in sharply cutting back on research and development funds for high speed ground transportation. Very clearly, one of the great problems the country faces today is to accommodate movement within the metropolitan regions which we find in every quarter of the country.

The kind of transportation facilities which we have been encouraging as a matter of public policy for several decades are simply inadequate to meet the needs of these metropolitan regions. Congress recognized this 2 years ago in setting up the high speed ground transportation program and authorizing for it modest sums of money for research and development.

This program has made substantial progress as reflected in the annual report recently filed with this body. There are a number of prospects for the development of new systems which could go far to alleviate the congestion and near strangulation which are becoming so characteristic of the large cities of the country. I believe that it is shortsighted on our part to continue to spend large sums of money to move people with great speed around the world, and in our space program to the moon and to other planets, and severely cut back on the small expenditures which may make it possible to move with speed, comfort, and safety the relatively short distances between many of our large metropolitan areas. I believe this body should look searchingly at this program and the prospects that it has for greatly improving the region's transportation system for the future, and give it our support.

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

Mr. BOLAND. I yield to the gentleman from Michigan.

Mr. CHAMBERLAIN. Mr. Speaker, I would like to make an inquiry of the distinguished gentleman from Massachusetts [Mr. BOLAND] with respect to the appropriation available here for the Coast Guard. My question is this: Since the Coast Guard is carrying on very substantial operations in the Vietnam theater, with several vessels being stationed in that theater—I believe some 30 vessels—can the gentleman from Massachusetts give me his assurance that the funds contained herein are adequate in all respects to carry out all the operations of the Coast Guard in Vietnam?

Mr. BOLAND. I am delighted that the gentleman from Michigan has asked that question. I know of the gentleman's concern for the Coast Guard. This bill provides $23 million above last year's budget for the Coast Guard. Only $6 million of the $23 million increase is required to support Coast Guard operations in Southeast Asia. So we have provided all the funds that the Coast Guard requires in this bill.

Mr. CHAMBERLAIN. Mr. Speaker, if the gentleman from Massachusetts will permit me to make a further inquiry——

Mr. BOLAND. Yes.

Mr. CHAMBERLAIN. If the so-called Bow amendment were adopted here by the House would the Coast Guard, along with the other agencies of the Federal Government, be subjected to a 5-percent cut?

Mr. BOLAND. If the original Bow amendment were adopted, that would be so. And, if the so-called Laird amendment were adopted, that would be so.

Mr. CHAMBERLAIN. Mr. Speaker, if the gentleman will yield further, if the Bow amendment were adopted and if the Coast Guard had to take a 5-percent cut, would we be able to do this without impairing the operations of the Coast Guard in this theater of war?

In other words, Mr. Speaker, what I want from the gentleman from Massachusetts is some assurance that the Coast Guard is going to be protected against this contingency?

Mr. BOLAND. It is my opinion that the amount contained in this conference report will provide adequately for the activities of the Coast Guard in Southeast Asia. This is what the Coast Guard says, and I presume that we have to believe them.

Mr. CHAMBERLAIN. Mr. Speaker, if the gentleman will yield further, I would conclude with this final observation:

I do not feel that many Members of this House want to start economizing upon something which is needed in carrying out our efforts in Vietnam. In saying this I do not mean items which are not needed by the Department of Defense or by any other agency of the Government. I, for one, am depending upon the distinguished gentleman from Mas-

sachusetts here to make certain that no cuts are imposed upon the Coast Guard that are going to impair the vital operations of that arm of our service in that area of the world.

Mr. BOLAND. There are no cuts made in the item of the Coast Guard that would impair the vital operations of the Coast Guard in that area of the world.

Mr. CHAMBERLAIN. I thank the gentleman for yielding.

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

Mr. BOLAND. Yes, I yield to the gentleman from Florida.

Mr. BENNETT. Mr. Speaker, I know of no Member of Congress who wants to spend public funds unwisely and uneconomically. In the current drive for economy, we must not become blinded to the real meaning of economy. I refer to the report on appropriations for the Department of Transportation, specifically to the reductions made in the extremely important high speed ground transportation program.

Department of Transportation has in its high speed ground transportation a program which is dealing with intercity transportation problems, primarily in densely populated regions. The overall program is devoting attention to the role which highways, airways, and ground transportation all may make in solving these problems.

The information which we will derive from the research and development effort in the program will, for example, provide us with insight into the role that ground transportation may eventually play in helping to meet the need for additional passenger service.

Does it make sense, therefore, to cut off one of the major elements of the program? That is what I consider the auto-on-train demonstration that was planned between Washington, D.C., and Jacksonville, Fla. Excluded from the budget was $2 million which would have implemented plans for this demonstration, a radically new type of railroad equipment which would relate two important transportation modes—the train and the private automobile.

Travelers want and need the freedom and convenience of travel in their own automobiles. In many instances, however, individuals have a limited time in which to reach a destination, and find it difficult to devote the majority of their travel time to "getting there."

The proposed autotrain was designed to permit travelers to take their autos with them economically over long distances on a specially designed train. Market studies have already indicated that the service would be well patronized and profitable.

I want to bring the following to the attention of my colleagues. The Government has already committed $2 million to this project for preliminary engineering research and development. This amount is nonrecoverable. Additional money needed to complete the demonstration had been estimated at $3.5 million.

I am told that the Office of High Speed Ground Transportation has made a conservative estimate that at the completion of the 18-month project, $6.2 million will revert to the Federal Treasury from profits and sale of equipment and terminals. The net cost to the Government would be approximately $1.2 million, or less than the project has cost already.

Considering the potential value of the project to transportation planners, railroads and the traveling public, I think the total investment needed is small indeed to the ultimate benefits for the traveling public.

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

Mr. BOLAND. I yield to the gentleman from West Virginia.

Mr. STAGGERS. Mr. Speaker, I feel the major cut recommended by the conferees on appropriations for the Department of Transportation's Office of High Speed Ground Transportation will have a great deal more impact over the long run than appears on the surface. For not only will the public ultimately be affected by the cutback in program activities, but so will railroad employees.

As my colleagues are aware, the public has long since grown weary by the caliber of most railroad passenger service. In recent months, the situation has deteriorated all the more as railroads continue to get authority from the Interstate Commerce Commission to remove more trains.

The railroads say what has prompted this step-up in train-offs has been the Post Office Department's removal of railroad post office cars from passenger trains. The Department says its actions are directed by the necessity to find more ways of coping with the incredible volume of present-day mail, and is certainly not designed to deal a death blow to passenger services. The fact of the matter is, however, the Department's actions are producing this result.

I think it is tragic for the American public, for the future or our great transportation complex, and for tens of thousands of railroad employees and their families that we are letting this occur.

I want to point out one of the main purposes behind the formation of the Department of Transportation was to be in a position to advise—through Federal research and development projects—the various modes in the private transport sector to "plan ahead."

This is how I view the research and development program of the Office of High Speed Ground Transportation. It is a major step toward eventually devising a national transportation plan which would permit travelers and goods—and this includes mail—to move efficiently from one means of transportation to another, using the best characteristics of each.

The program includes a set of projects which will improve technology in high speed transportation, with particular regard to ground transportation. It also includes demonstrations of new types of rail passenger equipment and service elements. It is obvious, therefore, a program that could mean a possible rebirth of railroad passenger travel holds great promise to the scores of railroad employees being affected by the present turn of events.

I think that a reexamination and reappraisal of the purpose and accomplishments of the on-going high speed ground transportation program is in order. Hopefully, my remarks today will convey to you at least my appreciation of the potential this program holds for the public welfare.

Mr. ANDREWS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from Alabama.

Mr. ANDREWS of Alabama. Mr. Speaker, I rise in support of the conference report, and I want to commend the gentleman from Massachusetts for what I believe is a job well done.

The gentleman and his committee have done a good job on the Transportation appropriation bill. I want to say to the gentleman that I have great reluctance in appropriating money above the budget request for any purpose. Nevertheless, I feel that the funds added for facilities and equipment for the Federal Aviation Administration are vital to safety of those who use our airways. I know that a study is underway right now as to how best to provide aviation safety at a time when aviation is growing rapidly.

The Appropriations Committee has been given a tentative listing of some of the things that might be done with the added funds. A listing is submitted of tower facilities which meet the FAA's criteria as to need but which were not funded in the budget. I know from first-hand experience how vital some of these towers are to aviation safety. We desperately need a tower at Dothan, Ala., and $279,000 for that tower is included in the list of towers submitted to the committee. I hope that the Congress will approve the additional money and that the executive branch will use the money and that a good part of the money will be used for tower facilities.

Of course, I feel that one of the most urgent requirements for a tower is at Dothan, Ala., where military flyers from Fort Rucker and Southern Airways use the field along with general aviation. By the FAA's own count in fiscal 1967, there were an estimated 45,000 itinerant operations at Dothan, which places this location well within the criteria for establishment of a new tower. I am just afraid that unless the FAA acts to establish this tower that someone will be hurt or killed at Dothan. I thank the gentleman and I urge the adoption of the conference report.

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

Mr. BOLAND. Yes, I yield to the gentleman from Missouri.

Mr. RANDALL. Mr. Speaker, this subcommittee deserves the commendation of all of us. The reason I can say this is because on almost everyone's list of priorities in these times when we must economize, the matter of safety in air travel is high on the list.

In title III of the statement on the part of the managers when they considered amendment No. 5, it is good news for those who travel by air to note that our committee insisted upon enough funds for the Federal Aviation Administration to continue their surveillance of aviation safety. Our conferees even called

upon the Department of Transportation to present comprehensive plans for the continued maintenance of aviation safety standards.

Tomorrow we face a decision upon another continuing resolution. While it is true the figures $605,400,000 for operations agreed upon was about $12 million higher than the figure passed by the House, it should not be forgotten it is also $13 million lower or under the figure passed by the Senate. When this $12 million is broken down among the 50 States, it figures less than $250,000 per State. To any fairminded person, this is little or nothing to be spread across the greatly increased volume of air travel in each State.

I was glad to observe that under title IV, consideration was given to motor vehicle and highway safety and also to motor carrier safety. For some reason much more is written about death on our highways and relatively much less about those who perish in our air crashes. These losses of life receive some publicity for a while, yet there never seems to be any sustained effort to make certain that air safety is constantly in the forefront of public and governmental attention.

It was our personal experience recently, when the Federal Aviation Administration proposed to decommission some VOR's in our district to devote a lot of time to the safety of air travel. Some of these OMNI's were closed; others were considered for further study. During these discussions, it was my privilege to have an opportunity to discuss aviation safety personally with the Administrator of the Federal Aviation Administration, Gen. William F. McKee. I must say in all fairness that this man would prefer to increase the number rather than reduce the number of guidance devices, both for our large scheduled airlines and those thousands of small planes classified as "general aviation." Like every other department of the Government, the Federal Aviation Administration feels the pinch from lack of funds.

It is my judgment some of our domestic programs can be completely canceled; others can be abridged, reduced, suspended, or postponed. One that we must never compromise is the program for the safety of those air travelers who have been taught and led to believe that the safest way to travel is by air. Guidance facilities are desperately needed. Air traffic control systems are vital. There is a crying need for more instrument landing systems, new towers, more and better landing lights.

The expense of in-flight guidance devices and such vitally necessary expenditures as for frequent and accurate weather reports and better terminal control facilities are indeed a small and insignificant saving in relation to the increased dangers involved without these.

To insist upon reductions that will imperil the safety of those who travel by air is nothing more or less than gambling in human lives. Any money spent for safety with the objective of saving the lives of human beings deserves a high place on every priority list.

Mr. BOLAND. Mr. Speaker, I now yield 10 minutes to the distinguished gentleman from Ohio, the ranking member of the minority, on the committee, and a very able and valued member of of this subcommittee.

The SPEAKER pro tempore. The gentleman from Ohio is recognized for 10 minutes.

Mr. MINSHALL. Mr. Speaker, the distinguished chairman of the Subcommittee on Department of Transportation Appropriations, the gentleman from Massachusetts [Mr. BOLAND], has provided you with an excellent summary of the action taken by conferees on the Transportation Department's first full-year fiscal budget.

As ranking minority member of the subcommittee and a member of the conference, it has been a privilege to work closely with the outstanding House and Senate Members who devoted so much concentrated time and thought to resolving the differences in this measure.

The House conferees have returned with some major victories for the taxpayers.

Economies have been achieved in the Transportation budget without jeopardizing either the Department's opportunity to operate efficiently during its first year of official life or impairing any of its important public safety functions.

The chairman has pointed out that the overall Transportation appropriation agreed upon in conference, $1,581,905,722, is a reduction of $136,713,000 below the budget request. This amounts to a cut of nearly 9 percent. We House conferees stood our ground and return to you with a conference report $69,501,500 less than the amount approved by the Senate.

A saving of $137 million is particularly noteworthy during a period when it is imperative that all nonessential spending be eliminated.

As the chairman has pointed out, we have achieved the remarkable by reducing the fiscal 1968 budget more than $139 million below the total amount appropriated last year when the agencies were scattered throughout the Government.

Important as these savings are, as the conference report indicates, I held reservations about amendment No. 25, which withdraws the insistence of the House on retaining the 5-percent, across-the-board cut in the Department's expenditures during fiscal 1968.

I stand by that reservation. After the action taken by this House yesterday, it would be inconsistent not to insist upon the 5-percent reduction, action which a majority of this House approved decisively last July 18 by a rollcall vote of 213 to 189. Economic circumstances certainly do not justify our retreating on this point 3 months later. Quite to the contrary.

It is my conviction that the House must insist upon retaining the 5-percent reduction. The fledgling Department's budget is ample enough, and flexible enough, to permit it. Our Government's fiscal integrity demands it. The hard-pressed taxpayer urges it.

As the conference report indicates, I also had reservations about amendment No. 6, which calls for a $24 million increase in the amount approved by the House for facilities and equipment for the Federal Aviation Administration.

I withdraw by objections to this amendment in the light of additional information which has come to my attention.

During conference I found it difficult to reconcile the President's request for a $7 million reduction in facilities and equipment for the Federal Aviation Administration with the increased appropriation passed by the Senate.

There was virtually no testimony on the record to support such an increase. As an advocate of economy in Government, I looked with a jaundiced eye on the $54 million figure agreed upon by conferees in amendment No. 6. I was aware that the White House had submitted an amendment to the Department of Transportation's budget request on September 20 calling for a $7 million reduction in the Department's original $35.4 million estimate. The Senate, nevertheless, approved $65.4 million. In conference, the $30 million approved by the House was reconciled with that amount to the $54 million in the conference report.

I declined to agree to this sizable increase over the House-approved figure pending a further study of the facts.

Since the conference report was filed last week, I have had an opportunity to consult with safety experts and with Federal Aviation Administration officials privately and at length. In these discussions, I expressed my misgivings that they would be able to make use of the additional facilities and equipment without trained personnel to handle them. I have received sound assurance that FAA's new facility at Oklahoma City can turn out some 2,000 trained men yearly, that there will be sufficient skilled manpower to handle the equipment, and that it is in the best interest of air travel safety that FAA have every capability to meet the steadily increasing complexities and hazards of modern air traffic.

As the chairman pointed out a few months ago, had it not been for a lack of up-to-date equipment, the North Carolina air tragedy might well have been averted this summer. No one is going to put a price tag on the lives lost in that disaster.

I am all for economy. My record over the 13 years I have served in this House attests to that. This is why I was cautious and withheld my approval of amendment No. 6. When a money bill comes before this House, I examine it first from the viewpoint of the taxpayer. With a dearth of supporting evidence on the official record, I chose to suspend approval of any multimillion-dollar increase over the amount we in the House had approved for FAA's facilities and equipment program. Rather, I preferred to withhold agreement until I personally talked with the experts, with the men in the field, and with FAA officials directly involved and in whose integrity and judgment I place the greatest reliance.

This I have done.

I am now convinced that the Presidential budget amendment, submitted in

Senate Document No. 50, calling for a $7 million cut in FAA's original estimate is the most dangerous sort of false economy, a political sop designed to placate taxpayers who are fed up with grandiose Great Society spending in other areas. I have seen enough political muzzling of Pentagon witnesses in my Department of Defense Appropriations Subcommittee. It is apparent that the sealed-lips edicts are not limited to Defense witnesses alone. FAA officials could not speak out on the record freely to let this country know the urgent need for new facilities and more modern equipment.

The White House directed the Department of Transportation generally, and FAA officials specifically, to make do with what they had in the way of air safety funds. It appears that in the interest of political expediency, and to promote its nationally repudiated effort to push a 10-percent tax increase on the country, the administration felt FAA officials must be muzzled to prevent their stating their real needs when appearing before congressional committees. It also appears that our millions of air travelers are considered an expendable minority by the White House.

We today are in the same situation in relation to our airways as we were a dozen or so years ago regarding our highway system. When I first began flying as a private pilot nearly 20 years ago, the sky was literally the limit, vast and uncrowded. That picture has changed drastically and we are heading toward a crisis situation in the air which could well be equated with the chaos which would result if we had no modern superhighways and interstate systems.

There will be more air tragedies if we do not prepare to meet the increasing congestion modern air travel, both commercial and private, is creating. To meet this crisis more skilled personnel and up-to-date facilities and equipment are absolutely necessary.

The Federal Aviation Administration has supplied me with a breakdown of the additional traffic control and navigation aids in terminal areas which the additional $18.6 million over their original $35.4 million request will provide.

Here is the summary:

STATEMENT BY DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION

The Conference amount of $54.0 million for the Facilities and Equipment appropriation for fiscal year 1968, enables us to provide the additional air traffic control and navigation aids in terminal areas which are our major problem. With this amount we intend to provide in addition to the items in our original request of $35.4 million (1) eight airport surveillance radars which provide our controllers with position information on aircraft in the terminal area; (2) eighty instrument landing systems with associated approach light aids which will provide approach and landing guidance; and (3) equipment to provide the controller with altitude information and beacon code identification of beacon equipped aircraft on displays of twenty-three existing airport surveillance radars as follows:

Airport surveillance radar (8 locations)	$4,800,000
Instrument landing system (80 locations); approach lights (76 locations)	11,700,000
Direct beacon code identification and altitude readout (23 locations)	2,100,000
Total	18,600,000
Original request	35,400,000
Total	54,000,000

SUMMARY OF REQUIREMENTS

[In thousands of dollars]

Activity	Original request	Distribution of conference amount	Difference
1. Air route traffic control centers	16,018	16,018	
a. Long-range radar			
b. Automation equipment	14,300	14,300	
c. Other center facilities	1,718	1,718	
2. Airport traffic control towers	10,638	17,538	
a. Terminal area radar	330	7,230	+6,900
b. Terminal area automation	8,500	8,500	
c. Other tower facilities	1,808	1,808	
3. Flight service stations	1,044	1,044	
a. Domestic	976	976	
b. International	68	68	
4. Air navigation facilities	3,503	15,203	
a. VORTAC	455	455	
b. Low/medium frequency facilities			
c. Instrument landing systems	3,048	14,748	+11,700
d. Visual aids			
e. Intermediate fields			
5. Housing, utilities and miscellaneous	175	175	
6. Aircraft and related equipment	3,632	3,632	
7. Research, test and evaluation facilities	390	390	
Total	35,400	54,000	+18,600

Mr. Speaker, in supporting the House compromise with the Senate in appropriating $54 million, I not only am heeding the best recommendations of those immediately involved in our air safety program, I also am in the good company of such noted economy advocates as the chairman of the great House Committee on Appropriations [Mr. MAHON], and with Senators COTTON, MUNDT, and SMITH, none of whom has ever been accused of wasting taxpayers' funds.

For these reasons, I withdraw my reservation regarding amendment No. 6.

I do not wish to place in jeopardy the millions of air passengers and private pilots who literally put their lives in the hands of the FAA when they board a plane.

The 9-percent reduction achieved in the overall Transportation budget request is remarkable. Retention of the 5-percent reduction in expenditures is not only practical but imperative.

We have given the new Department of Transportation a budget with which it can live during its first full year of activity. We have achieved economies which the taxpayer can well appreciate without undermining the services and safety functions to which they are entitled.

I urge the House to support the conference report as submitted, with the exception of amendment No. 25.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. FRIEDEL] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. FRIEDEL. Mr. Speaker, in viewing the report of the conferees for the Department of Transportation appropriations for fiscal 1968, I find a very disturbing thing: Not only has the auto-on-train demonstration project been cut from the high-speed program, but research and development funds also have been reduced.

In calling this action to the attention of my colleagues, I cannot help but note the cries of anguish from all quarters regarding the state of railroad passenger service. What is wrong? Why is it being cut further? Why is the Government not doing something? I think I am correct in saying that the mail of many Members is running heavy on this subject.

As you all know, my Committee on Interstate and Foreign Commerce handled the legislation authorizing the development of a high-speed ground transportation program, and for this reason I have long been convinced that in this program, including the demonstration projects, we have the first steps toward answering these and a host of other questions, not the least of which is the steadily worsening urban transportation problem and the increasingly burdensome matter of airport access. I fail to see, for instance, why we should go on expanding airport facilities without a parallel program of coordinating transportation to and from airports. The cut in this program will affect the tentative plans the Department of Transportation had to develop a high-speed ground transportation system between Friendship, Washington National, and Dulles airports.

Ironically, the demonstration project that was scrapped by the committee—the auto-on-train test—is a project that promises to be almost entirely self-liquidating upon its completion. As for

the cuts in research and development fund, I would like to point out that these activities look not only toward the improvement of existing technology but also toward the development of entirely new systems of ground transportation.

I think every Member of this House owes it to his constituents to take a good look at the accomplishments of the ongoing high-speed ground transportation program.

I think this will convey to you, as it did to me, the potential this program holds for the public welfare within densely populated regions throughout the United States. This cut in funds is going to put us so far behind in developing a high-speed ground transportation system which is vitally needed by our Nation now. Of the industrial nations, we are already lagging far behind—Tokyo, Germany, and France have all developed modern, economical, high-speed, ground transportation systems. I think the cuts made in this extremely important program are out of step with the needs of the Nation.

Mr. BOLAND. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. JOELSON].

Mr. JOELSON. Mr. Speaker, I understood the gentleman from Ohio to say that this is a very good conference report. He then went on to say that he will support an attempt to cut it by 5 percent. I would like to ask him, if it is so good and yet it should be cut 5 percent, why he did not attempt in conference to cut it 5 percent?

Mr. MINSHALL. I did. You will notice in the conference report that I excepted to amendment No. 25. I did just that.

Mr. JOELSON. Do you feel that the 5-percent cut——

Mr. MINSHALL. I was only one voice in the wilderness, I might add, in the absence of Mr. JONAS, who was unavoidably absent.

Mr. JOELSON. You think that the 5-percent cut should be left to the discretion of the agency?

Mr. MINSHALL. I certainly do. As I said in my statement, they have plenty of latitude and flexibility throughout this tremendous budget to take out 5 percent where they think it could best be taken out, but certainly not out of air safety.

Mr. JOELSON. Could they not take the 5 percent out of air safety?

Mr. MINSHALL. They could if they wanted to, but I am sure they will not. They would not be that foolish.

Mr. JOELSON. I am rather surprised at the gentleman's complete reliance on the agency.

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

Mr. BOLAND. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman yielding further. I am interested in title IV, the Federal highway administration section, and particularly the unbudgeted item of Alaskan assistance, for which the House bill contained $4 million, the Senate doubled that amount and we settled for $5 million.

Even our distinguished Representative from Alaska, our colleague Mr. POLLOCK, on two different occasions recently has said he was hoping we were rapidly approaching the time when we no longer have to federally assist our newest and largest State. Why was it necessary to go into an unbudgeted appropriation in this item, and does this still involve any maintenance of the Alaska highway?

Mr. BOLAND. This program was authorized under the Federal Highway Act of 1966 and it does provide an authorization of $14 million for the years 1968 to 1972. It is an unbudgeted item. But on the strength of representations made by the able and distinguished Representative of Alaska [Mr. POLLOCK], before the committee, and also on the advice and counsel of Members from Alaska in the other body, it was felt $4 million ought to be appropriated. This committee felt it ought to be included because Alaska is not part of the Federal Interstate Highway System. It does have unusual difficulties with the A–B–C roads and urban roads. The question of maintenance of Alaskan highways is very severe because of the climate. That is why authorization was made in 1967, and this committee felt it was a fair request.

Mr. HALL. Can the gentleman assure the House that among the conferees for the House there was knowledge of the natural disaster relief appropriation—for earthquakes, and so forth—in addition to this; and, second, that it does not involve the maintenance of that part of the highway between Alaska and the United States which the Canadians took over for maintenance after we built it?

Mr. BOLAND. I can give the gentleman that assurance.

Mr. KYL. Mr. Speaker, if the gentleman will yield, in further assurance to the gentleman from Missouri, there is a larger problem facing Alaska, of which Members should be aware. Whenever a territory has become a State, the Federal Government has withheld, or reserved, a percentage of the acreage for the Federal Government and an allotment of land has been made to the State. At this point, Alaska, if I remember the recent figure, actually has about 2 percent of the land area of that State, and the other 98 percent of that State is reserved for the Federal Government. The administration has, in effect, withheld the selection of lands, on the part of State, until some determination can be made about the legal and rightful claims of the aborigines to certain of the Alaskan area. So the State of Alaska is in the very hard position of having no land to tax and very little land to develop until this selection can be made.

The gentleman from Alaska [Mr. POLLOCK] has tried to alert all the Members of this House to this matter. Alaska does have a selection problem, and the State will continue to need extra consideration from the House and the other body until such time as they have the means for developing their economy the same as the other States have developed theirs.

Mr. BOLAND. Mr. Speaker, I appreciate the remarks of the gentleman from Iowa.

Mr. Speaker, I ask unanimous consent that the gentleman from Alaska [Mr. POLLOCK] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. POLLOCK. Mr. Speaker, I rise in support of the provision of the conference report pertaining to the funds for Alaska highway assistance, as contained in H.R. 11456, the 1968 appropriation for the Department of Transportation. The conference committee has recommended $5 million for this purpose. Fourteen million dollars is authorized yearly, so a substantial reduction has been effected and I wish very much the entire $14 million could be appropriated. The purpose of the funds is to build access and development roads to remote areas in Alaska and to maintain existing roads.

The House has already considered this item, when it passed H.R. 11456 on July 18. The figure at that time was $4 million. The conference report increases this to $5 million, a $3 million reduction from the Senate-approved figure but a million dollars more than the House approved figure. A motion to strike these funds was made in the House and defeated overwhelmingly by a voice vote. I believe, there is no reason for a change now. The amount is small but the increase over the original House figure is vitally important to Alaska. The Appropriations Committee considered that special conditions existing in Alaska justified this extra Federal assistance. Certainly, there is no other State in the country with so much land and so few roads. The great potential of the 49th State will never be realized unless the basic public services are provided. None of these services is more important than highways. Adequate transportation is absolutely essential to an undeveloped region like Alaska. The small appropriation for Alaska highways should not be looked upon as an expenditure or a gift, but as an investment that will be repaid to the country with interest.

There is another reason why this item should be approved. Alaska is unique among the States in that it is excluded from the huge interstate highway program. Alaska is not, however, exempted from the payment of that portion of the gasoline tax earmarked for interstate highways. Certainly no more blatant example of unjust discrimination can be found. Indeed, one of the prime reasons for these funds is to correct this injustice by providing for Alaska's real and unique needs. It should be noted that until 1956, Alaska was excluded from the regular Federal aid system also. This $5 million will give Alaska a much needed start on the big job of catching up with her sister States, the huge job of building an adequate system of roads and highways throughout the entire State.

The House will shortly be voting on a motion to recommit this report to the conference committee. The purpose, as I understand it, will be to eliminate all funds not included in the President's budget. This is aimed at extra funds for air safety, but would also adversely affect this provision for Alaska since no money whatever was recommended in the budget by the administration. This is not, I am convinced, the intention of the House since this money was approved

after debate when the bill originally passed the House. I urge, therefore, that the motion to recommit be rejected, and that the conference report be adopted.

Mr. BOLAND. Mr. Speaker, I now yield 5 minutes to the gentleman from Ohio [Mr. Bow].

Mr. BOW. Mr. Speaker, I was a conferee on this bill and I did not sign the conference report for the same reason I did not sign the conference report on HEW, which the House recommitted. The reason was there were certain items above the President's budget. I admit the gentlemen have done a good job on this bill. It has been cut below the budget figure in total. It came back pretty close to the House figure. Nevertheless, however, there is one item in this bill that is $26 million above the budget request. I would like to address myself to that.

It has been suggested that this is for air safety, and I am as interested in air safety as any man in this House. I think I fly about as much as anyone. I was just admitted not long ago to the 1-million mile club of one of the airlines for having flown 1 million air miles. So I am interested. I am also interested in this House having information upon which to base appropriations. When the other body increased this bill by approximately $37 million above the budget in one item, and the conferees agreed on a $26 million increase, the question arises as to what this was based upon.

From where have they gotten this figure?

We asked the gentlemen on the other side of the Capitol, "Did the FAA ask for this?" They said, "No, the FAA did not ask for it."

"Did the President ask for it?"

"No."

"Did the Secretary of Commerce ask for it?"

"No."

There is no official request for this additional money.

We asked, "Well, what did you base it on?'

One of the gentlemen took out a newspaper article from the New York Times. There was a story in the Times. It is a fine newspaper, but not enough, of course to justify this.

Then they also said that one of the outfits downtown, which sort of lobbies for airlines, had some people who came in and asked for it.

Those are the two items which they told us at that time they had before them, to increase this bill over the budget.

My suggestion is that we recommit this conference report and send it back, that we take the budget figure, which is a little smaller than the House figure, and then, if they really need this money—if the Government needs it and if the FAA believes they need it for air safety—let them come in and request it. That is their responsibility. They have the responsibility of telling us what is necessary for air safety. If they do not have the courage to do it, we ought to know about it.

The seriousness of this situation is the question: What are we going to base appropriations on? They should be based on the testimony of the officials, of the people who are going to spend the money.

I have heard from both sides, from the gentleman from Ohio [Mr. MINSHALL] and from the gentleman from Massachusetts [Mr. BOLAND], that they have some information now from the FAA. Why in the world did the FAA not give us that information when we were considering this budget? I cannot understand this.

This is something new. Two members have the information. I have not seen it. I do not know whether the distinguished chairman of our full committee has seen the figures.

This is a new and interesting thing, that a New York Times article and a representative from an association downtown can get an increase of $26 million, and then two members of the committee can get statements as to where it is going to be used, but the rest of the members do not know.

I believe we ought to return this bill to conference, and come back with the budget figure. Then, if the FAA actually needs this money, they can come up with the testimony. They can come up and prove it to the House and let us see the figures, so that we will know where this is going to be spent.

This is what should be done.

Air safety is important, yes; but let us see this.

We recommitted the HEW bill. We talk about air safety, and that is important, but also, when we recommitted the HEW bill, we recommitted funds for cancer, heart, dental research, arthritis, allergies, and infectious diseases, general and medical science, because those were above the budget. We did not have the evidence to justify the increases above the budget for the following:

National Cancer Institute, National Heart Institute, National Institute of Dental Research, National Institute of Arthritis and Metabolic Diseases, National Institute of Neurological Diseases and Blindness, National Institute of Allergy and Infectious Diseases, National Institute of General Medical Sciences, National Institute of Child Health and Human Development, and general research and services.

I suggest that this is no different. If the House really is going to work its will, it should be done based upon the testimony of witnesses from the agencies who are going to use this money, and not based upon newspapers and some other group.

Mr. BOLAND. Mr. Speaker, let me say that the action of the House conferees was not taken on the advice of the New York Times, nor was it taken on the advice of any outside group.

Mr. BOW. Mr. Speaker, will the gentleman yield? I said this was the advice given to the other body. I did not say that the House did this.

Mr. BOLAND. I appreciate the correction.

When we left the conference I asked the staff to communicate with the FAA. I have been sitting on the subcommittee which deals with the Federal Aviation Administration with that which was the old Aviation Agency, for a period of 12 years. The item for "Facilities and equipment" is one we have dealt with annually in that period of time, and it has amounted to millions and millions of dollars.

I know of no time while I have been sitting on this committee that there has not been a substantial request by the Federal Aviation Administration for facilities and equipment. The gentleman from Ohio can bear me out, because he also sat on the Independent Offices Subcommittee from which this agency sprang in the Department of Transportation. So we did ask the FAA for a detailed account of what they would do with that amount of money, which is over the budget in this bill. This list will appear in the RECORD. Let me detail it for the Members of this House so that they will know precisely what this money will be used for with respect to air traffic safety.

It will be used for airport surveillance radar in eight locations. It will be used for instrument landing positions. It is for approach lights at 76 locations. It is for direct recontrol at 23 locations. Then there is an amount to establish tower facilities in 45 locations all over the United States.

So, Mr. Speaker, the committee is well aware of the fact that this money is being used and will be used for aviation safety. The President has asked that a complete study of the needs in this area be made. I am satisfied what has been detailed for us is as good a listing of what the funds will be used for as will be available until the study is completed, and I think we should be satisfied with that testimony.

Mr. MINSHALL. Mr. Speaker, will the gentleman yield to me?

Mr. BOLAND. I yield to the gentleman from Ohio.

Mr. MINSHALL. I would like at the outset to say that I have the highest regard for my good friend and colleague from Ohio [Mr. Bow]. However, I would like to suggest to him and any other Members who have any doubt about the additional money we have put in for air safety that they remember the next time they are holding for adverse weather over Washington National Airport trying to get in here, the old adage among all fliers that a midair collision can ruin your whole day.

Mr. BOLAND. Let me say that, I hope, if the gentleman from Ohio [Mr. Bow] is held in a holding pattern it will occur sometime tomorrow.

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

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

Mr. TAYLOR. I would like to state that a Piedmont jet arliner and a small plane came together in my district last July and it was not a near miss but was one of the greatest tragedies ever suffered in western North Carolina. Everyone on both the airline plane and the small airplane were killed.

The presence of surveillance radar at the Asheville airport in all probability would have prevented this great loss. Earlier I had joined airport officials and members of the Asheville Chamber of Commerce in requesting that surveil-

lance radar be installed in this airport, but we had been told that money was not available.

Of the 547 U.S. airports served by scheduled commercial airliners, only 113 have radar. The people of this Nation are entitled to have airline flights made as safe as possible and the danger of midair collisions increases each day as more planes land and takeoff at all airports.

These addiional funds should make possible the installation of radar and instrument landing systems at more airports and should aid in preventing tragic air catastrophes.

Mr. BOLAND. What the gentleman says is precisely so. Mr. MINSHALL says it in his remarks, and I have it in my remarks, also.

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

Mr. BOLAND. I yield to the gentleman from Illinois [Mr. YATES].

Mr. YATES. I only want to make one point in connection with the comments of the gentleman from Ohio [Mr. Bow]. He said this was the responsibility of the Federal Aviation Administration and that we were to wait and see what their recommendations were. I say that the responsibility is also that of the House of Representatives. We know what the conditions of the airways are. We know there is a necessity for this equipment in airports throughout the country. It is false economy not to take the necessary steps to provide that equipment.

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

Mr. BOLAND. I yield to the gentleman.

Mr. BOW. I agree with the gentleman from Illinois that the House has a responsibility on this matter. There is no question about that. But what do we base this responsibility on? Why do we have a Federal Aviation Administration? Why do we have a President's budget if they are not going to have experts come up and give this information to us? The gentleman from Illinois and the gentleman from Ohio are not the only experts. If these figures are now available as to what this money will be used for, why was it not here at the time we considered the bill and voted for aviation safety? I am for aviation safety. I want it. But I want it based on something that you know you are doing rather than reaching for a figure in the sky.

Mr. BOLAND. I can understand the gentleman's position. He is as interested in air safety as anyone here in the House. But my response is that there is a broad study being conducted now by the Government with respect to air traffic safety, and the Federal Aviation Administration is involved and the Civil Aeronautics Board is involved as are all of the agencies of the Government that have anything to do with air traffic safety. As the gentleman from Ohio knows, one of the points being considered is the user charge. I think they will arrive at some basis on which we can charge the users of the airways and the airports for a fair share of the tremendous amounts that have to be spent in this area.

And, Mr. Speaker, the amounts are going to be tremendous. It is not going to be $26 million. This is chickenfeed. The amount will escalate to the point of millions and millions of dollars.

Mr. BOW. Yes; billions of dollars.

Mr. BOLAND. As a matter of fact, in "Operations" alone the FAA, as the gentleman will recall, we provided for 1,625 new controllers and flight standards personnel. The other body wanted us to put in 1,200 more. In otner words, they wanted a total of 2,800 new personnel. We denied that request in conference for 1,200 more, upon the advice of the Secretary of the Department of Transportation, who said the only way in which to obtain competent personnel would be to do it most carefully. We are now on record with reference to this matter for fiscal year 1968. This request was denied.

Mr. STRATTON. Mr. Speaker, although I have very regularly supported efforts to cut appropriations and hold down efforts of the other body to increase the sums we have appropriated here, I shall oppose the effort to recommit this conference report. I do so because the sums chiefly involved are those added by the Senate for increased equipment for aviation safety.

For some months now on this floor I have spoken out on the need for Congress to do more to insure aviation safety, both for commercial airline passengers and for those flying in private planes. In fact I was the first Member of the House, immediately following the tragic air crash at Hendersonville, N.C., earlier this summer that took the life of Navy Secretary-designate John McNaughton and his family, to call for immediate and emergency action to protect our Americans in the skies more effectively.

One thing that is clearly needed to do this job is more money for air traffic controllers, and for airport radar (which was missing at Hendersonville) and for other aviation safety devices. I urged the FAA to request supplemental funds in this year's budget to get that equipment. They followed my advice and made such a request when this bill was pending over in the Senate. The Senate added the funds now in question in the motion to recommit. Surely these funds must be retained as a matter of the highest priority, indeed as a matter of emergency for the safety of the American public.

In my own State of New York, four civilian airports where commercial jet airliners are now operating are, like Hendersonville, N.C., without radar coverage today: Utica, Elmira, Ithaca, and White Plains. These funds will begin to correct that grave deficiency in New York State. In all conscience I certainly cannot serve the people of my district of upstate New York and vote to strike these funds. Therefore, I shall vote against the motion to recommit and in favor of the conference report.

Mr. RYAN. Mr. Speaker, the issues involved in the proposal to subsidize by 90 percent the development of a supersonic transport have been discussed before in Congress. It should not be necessary to document once again the fact that this costly development, during a period when vital expenditures are being pared to the bone, will cost the taxpayers at least $4.5 billion in the next few years and represents an investment which the Government may not recover. It is also widely understood that a relatively small proportion of American citizens and taxpayers will make use of this aircraft if it is successful, but that all of us, like it or not, will be subjected to its sonic boom—a factor which is known to be a severe irritant and may prove in some cases to produce actual human or property damage. The sonic boom factor also, by posing possible limitations on flight patterns of the SST, threatens to limit its economic success.

In the midst of a budget-cutting fever, which is extending to all other areas, Congress seems unable to limit its enthusiasm for this supersonic project. I was struck by the fact that the Senate conferees were willing to compromise funds connected with safety but the conferees did not strike out one penny of the $142.375 million proposed for SST development in fiscal year 1968 which would commit us to a continuing enormous investment in the next few years.

For example: Amendment No. 17 provides transfer to "Traffic and highway safety" for administrative expenses $1,100,000 instead of $1,400,000 as proposed by the Senate. Amendment No. 18 appropriates $25,000,000 for "State and community highway safety" instead of $40,000,000 as proposed by the Senate. Amendment No. 19 provides transfer of $1,100,000 for administrative expenses of "State and community highway safety" instead of $1,400,000 as proposed by the Senate.

Amendment No. 24 appropriates $4,000,000 for the National Transportation Safety Board instead of $4,291,000 as proposed by the Senate. The funds denied are removed from accident safety research.

Mr. Speaker, there is no need to reiterate the extent of public concern about traffic safety and the enormous loss of life and money this Nation endures annually from traffic accidents. Yet one would have to believe that the SST is far more essential than traffic safety.

This reflects on the wisdom of Congress and suggests to the public that there may be a point to press claims of "pure pork barrel" which surround the issue of the SST.

I will not restate here the extensive documentation on this project that I presented on July 18 when the Department of Transportation appropriation bill was before us. But there are many points which bear mention because they are still overlooked in most of the discussion of the SST. I will list two of them today.

The first is that the Government is not subsidizing the aerospace industry in a development that will contribute to the growth of an entire industry. It has simply handed a giant monopoly to one company—Boeing—with which no other company will be able to compete. This, together with the fact that the Federal Aviation Administration is in charge of both the development and certification processes for the SST lays the groundwork for the kind of administra-

tive inbreeding and poor management that we have seen operating to the detriment of other programs both civilian and military, with all that accrues in terms of deficient hardware, schedule delays and severe cost overruns.

The second point has to do with the vastly important but little-understood subject of "balance of payments." Much superficial mention has been made of this in connection with the SST and the general assumption is that the SST will improve the American balance-of-payments position. This again is in the nature of wishful thinking, similar to the views of those who assure us there is no doubt as to the economic success of the SST. In fact, there is reason to have serious doubt about this issue even should the aircraft itself prove a viable investment. The Institute for Defense Analysis—IDA—prepared a study entitled "Demand Analysis for Air Travel by Supersonic Transport" for the Federal Aviation Administration last year in which it analyzed various aspects of the SST situation. On page 20 there is a section entitled "Balance of Payments Implications" which makes clear the uncertainty on this point. It reads as follows:

The impact of an SST upon the US balance of payments must be assessed in terms both of the improvements resulting from sales of aircraft, spare parts and service, and of offsetting foreign-exchange losses for tickets and travelers' ground expenditures. These two sides of the story are inextricably connected, for the SST market depends in part on the generation of additional travel, most of which will consist of Americans traveling abroad. Moreover, it must be recognized that some SST exports will supplant exports of American subsonic planes. Airline-port outlays also play a small part. When this broad view is taken, the balance of payments contribution of an SST appears smaller than when only aircraft trade is considered and may under certain conditions be negative.

The balance of payments contribution of the SST will be larger, the more sales of foreign supersonic airliners it can preempt. This depends upon the degree of potential penetration of the Concorde into the passenger transport market as well as on the degree of SST superiority over the Concorde. So long as Americans comprise over 50% of the marginal SST passengers, however, the balance of ticket and travelers' expenditures will tend to offset the SST's contributions to US aircraft trade. This effect will be greater the more the American plane's market share exceeds that which the foreign supersonic would have captured. Only at very small SST surcharges would the American marginal share fall below half, if passengers are split according to earnings. This would occur only in the 1980's . . . It will be noticed that the imposition of boom restrictions has a drastic adverse effect upon the SST's balance of payments significance. Moreover, most of the gains from the aircraft are concentrated toward the end of the period, while losses resulting from its entry tend to accrue early.

Mr. Speaker, I urge the Members of the House to reconsider the investment of $142.375 million in fiscal year 1968 for the development of the SST at a time when our fiscal responsibilities are leading to the truncation of other projects far more vital to the welfare and safety of this Nation.

The SPEAKER. The time of the gentleman from Massachusetts has expired. All time has expired.

Mr. BOLAND. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

MOTION TO RECOMMIT

Mr. BOW. Mr. Speaker, I offer a motion to recommit the conference report.

The SPEAKER. Is the gentleman opposed to the conference report?

Mr. BOW. I am, Mr. Speaker, in its present form.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Bow moves to recommit the conference report on H.R. 11456 to the committee on conference with instructions to the managers on the part of the House to insist upon its disagreement to Senate amendments which exceed the administrative budget request therefor.

Mr. BOLAND. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. Bow) there were—ayes 41, noes 70.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 124, nays 268, not voting 40, as follows:

[Roll No. 313]

YEAS—124

Abbitt	Duncan	Mayne
Adair	Edwards, Ala.	Michel
Andrews, N. Dak.	Eshleman	Montgomery
Arends	Evans, Colo.	O'Konski
Ashbrook	Findley	Pettis
Ayres	Fino	Poff
Battin	Ford, Gerald R.	Price, Tex.
Bennett	Gardner	Quillen
Berry	Gathings	Railsback
Betts	Goodell	Reid, Ill.
Bevill	Goodling	Reifel
Biester	Gross	Robison
Blackburn	Gubser	Roth
Bow	Gurney	Roudebush
Bray	Haley	Saylor
Brown, Mich.	Hall	Schadeberg
Buchanan	Halleck	Scherle
Burke, Fla.	Hansen, Idaho	Schneebeli
Burton, Utah	Harrison	Scott
Byrnes, Wis.	Harsha	Shriver
Cahill	Hunt	Skubitz
Carter	Hutchinson	Smith, Calif.
Cederberg	Ichord	Snyder
Chamberlain	Johnson, Pa.	Springer
Clancy	Keith	Stanton
Clawson, Del	King, N.Y.	Steiger, Ariz.
Cleveland	Kleppe	Steiger, Wis.
Collier	Kyl	Talcott
Colmer	Laird	Teague, Calif.
Conte	Langen	Thomson, Wis.
Corbett	Lipscomb	Tuck
Cowger	Lloyd	Vander Jagt
Cunningham	Lukens	Wampler
Curtis	McClure	Watkins
Davis, Wis.	McCulloch	Whalley
Denney	McDade	Wiggins
Derwinski	McDonald, Mich.	Williams, Pa.
Devine	McEwen	Wilson, Bob
Dickinson	Mailliard	Winn
Dole	Martin	Wydler
Dowdy	Mathias, Calif.	Wylie
		Zion

NAYS—268

Abernethy	Green, Pa.	Passman
Adams	Griffiths	Patten
Addabbo	Grover	Pelly
Albert	Hagan	Pepper
Anderson, Ill.	Halpern	Perkins
Anderson, Tenn.	Hamilton	Philbin
Andrews, Ala.	Hammer-schmidt	Pickle
Annunzio	Hanley	Pike
Ashley	Hanna	Pirnie
Ashmore	Hansen, Wash.	Poage
Aspinall	Hardy	Pollock
Baring	Harvey	Pool
Barrett	Hathaway	Price, Ill.
Bates	Hawkins	Pryor
Belcher	Hays	Pucinski
Bell	Hechler, W. Va.	Purcell
Bingham	Heckler, Mass.	Quie
Blanton	Helstoski	Randall
Blatnik	Henderson	Reid, N.Y.
Boland	Hicks	Reinecke
Bolling	Holifield	Reuss
Brademas	Holland	Rhodes, Ariz.
Brasco	Horton	Rhodes, Pa.
Brinkley	Hosmer	Riegle
Brock	Howard	Rivers
Brooks	Hull	Roberts
Brotzman	Hungate	Rodino
Brown, Calif.	Irwin	Rogers, Colo.
Brown, Ohio	Jacobs	Rogers, Fla.
Broyhill, N.C.	Jarman	Ronan
Broyhill, Va.	Joelson	Rooney, N.Y.
Burke, Mass.	Johnson, Calif.	Rooney, Pa.
Burleson	Jones, Ala.	Rosenthal
Burton, Calif.	Jones, N.C.	Rostenkowski
Bush	Karsten	Roush
Byrne, Pa.	Karth	Roybal
Cabell	Kastenmeier	Rumsfeld
Carey	Kee	Ruppe
Casey	Kelly	Ryan
Celler	King, Calif.	Sandman
Clark	Kirwan	Satterfield
Clausen, Don H.	Kornegay	St Germain
Cohelan	Kupferman	Scheuer
Conable	Kyros	Schweiker
Conyers	Leggett	Schwengel
Corman	Lennon	Selden
Daddario	Long, La.	Shipley
Daniels	Long, Md.	Sikes
Davis, Ga.	McCarthy	Sisk
Dawson	McClory	Slack
de la Garza	McFall	Smith, Iowa
Delaney	Macdonald, Mass.	Smith, N.Y.
Dent	MacGregor	Smith, Okla.
Dingell	Machen	Staggers
Donohue	Madden	Steed
Dorn	Mahon	Stratton
Dow	Marsh	Stubblefield
Downing	Mathias, Md.	Stuckey
Dulski	Matsunaga	Sullivan
Dwyer	Meeds	Taft
Eckhardt	Meskill	Taylor
Edmondson	Miller, Calif.	Teague, Tex.
Edwards, Calif.	Miller, Ohio	Tenzer
Edwards, La.	Mills	Thompson, Ga.
Eilberg	Minish	Thompson, N.J.
Esch	Mink	Tiernan
Evins, Tenn.	Minshall	Udall
Farbstein	Mize	Ullman
Fascell	Monagan	Van Deerlin
Feighan	Moore	Vanik
Fisher	Morgan	Vigorito
Flood	Morris, N. Mex.	Waggonner
Flynt	Morse, Mass.	Waldie
Ford, William D.	Morton	Walker
Fraser	Mosher	Watson
Frelinghuysen	Moss	Watts
Friedel	Multer	Whalen
Fulton, Pa.	Murphy, Ill.	White
Fuqua	Murphy, N.Y.	Whitener
Galifianakis	Myers	Whitten
Gallagher	Natcher	Widnall
Garmatz	Nedzi	Wilson, Charles H.
Gettys	Nelsen	Wolff
Giaimo	Nichols	Wright
Gibbons	Nix	Wyatt
Gilbert	O'Hara, Ill.	Wyman
Gonzalez	O'Hara, Mich.	Yates
Gray	O'Neal, Ga.	Zablocki
Green, Oreg.	O'Neill, Mass.	Zwach
	Ottinger	

NOT VOTING—40

Boggs	Erlenborn	Herlong
Bolton	Everett	Jonas
Broomfield	Fallon	Jones, Mo.
Button	Foley	Kazen
Cramer	Fountain	Kluczynski
Culver	Fulton, Tenn.	Kuykendall
Dellenback	Gude	Landrum
Diggs	Hébert	Latta

McMillan
May
Moorhead
Olsen
Patman
Rarick
Rees
Resnick
St. Onge
Stafford
Stephens
Tunney
Utt
Williams, Miss.
Willis
Young

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Latta for, with Mr. St. Onge against.
Mr. Cramer for, with Mr. Hébert against.
Mrs. Bolton for, with Mr. Boggs against.
Mr. Rarick for, with Mr. Stafford against.
Mr. Utt for, with Mr. Gude against.

Until further notice:

Mr. Foley with Mr. Broomfield.
Mr. Fountain with Mrs. May.
Mr. Fallon with Mr. Erlenborn.
Mr. Moorhead with Mr. Dellenback.
Mr. Culver with Mr. Button.
Mr. Kluczynski with Mr. Kuykendall.
Mr. Willis with Mr. Williams of Mississippi.
Mr. Landrum with Mr. Everett.
Mr. Olsen with Mr. Diggs.
Mr. McMillan with Mr. Resnick.
Mr. Patman with Mr. Rees.
Mr. Stephens with Mr. Herlong.
Mr. Tunney with Mr. Young.
Mr. Jonas with Mr. Fulton of Tennessee.

Mr. HANSEN of Idaho changed his vote from "nay" to "yea."

Messrs. ABERNETHY, MESKILL, SMITH of Oklahoma, and WATSON changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the conference report.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 368, nays 22, not voting 42, as follows:

[Roll No. 314]

YEAS—368

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Ashmore
Aspinall
Ayres
Baring
Barrett
Bates
Battin
Belcher
Bell
Bennett
Berry
Biester
Bingham
Blackburn
Blanton
Blatnik
Boland
Bolling
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Conyers
Corbett
Corman
Cowger
Cunningham
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Denney
Dent
Derwinski
Dickinson
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Farbstein
Fascell
Feighan
Fino
Flood
Flynt
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gubser
Gurney
Hagan
Haley
Halleck
Halpern
Hamilton
Hammer-schmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kornegay
Kupferman
Kuykendall
Kyros
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lukens
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
Macdonald, Mass.
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
Mayne
Meeds
Meskill
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moore
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Pool
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Quillen
Randall
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roush
Roybal
Ruppe
Ryan
St Germain
Sandman
Satterfield
Saylor
Scheuer
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Stratton
Stubblefield
Stuckey
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wydler
Wylie
Wyman
Yates
Zablocki
Zion
Zwach

NAYS—22

Ashbrook
Bevill
Bow
Curtis
Davis, Wis.
Devine
Findley
Gross
Hall
Kyl
Laird
Langen
MacGregor
Michel
O'Konski
Railsback
Rumsfeld
Schadeberg
Scherle
Schneebeli
Steiger, Wis.
Wyatt

NOT VOTING—42

Betts
Boggs
Bolton
Broomfield
Button
Celler
Cramer
Culver
Dellenback
Diggs
Erlenborn
Everett
Fallon
Fisher
Foley
Fountain
Fulton, Tenn.
Goodell
Gude
Hébert
Herlong
Jonas
Jones, Mo.
Kazen
Kluczynski
Landrum
Latta
McMillan
May
Moorhead
Olsen
Patman
Rarick
Rees
Resnick
St. Onge
Stephens
Tunney
Utt
Williams, Miss.
Willis
Young

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Boggs with Mr. Goodell.
Mr. Hébert with Mr. Cramer.
Mr. St. Onge with Mr. Broomfield.
Mr. Foley with Mrs. Bolton.
Mr. Fountain with Mr. Betts.
Mr. Fallon with Mrs. May.
Mr. Moorhead with Mr. Utt.
Mr. Kluczynski with Mr. Erlenborn.
Mr. Morgan with Mr. Latta.
Mr. Culver with Mr. Jonas.
Mr. Landrum with Mr. Gude.
Mr. Celler with Mr. Button.
Mr. Young with Mr. Everett.
Mr. Fulton of Tennessee with Mr. Fisher.
Mr. Olsen wtih Mr. Diggs.
Mr. Resnick with Mr. Rarick.
Mr. Willis with Mr. Tunney.
Mr. Williams of Mississippi with Mr. McMillan.
Mr. Patman with Mr. Rees.
Mr. Stephens with Mr. Herlong.

The result of the vote was announced as above recorded.

AMENDMENTS IN DISAGREEMENT

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 13: On page 10, after line 12, insert the following:

"SEC. 303. Funds heretofore appropriated to the Department of the Army for the Libby Dam and Reservoir project in Montana may be used in an amount not to exceed $140,000 in participation with local interests and the Federal Aviation Administration for the construction of an airport facility at Kelley Flats, Montana, in a manner deemed appropriate by the Chief of Engineers."

MOTION OFFERED BY MR. BOLAND

Mr. BOLAND. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BOLAND moves that the House recede from its disagreement to the amendment of the Senate numbered 13 and concur therein.

The SPEAKER. The gentleman from Massachusetts is recognized for 1 hour.

Mr. BOLAND. Mr. Speaker, I yield myself such time as I may consume.

Would the gentleman from Iowa prefer that I yield to him now?

Mr. GROSS. Yes. I would like to have 5 minutes or so.

Mr. BOLAND. Mr. Speaker, I am delighted to yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I rise in opposition to the motion of the gentleman from Massachusetts that the House recede and concur with this particular Senate amendment.

The Senate amendment provides as follows:

Funds heretofore appropriated to the Department of the Army for the Libby Dam and Reservoir project in Montana may be used in an amount not to exceed $140,000 in participation with local interests and the Federal Aviation Administration for the construction of an airport facility at Kelley Flats, Montana, in a manner deemed appropriate by the Chief of Engineers.

Now, Mr. Speaker, I do not know all that there is to know about this particular amendment, so I am going to have

to seek help from some of the members of this particular subcommittee of the Committee on Appropriations. It is my understanding, however—and I want someone to correct me if I am wrong—that an airport would be built if this amendment is agreed to in which Federal funds would be used 100 percent. I know of no Member of Congress who can get an airport built in his district 100-percent financed by the Federal taxpayers. Moreover, I have searched the Postal Manual and I can find no Kelley Flats. I have looked at the road atlas and I can find no reference to Kelley Flats. I would like to ask some member of the subcommittee the location of Kelley Flats; the purpose of this airport, and why it should be financed 100 percent by the Federal taxpayers.

Mr. BATTIN. Mr. Speaker, will the gentleman yield to me?

Mr. GROSS. I yield to the gentleman from Montana.

Mr. BATTIN. I thank the gentleman. First of all you would have to familiarize yourself with the geography of the area in which Libby Dam is to be constructed. Money is already appropriated for its initial start and construction. Kelley Flats is not a town or a community to be served by an airport as the gentleman's city or mine would be. It is very necessary because of the remoteness of the location of Libby Dam in order to get in and out. The necessary personnel and supplies that are deemed necessary to construct a dam will have to go in in that manner. This is not to handle jet aircraft. The cost is $140,000. It will handle basically smaller aircraft that you would find around any construction site.

Mr. GROSS. Is it not true the land that would constitute this airport belongs to the Federal Government?

Mr. BATTIN. Yes. I believe it is. I think the original site is actually within the ultimate flood area of the dam.

Mr. GROSS. So when the gentleman talks about $140,000, this is only a small part of the total cost of the airport. Is that not correct?

Mr. BATTIN. No. I wish I had a little bit more expertise from my colleague from Montana [Mr. OLSEN] because this is in his district. However, I do know from practical experience that for $140,000 you are not going to build an airstrip that will do much more than handle a very small single- or twin-engine aircraft. This is not the type of thing that the gentleman contemplates with the word "airstrip" or "airfield." This is for a strip where a piece of land is leveled and a hard surface placed on it so aircraft can land.

Mr. GROSS. Do we build this kind of airport facility all around the country wherever we build a dam?

Mr. BATTIN. I would hate to pick and choose the words involved here. However, it is not an airport. Right next to the Yellowtail Dam in the congressional district which it is my honor to represent in Montana, right below the damsite, there is an airstrip which I am sure the Government assisted in its construction.

Mr. GROSS. I would point out to my friend, the distinguished gentleman from Montana [Mr. BATTIN], that the bill itself speaks of an airport. It says an "airport." It does not say "airstrip." It says "airport." What would be the future of this airport?

Mr. BATTIN. There is no such town as "Kelley Flat," it is a geographical location that local residents have named.

Mr. GROSS. Well, why in this day and age of helicopter development do you need an airport that is to be abandoned in a comparatively short time? You do not need any kind of airstrip for helicopters except a landing pad.

Mr. BATTIN. Mr. Speaker, if the gentleman will yield further, I think it would be used by both.

Mr. GROSS. Would this, by any chance, become an airport for the landing of deer hunters, fishermen and skiers?

Mr. BATTIN. Mr. Speaker, if the gentleman will yield further, I can almost categorically say to the gentleman that it will not.

Mr. McFALL. Mr. Speaker, will the gentleman yield to me at this point?

Mr. GROSS. Yes.

Mr. McFALL. I think that the gentleman from Iowa has asked for facts. I have some facts here. My personal opinion is that this is a logical and reasonable manner in which to do this.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. BOLAND. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. McFALL. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. I yield further to the gentleman from California.

Mr. McFALL. Let us examine the facts and then we can discuss whether or not the action of the committee has been reasonable in this case. There is a dam called Libby Dam which has been authorized to be constructed in Montana.

Now, the appropriation and authorization for the construction contemplated the cost of a temporary airstrip at the site of the dam at an estimated cost of $133,500.

Such construction is normal for large dam projects at remote locations. Subsequently, it was determined that the topography was unsuited for a strip at the damsite itself and, therefore, land was tentatively selected some 3 to 4 miles from the damsite for the construction of a small dirt strip. The strip was to be constructed on leased property and would be used solely for flights associated with the dam construction. At the end of the construction period—approximately 7 years—the site would be abandoned and the lease terminated. The strip, as contemplated, would accommodate only very small aircraft because of the lack of a paved runway, as well as the size of the proposed strip.

Prior to the completion of arrangements for the construction of the temporary strip by the Corps of Engineers, it became apparent that there was a need for an airport near Libby for the use of general aviation and business flying. Likewise the Forest Service has need for an airport larger and better than the one presently existing near Libby. Accordingly, it was determined that a site near Libby would serve the purposes of the Corps of Engineers as adequately as the site previously chosen for their own strip. Likewise, the Forest Service has need for a larger strip. Accordingly, the Lincoln County Airport Administration was established as the sponsoring organization for the airport. Plans call for the corps to consummate a "use agreement" with the administration which will grant to the Corps of Engineers free use of the airport for 100 years in return for the payment of $133,500. The latter represents the amount originally budgeted for the temporary corps strip. In addition, the Forest Service will donate the land for the strip. The corps will then act as agent for the administration and will take charge of the construction effort. The strip as contemplated will be twice as wide and one-third longer than the one planned by the Corps of Engineers. In addition, it will be paved. Thus the corps will obtain a much better strip with capacity for hauling greater loads. Thus the dam construction contractor will have greater mobility in terms of supplies and materials necessary for the construction work, and the corps will be assured of air access to the general vicinity of the dam for essentially the life of the airport.

Neither the existing small Forest Service strip east of town nor the proposed Corps of Engineers site would be adequate for the larger airport contemplated in the national airport plan. This is due to the topography of the area surrounding the two sites.

When completed, the airport will provide a strip to be used by local interests for general aviation, possibly some limited air taxi, business flying associated with lumber and paper industries located in the town. In addition, it will provide better airport facilities for the use of the Corps of Engineers during the construction period as well as on a permanent basis thereafter. Likewise, it will provide the Forest Service with capability for landing larger, more heavily loaded aircraft in activities associated with fire fighting.

As indicated above, the Forest Service currently owns a small dirt strip about 1 mile east of Libby. However, present use of this strip is limited because of the nature and size of the runways and future expansion is limited because of the topography of the area.

So, what we would have, instead of a temporary strip that would be built anyway and then abandoned, in which case this $133,000 would be wasted, there will be a permanent strip which will be utilized by everyone, in my estimation, and which represents a very economical use of the taxpayers' money. Further, it will provide a better airport for the Forest Service and a better airport for the dam as well as a better airport for these people up there who have a need for it.

Permit me to say the only need they have established for this particular amount is as follows:

The Corps of Engineers lawyers have indicated that the proposed language is required to allow use of Corps of Engineers funds for a construction project in which the title to the completed project will not remain with the Corps, and

to allow them to participate as agent for the local airport administration in the construction of the airport.

That is the reason for the language.

Mr. GROSS. The gentleman has certainly resolved one thing: that this is not just a flight of fancy, that this is to be a permanent airport.

Mr. McFALL. That is correct.

Mr. GROSS. We heard first that this was temporary, and would be abandoned when the dam is completed. Now we find that it is a permanent field.

I would like to ask the gentleman what is meant by these two words in the bill: "local interests"?

How much money will "local interests" put into this?

Mr. McFALL. The local interests, as far as I know, will not, in the original construction of the landing strip, put up any money, but their contribution will come later when the airport is really working.

Mr. GROSS. So the "local interests" referred to in the bill appear to be the Corps of Engineers; they are the "local interests" are they not?

Mr. McFALL. In this particular instance the money that would have been used for the temporary airstrip——

Mr. GROSS. The Corps of Engineers are the "local interests"?

Mr. McFALL. I would say to the gentleman that he asked me a question.

Mr. GROSS. Yes.

Mr. McFALL. I would like to answer his question.

The money that would be used by the Corps of Engineers for this temporary airstrip which would be abandoned, and thus wasted, is now going to be used permanently, and thus will be part of a permanent airport.

Mr. GROSS. I have great respect for this subcommittee, but I wish it had not used the subterfuge of those two words "local interests," because, as far as I can determine, no "local interests" money is going into this airport. This is to be financed 100 percent by the Federal Government.

I would also ask the gentleman, Did the House subcommittee hold any hearings on this proposition?

The SPEAKER. The time of the gentleman has expired.

Mr. BOLAND. Mr. Speaker, I yield 5 additional minutes to the gentleman from Iowa.

The SPEAKER. The gentleman from Iowa is recognized for 5 additional minutes.

Mr. McFALL. If the gentleman will yield further?

Mr. GROSS. Yes, I am glad to yield.

Mr. McFALL. This was a matter which was amended or added in the Senate. We did not see it until we came to the conference report in conference. The Senators in the conference explained it to us. We believed them. We believed that they were reasonable, and we brought it back this way.

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

Mr. GROSS. I am glad to yield to the chairman of the subcommittee.

Mr. BOLAND. The facts, as indicated by the gentleman from California [Mr. McFALL], are true, and that is precisely the reason why the majority of the Members on the House side of the conference supported this amendment.

I might say the reason it was brought back with a technical disagreement, as the gentleman from Iowa knows, is because it does relate to funds which are in another appropriation bill.

The $140,000 which is in the amendment relates to $140,000 to be used by the Corps of Engineers, but we make this $140,000 available to the Corps of Engineers, not at the present damsite, but to move it to a place where it can be more permanent. That is exactly what we are doing, and the reason we are doing it, as has been explained, is to make this a permanent airport in that area, because otherwise the Corps of Engineers would spend $133,000 on a temporary airport.

In addition, I will say to the gentleman that there is really a Kelley Flats, I will assure the gentleman. True, it is difficult to find on the map, but it is about a mile south of the major damsite, and approximately 2 miles north of Snowshoe Peak. So there is a place actually known as Kelley Flats. This is not a figment of the imagination; there is such a place.

And in the judgment of a majority of the members of this conference, although the gentleman from Illinois had some reservations, it was our judgment that, if the Corps of Engineers was going to spend $133,000 for a temporary airstrip, that the Corps of Engineers necessarily must spend at the damsite, would it not be better if we moved it into a place where the people of Montana could enjoy it? That is precisely all there is to it. I would agree there is no contribution by the local interests here except the building of some facilities for the convenience of the public.

As the gentleman knows, and I know very well, we do not make that kind of a funding, and the FAA does not grant any money for aid to airports on this basis. But it has done so in the past, and maybe it ought to do so in the future.

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

Mr. GROSS. Yes, I yield to the gentleman from Illinois.

Mr. YATES. I thank the gentleman for yielding.

I would say to the gentleman that, as the gentleman from Massachusetts said, I reserved on this amendment in the conference. The reason I did so is because Corps of Engineers appropriations cannot, and should not, be used to make for the local community the contribution that the local community is supposed to make under the Airport Act.

I think it is the letter and the spirit of the Airport Act that any local community must provide 50 percent of the funds required for the airport. In this instance there was to be a Federal temporary airstrip constructed for the purpose of helping the Corps of Engineers make their flights in and out of the area near Libby Dam in connection with their work. It is intended by this amendment that that appropriation could be used as the local contribution. I did not think this action was proper and I said so at the conference, making a reservation at that time. The funds made available to the Corps of Engineers under a separate appropriation cannot be used in place of the matching funds required under the law to be made by the local community. To do so is to defeat the purposes and provisions of that law.

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

Mr. GROSS. I yield to the gentleman.

Mr. BOLAND. I might say also to the gentleman that it is my understanding and the understanding of some of the other Members that this is not something new. It has been done before where there have been conditions where a temporary airstrip could be made permanent and thereby save some money.

As the gentleman knows, and as has been explained by the gentleman from California [Mr. McFALL], the property that the airport is to be built on is Forest Service property. What we are doing is providing a permanent airport in the area where they would have had a temporary one, and the Government would have actually lost, and the people would have actually lost, $140,000.

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

Mr. GROSS. I yield to the gentleman.

Mr. McFALL. Let me just say briefly that this is permitted in the case of Forest Service land, and as I understand the Federal Airports Act, there is no violation of the Federal Airports Act so far as local contribution is concerned.

Mr. GROSS. Let me just say this and then I will be through.

I do not minimize the amount of $140,000, but it is not the largest amount of money that we have tossed out and spoken about around here. But there is a principle involved as the gentleman from Illinois [Mr. YATES] has stated. There is a principle involved that ought not to be abused. It is the principle that where a local community and the State of Montana benefits they ought to put in their share of the money. They ought not to be permitted to do something that none of us in our districts or in our States can do and that is to get an airport that is 100 percent federally financed.

The SPEAKER. The time of the gentleman from Iowa [Mr. GROSS] has expired.

Mr. BOLAND. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, let me say that one of the compelling arguments, in the opinion of the conferees, was that the Forest Service also would have the use of this airport in accommodation with the Corps of Engineers.

Let me say that here was an airstrip that at the beginning would have cost $143,000 and is now moving 8 miles south of Libby Dam to Kelley Flats on Forest Service property so that it can be made available not only to the Corps of Engineers but also to the Forest Service and the local people. It would seem to us that there ought to be a willingness on the part of the Congress to permit the maximum utilization of facilities, consequently, I believe we ought to agree to the Senate amendment.

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

Mr. BOLAND. I yield to the gentleman from Texas [Mr. MAHON], chairman of the full committee.

Mr. MAHON. Mr. Speaker, as a member of the conference committee, I learned about this proposed airstrip and it became apparent to me that the Government was going to build an airstrip where a dam was being constructed whether or not we take the action proposed. The airstrip is not so much for a local community, because there really is no local community there. So it was determined that by relocating this a little bit farther from the dam, but at a satisfactory site, instead of having a grass runway, the Corps of Engineers could have a paved runway and the citizens of the sparsely settled State of Montana could have the advantage of that airstrip also.

Actually, there is no town at this place. It is a spot, of course, but there is a little town about 8 miles away.

So, as a member of the conference and as one who is interested in doing the right thing, I went to see Senator MANSFIELD and discussed the matter with him.

I was convinced after looking into the matter that the project resulting from the expenditure of this $140,000 would be an asset to the people of the area. It would prevent the expenditure of Federal funds for an airstrip of sorts, which would probably be abandoned when the dam was completed. So I thought the Senate was not being too unreasonable in suggesting that the House of Representatives might be willing to accept this proposal and allow the use of $140,000 to provide a permanent airstrip that could be used by the village 8 miles away after the dam is constructed. It will take about 7 years to complete the construction of the dam.

Why not build a runway of a little better quality that will last a little longer and serve American citizens a little longer?

I am hopeful that the able, frugal, and distinguished gentleman from Iowa, after hearing the discussion of the situation and the explanation, which is more accurate than I could have given, from the gentleman from California [Mr. MCFALL], will be willing to withdraw his objection to the project and let the construction of the airport proceed. It is a little airport for American citizens in that area, to be used principally by the Corps of Engineers for the next 7 years during the construction of the dam. I would hope we might yield on that.

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

Mr. MAHON. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman yielding. I think he named it when he said he visited the majority leader of the other body. It is a special-interest airport. I think all of us know about how these inholdings work. When dams are built, water is impounded, and the river beds are filled up, during the first 3 to 5 years there is awfully good fishing, to say nothing of the hunting in this sparsely inhabited region in Montana. In the gentleman's conversation I hope he determined how we could all join this airport club so that we could be privileged to fly in and out of there after construction is completed, the fishing is good, and the airport is at its best.

Mr. MAHON. I did not discuss that. But I know that this $140,000, over the period of 7 years during the construction of the dam, would be amortized in all probability. There is nothing wrong with fishing and hunting. The amount involved is relatively small.

Mr. HALL. I would have to disagree with the distinguished gentleman, whom I respect. It is not a small amount in a time of economy, particularly if we are going to spend the money for this sort of special interest.

Mr. BOLAND. Mr. Speaker, Montana is a small State which does not get very many dollars in the airport program. Let me say that it does not even utilize all the money that is allocated—because of the sparse population and the 50–50 matching requirement of this program. I think this is an important point for the Members to keep in mind. This State, under the regular grants-in-aid to airport programs, does not utilize the funds which are available. Since it does not, that money is subsequently returned to the FAA and is allocated to other States.

So I would think, on the basis of reasonableness and fairness, we really ought to provide this money.

I yield to the gentleman from Texas [Mr. ROBERTS].

Mr. ROBERTS. I thank the distinguished chairman of the subcommittee. I wish to compliment the chairman and the subcommittee on the work that they have done. I wish to bring out a point with reference to the permanence of this project.

Recently one of the members of the subcommittee and I went out there on a hunting trip. I did not see the site of the airport. I did not have an opportunity to inspect it personally. But I am getting some information. Under the Inholdings Act, the Forest Service is trying to keep people from getting anywhere in this wilderness area. They bought a very expensive dude ranch that had an airstrip on it. There are pictures in the news media of the Idaho papers saying what they did with it. The first day they got the deed to it, they set a torch to a $100,000 dude ranch, and then they plowed up the airstrip.

I want to compliment this committee, because at least we are going to get some use out of the money with which we will build this strip. I hope the chairman will see that any of the money used for this in the future will have some permanent result and not be used to build something which will be plowed up and thrown away.

Mr. BOLAND. I thank the gentleman.

Mr. Speaker, I yield to the gentleman from California [Mr. MCFALL].

Mr. MCFALL. Mr. Speaker, this has been done before, in the Glen Canyon Dam construction and the airport there, which has resulted in an airport of much use to the local people in the Arizona area. None of the money which would have been spent for the airstrip at this dam is being wasted. It is being used for the benefit of people of the United States.

Mr. BOLAND. Mr. Speaker, I yield to the gentleman from Ohio [Mr. MINSHALL].

Mr. MINSHALL. Mr. Speaker, I have the highest regard for the Speaker of this House and for the majority leader of the other body. I served on this conference committee. When we discussed this bill in conference, we adjourned one morning with this question of the Kelley Flats Airport still in limbo. When we came back after lunch, information was provided that local interests were going to contribute funds in the amount of $121,000, according to the usual formula. Since that time, until we came to the floor today, I understand somebody was under the mistaken impression on the other side, and that this is not the case. It is going to be, as has been pointed out here today, a 100-percent Federal contribution.

We in Ohio have an airport program. We are not asking for 50 percent from the Federal Government for all of our airports. We are supporting most of our airports in Ohio with 100-percent State funds. I think if the State of Montana wants this airport, it should at least contribute the 50-percent share according to the Federal statute which is now on the books.

Mr. BOLAND. Mr. Speaker, the gentleman may have had that understanding. The gentleman from Illinois had the same understanding. Perhaps others may have had the same understanding. I did not have that understanding.

Mr. MINSHALL. Mr. Speaker, I want to make it crystal clear to my good friend and colleague that I do not think anybody intentionally misled us at that time. I think an honest mistake was made.

Mr. BOLAND. I understand.

Again I say—and this is an important point—under the grants-in-aid to airports program, the State of Montana does not utilize all of the money that is allocated to it. I think we ought to protect some of the smaller States. When Montana does not use all of the money allocated to it, on the basis of population and size of land area, that money is returned to FAA and FAA can then allocate it to other States. The amount returned by the State of Montana because it does not use all of its funds is substantially greater than the approximately $130,000 which the Federal Aviation Administration will make available to the State of Montana under this program. On the basis of fairness, it would seem to me the House ought to join members of this committee and approve this amendment.

Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. THOMPSON].

POVERTY PROGRAM

Mr. THOMPSON of Georgia. Mr. Speaker, I ask unanimous consent to speak out of order.

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

There was no objection.

Mr. THOMPSON of Georgia. Mr. Speaker, the purpose of the poverty program should be the elimination of poverty and not the creation of a political machine through the use of taxpayers dollars. Two weeks ago on the floor of

the House, I disclosed a threat which had been conveyed to me which originated with one of the local poverty officials in Atlanta. This person was quoted as stating that Economic Opportunity-Atlanta had over 66 people registering persons to vote, were organizing voters on a block-by-block basis and that this would be a powerful political force which could be used against me if I did not vote as they felt I should.

This official denied to me that he would ever attempt to use any such organization for political purposes but did acknowledge the fact that Economic Opportunity-Atlanta is engaged in a block-by-block recruiting and organization of voters using poverty personnel and buildings and that obviously this would be a powerful force in an election, but that neither he nor any other worker would never suggest how anyone should vote.

Over the weekend, I received a number of telephone calls, some from ministers and some from average citizens residing in the poverty areas. I was told, Mr. Speaker, that the poverty program in Atlanta is being used to create a political force, that EOA in Atlanta has gone so far as to refuse a person living in a poverty area participation in any of the organizational activities which they are conducting unless this person is registered to vote. This is discrimination of the rankest sort.

I was also advised, Mr. Speaker, by a person with the Fulton County Registrar's Office with whom I talked, that the local poverty officials asked for voter registration lists to use as a guide in their block-by-block registration efforts with more than 66 EOA personnel registering persons to vote. Further, these persons are advising the people of the poverty areas that they cannot participate in the poverty program or the elections of the block captains and the ward and precinct captains unless these people qualify as registered voters.

Mr. Speaker, I reiterate again that the purpose of the poverty program is not to create a political machine, using taxpayers' dollars, but to attempt to solve the pressing problems of the poverty stricken. In their quest for power and their desire to supplant the guidance which the local ministers and civic leaders have traditionally given, it seems to me that the officials who are conducting this program of building a political machine have lost sight of the purpose of the program as intended by Congress.

Two weeks ago, the Senate, with only three dissenting votes, placed an amendment on the poverty bill prohibiting the use of poverty personnel and facilities for such activities.

Only this morning, I talked with the head of Economic Opportunity in Atlanta, who confirmed that persons in order to have a voice in the poverty program must register to vote. Mr. Parham, Director of EOA, did state that it is mandatory that these persons register in order to participate in the poverty election. However, he stated, registering for county and State elections is optional.

Further questioning of the Director revealed that he did not know of any instances wherein a person was not registered for the county and State elections at the same time he was registered for the poverty elections.

In fact, it is my understanding that the regular voter registration lists are used to determine persons eligible to take part in the poverty block captain elections.

I appraised the Director of EOA of the Senate action in placing an amendment on the bill prohibiting such activities and suggested that perhaps it would be best if his agency would concentrate on solving the problems of the poor rather than conduct massive voter-registration campaigns. Mr. Parham stated that he would not make such a recommendation but would prefer to wait and see what action the Congress took.

Mr. Speaker, it is apparent that the basic purpose of the poverty program in Atlanta has vanished in the eyes of many people. The activities of EOA certainly raise doubt as to whether the purpose of eliminating poverty is the major effort in Atlanta.

Unquestionably, all persons should be registered to vote. However, if we are to use Federal taxpayers' dollars, personnel, and facilities paid for with these dollars to register persons to vote on a block-by-block basis, it should not be confined only to the poverty areas but should also extend into the suburban areas as well.

Those people who feel that they will be able to control the votes in the poverty areas may well be in for some surprises.

I have today brought this matter to the attention of Sargent Shriver and requested that he issue a directive to the various OEO agencies throughout the country requesting that they proceed forthwith to concentrate on the elimination of poverty and to cease their efforts to organize voters on a block-by-block basis using the taxpayers dollars.

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

Mr. BOLAND. I yield to the gentleman from Montana.

Mr. BATTIN. Mr. Speaker, I thank the gentleman for yielding.

Because of the information that was bandied about as to the cost of this airport, I just this minute talked with the Montana Aeronautics Commission at Helena, Mont., by telephone. What is actually being contemplated here is that the community of Libby will put up through a loan from the State aeronautics commission up to $37,000. In addition to that, this does come under the Airport Act for aid because the Federal Aviation Administration will also participate to the extent of 53 percent of the cost. So you really have a threefold participation here. No. 1, the local community is putting in their $37,000; No. 2, the Federal Aviation Administration is contributing 53 percent; and No. 3, the Corps of Engineers, through the project they necessarily have to construct anyway, is putting in $140,000. So this is not solely a federally financed operation, as was stated earlier. The State aeronautics commission is making this money available on a loan basis to the community of Libby who, in turn, have to repay the loan to the State agency.

Mr. GROSS. Will the gentleman yield to me for a moment?

Mr. BOLAND. I am delighted to yield to the gentleman.

Mr. GROSS. If the gentleman from Montana will make another telephone call, perhaps this airport will not cost the Federal Government anything. What is the population of Libby, if I may inquire?

Mr. BATTIN. I would have to say—and it is not in my district—at this particular time I would have to say it is a community of probably 3,000 or 4,000.

Mr. BOLAND. It is 2,800.

Mr. GROSS. Is that 20 miles from the proposed site of this airport? How far is it from the proposed site of the airport?

Mr. BATTIN. I think the statement was it was about 8 miles from the dam and I imagine 2 or 3 additional miles from there.

Mr. GROSS. Would there be any charge for the hunters, fishermen, and skiers who would land there and who have the money to afford an airplane for those purposes? Will there be any charge for these aircraft for the use of this federally financed airport?

Mr. BATTIN. I do not know. We do not make a charge at Billings, Mont., the largest city in the State, for people who come in to use the facilities there. I am sure there would be no additional charge.

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

Mr. BOLAND. I yield to the gentleman.

Mr. ICHORD. I would like to inquire as to whether or not the contract for the construction of the dam has yet been let.

Mr. BATTIN. Yes. I believe it has been. As a matter of fact, construction has started.

Mr. ICHORD. Normally in a remote area such as this the cost of such a temporary airport would be included in the contract cost. I am wondering if the contractor for the damsite might not be getting a windfall by the Government doing this.

Mr. BATTIN. No.

Mr. BOLAND. My understanding is the contractor is expending money for the construction of a temporary strip at the damsite. It would cost them $33,000.

Mr. YATES. Mr. Speaker, a parliamentary inquiry, if the gentleman will yield.

Mr. BOLAND. I yield to the gentleman.

The SPEAKER. The gentleman will state it.

Mr. YATES. This is a motion to recede and concur in the Senate amendment. What would be the effect of voting down such a motion? Will it have the effect of sending the conferees back to conference for the purpose of ironing out this particular item again?

The SPEAKER. The amendment would still be before the House subject to another form of a motion.

Mr. YATES. What would be the nature of that motion, Mr. Speaker?

The SPEAKER. The motion could be that the House insist on its disagreement.

Mr. YATES. I thank the Speaker.

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

Mr. BOLAND. I yield to the gentleman.

Mr. HALL. If the gentleman from Massachusetts' motion that the House recede from its disagreement to the amendment of the Senate No. 13 and concur therein was voted down, then another motion would be in order, would it not, I would ask as a parliamentary inquiry, to instruct the conferees to maintain the position of the House or that the House insist upon its disagreement with the other body?

The SPEAKER. The Chair will state in response to the parliamentary inquiry propounded to the Chair by the distinguished gentleman from Missouri that if the House should insist upon its disagreement, then the matter could go back to conference.

Mr. YATES. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman from Illinois will state his parliamentary inquiry.

Mr. YATES. Mr. Speaker, is it in order to move to recommit this particular amendment to conference?

The SPEAKER. The Chair will state to the gentleman from Illinois that at this point it would not be in order to do so.

Mr. YATES. Mr. Speaker, if the gentleman from Massachusetts will yield further for a parliamentary inquiry, is it in order, in the event the motion to recede and concur is voted down?

The SPEAKER. After the House has taken some specific action with relation to the amendment of the other body, the Chair assumes that a further conference could be requested.

Mr. HALL. Mr. Speaker, will the gentleman from Massachusetts yield for the purpose of my propounding a further parliamentary inquiry?

Mr. BOLAND. I yield to the gentleman from Missouri [Mr. HALL].

Mr. HALL. In other words, a vote against the pending motion of "nay" would be a vote against the reappropriation of these funds in this bill from a previously voted motion to build the airport? Is that correct, under the present legislative situation?

Mr. Speaker, if I may rephrase the parliamentary inquiry——

The SPEAKER. Is the gentleman from Missouri propounding a parliamentary inquiry or is the gentleman making a statement?

Mr. HALL. I am simply trying to find out whether a "nay" vote would be against the motion.

The SPEAKER. The Chair does not question the sincerity of the gentleman nor does it question the sincerity of any Member of the House.

Mr. HALL. Neither would the gentleman from Missouri wish to embarrass the Chair.

The SPEAKER. Does the gentleman from Missouri have a parliamentary inquiry?

Mr. HALL. Mr. Speaker, my parliamentary inquiry is this: Under the present parliamentary situation would a "nay" vote against the motion to recede from the disagreement of the House and concur in Senate amendment No. 13 be a vote against the proposed airport?

The SPEAKER. The Chair will state to the gentleman from Missouri that the effect would be that; that it would be a vote as being opposed to the construction of the airport.

Mr. GROSS. Mr. Speaker, will the distinguished gentleman from Massachusetts yield for the purpose of my propounding a further parliamentary inquiry?

Mr. BOLAND. I yield to the gentleman from Iowa [Mr. GROSS] for that purpose.

Mr. GROSS. Mr. Speaker, would a motion be in order at this time to concur in the Senate amendment with another amendment?

The SPEAKER. The Chair will state to the gentleman from Iowa that at this point the answer of the Chair would be in the negative.

Mr. BOLAND. Mr. Speaker, I move the previous question on the motion that the House recede and concur in the Senate amendment.

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from Massachusetts [Mr. BOLAND].

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 58, noes 42.

Mr. ASHBROOK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 161, nays 222, not voting 49, as follows:

[Roll No. 315]

YEAS—161

Addabbo
Albert
Anderson, Tenn.
Andrews, N. Dak.
Annunzio
Aspinall
Battin
Bennett
Berry
Blatnik
Boland
Bolling
Brademas
Brasco
Brown, Calif.
Buchanan
Burke, Mass.
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Cahill
Carey
Casey
Celler
Clark
Clausen, Don H.
Cohelan
Corman
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Dent
Dingell
Donohue
Dow
Dulski
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Eilberg
Evans, Colo.
Fascell
Feighan
Fisher
Flood
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fuqua
Gallagher
Garmatz
Giaimo
Gilbert
Gonzalez
Gray
Gubser
Haley
Hanley
Hanna
Hansen, Wash.
Hathaway
Hawkins
Helstoski
Hicks
Holifield
Holland
Horton
Howard
Jacobs
Johnson, Calif.
Jones, Ala.
Karsten
Karth
Kee
Kelly
King, Calif.
Kirwan
Kupferman
Kyros
Leggett
Lukens
McCarthy
McFall
Macdonald, Mass.
Mahon
Mailliard
Matsunaga
Meeds
Miller, Calif.
Mink
Monagan
Morgan
Morris, N. Mex.
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Neill, Mass.
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Poage
Price, Ill.
Purcell
Quie
Reifel
Reuss
Rhodes, Pa.
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ryan
St Germain
Schwengel
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Smith, N.Y.
Steed
Stubblefield
Sullivan
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Udall
Ullman
Van Deerlin
Waldie
Walker
Watts
White
Widnall
Wilson, Charles H.
Wright
Wyatt
Wydler
Zablocki

NAYS—222

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, Ala.
Arends
Ashbrook
Ashley
Ashmore
Ayres
Baring
Barrett
Bates
Belcher
Bell
Betts
Bevill
Biester
Bingham
Blackburn
Blanton
Bow
Brinkley
Brock
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burke, Fla.
Burton, Utah
Bush
Byrnes, Wis.
Carter
Cederberg
Chamberlain
Clancy
Clawson, Del
Collier
Colmer
Conable
Conte
Corbett
Cowger
Cunningham
Curtis
Davis, Wis.
Delaney
Denney
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan
Dwyer
Edwards, La.
Esch
Eshleman
Farbstein
Findley
Fino
Flynt
Ford, Gerald R.
Frelinghuysen
Galifianakis
Gardner
Gathings
Gettys
Gibbons
Goodling
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Gurney
Hagan
Hall
Halleck
Halpern
Hamilton
Hammer-schmidt
Hansen, Idaho
Hardy
Harrison
Harsha
Harvey
Hechler, W. Va.
Heckler, Mass.
Henderson
Hosmer
Hull
Hungate
Hunt
Hutchinson
Ichord
Jarman
Joelson
Johnson, Pa.
Jones, N.C.
Kastenmeier
Keith
King, N.Y.
Kleppe
Kornegay
Kuykendall
Kyl
Laird
Langen
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
MacGregor
Machen
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Mayne
Meskill
Michel
Miller, Ohio
Mills
Minish
Minshall
Mize
Montgomery
Moore
Morse, Mass.
Morton
Mosher
Myers
Nedzi
Nelsen
Nichols
O'Konski
O'Neal, Ga.
Ottinger
Passman
Pettis
Pike
Pirnie
Poff
Pollock
Pool
Price, Tex.
Pryor
Pucinski
Quillen
Railsback
Randall
Reid, Ill.
Reid, N.Y.
Reinecke
Rhodes, Ariz.
Riegle
Rivers
Robison
Roth
Roudebush
Roush
Rumsfeld
Ruppe
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Scott
Selden
Shriver
Skubitz
Smith, Calif.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steiger, Ariz.
Steiger, Wis.
Stratton
Stuckey
Taft
Talcott
Taylor
Teague, Calif.
Tuck
Vander Jagt
Vanik
Vigorito
Waggonner
Wampler
Watkins
Watson
Whalen
Whalley
Whitener
Whitten
Wiggins
Williams, Pa.
Wilson, Bob
Winn
Wolff
Wylie
Wyman
Yates
Zion
Zwach

NOT VOTING—49

Adams
Boggs
Bolton
Bray
Brooks
Broomfield
Button
Cleveland
Conyers
Cramer
Culver
Dellenback
Diggs
Erlenborn
Everett
Evins, Tenn.
Fallon
Foley
Fountain
Fulton, Tenn.
Goodell
Gude
Hays
Hébert
Herlong
Irwin
Jonas
Jones, Mo.
Kazen
Kluczynski
Landrum
Latta
McMillan
Madden
May
Moorhead

Olsen	St. Onge	Williams, Miss.
Patman	Staggers	Willis
Rarick	Stephens	Young
Rees	Tunney	
Resnick	Utt	

So the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Foley for, with Mr. Hébert against.
Mr. Fallon for, with Mrs. Bolton against.
Mr. Culver for, with Mr. Utt against.
Mr. Kluczynski for, with Mr. Bray against.
Mr. Boggs for, with Mrs. May against.
Mr. St. Onge for, with Mr. Rarick against.
Mr. Moorhead for, with Mr. Latta against.
Mr. Olsen for, with Mr. Jonas against.
Mr. Diggs for, with Mr. Cramer against.
Mr. Conyers for, with Mr. Goodell against.
Mr. Adams for, with Mr. Broomfield against.
Mr. Madden for, with Mr. Gude against.
Mr. Irwin for, with Mr. Cleveland against.
Mr. Rees for, with Mr. Button against.

Until further notice:

Mr. Brooks with Mr. Erlenborn.
Mr. Tunney with Mr. Dellenback.
Mr. Fulton of Tennessee with Mr. Young.
Mr. Evins of Tennessee with Mr. Fountain.
Mr. Everett with Mr. Resnick.
Mr. Hays with Mr. Herlong.
Mr. Stephens with Mr. Staggers.
Mr. Landrum with Mr. Willis.
Mr. McMillan with Mr. Patman.

Messrs. DOWNING, HENDERSON, POLLOCK, and DUNCAN changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

MOTION OFFERED BY MR. BOLAND

Mr. BOLAND. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BOLAND moves that the House insist upon its disagreement to the amendment of the Senate numbered 13.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and the several motions was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that all Members have 5 days in which to extend their remarks on the conference report on H.R. 11456.

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

There was no objection.

CREATING AN INDEPENDENT FEDERAL MARITIME ADMINISTRATION

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 931 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 931

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 159) to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Merchant Marine and Fisheries, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Merchant Marine and Fisheries now printed in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The gentleman from New York [Mr. DELANEY] is recognized for 1 hour.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH] and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 931 provides an open rule with 2 hours of general debate for consideration of H.R. 159 to create an independent Federal Maritime Administration. The resolution further provides that it shall be in order to consider the committee substitute as an original bill for the purpose of amendment.

The purpose of H.R. 159 is to create a Federal Maritime Administration not under any other department, agency, or instrumentality of the Government, or under the authority of the head of any department, agency, or instrumentality. The Administration so established would be headed by a Federal Maritime Administrator appointed by the President with the advice and consent of the Senate. Within the Federal Maritime Administration there would be established a Maritime Board composed of three members, one of whom would be the Administrator who would act as Chairman.

All of the functions, powers, and duties of the Secretary of Commerce and other offices and officers of the Department of Commerce under the Merchant Marine Act of 1936 and other laws and provisions of law enumerated in H.R. 159 would be transferred and vested in the Administrator and in the Maritime Board as specifically provided for in the bill.

It is believed that an independent agency would provide the most efficient mechanism to assure that our national maritime policy will be properly and effectively implemented through constructive programs.

At the moment we are confronted with the fact that a large segment of the fleet is composed of 25-year-old vessels which urgently need replacement; that we have had to withdraw World War II ships from the reserve fleet and recondition them in order to maintain our lifeline to Southeast Asia; that we have too few trained merchant seamen and officers to meet the needs for even our reduced fleet, and that in the event of trouble arising elsewhere in the world with which we might have to cope, we would be unable to find the ships necessary for our supply lines.

Restoration of the type of organization that proved so effective in the past appears to be the proper path to take to eliminate the danger to our commercial and defense interests arising out of the present condition of the merchant marine.

Mr. Speaker, I urge the adoption of House Resolution 931 in order that H.R. 159 may be considered.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in the interest of saving time I concur in the statements made by the distinguished gentleman from New York [Mr. DELANEY] explaining the rule, and I will not go further in that regard, but to concur in his statements.

The purpose of the bill is to remove the Maritime Administration from the Department of Commerce and reorganize it as an independent agency within the executive branch of Government.

In addition to this, I would like to mention, Mr. Speaker, that this bill is similar to H.R. 11696, which was favorably reported last year and granted a rule, but was not scheduled for House action.

The bill establishes an independent Federal Maritime Administration, run by an Administrator, appointed by the President with the consent of the Senate. Also established is a Maritime Board of three members, chaired by the Administrator; the other members will also be appointed by the President with the consent of the Senate.

All functions, powers, and duties now handled by the Secretary of Commerce or others within that Department are transferred and vested in the Administrator and the Maritime Board; these generally are those exercised by the Secretary under reorganization plan No. 7 of 1961.

Last year you will recall the House did vote to remove from the Department of Transportation bill the inclusion of the Maritime Administration within that Department.

If my memory is correct, I think it was by a better than 2-to-1 vote that that action was taken.

As I understand it, there is no additional cost to be expected in connection with this bill.

All personnel and property will be transferred with the new agency. No additional cost is expected except for the salaries of the Administrator—$28,500—and the other two members of the Board—$27,000.

The administration, however, continues to oppose an independent Federal Maritime Administration. It wants the existing agency transferred to the new Department of Transportation, something which, as I mentioned, the House refused to do last year by an overwhelming vote.

Frankly, I do not know how far this particular bill may get after it passes the

House. I have my doubts that it is ever going to be signed into law if the administration and the President oppose it. It seems to me that some place along the line we are going to have to do something to help our merchant marine. If we keep on going the way we are, the time will come when there will not be enough equipment to take the California National Guard to Hawaii, the 50th State of the Union, in case of an emergency if that were necessary.

I do not know what the administration is going to do but you and I have to do everything we can someplace, somehow, and somewhere to help our merchant marine which is certainly a shameful situation so far as the great United States is concerned.

Mr. Speaker, I have no requests for time and I know of no objection to the rule and urge its adoption.

Mr. DELANEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CELLER] may extend his remarks at this point.

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

There was no objection.

Mr. CELLER. Mr. Speaker, I support this rule. I trust that the American people—who do not always pay as much attention to what goes on in this body as they should—will give close attention to this debate on this bill for the creation of an independent Federal Maritime Administration, under the rule.

I particularly invite the close attention of all those people who are apprehensive about the threat of world domination by the Communist powers, because there is a very real relationship between H.R. 159 and the Soviet menace.

All of us know of the Russian boast to "bury" the United States—to surpass us in economic competition. In the maritime field, the Soviets are making good that threat.

In 1960, the Soviets were 11th among the fleets of the world; by 1965 they had vaulted into sixth place, and are now challenging Japan for fifth. As of June 1966, the Soviets had 1,360 seagoing merchant vessels totaling 9.8 million deadweight tons. In the next 5 years, they plan to double their tonnage, which means that the Soviets could have a 2-to-1 edge over us, unless we get moving.

While the Russians have been forging ahead, we have been dropping behind. In 20 years, our active fleet declined from 2,332 vessels to approximately 900. What is more, 80 percent of the Soviet fleet is less than 10 years old—but 70 percent of our cargo ships are more than 20 years old.

Any way you look at it, we just do not shape up. The Soviets carry 75 percent of their oceangoing trade in their own ships, but we carry only between 7 and 8 percent of our own trade. Since 1963, the Russians have built 502 merchant ships, but we built only 87. As of last October, the Russians had 516 additional vessels on order, but we had only 49. In the past 2 years, the Russians spent $1.6 billion on shipbuilding, while we spent only a quarter of a million in the same length of time.

I think we are losing this battle for maritime supremacy because, at the present time, the people who are supposed to be running our maritime program do not consider that there is any sense of urgency about meeting the Soviet challenge.

There is massive indifference toward our merchant marine and I submit that this is because the Maritime Administration has been locked away in the Department of Commerce. It has been stifled in its creative thinking, it has been ignored in terms of budget, and its voice has been stifled because there have been so many layers of officialdom superimposed on Maritime that any shouts for help come out only as soft, soft whispers in the President's ear.

This situation would not change by putting Maritime in the Department of Transportation. That would merely mean exchanging one overburdened bureau for another.

We have got to give the Maritime Administration back its independence, beef up its budget and give it back its voice. The best way to do that, Mr. Speaker, is through enactment of H.R. 159. This is the best way I can think of to meet the Russian challenge, and to make America strong and free by making our merchant marine strong and free.

Mr. DELANEY. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. GARMATZ. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 159) to amend title II of the Merchant Marine Act 1936, to create an independent Federal Maritime Administration, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 159, with Mr. DADDARIO in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Maryland [Mr. GARMATZ] will be recognized for 1 hour and the gentleman from California [Mr. MAILLIARD] will be recognized for 1 hour.

The Chair recognizes the gentleman from Maryland [Mr. GARMATZ].

Mr. GARMATZ. Mr. Chairman, I yield myself 8 minutes.

Mr. Chairman, I hope my colleagues will give serious consideration to the bill H.R. 159, reported with an amendment.

I hope they will help expedite its passage today because I consider this legislation vital to the future health and success of the American merchant marine.

My view is shared by the overwhelming majority of the members of the Committee on Merchant Marine and Fisheries. We have 34 members on our committee. Thirty-one voted in favor of the bill. Two opposed it. And one member was absent. Only one member filed dissenting report.

Briefly the bill would be cited as the Federal Maritime Act of 1967.

It would create an independent Federal Maritime Administration, with a Federal Maritime Administrator at its head.

The Administrator would be appointed by the President—by and with the advice and consent of the Senate—for a term of 4 years.

He would be compensated as provided by level III of the executive schedule, at an annual salary of $28,500.

The bill establishes, within the Federal Maritime Administration, a Maritime Board, which would be composed of three members.

These would be the Federal Maritime Administrator, who shall be Chairman of the Board, and two additional members appointed by the President, also with the advice and consent of the Senate.

Not more than two members shall be from the same political party.

The two additional Board members appointed by the President shall be compensated at the rate provided by level IV of the executive schedule, at an annual salary of $27,000.

Provisions are made with regard to the expiration dates of the initial appointments, for the filling of vacancies, and, for continuous service upon expiration of a term until a successor shall have been appointed and qualified. No appointed member shall engage in any other business, vocation or employment.

Under the bill, all functions, powers, and duties of the Secretary of Commerce and other offices and officers of the Department of Commerce under the Merchant Marine Act of 1936 and other specifically enumerated laws and provisions of law are transferred to and vested in the Administrator, and the Maritime Board.

Provision is made for a Deputy Maritime Administrator empowered to serve as Acting Administrator during the absence or disability of the Administrator, provided that he shall at no time sit as a member or acting member of the Maritime Board.

Generally speaking, the functions, powers, and duties transferred under this bill are those presently exercised by the Secretary of Commerce under reorganization plan No. 7 of 1961.

The bill also provides that this act is to take effect on the 60th day after enactment.

The bill was reported with an amendment. The amendment makes no substantive change in the original bill, but is an amendment in the nature of a substitute text. It makes no substantive change in the original bill but is merely in slightly different form and contains certain clarifying features.

In this connection, this bill is for the identical purpose as the similar bill H.R. 11696, which was reported by the committee last year and upon which a rule was granted, although it was not called up on the floor before adjournment.

Early in this session of Congress, a total of 104 Members introduced bills to accomplish this purpose of taking the Maritime Administration out of the Department of Commerce and setting it up as an independent agency.

This is, I think, a clear indication of strong sentiment in the House in favor of this legislation. Although I want to make my remarks as brief as possible, I do think it is important at this time to trace the recent historical development of Federal policies in administrating merchant marine policy. Such a review is necessary, I think, if we want to make an intelligent evaluation of the current situation.

The American merchant marine is currently suffering its lowest ebb in more than 30 years. It has not experienced such an alarming decline since the late thirties. At that time, the merchant marine was reeling under the impact of the ocean mail scandals. Its ships were of World War I vintage. And it was still shaking off the effects of the great depression.

Aroused by the emergency nature of the situation, and by the urgent need for immediate remedial action, the Congress stepped into the breach. It studied the situation and finally evolved the Merchant Marine Act of 1936. This provided among other things—for the creation of a five-man maritime commission, independent of all other executive agencies.

Under the able and dynamic leadership of Joseph P. Kennedy, the father of the late President, the commission immediately undertook the design and construction of a large fleet of merchant vessels. At that time the American maritime industry—just as it is today—was beset with indecision and uncertainty. It was unable to invest heavily and to undertake a positive program of merchant ship production. But as a result of the leadership of Joseph P. Kennedy—and because his commission was an autonomous, independent agency—a fleet of modern, highly competitive merchant ships was created.

It might also be noted that the efforts and accomplishments of Mr. Kennedy fostered the development of American shipyards. These were the same shipyards that, during the early dismal days of World War II, were called upon to launch a shipbuilding program of unprecedented magnitude. American shipyards turned out the largest armada known to the history of man, and played a dominant role in breaking the back of the enemy.

And so, the independent commission created under the 1936 act—and I repeat, independent—served a dual role.

It was instrumental, not only in restoring the American merchant marine to competitive status, but in aiding the Nation in time of great peril. The commission survived until 1950. At that time, it was downgraded and absorbed as an agency of the Department of Commerce, where it has remained for the past 17 years.

Mr. Chairman, I submit it is not a coincidence that the decline of the American merchant marine developed and accelerated ever since the commission was robbed of its independence and submerged in and emasculated by a larger agency—the Department of Commerce.

Aside from the mariner vessel program and the belated and slow liner replacement program, very little effective action has been taken since that time.

I do not mean to infer that the very able and dedicated men who have since served as maritime administrators did not try their best. But it is quite obvious that their efforts were frustrated and detoured because they were unable to speak with authority, because they did not have direct contact with the White House, and, finally, because their maritime responsibilities were subservient to, and in many cases, swamped in a sea of diverse interests, ranging from highway programs to coast and geodetic survey.

Present proposals to include the maritime administration in the new Department of Transportation would have the same adverse results.

Transferring maritime activities from a subordinate position in the Department of Commerce to a similar position in the new department simply retains the organizational structure which has been so ineffective for the past 17 years. No matter how good the intentions of the Secretary, his interests, his efforts and his attentions could not possibly be sufficiently concentrated on maritime affairs when so many other activities obviously also require much time and study.

What we need is an independent agency with an administrator who thinks, talks and acts exclusively for the effective and efficient administration of our national maritime policy. The effectiveness of such organizational structure is abundantly evident when we observe the success of those activities handled by agencies such as: Atomic Energy Commission—AEC—National Aeronautics and Space Administration—NASA—and the Tennessee Valley Authority—TVA. All of these are independent agencies. In fact, the Congressional Directory lists a total of some 70 independent agencies of various kinds.

Although the Federal Aviation Administration is now in the Department of Transportation, its effectiveness as an independent agency is well known.

The desperate need for such independent status is also abundantly evident when one observes the glaring and dangerous deficiencies of our present merchant marine. It is now comprised of a fleet of slightly over 900 vessels and 70 percent of these are over the 20-year age bracket, or older. To put it in more frank terms, they are downright inefficient, uneconomical and obsolete. Furthermore, U.S.-flag vessels are only carrying 7 percent of this Nation's foreign commerce.

Instead of continuing with a long list of this Nation's maritime inadequacies, I think we can aptly emphasize this dangerous situation by contrasting our merchant fleet's decline with the rapidly expanding Russian merchant marine. That expansion constitutes a serious threat to the economy and the defense posture of the entire free world.

Edwin M. Hood, president of the Shipbuilders Council of America, has testified before my committee that the Soviets are building 10 times as many ships as the United States, with a lifting capacity eight times greater.

In 1966, Russia added 100 new vessels and received 55 transfers from satellite countries. During that same year, the United States added 13 ships. As of May 1966, the Soviet had 581 ships under construction, or on order. All of its own shipyards are going full blast, and the overflow of its shipbuilding program—which is considerable—is contracted out to foreign yards.

The U.S.S.R. has promised to "bury" the United States through trade, and its dynamic shipbuilding program is proof positive that its threat was a serious one. And yet, as this and other equally serious threats continue to grow, they are either ignored or minimized by many Government officials, who continue to relegate American merchant marine policy to an insignificant, second-class status.

Mr. Chairman, this is why we need an independent agency. The administration of Cabinet members changes, so we must have a continuity of effort and high-level representation for maritime affairs. We must put an end to this indecision, this lack of leadership. This fear of the future. As it did in 1936, the Congress must once again act on behalf of the American merchant marine.

I am confident it will act in wisdom today by voting overwhelmingly in favor of H.R. 159.

Thank you.

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

Mr. GARMATZ. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I thank the gentleman for yielding.

In the establishment of the Maritime Administration as an independent agency, has the employment in the agency been increased under the terms of this bill, decreased, or does it remain static?

Mr. GARMATZ. I would think it would be the same number of employees.

Mr. GROSS. The bill does not provide for additional supergrades specifically?

Mr. GARMATZ. No. Besides, the Administrator and members of the Board would be the same, as stated earlier.

Mr. GROSS. So the number of employees is the same as in the present administration?

Mr. GARMATZ. Yes.

Mr. GROSS. I thank the gentleman.

Mr. GARMATZ. Mr. Chairman, I yield 2 minutes to the gentlewoman from Missouri, a member of the committee.

Mrs. SULLIVAN. Mr. Chairman, I am confident that this legislation offers the only solution for the welfare of the American merchant marine.

Seventeen years ago, the independent body charged with the welfare and development of the merchant marine had its functions transferred to the Department of Commerce. Since that time, there have been seven Secretaries of Commerce, eight Maritime Administrators under the Department of Commerce, and five periods when there were only Acting Administrators, the latest one being since June 1966.

World commerce has grown by leaps and bounds in the last 17 years, and during that period the American merchant marine has declined from a total of 1,050 privately owned vessels to slightly over 900.

At the moment, we are confronted with the desperate expedient of converting World War II troop carriers into

containerships and ore carriers, because we lack the money and incentive to build new ones. I hasten to say that I do not criticize any of the many gentlemen who have served either as Secretary of Commerce or Maritime Administrators for the condition in which we find ourselves. The Secretaries of Commerce have had many problems to solve in other areas of their responsibilities, and the fact that they have treated maritime affairs as a stepchild is not necessarily a reflection upon them. Virtually all of the individuals were able and conscientious men, but they were unable to devote sufficient time to the problems of our sea-borne commerce. Likewise, the Maritime Administrators and Acting Maritime Administrators have been capable individuals, but they were unable to make their views known effectively so as to secure sufficient emphasis upon the merchant marine.

At the present time there appear to be but three possibilities: retention of Maritime Administration in the Department of Commerce, transfer to another department where it would occupy the same subordinate position, or transfer to the independent agency contemplated by this bill.

In view of our experience over the past 17 years, I can see no hope for the future of our American merchant marine if it continues to be buried in a department chiefly concerned with other matters. I feel that the transfer of responsibility for the protection of our defense and commercial interests through the merchant marine can come only by a group dedicated solely to its interests. That solution would be achieved by enactment of this legislation, and while I am not so optimistic as to predict any miracles through this bill, I do feel that it represents a start toward the necessarily slow and painful restoration of our prestige on the seas of the world.

Mr. MAILLIARD. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, as the author of the initial bill proposing the establishment of an independent Federal Maritime Administration, which I introduced in September 1965, and as one of the many sponsors of the legislation now under consideration, I rise in support of passage of the bill, H.R. 159.

You will recall that on January 4, 1965, the President of the United States delivered his state of the Union message. In that message delivered almost 3 years ago, the President stated:

> I will recommend . . . a new policy for our merchant marine.

Today, we in the Congress still are waiting upon the submission of that "new" maritime policy.

The failure of the President to come forth with this promised new policy for American shipping has had a debilitating effect upon the entire maritime industry. Perhaps the most telling testimony received in our exhaustive hearings on this measure was a letter received in response to my inquiry from the Committee of American Steamship Lines, which stated, in part:

> . . . two . . . member lines . . . have indicated an unwillingness to make additional investment in new ships at this time *in the absence of a positive long-range national Merchant Marine Program.*

The bill, H.R. 159, now before us for consideration is the first step in the formulation and the implementation of a badly needed program to revitalize the American merchant marine. Significantly, section 11 of this bill makes it mandatory for the Maritime Board to submit "to the President and to the Congress" a report on the current condition of American shipping with appropriate recommendations for such further legislation or programs as it, the Board, may deem necessary. This provision is of singular importance, since it represents a vehicle for taking the issue of our maritime posture out of the public forum and placing it before the Congress where the decisions ultimately must be made.

Events of recent weeks have only served to underscore the need for passage of this legislation. Although both the distinguished chairman of our committee and his counterpart in the other body have indicated that the administration shortly would submit a new maritime program, press reports in both the Baltimore Sun and Washington Post of last week indicated that:

> There will be no program to modernize the . . . merchant marine this year.

But even more shocking was the report in this same article of the Baltimore Sun, which quoted an unidentified spokesman for the Maritime Administration as stating that the agency "plans during the period immediately ahead to withhold any new contracts for new ship construction. This is in keeping with the administration policy of holding budget expenditures and commitments to as low a level as possible consistent with the national security and well-being until the present fiscal uncertainties have been cleared up."

Mr. Chairman, I know of nothing which is more vital to our national security and well-being than a strong and viable American merchant marine. Only last month, the new Chief of Naval Operations, Adm. Thomas H. Moorer, USN, stated:

> It is still true that about 98% of everything going into Viet Nam goes by ship. * * * Knowledge of this sealift, I think, brought home to a great many Americans and people of other countries just how vital open sealanes are to a maritime nation such as the United States—and to our forces and allies overseas.

Unfortunately, this knowledge appears not to have been imparted to policymakers of the Administration.

Also, many have not heeded the warning of the commander of the Military Sea Transportation Service, Vice Adm. Lawson P. Ramage, USN, who stated only last week that:

> It is my conviction that, in the area of sea transportation, we are fast approaching a crisis. *Within the next four years,* age will force over 60% of these [ships] into the National Defense Reserve Fleet, the shipbreaker's yard, or foreign sale.

This may be an excessively gloomy picture, since all of these overaged ships probably would not be withdrawn from service if funds are not available for their replacement. However, the fact remains that such overaged and uneconomical vessels should be replaced with new construction.

Mr. Chairman, I find it inconceivable that in the face of such warnings our Chief Executive would simply dump plans to revitalize our merchant marine in a fit of pique. I find it equally improbable that the President of the United States would abdicate his responsibility in such a matter to any subordinate. It was President Johnson who on May 9 of this year issued a proclamation urging the people of this Nation to honor the American merchant marine on National Maritime Day 1967. In that proclamation, he stated:

> Throughout American history, the Merchant Marine has been indispensable to our security and prosperity.
>
> * * * * *
>
> Merchant ships carry the essentials of life to millions in need. They transport military supplies and equipment to our forces abroad. Of all our supplies being sent to Viet Nam today, 98 percent are carried by ship.

Mr. Chairman, further procrastination in meeting our shipping problem can mean only one thing—sweeping the issues facing the American merchant marine, the condition of which borders upon being a major national crisis, under the rug. This only can serve to forestall the ultimate day of reckoning when we will have to face up to an even greater cost to revitalize our maritime industry. The bill, H.R. 159, although not a panacea, is an affirmative step toward meeting the challenge at sea.

There are those who today will argue that the Maritime Administration should not be created as an independent agency, but rather should be transferred to the Department of Transportation. This argument may be meritorious at some future date, but not with the situation we face today. Events subsequent to the establishment of the Department of Transportation have served only to fortify my belief that the refusal of the House, during the 89th Congress, to permit the transfer of the Maritime Administration to the Department of Transportation was a wise decision.

The actions of the distinguished Secretary of Transportation have made me all the more apprehensive about the fate of our vital shipping industry if its administration were to be placed at his tender mercies. Earlier this year, the Secretary of Transportation wrote a rather ambiguous letter to the several regulatory agencies concerning carrier applications for rate increases. This action was characterized in an editorial of June 21 in the Journal of Commerce as "Mr. Boyd's Grandstand Play." Again in August of this year, the Department of Transportation's intervention in a matter pending before the Federal Maritime Commission prompted the Presidents of two major American shipping lines to send a telegram to Secretary Boyd, which noted in part:

> For an official of a government to capitulate to the reasoning of foreign lines without even attempting to get the American side of the picture raises serious additional doubts in the minds of some as to whether that agency [sic., the Department of Trans-

portation] is the proper one to have jurisdiction over the welfare of the American merchant marine.

There therefore is serious doubt whether the Department of Transportation is competent to handle our shipping problems.

Last, but not least, we have the recent action of the Secretary of Transportation communicating with the State Governors, and more or less threatening that any multiple billion dollar cut in the budget might force a reduction in vital highway spending of as much as 50 percent. Yet this Cabinet officer in whom some would propose to vest authority over American shipping, and who allegedly has used similar coercive tactics in formulating a maritime program, failed to mention that the highway funds are not part of the budget at all. As an editorial in the Journal of Commerce of October 11 stated:

Mr. Boyd's warnings to the Governors . . . was a tactical blunder.

I know of no industry which can less afford blunders of any nature than the ailing American merchant marine.

Last month, Vice Adm. C. E. Weakley, USN, commander, Antisubmarine Warfare Force, Atlantic, addressed the National Security Industrial Association, underscoring the threat posed by the increasing maritime and naval strength of the Soviet Union. Of our own merchant marine, Admiral Weakley stated:

As an American, as much as a military commander, I find the state of our ocean transportation capability very disturbing. While our foreign commerce almost tripled in tonnage since 1950, we lost nearly one-third of our active U.S.-flag merchant fleet!

* * * * *

We could not depend upon any commodity being shipped in any foreign bottoms because, you see, we have no control over their loyalties or ownership. We have, in effect, put over 90 per cent of our overseas transportation needs in the hands of other nations!

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I dare say that if everyone understood the importance of this, we might bring about a change in the situation.

A change is extremely important to the defense of our country. We must have adequate sea transport available to us in time of war.

It is to insure that everyone does understand the importance of the challenge at sea that I urge the passage of the bill, H.R. 159. The American merchant marine is a most vital sector of our economy and is deserving of the highest priority. In the words of the distinguished ranking minority member of our Committee on Appropriations, the gentleman from Ohio [Mr. Bow]:

I firmly believe that the federal budget should be balanced, but we can and must provide for items of urgent necessity to our national existence. One of these should be the finest merchant marine in the world. We need to establish priorities and eliminate unproductive frills and giveaways.

The highest priority should go to a comprehensive plan to revitalize the American Merchant Marine.

Such a comprehensive plan upon which the Congress can act can be insured by the enactment of H.R. 159, and I do earnestly urge my colleagues to support its passage in the House today.

Mr. GERALD R. FORD. Mr. Chairman, will the distinguished gentleman from California yield?

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

Mr. GERALD R. FORD. Mr. Chairman, I wish to commend the gentleman from California, the ranking minority member of the Committee on Merchant Marine and Fisheries; and I also wish to compliment the overwhelming majority of the Committee on Merchant Marine and Fisheries, under the leadership of the distinguished gentleman from Maryland [Mr. GARMATZ]. This is good, constructive, necessary legislation.

Mr. Chairman, in my opinion this legislation is extremely important in an area that is crucial for our national security. It is my opinion that we will have an overwhelming affirmative vote today indicating to the administration that this body of the Congress strongly feels that there has been a neglect of our merchant marine in the recent past and that we must do something affirmatively about it in the immediate future. This bill is a first step but an important one. I urge my colleagues to support H.R. 159.

Mr. Chairman, I commend, as I stated before, the distinguished gentleman from California [Mr. MAILLIARD], and the majority of his colleagues on the Committee on Merchant Marine and Fisheries.

Mr. MAILLIARD. I thank the distinguished minority leader on this side of the aisle. Of course, there is no partisanship with reference to this subject matter. The committee was firmly in support of this legislation.

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

Mr. MAILLIARD. I am glad to yield to the gentleman from New York.

Mr. ROSENTHAL. Mr. Chairman, I too want to commend the distinguished gentleman from California [Mr. MAILLIARD] for his support of this legislation and to associate myself with the gentleman's remarks. Surely, Mr. Chairman, there is a problem involved here. The distinguished gentleman from California [Mr. MAILLIARD] and the distinguished gentleman from Maryland [Mr. GARMATZ] have outlined the mistakes, the substantive mistakes, which have been made in the past.

However, Mr. Chairman, there is another point involved here. Based upon my experience in service on the Committee on Government Operations and particularly on the Subcommittee on Reorganization, it is my judgment that the Department of Transportation simply cannot give attention to the important problems which the distinguished gentleman from California [Mr. MAILLIARD] has dwelt upon.

Mr. Chairman, for the merchant marine to regain its prominence and in order for it to maintain its status throughout the world, it is absolutely essential that it be placed in an independent position so that it can submit a budget of its own. Under the procedure which is presently followed this budget has to be approved by officials, all the way up to the Secretary of the Department of Tranportation. However, when this bill is adopted and becomes law, the Merchant Marine Administration will have an opportunity to present its budget directly to the President.

Mr. Chairman, in my opinion that is the only way in which the merchant marine can receive a fair shake.

Mr. Chairman, I wish to congratulate the gentleman from California for leading the fight in the bipartisan spirit in which this legislation has been brought to the floor of the House today for consideration.

Mr. GARMATZ. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Maryland [Mr. FRIEDEL].

Mr. FRIEDEL. Mr. Chairman, I rise to speak in support of H.R. 159, a bill introduced by my good friend and colleague, the Honorable EDWARD GARMATZ, distinguished chairman of the House Merchant Marine and Fisheries Committee, to create an independent Federal Maritime Administration.

I have become increasingly concerned about the steady decline of our merchant fleet—a decline so severe and a situation so grave as to have perilous consequences for us as a nation in the next decade.

First and foremost, if we are going to consider the drastic remedial action necessary to save our merchant fleet, we must decide where the merchant marine fits into the structure of American society. Is it a branch of our commerce, or is it a vital arm of our national defense, or is it both at once? At least one other nation, the Soviet Union, holds that a strong merchant marine is important both for commerce and for defense.

As long ago as 1960 and as recently as 1966, students of maritime affairs have commented on the Soviet Union's objectives in building a strong merchant fleet. It is apparent that the Soviets consider foreign trade to be an integral part of the foreign policy for once the trade deal is signed, the Soviet merchant ship becomes the active agent of that policy.

In 1965, the Soviet Union accepted delivery of 100 merchant ships, while the United States took delivery of only 16; we had on order 41 merchant ships of over 1,000 tons and the Russians had 464. Clearly, the Russian emphasis on building a strong fleet to foster its foreign policies would justify grave concern on our part that we are not keeping abreast of the times. Commerce or defense? I believe that the merchant marine is both and that we need a nationally determined policy to support our merchant fleet for both reasons.

Once this fundamental policy has been decided upon, and I believe it can only be decided by an independent Maritime Administration dedicated to regaining our preeminence on the seas, we can look for changes for the better in all phases of the industry. At present, despite promises, no clear policy is visible—90 percent of our general cargo is carried in foreign ships—100 percent of our aluminum ore is imported in ships not flying the American flag.

We are the richest and most powerful nation the world has ever known. We are now involved in a war some 10,000 miles away. Because of the deterioration of our maritime fleet, we are forced to bring out of mothballs ships built 20 to 25 years ago. Ships that could have been recom-

missioned for $100,000 in 1947 but which cost up to $500,000 today. If our effort in Vietnam can so strain our maritime facilities, we have far too small a margin of safety. We should have learned a lesson from both World Wars but it appears we are relying on computers rather than experience.

It has been proposed that American shipping firms be allowed to build abroad in foreign yards where labor costs are lower than our own. Now, if shipping were solely a part of commerce, not of defense, this might be feasible. But shipping is not solely commerce. Our own shipyards, if foreign building were to be encouraged, would deteriorate still further. Our skilled workmen would drift away to other industries, and we would have no defense capability left. Another time—can we be sure there will be an opportunity to develop our shipbuilding capacities as we needed to do in the 1940's. I feel very strongly that we must never again be caught in that position. Therefore, I recommend that we use funds for the construction of new ships to keep our own shipyards working to full capacity and maintain the health of our economy.

Four years ago, the Secretary of Defense acknowledged the importance of naval power but said that planes would be relied on to transport men and materiel. Ships would be needed only to provide backup supplies and heavy equipment. Recent reports indicate that 2 percent—chiefly personnel—of the total effort in Vietnam is carried by plane; 98 percent is still carried by ship. This, I might add, is a 2-percent improvement on the situation during the Spanish-American War 69 years ago.

What should we establish for our new and badly needed policy? For a start, let us live up to the provisions of the Merchant Marine Act of 1936, which called for a merchant marine capable of handling all our domestic and much of our foreign water-borne commerce in American-built ships, manned by American seamen. But most importantly of all, let us reverse a decision made 17 years ago, which deprived the Maritime Administration of its independence and made it a part of the Department of Commerce. Justification for this transfer of control was that by providing the Maritime Administration with a Cabinet spokesman, the merchant marine would be given increased importance in the determination of our defense and economic policies.

We must recognize that the 1950 attempt to strengthen the merchant marine by placing it at the Cabinet level has proved an abject failure, and we must take steps to correct this mistake. H.R. 159 gives us this chance.

I believe that an independent Federal Maritime Administration would significantly increase the effectiveness of this all-important industry, and thus serve to strengthen our economic and defense capabilities at this crucial time in international affairs. It would improve our position in our struggle for the protection of liberty in war-torn South Vietnam and in other trouble spots around the world.

An independent agency in the executive branch whose sole duty would be the administration of the merchant marine could formulate a clear-cut policy and give the industry the attention it needs. The establishment of such an administration would be the first important step toward the development of the merchant marine into the vital national force it has been in the past, and can be again in the future.

I would like to impress my distinguished colleagues with a sense of urgency if we are to save our merchant fleet and I strongly urge passage of H.R. 159.

Mr. GARMATZ. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Pennsylvania [Mr. CLARK].

Mr. CLARK. Mr. Chairman, like a substantial number of Members of the House. I am most pleased to voice my support for passage of this bill to set up an independent Federal Maritime Administration.

Merchant shipping in the United States has reached a very critical stage. This industry, which is vital to our Nation, has reached a point where instead of growing as it should it is actually showing a decline.

In addition to the fact that we do not have a sufficient number of ships to perform the duties of the merchant marine, most of our existing fleet is obsolete. Our ship replacement program is 90 ships behind schedule and prospects for the future are not good.

In spite of the sad economic position that maritime is in, the 1967 Maritime Administration budget was at a 6-year low. Only 3.8 percent of the total amount the Government paid in subsidies went to the maritime industry, while in contrast 72.4 percent of the total subsidies was paid to the agriculture industry.

If maritime were set up as an independent agency, it would be able to focus more attention on the economic problems of the fleet. The spokesman for maritime would be interested solely in maritime affairs and not in many diverse interests as the present Secretary is.

By taking the Maritime Administration out of the Department of Commerce and making it independent, it will be better able to represent its position. The creation of policy will be the responsibility of the Maritime Administration and not of other Departments such as Transportation, Defense, and Commerce. At present, with the Maritime Administration within the Department of Commerce, the Maritime Administrator is overruled by a number of other officials within the Department. These officials are without adequate maritime background and do not necessarily have a genuine concern for the merchant marine.

The maritime industry should be represented by an independent agency which is staffed by officials who have knowledge and experience in the field. To have a revival of our shipping industry, we must have advocates of a strong and growing fleet making our policy.

We urgently need a program that will promote long-range expansion and growth of the American merchant marine. It has been evidenced over the past 15 years that we will not have this kind of a program under the existing organization. We need to promote the programs and policies necessary to rebuild a strong merchant marine fleet—a fleet that is able to compete in the world and one which is a symbol of America's position of world leadership.

I think that we can rebuild our merchant fleet to a position of respect—but we can do this only if maritime affairs are set up in a separate, independent agency—an agency whose sole concern is the maritime industry, and which devotes its time exclusively to the promotion of that industry.

Mr. MAILLIARD. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Chairman, I am pleased to have been one of the more than 100 Members of the House of Representatives who introduced legislation to establish an independent Federal Maritime Administration. Mr. Chairman, when I introduced this bill in January, the status of this Nation's merchant marine was appalling. Later, in July, when I testified before the Subcommittee on Merchant Marine of the Committee on Merchant Marine and Fisheries, the outlook was even more bleak. And, still today, in October, the American merchant marine continues to decline. Indeed, since World War II, the status of America as a merchant marine power in the world has constantly declined until today, we are in the unenviable world ranking of 16th in shipbuilding, and the privately owned American merchant fleet that was first in the world in 1948, now has sunk to sixth in total gross tonnage.

Mr. Chairman, a shipbuilding program, or lack of one, is just one of the maladies crippling our merchant marine. The age and obsolescence of our fleet are deplorable. Better than 70 percent of our privately owned American-flag fleet consists of ships 20 years or older, pointing to the very real danger that within the next 5 years, the American merchant marine, competitively speaking, may be swept from the seas.

Our Nation's export-import tonnage carried by American-flag ships has dropped to less than 7 percent, the lowest such participation over a period of time spanning almost a half century.

And, equally serious, is the attrition problem in maritime manpower.

There is a reason, Mr. Chairman, for this decline. America lacks a maritime policy. We do not have to look far to see the small Nation of Japan, today owning the world's fifth largest merchant marine, scheduled to grow, under a 5-year plan, from today's 13 million gross tons, to 22 million tons by 1971. And, Russia is working under a program to become No. 1 on the seas under a 7-year plan.

Yet, America has no maritime policy. In January 1965, President Johnson promised Congress he would recommend a new program, but no message has been forthcoming, and the only action of the administration has been to further reduce the ship construction program, holding out for a "build foreign" plan which did complete violence to the principle of national self-sufficiency.

Mr. Chairman, I recognize the right of the executive branch of Government

to establish and adhere to their policies. The Bureau of the Budget, under the direction of the President of the United States, holds the purse strings.

But, the American people and their Representatives in the Congress have a right to know, on an independent and objective basis, the needs of their country as viewed by an independent and objective, knowledgeable Maritime Administration on the basis of facts and not fancies.

The United States has a good law, the Merchant Marine Act of 1936, that was written in the interest of both the national defense and the maintenance of a strong economy. But, unfortunately, this law has been ignored.

In this connection, it seems to me that an independent Maritime Administration could review the national maritime needs and play an important role in providing the public with unbiased, up-to-date facts in order to influence and resolve existing as well as future stalemates.

Mr. Chairman, there were recent headlines saying a great, new merchant marine program would be announced shortly. Apparently, this was a giant firecracker that fizzled. Reports now are that the President has no such program, so let us not be deluded into sidetracking this legislation.

I see only one way to move, Mr. Chairman. As a cosponsor of this bill proposing the establishment of an independent Federal Maritime Administration, I urge its passage, and I hope it will prove to be the vehicle for a "little more light and a little less noise," so that we can finally start the development of the type of American merchant marine which, in the national interest, our country needs so badly. I strongly urge passage of H.R. 159.

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

Mr. PELLY. Yes, I yield to the gentleman from Wisconsin.

Mr. SCHADEBERG. Mr. Chairman, I thank the gentleman for yielding.

Being a member of the committee, and one of the sponsors of the bill, I rise in support of H.R. 159.

Mr. Chairman, it seems strange in view of the current situation of our merchant marine, that this bill—H.R. 159—does not enjoy the wholehearted support of this administration. One would think that the administration would want to see us grow strong on the high seas again, and that it would heed the advice and counsel of the Merchant Marine and Fisheries Committee, which is so well versed in maritime affairs, on the best way to get this job done.

But I regret to say that this has not been so, and has not been so for many years past. That is why we find ourselves in such a predicament, insofar as our commercial fleet is concerned.

The United States leads the world in foreign trade, yet less than one-tenth of our foreign commerce is carried on American-flag vessels. We are a nation which is No. 1 in trade, yet we have fallen to No. 6 in merchant shipping. By contrast, Russia transports 75 percent of her own foreign commerce in Russian bottoms while we carry less than 8 percent in American-flag ships.

The past 10 years have seen a drastic decline in the number of ships in our fleet and have seen the fleet as a whole pass into obsolescence. We have less than 1,000 ships today in our merchant fleet as compared to over 4,800 ships in the fleet in 1946. Not only do we have a lesser number of ships, but over 80 percent of these are 20 years old or older.

The merchant marine has been almost totally neglected by this administration. The 1936 Merchant Marine Act calling for a bigger and better fleet has been almost totally disregarded.

While the maritime industry is in such a sad economic situation, the budget for the Maritime Administration gets cut more and more.

The administration has allocated $1 billion for the development of a supersonic transport, yet the Maritime Administration's budget for 1967 was a meager $300 million—the lowest that it has been in 6 years.

Our Government has appropriated enough funds to build only 13 new vessels for next year. In 1966, Russia had under construction over 500 large merchant ships. Since 1950, the U.S. fleet has decreased by almost 1,000 vessels, while the Russian fleet by comparison has increased its fleet by approximately that same number.

The only way that we can rebuild our merchant shipping into a strong and powerful industry is through a forceful maritime program. We will not get this kind of program as long as the Maritime Administration remains in one of the Departments, whether it be the Department of Commerce or the Department of Transportation. The only way that maritime can promote its policies effectively and obtain the appropriations that it needs to carry out its programs is if it is established as an independent agency.

Established independently, the Maritime Administration will be able to focus attention on its problems and it will be in a better position to bid for appropriations.

I urge immediate passage of H.R. 159 to establish this independent agency and get our maritime program moving again on the road to progress and prosperity.

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

Mr. PELLY. Yes, I yield to the gentleman from Georgia.

Mr. HAGAN. Mr. Chairman, I thank the gentleman for yielding.

I appreciate the gentleman bringing out the point that we were No. 1 in the world with our merchant marine, and we are now way down the line. I believe I understood the gentleman to give the impression that he feels as I do that passage of this legislation creating this independent agency will tend to put us back toward the No. 1 spot.

I believe the importance of an independent merchant marine agency is to establish guidelines based on the needs of our country, and certainly those guidelines would point up that we should be first on the seas, not only for national defense, but as well for the advancement of our economy. I thank the gentleman.

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

Mr. PELLY. Yes, I yield to the gentlemen from Massachusetts.

Mr. KEITH. Mr. Chairman, I want to compliment the gentleman on his very fine statement, and to associate myself in the expression of those sentiments.

Mr. Chairman, the principle and purpose of this legislation is well known and has been consistently supported by all major segments of the industry, as well as by congressional leaders concerned with the industry's survival. This purpose is to prevent the essential needs of this vital industry from being continually ignored and submerged, and to place the responsibility for its revival in an agency which has the status and authority necessary for the performance of its duties.

Administration spokesmen have time and time again argued that the merchant marine is but one link in our transportation chain, and that responsibility for the maintenance of our fleet should be included in the Department which oversees trucks and trains. But the sponsors of this bill, Mr. Chairman, feel that the merchant marine is unique—both in its problems and its national role.

Its problems, first, are more complex than those of other domestic transportation industries. American railroads and trucks do not compete with French, Italian, or Japanese firms for the carriage of goods and passengers. But American shipowners must meet the challenge of foreign competition every day, contending with foreign-flag vessels manned by low-cost labor and operating with inferior safety standards.

Second, the American merchant marine plays a direct and immediate role in our national defense. It is considered the "fourth arm" of our defense and must be treated with appropriate priority. In this sense, the merchant marine is much more than simply one link in the Nation's transportation network.

These unique characteristics of the American merchant marine are ignored when maritime affairs are administered by Government agencies which primarily serve interests different from or competing with maritime needs. The industry would have a far better chance of survival and growth, if its affairs were administered by a Federal agency whose sole concern was maritime.

The original policy set down by Congress in the Merchant Marine Act of 1936 was to establish an American-built, American-owned, and American-manned merchant fleet capable of carrying a substantial portion of our foreign trade and serving as a naval auxiliary in wartime. To implement this policy, Congress created an independent and autonomous Maritime Commission to formulate and administer maritime programs.

The decline of our fleet since the reorganization and virtual eclipse of the autonomous agency is well known to all of us. Today this decline is all the more alarming at a time when the Soviet Union's hammer-and-sickle fleet is aggressively challenging the West for control of the seas. I traveled to the Soviet Union in January of last year and saw per-

sonally the tremendous efforts which the Communists are making to transform Russia into the supreme power on the high seas. The Soviet fleet has increased 10 times since 1950, and is growing by 100 new vessels every year.

Mr. Chairman, the sponsors of this legislation feel that now is the time to reinstitute the successful administrative plan which prevailed during the greatest surge of growth in the history of our own merchant marine. The reestablishment of an autonomous Federal maritime agency would be the best way to deal with the varied problems which have plagued the American-flag fleet, the Government, and the Nation for so many years. It is urgent that this vital step be taken now.

Mr. GARMATZ. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. DOWNING].

Mr. DOWNING. Mr. Chairman, I am grateful for the opportunity to again express my support of H.R. 159 and similar bills which would create an independent Federal Maritime Administration.

I am proud to be one of the sponsors of this extremely important legislation.

Mr. Chairman, the American people have literally demanded that the Congress take steps to give this Nation a vibrant merchant marine with modern ships owned by Americans; sailed by Americans; and built by Americans. This legislation is one of the steps toward that goal.

The House of Representatives has and is responding to the wishes of the people to develop a merchant marine. You will recall that when the Department of Transportation bill was brought up in the House last fall, it was amended on the floor to remove the provision which would have incorporated the Federal Maritime Administration in the new Department. The vote to keep the Maritime Administration out of the Department of Transportation was overwhelming—better than 2 to 1.

At that time, legislation to establish an independent Federal Maritime Agency had been considered by the Merchant Marine and Fisheries Committee and was on the House Calendar at the time of adjournment. That bill which was H.R. 11696 was ordered reported with only 1 dissenting vote.

Earlier this year, the House passed by a voice vote legislation which would give the Merchant Marine and Fisheries Committee authorization powers for the funding of the merchant marine program. This was another step toward our final objective.

At the beginning of this year, 104 Members—a record number—introduced bills which would establish an independent Federal Maritime Administration. Most of these Members were heard by our committee as well as other important witnesses and after thorough and deliberate consideration H.R. 159, the present bill under consideration, was reported by an overwhelming majority of our committee—in fact the vote was 31 in favor 2 opposed, and 1 absent.

The needs of this industry have to be emphasized by an individual Federal agency which is set up for that specific purpose. The maritime requirements cannot be met when the agency administering it is diffused with other agencies handling other modes of transportation and mostly domestic modes at that. We followed that trail once before with disastrous results.

In 1950, when Reorganization Plan No. 21 was put into effect, it transferred the maritime from an independent status and placed it in the Department of Commerce. At that time they said, "this is what your industry needs," and many people agreed. But look at what has happened. At that time we were carrying 40 percent of our own cargo. Two years later, after being under that Department, we were carrying only 22 percent and what are we carrying now? Less than 8 percent.

In 1951, we had 3,500 merchant vessels on the seas. Now under the Department which was to do us so much good, we have only 900 vessels, and 70 percent of these ships are overage and obsolete.

In the same period of time, the United States has dropped from first to 14th in the shipbuilding family of nations.

We cannot continue this deplorable and dangerous situation. The Merchant Marine and Fisheries Committee—and these are the people who spend their lives devoted to this very subject and should be in a position to know something about it—has reported out a bill that would make the Maritime Administration an independent agency of the Government. We hope that you will give us your fullest support.

I need not recount to you the deplorable and dangerous state of our present merchant marine nor do I need to remind you that the Russians are building a modern fleet of vessels in such great numbers and with such great urgency that it is almost frightening.

In becoming the wealthiest nation in the world we have become content with having our commerce carried in foreign bottoms, our troops ferried in ancient vessels, and our flag all but disappear from the great harbors of the world. I am ashamed that successive administrations since 1948 have allowed the great decline in the American merchant marine. We must have a strong American merchant marine if this Nation is to survive economically and is to maintain its place of leadership in the nations of the world.

Our responsibility on this committee and in this Congress is clear. An independent Federal Maritime Administration which could forcefully speak to the national executive without the encumbrance of an intermediary is the only way that we will be able to survive on the high seas.

We cannot continue our course of apathy, indifference and inaction. Despite the miracles of the modern age nothing has changed the geography of the world. Our Nation is still an island and a capability for our own waterborne commerce is an economic and military necessity.

The nation which relegates its vessels to the graveyard of ships consigns itself to the graveyard of nations.

We have the remedial legislation before us. I strongly urge its favorable consideration and swift implementation.

Mr. GARMATZ. Mr. Chairman, I yield such time as he may consume to the gentleman from California, the distinguished chairman of the Committee on Science and Astronautics.

Mr. MILLER of California. Mr. Chairman, I think one of the tragedies of our time is the way we have allowed our American merchant marine to deteriorate. I would call your attention how in two world wars we were hamstrung and impeded in our efforts in those wars because of the lack of an adequate merchant marine.

It took us over a year in World War I before we could get enough ships built to support the Army in Europe.

During World War II we built ships all over the United States, but it took us nearly 18 months before we were in a position of being able to do what we had to do. This was not only costly in money as a result of having to build ships in a crash program, but it put our enemy in a better position and when you think of the lives that were lost, you cannot estimate that in dollars and cents.

Yet, we are again falling into the same pattern, after those two wars. I approach this matter from a defense angle, but there is another side to this and it is a very substantial one. That is the matter of our commerce. Are we going to be at the mercy of other countries—of the smaller countries in the world when it comes to taking care of our commerce and delivering the things that we produce to the other countries of the world?

Yet, that is what we are opening ourselves up to. I was chagrined the other day. I was home and I saw a beautiful new ship in Oakland Harbor. It was named after my hometown the *Alameda*. I thought—where did the ship come from? I looked again and saw that the ship was registered in Monrovia, Liberia. This is not good.

In the district from which my colleague, the gentleman from California [Mr. MAILLIARD], and I come, we built liberty ships quicker and better than any other place in the world. But today there is no shipbuilding—shipbuilding is a nonentity—the facilities are gone.

There are a few yards that can maintain ships. But to build big ships is just out of the question. We cannot do it. Yet the yard that built the biggest ships which are today flying the American flag in the Pacific has been eliminated. Now that cannot go on. We are a Nation surrounded by oceans. We have to have ships. It is a sad commentary when you think that the Pacific Ocean, in which a great deal of the future of the world lies is served not by American ships but that the big ships, the prestige ships that go into the ports of the Orient today are British ships built in and operated out of Britain—they are the ships that serve the west coast.

Mr. Chairman, I think this legislation is long overdue. From my service on the Committee on Merchant Marine and Fisheries, I well recognize how our merchant marine has long been a poor cousin. It is time that we do something to pick it up and return to this country the prestige that once was America's. Were it not for the American merchant marine, we would never have become a free country because it was the clipper

ships which were built in New England that won for us the right to be free and to go our own way on the high seas.

Mr. Chairman, I urge the passage of this legislation.

Mr. GARMATZ. Mr. Chairman, I yield such time as he may require to the gentleman from North Carolina [Mr. JONES] a member of the committee.

Mr. JONES of North Carolina. Mr. Chairman, I rise to support the pending legislation, H.R. 159.

Much has been said in this debate about the role which our merchant marine plays in the Nation's defense posture. This is quite important, and I do not wish to underemphasize the enormous contribution which our merchant fleet makes by carrying the men and munitions which our Armed Forces need in time of combat.

But, important as this role is, there is another of equal value which the merchant marine plays—or at least could play. I refer to the day-to-day, peacetime role of the merchant marine in our Nation's foreign trade.

The United States is doing an increasingly effective job of stimulating foreign trade. But unhappily, the maritime industry of this country has not been the beneficiary of this trade increase. Instead, foreign-flag vessels carry more and more of America's export-import cargoes—and as the foreign-flag share of the market rises, the American merchant marine's share goes down and down.

Today, some 92 or 93 percent of our waterborne commerce is carried aboard the vessels of other nations. This is the lowest we have fallen in terms of U.S.-flag participation in our foreign commerce since 1936—the year the Merchant Marine Act was passed which was supposed to see to it that our ships carried considerably more, not less, of our seaborne trade.

In other words, through failure of the Government to administer the Merchant Marine Act of 1936 vigorously, our merchant fleet finds itself in a dilemma unmatched among the seagoing nations of the world. The 10 major free world maritime powers carry between 30 and 50 percent of their own national trade—while we carry only some 7 or 8 percent of our own.

The trouble is, Mr. Chairman, that for years we have permitted the merchant marine to be treated as a stepchild, or worse, by the Government. Instead of having the independence which it possessed at the time we passed the Merchant Marine Act of 1936, this important agency has been made a ward of the Department of Commerce. Even worse, the Department has allowed other agencies and Departments to make maritime policy in their handling of cargo-preference laws, in making decisions about maritime's defense role, in the handling of oil imports, and the like.

We have had compelling evidence, Mr. Chairman, that putting Maritime in a Cabinet-level department simply will not work—and I believe that would be as true with respect to the Department of Transportation as it has been with the Department of Commerce, for both are catch-all agencies with far too many matters on their agendas ever to give proper attention to our merchant marine.

The maritime program of our Nation—properly conceived and administered—could correct the balance of payments, strengthen our defenses in time of emergency, help our domestic economy, and rebuild our prestige abroad. But this will be possible only if we have an agency devoting its full time and energy to this program. This is what H.R. 159 is designed to do, and I welcome the opportunity to cosponsor, and to vote for, this legislation.

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

Mr. DOW. Mr. Chairman, I am opposed to this bill. But it is not a bitter opposition. I merely want to explain my vote and make a point that might not otherwise be made.

I agree with the distinguished minority leader of the Merchant Marine Committee, of which I am a member, that a strong and viable merchant marine is greatly to be desired. There is no argument about that. But I do submit that all this debate about what should be done and should not be done to secure a better merchant marine, and the critical comments about the Transportation Department plans really have nothing to do with the issue of setting up an independent Maritime Administration.

There is no proof that an organizational change would rejuvenate our merchant marine. I wonder if the committee should not have worked on a program, if a program, which has been the central thought of this debate, is so much to be desired. Who can read the crystal ball clearly enough to say what agency would best carry out the maritime program when the committee has not offered one?

I wish to wind up by saying that my vote relates really to something else, and that is a concern for Government organization. I am sure you have all heard of the concept of span of control. Not long ago I looked at the directory and I counted 64 different agencies that report to our President. I suspect that sometimes a whole week goes by when all of those agencies do not reach the President, sometimes even a month, and possibly even 6 months. So as a matter of organization, I wonder how we can recommend another agency to report to the President.

Would it not be better to structure all of the agencies in some kind of pattern that the reporting process will develop and work up to a peak with six, eight, 10 or maybe 15 Cabinet officers reporting to the President?

My vote concerns only this particular point that I would like to make, because I think we should be concerned with the efficient operation of the U.S. Government.

Mr. MAILLIARD. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. REINECKE].

Mr. REINECKE. Mr. Chairman, I rise as a coauthor of this particular piece of legislation and would like to identify myself with the remarks of the chairman of the full committee and the ranking minority member, the gentleman from California [Mr. MAILLIARD].

I would like to be able to stand here some day and likewise identify myself as supporting a move of this agency to a Cabinet-level position. But under the present circumstances, I can under no circumstances support a position of that type at this time.

In the course of testimony before our committee, I believe that we firmly found that a transfer to any agency would provide us with a continuation of a no-win policy in the field of merchant marine. While we cannot insure or assure that an independent agency will solve the problems of the merchant marine, I do feel that the testimony before our committee, at least in my opinion, tells me firmly that to allow the merchant marine to be controlled by the Department of Transportation would insure its total defeat.

In my opinion, the Secretary of Transportation is uninformed on matters pertaining to the merchant marine. I cannot help but feel that his attitude was indifferent, even outright arrogant toward the industry, including labor, including management and in fact, including the Congress itself. I cannot state my feelings too strongly that the merchant marine must under all circumstances be given the opportunity to be operated as an independent agency if we are ever again to regain recognition on the seas of world commerce; or to regain once again the position of defense supply that is so vital to our national security.

Mr. Chairman, incredible as it may seem, the leading industrial nation of the world and its onetime leading maritime nation—the United States of America—has so neglected its merchant marine that it now brings up the rear in the line of major maritime nations. A step toward reversal of this downward trend of our maritime industry would be reestablishment of an independent Federal agency charged with responsibility for our maritime affairs.

H.R. 159 would provide this essential first step toward revitalization of our maritime industry. I heartily support this measure, having introduced similar legislation early this session—H.R. 1165. A strong merchant marine is so vital to the defense and so important to the economy of this Nation that an independent agency, responsible to the Congress rather than to the executive department, should administer Federal functions under the Merchant Marine Act.

Congress has recognized that independent, quasi-judicial agencies provide the best method for administering economic and regulatory functions of the Federal Government in the transportation field. The only major transportation form without such an independent agency is the merchant marine.

Except for Government-built vessels hastily constructed for war emergency, our merchant marine position has deteriorated for many years. The foreign commerce of the leading trading nation of the world is now carried 93 percent by foreign-flag vessels. Our merchant marine has long been considered a fourth arm of defense. The weakness of this arm has been amply demonstrated by the necessity to break out old World War II-built vessels in the current Vietnam situation. This so-called reserve fleet has

proved woefully inadequate for the purpose for which it was maintained, even for the limited demands made on it in the current situation. Besides having decreased in size, the U.S. merchant marine has been weakened by bloc obsolescence, over 70 percent of the ships being overage and obsolete.

The ineffectiveness of the existing organization for administration of merchant marine policy is emphasized by the Department of Defense proposal for fast deployment logistics ships to take over the defense activities formerly the responsibility of the merchant marine. Federal officials responsible for implementation of merchant marine policy have failed to recognize the significance of commercial seapower to the defense and well-being of the Nation. Even with the old, practically obsolete ships reactivated at great expense from the "mothball fleet," it has been necessary to charter foreign-flag vessels to support our Vietnam commitments. Dependence on foreign flags can lead to disaster when they refuse to carry certain cargo or to call at ports designated.

Merchant marine problems are not new; they appeared in 1789 when Congress attempted to aid shipping. The most significant congressional action was the Merchant Marine Act of 1936, which established national maritime policy and which remains the basic legislation today. The Merchant Marine Act is adequate, the only weakness being the absence of effective implementation of its policies and objectives under the present administration's organization. Under the act of 1936, a five-man independent Commission was appointed by the President with the consent of the Senate. The Commission was established to correct a situation similar to that with which we are now confronted—a declining merchant marine.

During the existence of the independent Commission, between 1936 and 1950, the merchant marine was strengthened greatly. Over a 10-year period 500 new ships were built. The type "C" cargo vessel was designed and the passenger liner SS *America* was built during the life of the Commission.

The independent Maritime Commission was abolished by Reorganization Plan No. 21 in 1950, and the new Maritime Agency placed in the Department of Commerce. Reorganization Plan No. 7 in 1961 vested the Secretary of Commerce with statutory responsibility for the American Merchant Marine, which responsibility he delegated to the Under Secretary of Transportation. The Maritime Commission and the Maritime Subsidy Board were both included. Rationalization was that the change provided a Cabinet-level spokesman for maritime affairs.

In 1950, when the independent agency was abolished, U.S.-flag vessels carried 41.5 percent of the Nation's export and import cargo; 2 years later only 22 percent; now approximately 7 percent. In the period from 1951 to 1965 the U.S. fleet declined 26 percent, while the world merchant fleets increased 62 percent. In deadweight tonnage during the same period the U.S.-flag merchant fleet decreased 2.7 percent, while the world fleets increased 156 percent. The only gain for U.S.-flag fleets was in bulk cargo—11 percent—but at the same time the world increase was 295 percent. What happened to the advantages claimed for the change from an independent agency to an office in a Cabinet-level Department?

Past experience with maritime affairs in the hands of the Department of Agriculture, the Department of Defense, the Department of State, or other Federal agencies had not been such as to recommend placing them in the hands of the Department of Commerce. Under such arrangements the Nation has been deprived of the contributions which the merchant marine could have made to commerce and security. Had the merchant marine fared as well since Marad was incorporated into a Department of the Federal Government as it did under an independent agency from 1936 to 1950, a more nearly adequate merchant fleet would have been available when needed in the present emergency. An independent Marad might at least have been able to prevent the bloc obsolescence which characterizes the merchant fleets of this Nation at present.

The maritime industry bears an importance far in excess of its size. We must not tolerate further decline of this vital industry. We have seen what 17 years in a Cabinet Department have meant to the merchant marine. This Nation—unquestioned in economic and military supremacy—has only a faltering fifth-rank merchant marine at its disposal. Sufficient U.S.-flag vessels are not available to carry the mandatory 50-percent of Government-sponsored exports of agricultural surplus commodities. Our merchant fleet is outranked in number of vessels by five nations and in deadweight tonnage by four. The fifth—the U.S.S.R.—recognizing the economic, political, and military implications of a strong merchant marine, will be overtaking us in total tonnage as well as number of vessels within the next 2 years.

Hearings conducted by the House Committee on Merchant Marine and Fisheries during the past several years, and recently on H.R. 159 and other bills, reinforce the conviction that drift and decay will continue in the maritime position of the United States unless a change in implementation of maritime policy is made. Corrective action on merchant marine affairs is imperative. The most logical instrument is the independent agency which would be reestablished by H.R. 159. An independent Marad will not provide a cure for all the ills of the merchant marine but it will focus attention of the Federal Government more forcefully. Experience with independent agencies in other areas suggests such an arrangement is more effective in achieving improvement than has been secured for maritime affairs under existing arrangements.

World conditions are such that we cannot allow further deterioration of our merchant marine—an important instrument of national defense and national policy. The strong Federal leadership necessary to correct many years of failure to implement national policy expressed in existing maritime legislation will be provided under H.R. 159. The obvious needs of the economy and the national security require prompt action to prevent possible disappearance of our merchant fleets from the seas of the world.

In January 1965 President Johnson promised a new merchant marine policy. We are still waiting for that policy while the capability of our fleet sinks lower and lower.

An astounding fact of irresponsibility on the part of the administration is that not one single ship has been approved for subsidy construction this year—an almost unbelievable act of dereliction in view of the meager fleet flying the U.S. flag. This becomes even stranger when we realize that there is approximately $230,000,000 available for such contracts.

Then to top it off, we are now advised that there will probably be no program until next year.

Could this be politics? I believe it is boldfaced political manipulation, Mr. Chairman. We are told that we cannot afford ship construction at this time. As one who supports reduction in nonessential Federal spending I can openly embrace ship construction as an absolute need to our national security.

The administration wants Marad to be a part of the Department of Transportation. This sounds reasonable from an organizational point of view, but a look at the background and attitude of the Secretary of Transportation: He has no appreciable marine experience; his attitude was one of indifference if not arrogance; his program admittedly was put together before the Congress deleted the FDL program but he did not feel it necessary to revise the construction requirement.

Secretary Boyd came before the House committee and criticized labor and management for holding firm on several points of his "leaked program" while in the same breath he advised the committee that several of his points were likewise nonnegotiable.

Secretary Boyd is given credit for scuttling the Maritime Advisory Committee report by advising that committee while at the same time, secretly, putting together the all-Federal interagency task force report that was issued prior to the MAC report. The MAC report has been shelved and the agencies have not offered even constructive criticism of it. It was a good report, Mr. Chairman, it was a consolidation of the thoughts of the entire industry. It could well be the basis for a comeback program.

I urge the adoption of H.R. 159, Mr. Chairman, in order to pull the merchant marine out of the present doldrums and to prevent it from becoming a political football in the Department of Transportation.

The following data is a concise status report of our industry that was compiled by the Maritime Trades Department of the AFL–CIO. I commend this organization for its tenacity and commend this material to you for a realistic reference base as of August 1967:

REPORT BY AFL–CIO TRADES DEPARTMENT

The American shipping industry today finds itself in an unenviable position. It is a

very sick industry. The persistence of a competitive disadvantage in both shipbuilding and ship operations eliminates any possibility for an easy cure. Temporary expedients will not suffice. Rather, a long range program that will insure a large fleet of fast, modern vessels is needed.

Programs to remedy the situation have not been forthcoming. Shipbuilding is at a *virtual* stand-still, a situation which has resulted in the loss of numerous jobs. (Tables I, II)

Both labor and management recognize that our needs require the maintenance of a shipyard capacity, including a pool of skilled labor, which is capable of being expanded in order to support and provide for expansion of our fleet in time of national emergency.

The current administration's policy has endangered the very existence of the U.S. merchant fleet and resulted in a loss of jobs for seagoing personnel as well as shipyard personnel. (Table III)

The importance of our national fleet should not be underestimated, for this fleet provides the very backbone of our economic existence, yet in 1965, it was the only merchant marine, of the world's major sea powers, to actually decrease in tonnage. (Table IV)

As our world trading position continues to expand we are becoming increasingly dependent on a strong national fleet, yet with expanding foreign commerce our merchant marine is carrying a diminishing percentage of this trade. (Tables V, VI)

The public interest will be served best by a vigorous program of Government support for all segments of our merchant fleet and for our shipbuilding industry. To remain a strong nation in the free world it is essential that these vital segments of our defense and national commerce be expanded.

In monetary terms, the rejuvenation of the entire merchant marine would require only moderate resources. Against the background of a projected $700 billion national economy, estimates for such revitalization range in the order of one-tenth of 1 percent.

This price surely does not appear exaggerated considering the benefits which could be realized from a strong merchant fleet.

TABLE I.—U.S.-FLAG OCEANGOING MERCHANT FLEET [1] (JUNE 1, 1967)

	Active [2]					Inactive [2]					Total [2]				
	Total	C	F	T	O	Total	C	F	T	O	Total	C	F	T	O
Government owned [3]	175		175			1,167	193	822	41	111	1,342	193	997	41	111
Bareboat chartered	8		8			3		3			11		11		
General agency	167		167								167		167		
Pending disposition						2		2			2		2		
Reserve fleet [4]						682	182	399	39	62	682	182	399	39	62
Scrap candidates						480	11	418	2	49	480	11	418	2	49
Privately owned	917	26	631	260		50	1	33	16		967	27	664	276	
Grand total	1,092	26	806	260		1,217	194	855	57	111	2,309	220	1,661	317	111

[1] Total U.S.-flag oceangoing merchant fleet (1,000 gross tons and over excluding privately owned tugs, barges, etc.).
[2] Key: C—Combination passenger cargo; F—Freighter; T—Tanker; O—Other (all other types).
[3] Excludes 1 combination passenger and cargo vessel, 18 freighters, and 2 tankers in military service under custody of the Department of Defense; 2 freighters loaned to Department of Interior and Coast Guard, and 1 Panama Canal Company combination passenger and cargo ship no longer in commercial service.
[4] Military and commercial priority and special program ships. Excludes 3 ships sold but remaining in custody of reserve fleet pending delivery.

TABLE II.—U.S. SHIPBUILDING, 1914-65 [1]

Year	Number	Total U.S. gross tons	Year	Number	Total U.S. gross tons	Year	Number	Total U.S. gross tons
1914	24	130,459	1932	15	145,470	1950	26	415,499
1915	23	120,894	1933	4	49,527	1951	10	147,569
1916	67	349,488	1934	2	9,544	1952	31	397,156
1917	120	629,295	1935	2	19,022	1953	44	568,542
1918	386	1,671,962	1936	8	63,428	1954	37	562,266
1919	680	3,190,288	1937	15	121,852	1955	8	105,242
1920	450	2,312,658	1938	26	185,658	1956	9	125,878
1921	138	1,037,697	1939	28	241,052	1957	23	320,291
1922	18	163,808	1940	53	444,727	1958	30	571,886
1923	19	124,984	1941	95	749,105	1959	30	713,561
1924	12	83,602	1942	724	5,392,953	1960	25	404,241
1925	11	81,012	1943	1,661	12,499,873	1961	25	369,051
1926	8	54,043	1944	1,463	11,404,404	1962	27	384,994
1927	19	154,943	1945	1,067	7,663,362	1963	34	421,800
1928	5	64,820	1946	83	665,194	1964	15	222,200
1929	7	57,395	1947	45	279,032	1965	16	180,200
1930	16	151,208	1948	25	159,886			
1931	14	150,949	1949	34	538,873			

[1] Table showing gross tonnage and number of steel self-propelled merchant vessels built in the private shipyards of the United States and delivered in the years indicated above (includes only vessels of 2,000 gross tons and over).

TABLE III.—U.S. SHIPYARD EMPLOYMENT, NAVAL AND PRIVATE, 1940-65

Year	Total	Year	Total	Year	Total
1940	180,300	1949	171,800	1958	220,200
1941	377,000	1950	145,700	1959	214,200
1942	1,044,000	1951	223,300	1960	207,800
1943	1,655,500	1952	267,600	1961	214,400
1944	1,568,600	1953	255,000	1962	212,400
1945	1,033,900	1954	218,300	1963	209,400
1946	354,100	1955	208,000	1964	204,200
1947	224,000	1956	211,400	1965	212,200
1948	213,900	1957	224,600		

TABLE IV.—WORLD MERCHANT FLEET TONNAGE CHANGES, 1965

[In thousands]

Country	Gross tons	Country	Gross tons	Country	Gross tons
Great Britain and Northern Ireland	+11	West Germany	+487	India	+272
United States	−730	France	+62	Argentina	−9
Liberia	+3,064	Netherlands	+89	Brazil	+26
Norway	+780	Panama	+78	Poland	+69
Japan	+2,752	Sweden	+110	Yugoslavia	+89
U.S.S.R.	+1,254	Denmark	+278	Finland	+18
Greece	+26	Spain	+110		
Italy	+150	Canada	+296		

TABLE V.—U.S. FOREIGN COMMERCE, 1956-66

Calendar year	Exports	Imports	Total	Percent change over 1956	Calendar year	Exports	Imports	Total	Percent change over 1956
1956	19.1	12.6	31.7		1962	21.7	16.4	38.1	+20
1957	20.9	13.0	33.9	+7	1963	23.3	17.1	40.4	+27
1958	17.9	12.8	30.7	−3	1964	26.5	18.7	45.2	+43
1959	17.6	15.2	32.8	+3	1965	27.3	21.4	48.7	+54
1960	20.6	15.0	35.6	+12	1966	30.3	25.6	55.9	+76
1961	21.0	14.7	35.7	+13					

TABLE VI.—U.S. FLAG PARTICIPATION IN U.S. WATERBORNE FOREIGN COMMERCE

[In percent]

Calendar year	All services	Liner	Irregular	Tanker	Calendar year	All services	Liner	Irregular	Tanker
1951		49	37	46	1959	10	30	7	4
1952		46	26	38	1960	11	30	7	5
1953		39	17	33	1961	9	27	7	3
1954	30	38	18	30	1962	9	28	6	4
1955	24	39	16	23	1963	9	29	5	4
1956	21	40	13	19	1964	10	28	8	6
1957	18	39	12	16	1965	8	23	6	6
1958	12	33	8	6					

Sources: Table I, Maritime Administration, Public Information Office; table II, Shipbuilders Council of America; table III, American Bureau of Shipping, "The Bulletin," February 1967; table IV, "Lloyd's Register of Shipping," October 1966; table V, Bureau of the Census, FT 900I and FT 900E, U.S. Foreign Trade, 1955-66; table VI, (a) Maritime Administration, "Changing Patterns in U.S. Trade and Shipping Capacity," December 1964; (b) Bureau of the Census, "U.S. Waterborne Foreign Trade," 1965, 1966.

Mr. MAILLIARD. Mr. Chairman, I yield 5 minutes to the gentleman from Alabama [Mr. EDWARDS].

Mr. EDWARDS of Alabama. Mr. Chairman, I am gravely concerned about the present state of this great Nation's merchant fleet. The American flag is coming down on the oceans of the world—and as it comes down, we lose our commercial competitive advantage, we lose our national defense capability, we lose our prestige, and we lose out on the balance of payments.

And I am just as concerned about the kind of a program the administration is offering as a remedy for the ills confronting our maritime industry.

In a Maritime Day proclamation just a few months ago, President Johnson underscored the importance of our merchant marine in our national life. He said and I quote:

> Throughout American history, the merchant marine has been indispensable to our security and prosperity. Today, our merchant fleet binds us in peaceful commerce with the increasingly interdependent nations of the world.

These are noble words, Mr. Chairman. They reflect the kind of respect which our merchant marine deserves from the Nation's Chief Executive. They pay tribute to an industry which is vital to our international commerce and our defense.

However, I am a little confused, Mr. Chairman, that the President's concern about our merchant marine does not seem to be reflected in the plans and schemes of some of the members of his official family.

The Secretary of Transportation, for one, has presented a program that would involve the building of a significant number of American-flag merchant ships in foreign yards. How can you have a merchant fleet which is "indispensable to our prosperity" when the ships would be built with foreign materials, by foreign workers, in some foreign country? Now it is said he would not force this issue, but who knows? With a policy like this we would quit worrying about the merchant marine. We would not have any to worry about.

The Secretary of Defense, has repeatedly, in recent years, downgraded the role of our commercial shipping in relation to our national defense. He has on earlier occasions said that we do not need to build more commercial vessels to satisfy our defense requirements, and then on other occasions has asked for a multibillion-dollar fleet all his own, to be used in case of international crisis. How can you have a merchant fleet which is "indispensable to our security" if we shortchange American ship operators who want to build more ships, or if we put our reliance for a sealift on a costly, ill-conceived scheme to put floating warehouses on station around the globe?

These day-to-day actions by the administration tend to make the noble words of the Presidential proclamation sound a little hollow. And it is the day-to-day actions of the administration that have brought our merchant marine to its present precarious postion—outnumbered on the high seas; outclassed in terms of speed and newness; almost out of the picture, in terms of new construction going on in our shipyards.

We have got to build our merchant fleet back to its former position as the best in the world. The first step is to enact H.R. 159, of which I am a cosponsor—to give the Maritime Administration back its independence. An independent agency will be able to hammer out a program, that will make sure that we replace our small, old, unseaworthy ships with fast, safe and efficient vessels that compete with other maritime powers.

Once we have achieved these goals, we will give real meaning to the words of the President's proclamation that the merchant marine is "indispensable to our security and prosperity."

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

Mr. EDWARDS of Alabama. I yield to the gentleman from New York.

Mr. GROVER. Mr. Chairman, as the cosponsor of this bill, I agree 100 percent with the remarks of the gentleman in the well.

Mr. EDWARDS of Alabama. I thank the gentleman.

Mr. GARMATZ. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. ASHLEY].

Mr. ASHLEY. Mr. Chairman, I will take just a few minutes to rise in opposition to this measure.

Mr. Chairman, it is unrealistic to isolate the development of our maritime transportation from the mainstream of new technology and development taking place in other transportation areas. Thus I feel it is essential that the Maritime Administration be transferred from the Department of Commerce to the new Department of Transportation where a unified and coordinated transportation policy can be administered.

The hard facts are that the future of the maritime industry rests upon the ability of the Maritime Administration to obtain a significant voice in the executive branch and I think it is unrealistic to support an isolated Maritime Administration when the entire thrust of comprehensive, coordinated transportation policy is directed through a Cabinet-level administration.

Mr. Chairman, it has been suggested that during the hearings before the Merchant Marine and Fisheries Committee there was testimony from Mr. Boyd, the Secretary of Transportation, indicating a no-win policy with respect to the merchant marine.

I do not believe this is a fair characterization of his testimony in any respect. The truth of the matter is that Chairman Boyd appeared before the Committee on Merchant Marine and Fisheries and laid out a new maritime program, part of which, in truth, was the expression of his opposition to the transfer of Maritime to an independent agency, his wish being, of course, that Maritime be included under the umbrella of the Department of Transportation.

I believe it is important, Mr. Chairman, for this committee to understand that there is very real concern within the administration over the state of our American merchant marine. There has

been action. There has been an effort to devise a maritime policy that will reverse the desperate trend of our maritime fleet.

This program was not, in all truth, accepted by the Committee on Merchant Marine and Fisheries. It rejected point by point, which is within its prerogatives, the proposals of the Secretary of Transportation. It rejected out of hand his plea that Maritime be included with the other modes of transportation.

If I may say so, when the committee, by an overwhelming vote, nevertheless reported the measure before us, it was—and I believe we had better bear this in mind—contrary to the testimony not not only of Mr. Boyd but also of the Director of the Bureau of the Budget and the Secretary of Commerce.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. GARMATZ. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. ASHLEY. They testified that the fate of our merchant marine rested upon its future within the Department of Transportation.

We have turned our backs on this administration. I can only hope, Mr. Chairman, that the other body will recognize, if we do not, that the Maritime interests are not going to be served by the proposal before us, nor are we going to receive the funding which is necessary if our maritime situation is to be reversed and if we are again to enjoy a healthy maritime industry.

This is the position of the administration. We had better understand it.

I am just as sincere as each Member who has spoken. We all want a healthy merchant marine. I believe the action we are taking today will result in exactly the reverse of the healthy merchant marine we seek to achieve.

Mr. GARMATZ. Mr. Chairman, I yield 3 minutes to the chairman of the Committee on Armed Services, the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS. Mr. Chairman, of course, I favor this bill. I am a coauthor.

We hear a lot of discussion about our merchant marine being the fourth arm of our national defense. A lot of people talk about it. Let us do something about it. Why do we not do something about it? It is for the simple reason that the destiny of this great industry is handled by an organization as a sideline.

This is a step in the right direction, to put the merchant marine in an independent organization whose business is the merchant marine.

Travel out to the Straits of Malacca where Singapore is located. Two hundred ships a day may be seen going through these straits and in any 1 year over 10,000 or 15,000 ships are in the harbor of Singapore. Not 10 percent of these are American-flag ships. We are going down, down, down and today we are 5th in world standing.

Our merchant marine, I tell you, is dwindling from the face of the seas and of the earth. Why? Because nobody looks out for them. Now, it would be fine to put them under the umbrella of the Department of Transportation, but the Department of Transportation may be just too big to do this. I am interested in this because we are paying through the nose now for foreign-flag ships to take our commerce. Is it not disgraceful? I say to you that your ships, your money, must go down to Panama, Nigeria, or Liberia, or somewhere else to get a flag so that your money can operate on the seas. This is pathetic and this is disgraceful.

I want an organization that is independent, that can come before your Congress with a budget to take care of the full logistical requirement of your fighting men. We do not have that now. In another war we may be entirely dependent on foreign flags for our commerce if we do not do something and do it now. It is as simple as this. You have the opportunity today to strike a blow for your fourth arm of national defense. From a selfish standpoint this thing is needed.

There sits the ranking minority Member, a distinguished military man in his own right. He knows what he is talking about. I am delighted to hear the minority leader, the gentleman from Michigan [Mr. GERALD R. FORD] come out for this bill.

Mr. Chairman, this bill should pass the House with scarcely one dissenting vote and let the world know that your Congress is going to formulate the maritime policy of America. If you do not, then tomorrow may be too late. Let us have that independent organization coming to your Congress proclaiming the mission of America in this auxiliary fourth arm of our defense.

This is a good bill. I hope it passes with an overwhelming majority.

I thank the gentleman for yielding me this time.

Mr. MAILLIARD. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Alaska [Mr. POLLOCK].

Mr. POLLOCK. Mr. Chairman, as a member of the Merchant Marine and Fisheries Committee, and as a cosponsor of a measure to create an independent Federal Maritime Administration, I rise in support of H.R. 159 and am delighted that we are at long last considering legislation to accomplish this goal.

It seems safe to say that H.R. 159, introduced by the distinguished chairman of the committee enjoys wide support in the 90th Congress from Members on both sides of the aisle. This broad backing is evidenced by the fact that more than 100 Members of the House of Representatives have introduced almost identical legislation to create an independent Federal Maritime Administration.

This serves to underscore the deep concern of this Congress over the crisis in our merchant fleet, about which we have heard so much in recent months.

It is imperative that the United States begin immediately to assert itself once again in commercial activity on the world's oceans and seas on a scale that will restore this country to first-rank maritime importance. It is time that we recognized the declining position of the U.S. maritime industry and the U.S. commercial fishing industry in relation to that of other nations. It is time that we called attention to our embarrassing lack of an aggressive, comprehensive national maritime policy, and that we emphasize our neglect of the potential of the world's oceans in general, and of the fisheries and living resources of the oceans and of our merchant marine in particular.

I take great pride, as a member of this committee, in the fact that, without regard to partisanship, we have tried to alert the American people and the administration to the plight of our merchant marine.

Nothing short of a full-fledged overhaul of all our maritime and fisheries programs is in order.

I say "programs" because today there is no overall national ocean policy, no definitive national program, no entity capable of implementing such a policy or program, and no national budget for ocean development, particularly pertaining to utilization of the living resources of the sea. There is no comprehensive plan to revitalize the U.S. maritime industry, or the U.S. fishing industry. No real Government-industry understanding or partnership.

There is an immediate and vital need for one unified national policy for ocean and fishery development, and one for the merchant marine—and it is my belief that such a unified approach is possible only if we now reconstitute the Maritime Administration as a wholly independent agency.

Until we do, there will be no unified effort, and we will be forced to continue with our present fragmented approach to maritime problems. And make no mistake about it—today we are fragmented. Within the executive branch, there are no less than 22 separate agencies engaged in various ocean activities—each of them is separately funded. These 22 agencies compete with each other, and with other agencies much larger, for the Federal budget dollar. This situation breeds duplication of effort, and cannot but hinder our ocean development programs.

If we were concerned here only with sound Government organization, we would have to move forward with an independent Federal Maritime Administration just to end the present piecemeal, uncoordinated approach toward the budgeting of various maritime and fishing problems. But of course the question of a maritime budget—important as it is—is overshadowed by the need for coordination in our approach to our merchant marine and fisheries industries themselves, for both our national defense and our national commerce are involved.

Because the Maritime Administration does not have independence—because we have more than two score Federal agencies with their fingers in the maritime "pie"—we are treated to the spectacle of various cabinet officers making policy decisions, often contradictory, for this vital industry.

We had, for example, one Cabinet officer—the Secretary of Transportation—proposing a maritime program to the Congress, despite the fact that in our legislation establishing the Department of Transportation in the last Congress, we made it abundantly clear that the maritime program was to be outside his province. In his program, the Secretary of

Transportation proposed the construction of nuclear-powered ships at a time when the Budget Bureau and some others in this administration advocated laying up the nuclear-powered commercial vessel. We now have the hundred-million-dollar NS *Savannah*.

This same Secretary of Transportation proposed a low-level program of domestic ship construction, coupled with opening of the floodgates to foreign ship construction. To my mind, this is loaded with danger. It poses the threat of an ever-increasing flight of American capital abroad, adversely affecting our balance of payments. And it would depress our own shipbuilding industry, thus killing any hope of reducing unit cost in the future through multiple ship construction. Well, this is the proposal of one member of the administration.

We have had another member of the administration, the Secretary of Defense, inject himself into the maritime program, too. He wants us to upgrade and reconstruct hundreds of national defense reserve vessels at astronomical costs. As many Members of this Committee are well aware, we have broken out 172 of these ships for the present Vietnam conflict. Each one of these vessels has cost the Government about $550,000 to be fitted back into service. After these old rust buckets had been placed into service, many of them were plagued with mechanical failures which resulted in the loss of valuable sailing days.

This recommendation to pour millions of dollars into the "upgrading" of a reserve fleet, which is long since past its prime, came from the same Secretary of Defense who wanted to build fast deployment logistic ships as a panacea to our shipbuilding problems. So we have two Cabinet-level administrators proposing radically different solutions to our problem. Which one speaks for the Nation?

There are other examples of how Cabinet-level departments and other Federal agencies have injected themselves into the maritime picture all to the detriment of our merchant shipping—and all because the Maritime Administration has been denied authority and independence. All of these situations make it abundantly clear that we must have a separate Federal Maritime Administration—free of bureaucratic intrusions and empowered to establish policy—or else we shall be unable to save our merchant fleet or our fishing industry.

So I heartily endorse H.R. 159 for the goals which it espouses. It seeks to bring into being an agency that will have a voice of its own, and a direct line of communication both to the Congress and to the White House.

If there is any shortcoming in this legislation—and I include my own bill, H.R. 6287, in this criticism—it is that the legislation does not go far enough. Perhaps, instead of merely discussing an independent maritime agency, it should go even further and recommend an entirely new Cabinet-level department—a Department of Maritime and Marine Resources.

There is something to be said for such an imaginative, aggressive approach. This department could include all of the farflung agencies and subdepartments now in existence—such as the Maritime Administration, Federal Maritime Commission, Bureau of Commercial Fisheries, Merchant Marine Academy, State maritime academies, the Panama Canal, the Atlantic-Pacific Interoceanic Canal Study Commission, the St. Lawrence Seaway, the Water Resources Council, Great Lakes Pilotage Administration, Inter-American Tropical Tuna Commission, International Pacific Halibut Commission, International Pacific Salmon Fisheries Commission, International Boundary and Water Commission—United States and Mexico—Office of Merchant Marine Safety, National Fisheries Center and Aquarium Advisory Board, the 20-odd agencies working on oceanography, and many others.

The effect of such a department would be obvious.

First, all our interests with the sea would be brought together and coordinated. Currently these agencies are strewn throughout the Department of Commerce, Department of the Interior, Department of Defense, Department of the Treasury, and a host of independent agencies. Many hours and millions of dollars are spent duplicating research and programs. Goals are defined by different department heads, and thus conflict with each other. The waste in dollars and manpower is enormous.

Creating a Cabinet-level department would insure that our past mistakes in an ailing area will receive top-level attention. Also, hopefully, with the administration more directly concerned at the Cabinet level, we will avoid neglect of our maritime interests in the future.

If we had such a department 20 years ago, we would not be in the trouble we are in today. This kind of department certainly would insure that we will not be in the same trouble 20 years from now.

So perhaps, H.R. 159 does not go far enough toward giving us a new, technologically updated shipping and shipbuilding industry capable of greatly increased production. But certainly we will be a long step toward the realization of that goal with the enactment of H.R. 159.

Many times on this Hill one Member or another has had occasion to quote an ancient piece of Chinese philosophy—that we must "begin a thousand-mile journey with a single step." It is well we remember that quotation during our present deliberations, for the reconstituting of the Maritime Administration as an independent agency will be the first step toward the revitalizing of our merchant marine and fisheries industries—and well could be the first step toward eventual legislation to establish a Cabinet-level department to undertake this monumental task.

In any event, the hour is late. We have that thousand-mile journey still ahead of us. It is long since time we took this first step.

Mr. Chairman, I join with the distinguished chairman of the Committee on Armed Services, the gentleman from South Carolina [Mr. RIVERS], and ask that this House of Representatives register an overwhelming vote in favor of the passage of H.R. 159.

Mr. GARMATZ. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I believe that passage of H.R. 159 lies at the crux of the solution of the maritime problems facing this Nation.

The current situation of our maritime industry endangers the security of our Nation as a whole.

While I represent an inland State, far from the ocean shores of this country, I recognize the great importance an adequate maritime program will have for all of the 50 States. My constituents in America's inland have just as vital an interest in the outcome of this legislation as do the people from New York, New Orleans, San Francisco, or any of our great seaports.

A large portion of the materials and goods bought, sold, and used in my district each day reach this country by ship. A number of the industries in my district depend upon raw materials brought across the ocean. In fact, just about everything that each of us uses each day is in whole or in part the product of our ocean trade.

Furthermore, every day the ships of this Nation are carrying food, clothing, plasma, and ammunition to boys from my district and from all the other 434 congressional districts who are fighting in Vietnam. In essence, the very lives of our soldiers fighting over there so far from home depend absolutely upon our ocean supply line.

If ships suddenly stopped moving to and from this country across the seas, the American standard of living as well as our national security would be seriously threatened.

Today the American merchant marine—neglected, denied adequate funds, and submerged in Government bureaucracy—carries less than 8 percent of this country's export-import trade. Over 92 percent of America's vital world pipeline of industry and commerce is in foreign hands, dependent on foreign-flag ships, foreign citizens and the policies of foreign governments.

This is not a healthy situation for our Nation—economically or militarily. Considering the suddenness with which crises blossom around the globe and friends overnight become enemies, the United States cannot permit such an overwhelming portion of its very lifeblood to rest within the grasp of foreign domination.

It is for this reason that we must have the type of merchant marine Congress provided for in the Merchant Marine Act of 1936—ships built in this country, crewed by American seamen, and proudly flying the American ensign—ships sufficient in numbers to carry the major portion of our trade and vital military supplies.

As evidenced by the more than 100 bills presented during this session of Congress for creation of an independent martime agency, we in the House will not settle for anything less than an all-

American merchant marine to serve this country's commercial and defense needs at home and abroad.

Creation of an independent Federal Maritime Administration is the first step and a mandatory one, toward returning control of this vital industry—American shipping—to the American flag.

Mr. GARMATZ. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Pennsylvania [Mr. BYRNE].

Mr. BYRNE of Pennsylvania. Mr. Chairman, I am delighted to be able to add my voice to those of my colleagues, in support of the pending legislation for maritime independence.

I think it is very unfortunate, to say the least, that the news media continues to be so indifferent to the plight of our maritime industry, and the public thus remains less than fully informed.

It seems incredible to me that the American people have not awakened to the fact that our commercial shipping is in such dire straits. I am amazed that the public does not realize that our defense efforts are seriously endangered because of the fact that our maritime industry has fallen on hard times.

The Vietnam war captures a lot of the headlines. So does the continuing debate in this country and abroad over the conduct of that war. In the face of this and other world problems, there are those who would say that America could hardly be expected to give much of its attention to the problems of the maritime industry. And yet the problems of our merchant marine are directly related to the conflict in Southeast Asia.

The reason is really quite simple, as this body is well aware. Our country must rely on the merchant marine to maintain its lifelines in times of crisis. The merchant marine is carrying the overwhelming bulk of the men and equipment for Vietnam.

Apparently the American people have not learned that we are stretching our merchant marine resources almost to the limit right now to supply our forces in Southeast Asia. If another war should break out anywhere in the world, we would be right up against it.

I am sure we would meet the challenge somehow, because we always do. If necessary, we would even get into a crash shipbuilding program like the ones we embarked on at the outsets of World War I and II. But in doing so, we would once again be forced to pay the price of years of neglect under a policy which calls for starving our merchant marine in times of peace, and expecting it to be Johnny-on-the-spot in times of crisis.

We have to stop trying to play it both ways. We have to start building up our merchant fleet now, and never again let it fall into neglect. We have to keep the merchant fleet modern and strong during good times making sure that it gets the funds that are necessary to keep pace with modern technology, to keep pace with foreign competition, and to keep pace with our growing trade.

It is a sad commentary that the administration does not seem to be imbued with the proper sense of urgency about meeting and solving this problem.

I am firmly convinced that maritime must be independent so that its voice will not be muffled by layer upon layer of bureaucracy; so that it will not be silenced by people who have no regard for either the commercial or the defense role of the merchant fleet. Maritime should be independent because this important a program should not be put in the hands of a man who openly advocated building our ships in foreign yards.

That is why I cannot overemphasize my concern that H.R. 159, for the creation of an independent Maritime Administration, be passed by the 90th Congress.

Mr. GARMATZ. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from California [Mr. HANNA], a member of the Committee on Merchant Marine and Fisheries.

Mr. HANNA. Mr. Chairman, I join with my many colleagues on the Merchant Marine and Fisheries Committee, in urging and supporting the passage of H.R. 159. I could echo the many references which have and will be made which harken back to the proud past of America's maritime history. Since the days of the Yankee trader and the Yankee Clipper, the vigorous results from the wedding between the American entrepreneurship and the merchant marine gave muscle and sinew to the growth of the new nation on our American Continent. But rather than speak to the spirit I wish to discuss soberly the substance of that which lies outside the bill, rather than that which is contained within it; and speak of the things the bill does not imply and should not imply.

First, it is most important that it should be made clear that the bill does not suggest or encourage an isolation position in any respect. There is not created in this bill or intended in its application a cocoon for merchant marine activity and shipbuilding separate and apart from transportation as a whole. I do not believe and therefore do not support the idea that coordination and cooperation could only come by including a Merchant Marine Administration within the Department of Transportation. Coordination and cooperation are important and necessary and it should be made clear that it is the intention of this Congress that we expect the administration of this new agency to work closely and coordinately with the Secretary of Transportation so that all modes concerned with the movement of American goods and services may be part of an efficient and effective interphase. Only by this close intertie will the best performance which we are projecting for new vigor and wider service be realized.

Again, there should be no reading in our action here that we are taking a total isolated position relative to the healthy competition between the shipyards of our own country and those in the allied nations of the free world. The bill does provide a formula for approaching this problem and it is an aspect of the law which should have our continued attention as we study the future performance under this new measure of our shipyard performances.

Finally, it should most strongly be stated that this bill is no haven for either the labor elements or the management elements of either the shipyard building industry or the merchant marine industry. We are not providing comfort for those who cling to the practices of the past. A portion of the blame for the sad state of this industry must be placed foursquare upon the shoulders of those individuals in each of the segments, management and labor, who have preferred to settled further into the padded position of an enlarged maximus-glutinous, rather than to move more aggressively forward with the new techniques and technologies which are available from today's scientific and industrial know-how.

Let this bill be a call to the most visionary of the leaders of labor and management: a call for a partnership on their part which marks and reflects the foresight and expectations expressed by the Congress in the measure that is before us today. And with this understanding let us pass this measure and then follow its acceptance and application in those places in our economy where the goals and purposes recited by supporters of this legislation have been generously set forth in this record.

Mr. GARMATZ. Mr. Chairman, I yield such time as he may consume to the gentleman from Louisiana [Mr. WAGGONNER].

Mr. WAGGONNER. Mr. Chairman, I wish to express my support of this legislation and to commend the distinguished chairman of the full Committee on Merchant Marine and Fisheries, the gentleman from Maryland [Mr. GARMATZ], as well as the ranking minority member, the distinguished gentleman from California [Mr. MAILLIARD], for the job which they have done in bringing this long-needed proposal to the floor of the House of Representatives for its consideration and final passage.

Mr. GARMATZ. Mr. Chairman, I yield 1 minute to the distinguished gentleman from North Carolina, a member of the committee [Mr. LENNON].

Mr. LENNON. Mr. Chairman, I rise in support of this legislation and to call the attention of the Members of the House to the fact that I believe it was on September 6 of this year that the President signed into law the annual authorization for the merchant marine. That represented a most significant and first step in the revitalization of our merchant marine. This is the second essential step that we are taking here today.

Mr. MAILLIARD. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey [Mr. HUNT].

Mr. HUNT. Mr. Chairman, I rise today in support of H.R. 159, a bill which would create an independent Federal Maritime Administration, something which in my opinion has been long overdue.

Mr. Chairman, in this day and age when we are undertaking to create stability among our American working labor force, I cannot help but call to the attention of the Members of the House the fact that the congressional district which I have the honor to represent, at one time had one of the finest shipbuilding activities in the entire world—the once renowned and great shipbuilding corporation at Camden, N.J.

In 1945, when I returned from overseas, there were 31,000 men and women

employed at this shipbuilding operation. In 1967 at the present time we have a ghost facility totally out of business as of this year with no employment, a condition that has caused great loss in the economic structure of the southern part of New Jersey as well as a severe blow in the rejuvination of an American maritime fleet. This shipyard has built some of the greatest ships the world has even known, including the nuclear powered *Savannah*. I am certain the Members are aware of the great difficulty we have had in keeping this vessel of the future on the seas, because certain interests would rather see it put in mothballs, so they can transfer American flags to foreign maritime activities.

To get the American merchant marine industry back on an even keel we have to do one of two things: We have to come back to a sane way of proceeding in the American maritime industry, or we can get out of cold storage some of the rust buckets of World War II vintage that no longer have any useful life. We can forget that we have a war in Vietnam, and that we have to supply our war efforts there at the present time, whether you want to or whether you do not.

Also do not forget that we have men who are skilled in the art of building nuclear vessels. So we need someone, and we need a separate administrative policy that will revive the great American merchant marine industry we once had.

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

Mr. HUNT. I am delighted to yield to my colleague from New Jersey.

Mr. CAHILL. Mr. Chairman, I thank the gentleman for yielding, and I wish to say that I would merely like to associate myself with the remarks of the gentleman in the well, and to express as he has expressed my deep interest in the development of an agency that will have as its primary concern and responsibility the development of a real seapower here in the United States that we have missed for many, many years, as the gentleman has pointed out.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MAILLIARD. I yield 1 additional minute to the gentleman from New Jersey, Mr. Chairman.

Mr. CAHILL. If the gentleman will yield further?

Mr. HUNT. Yes, I yield further to my colleague from New Jersey.

Mr. CAHILL. As the gentleman knows, I had the honor of representing the district in New Jersey that the gentleman now represents, and both of us have seen what the neglect in the construction of ships has done to that area, and what effect it has had on the United States.

I therefore would like to commend the gentleman and to associate myself with his remarks.

Mr. HUNT. I thank the gentleman from New Jersey, and I am very appreciative of his worthwhile statement.

Mr. Chairman, let me say in conclusion that we must begin to consider that other nations are still in the shipbuilding business. Consider the British shipbuilding industry, if you will, and the recent launching by that industry of another new, modern liner, the *Queen Elizabeth*, while we still insist on transferring our vessels to foreign flags.

I would say to the Members of this House that if we defeat this bill today we will be taking a giant step backward. We pride ourselves on being a progressive body, so if we are going to do anything today, let us pass this bill, because the present dilemma we find ourselves in today can be laid at the doorstep of the present administration.

Mr. Chairman, I yield back the balance of my time.

Mr. MAILLIARD. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. FINO].

Mr. FINO. Mr. Chairman, I want to thank the gentleman for yielding me this time.

Mr. Chairman, I rise in support of H.R. 159, which would establish a separate and independent Federal Maritime Administration. I believe that this bill which I am happy to cosponsor constitutes a crucial beginning in the struggle to rebuild our American merchant marine.

I say this because I have come to feel in the last few years that the Johnson administration is not interested in our merchant marine, and as part and parcel of this apathy, has tried to bury the Maritime Administration within the new Department of Transportation.

As long as the Maritime Administration is within the Department of Transportation, we can expect no real action to aid our merchant marine. Ships will be just another category of transportation alongside of subways and electric cars. Maritime interests, with all their labor and international implications, will be lumped together with purely domestic transportation problems. If we want to begin the major job of rescuing our merchant marine from the oblivion to which this administration has sought to consign it, then this is the place to begin.

If anybody thinks that our merchant marine is not in a bad and sad shape, then let me mention a few facts of life:

First. Our Nation, which was once the world's No. 1 power in shipping, is now No. 6—or maybe even No. 7.

Second. The United States, which used to be the leader in the world in shipbuilding, is now 14th—let me repeat that, 14th—among the 15 major shipbuilding countries in the world.

Third. It is a disgrace, but a fact nonetheless, that foreign-flag vessels today carry 92 percent of our waterborne import-export cargo.

Taken together, these statistics convey the message with a vengeance. Our merchant marine is in trouble—deep, serious trouble—and the Johnson administration does not seem to care. The administration will waste cash giving 25 Federal poverty commissars higher salaries than that given to the American commander in Vietnam, but it refuses to help U.S. shipping to recover its place in the international maritime marketplace.

We need our merchant marine. We need it a lot more than we need sleek well-fed Ivy League poverty programers doling out taxpayer dollars to the agitators and troublemakers. We need our merchant marine in time of war and in time of peace. It is crucial to our national security and it is crucial to our balance of payments.

Let me return for a moment to the statistics I mentioned earlier, particularly the fact that 92 percent of U.S. waterborne export-import cargo is carried by foreign-flag vessels. Think of the hundreds of millions of dollars that this costs us each year. We are giving foreigners dollars which could be going to American shipping, helping our balance of payments and easing unemployment in the shipyards. But, I regret to say, this administration is not so inclined. Our American shipyards are rotting while the Johnson administration doles out shipbuilding contracts to foreign shipbuilders, injuring the U.S. balance of payments and depriving U.S. workers of their due.

If we want to rebuild our merchant marine, the first step is to set up a separate Federal Maritime Administration free of the clutches of the Department of Transportation, whose Secretary has shown that he shares the Johnson administration's disdain for the needs of the American maritime industry.

I do not say that establishment of an independent Maritime Administration is a panacea. In its own right, it cannot achieve miracles, but it is a necessary framework for a new American maritime policy, which will first, put an end to using foreign shipyards to build ships which ought to be built by American yards and workers; second, guarantee adequate Federal financing to rebuild our merchant marine; and, third, put an end to the present policy of subsidizing a favored few shipping lines and ignoring the tramp shippers.

The creation of an independent and separate Maritime Administration is only the beginning, but it is an important beginning. With it, we will gain the wherewithal to begin the redevelopment of our sadly dilapidated merchant marine. I urge the passage of H.R. 159 as a great initial step forward in this task.

Mr. MAILLIARD. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa [Mr. KYL].

Mr. KYL. Mr. Chairman, I thank the gentleman for yielding.

I hope this bill will do all of the constructive things that most of the Members here today believe it will do. I personally do not believe it will do them. The gentleman who just left the floor said that we need a separate administrative policy. We are not going to get a separate administrative policy from the fact that we simply create a new branch of administration. Someone criticized Secretary Boyd a while ago for freezing highway funds. Well, nobody in this House believes that he froze those funds. It might be somebody in another effort, or in another department of the Government.

This bill is not automatically going to alter an unrealistic foreign trade policy which this administration has held in recent years.

This bill is not going to stop the unreasonable assistance that we have given

to foreign nations in preference, over our own shipping industry.

This bill is not going to alter the fact that we have all but priced ourselves out of the market in maritime affairs.

This is an act of desperation because the Congress has been unable to force the administration to do what all of us here know should have been done, and I feel that we are simply asking for additional trouble by the passage of this kind of bill.

Mr. GARMATZ. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. ROGERS], a member of the committee.

Mr. ROGERS of Florida. Mr. Chairman, I feel that I must express my concern and opposition to H.R. 159.

For many years now I have urged, supported, and acted for the upgrading and improvement of our American merchant marine.

I fear that the measure before us today will not attain this goal, but rather will sidetrack us again by placing the Maritime Administration apart from the mainstream of effective planning and programing.

The Department of Transportation was created because we recognized the need for a unified effort in dealing with all aspects of transportation, commercial as well as noncommercial. Maritime Administration should be a part of this comprehensive transportation planning, not isolated at this bill would do, leaving it to fend for itself as but another agency in the eyes of the Bureau of the Budget.

Surely our merchant marine deserves the best attention we can give it, and in my opinion, the best attention will come from within the Department of Transportation.

Mr. GARMATZ. Mr. Chairman, I yield to the gentleman from New York [Mr. GILBERT].

Mr. GILBERT. Mr. Chairman, I rise in support of the legislation before the Committee of the Whole today.

I wish to point out I am a cosponor of this legislation. May I say that our maritime industry, quite to the contrary of some of the statements made by some of my distinguished colleagues, flourished more under an independent agency than at the time it was under the Department of Commerce.

From 1936, the time the Maritime Act was passed, until 1950, the maritime industry had its greatest growth. Our ships sailed the seas and we were No. 1. Only in 1950 when the Maritime became part of the Department of Commerce, did our maritime trade start to slip and slip and slip.

I also would like to point out. I doubt very much that the maritime industry would like to go back into the Department of Transportation because the Department of Transportation deals with domestic situations whereas our maritime trade deals with international commerce and commerce on the seas.

I think that to put it into the Department of Transportation would be foolish.

Mr. Chairman, I want to express my support of H.R. 159, to create an independent Federal Maritime Administration. As a matter of fact, I am one of the sponsors of this proposal, my bill being H.R. 619.

I was an ardent supporter of the amendment in the last Congress which removed the Maritime Administration from the bill establishing the Department of Transportation. I was a member of the Merchant Marine Committee at that time, and I am now more firm than ever in my conviction that the best interests of our maritime industry and our country will be served by the creation of the Maritime Administration as a separate and independent Federal agency. We were aware in the last Congress of the burden under which our American maritime industry has been operating, and we recognized the step which must be taken.

There is little doubt that the decline of our merchant fleet has been due largely to its subordinate role buried in the Department of Commerce where interests of the maritime industry have been overshadowed by other interests of the Department. Especially important at this time is the creation of an independent Maritime Subsidy Board whose decisions would be unbiased and based on sound judgment of act. As presently organized, the Maritime Subsidy Board cannot provide this, for members of the Board are employees of the Maritime Administration and subject to the pressures of the Maritime Administrator who serves as Chairman of the Board.

Mr. Chairman, Congress recognized definite distinctions between the Maritime Administration and other agencies included in the Department of Transportation. No other American industry competes so directly with foreign-flag competitors as does the maritime industry. Other modes of transportation are domestic in character and compete domestically, whereas ocean shipping is not domestic and competes internationally. We must now recognize independence for the Maritime Administration, which I am convinced, will provide the most efficient and effective implementation of our national maritime policy as intended in the Merchant Marine Act of 1936. That act provided for a five-man independent Maritime Commission, appointed by the President with the consent of the Senate. The Commission functioned independently from 1936 until 1950, and during that period we witnessed an unprecedented strengthening and growth of our merchant marine.

Since the abolishment of the U.S. Maritime Commission in 1950, American shipbuilding and our merchant fleet have experienced a drastic decline. At the end of World War II, ships flying American flags carried 40 percent of our export and import cargoes. Today they carry only 8 percent. Our U.S.-flag merchant fleet numbered more than 5,000 ships after World War II, but today there are barely 900 vessels in our merchant fleet. After the war, 80,000 sailors were employed in our merchant fleet; today there are less than 50,000 jobs for our seamen. We ranked first among the maritime nations of the world; today we have dropped to sixth place and the fast-developing Soviet merchant fleet may soon push us back to seventh rank.

Thus, Mr. Chairman, the history of departmental reorganization shows that our merchant marine made greater progress when its administration had the most independence. Our maritime industry must be permitted to expand and compete for business with the maritime nations of the world. This neglected segment of our defense capability can no longer afford the luxury of being administered as a stepchild of the Department of Commerce, lost within already complex and overburdened administrative measures. To properly focus attention on the problems of the merchant marine, we must provide an administration having flexibility and independence. The responsibilities under our U.S. shipping laws should be vested in and administered by an independent agency responsive to policy determination, and subject to review by the Congress.

I have been appalled—as I am sure many of my colleagues in the House have been—at the complete lack of understanding, both in Government and among the American people in general, of the problems which beset our maritime industry. The American people should be made aware of the dangerous level to which we have slumped in shipping and shipbuilding because of the lack of a forceful policy and an agency that is in a position to carry out that policy.

As the distinguished chairman will recall, the Department of Defense had recommended the construction of the fast deployment logistic ship, which I felt would have only added to the problems of our shipbuilding industry. The very concept of the FDL program would have ignored the role of our merchant fleet as a seaborne arm of our Nation's defense and would have been a drain on our economy. The Congress, in its wisdom, refused to accept the proposal. As I have said many times, I am a firm believer in having more ships built in our American shipyards by Americans.

During this session of Congress, I have detected a genuine air of urgency about rebuilding our merchant fleet, and a sense of dedication to the principle that our fleet must be large enough and modern enough to play a major role in our commerce and our defense.

Mr. Chairman, the creation of an independent agency as proposed in the bill before us would focus greater attention on our decaying merchant fleet and on the ultimate objective of revitalizing the industry and enabling the United States to meet its foreign commerce as well as defense commitments as intended in the Merchant Marine Act of 1936.

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. GILBERT. I yield to the gentleman.

Mr. ST GERMAIN. Mr. Chairman, I am delighted to be able to add a few thoughts to the deliberations about the need for an independent Maritime Administration.

The enactment of the Merchant Marine Act of 1936 was an important milestone in our maritime affairs—but not as important as will be the passage of maritime independence legislation. The reason is that we are worse off today than

we were 30 years ago, when the other act was passed.

This is unfortunate because our growth as a nation up to now has been closely linked to our status on the seas of the world. I find it incredible, therefore, that in recent years we have turned our backs on the seas which are so important in terms of our international commerce and our national defense.

Since before the birth of our Nation, the United States has traditionally been a maritime power. This tradition which extended from the days of the Yankee Traders and through the difficult times of two world wars placed our Nation forever in a position of maritime importance. It has only been in recent years and since 1950 in particular that the maritime position of the country has been seriously threatened. This threat to our position as a seapower coincided with the decision to make the Maritime Administration subordinate to the Department of Commerce, and thus unable to speak for itself on the urgent problems which it faced,.

The 1936 Merchant Marine Act was intended to provide this country with a strong and dependable arm of defense. Its full capabilities were tested in World War II and the merchant marine performed admirably during these troubled and demanding times. Since the war, however, the shipping industry has been afforded little recognition either of services performed or of services it may someday be called upon to perform.

The war in Vietnam has shown the need for a dependable merchant shipping program. Of the vessels called from the reserve fleet for service in the war, many have proven inadequate, have broken down at sea and have caused delays which hinders our efforts in that part of the world.

The question is often asked: "Is the present U.S. merchant marine in a condition to meet another emergency?" The answer must surely be "No," since in the face of even a limited conflict such as the war in Vietnam, the capacity of our merchant fleet is being severely strained. The reserve fleet which has been called upon to meet this need is sorely inadequate.

In the face of this it is apparent that the Maritime Administration must be given a new role if it is to give us a fleet that will provide the kind of service and security that has been traditionally provided to this country. Only through the intensive and well-directed efforts of a separate maritime agency can this revitalization be effected.

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

Mr. GILBERT. I yield to the gentleman.

Mr. EILBERG. Mr. Chairman, I believe that we have come to what is commonly called the fish-or-cut-bait stage insofar as our merchant fleet is concerned. Either we get going with a full-scale maritime program, or we are going to have to forget about our commercial shipping and concede the seas to foreign-flag vessels, particularly those of the Soviet Union.

I am convinced that we will take the proper course with regard to our maritime future by enactment of the pending legislation, H.R. 159. Failure to pass this bill, will give an enormous boost to Russian maritime policy—and I do not believe this Congress will make that sort of gift to the Kremlin.

Soviet policy is to dominate the sea lanes of the world by 1980. Russian leaders have said that they intend to become self-sufficient in ships so that they can dispense with the ships of foreign flags which now carry just one-fourth of Russian foreign trade; to exert a decisive influence on the world level of maritime freight rates; and to become a major carrier of the commerce of other nations.

On our own part, Mr. Chairman, we have not had any maritime policy at all since the end of World War II. Obviously, the notion of having the Maritime Administration as a part of a Cabinet-level department is at the root of this failure to define and articulate a program for our merchant marine.

Creation of an independent Maritime Administration would be a reaffirmation of the mandate of the Merchant Marine Act of 1936, that the task of this agency should be to promote an active American-built, American-owned, and American-manned merchant marine.

We are never going to get the kind of policy and program we need from the Department of Commerce. For whatever reason, the Commerce Department has not promoted the merchant marine—it has presided over its demise.

We are never going to get the program and policy that our needs demand by transferring the Maritime Administration to the Department of Transportation. The Secretary of that Department has promoted the notion of building American-flag ships abroad, in contravention of the clear intent of the Merchant Marine Act of 1936. He has expressed his philosophical opposition to cargo-preference—to giving our ships their rightful share of the cargoes generated by our Government. This cargo-preference technique keeps our ships operating in peacetime so that the shipping companies will be solvent and their ships available as military auxiliary vessels in time of war.

No, Mr. Chairman, the only hope for our mechant fleet lies in this legislation that will restore independence—independence of thought, independence of action, independence of financing—to the Maritime Administration. This is the way to get on with the job of meeting the Russian challenge on the high seas. This is the way to regain our own position as a maritime power.

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

Mr. GILBERT. I yield to the gentleman.

Mr. TENZER. Mr. Chairman, I rise to express my strong support of H.R. 159. I am proud to be a cosponsor of this important legislation. The bill will establish an autonomous Federal Maritime Administration to oversee the development of our merchant marine and to coordinate and consolidate the duties and responsibilities relating to our U.S. merchant marine now spread throughout the several Federal agencies and departments.

Many people think of the maritime industry as being only a commercial enterprise. It is that, of course—but it is far more than that. By comman understanding, our merchant marine is the Nation's fourth arm of defense. It undergirds our entire military structure, and therefore it is an essential ingredient to our efforts to maintain peace and freedom throughout the world.

Administration after administration in the White House has agreed that the merchant marine is an integral part of our defense structure. Going back through recent history, we find these quotations from our various Chief Executives concerning the role of the merchant marine:

> War has proved to the American people that a strong merchant marine is as necessary to the nation as a powerful Army and Navy.

President Dwight D. Eisenhower said:

> We were caught flat-footed in both World Wars because we relied too much upon foreign-owned and operated shipping to carry our cargos abroad and to bring critically needed supplies to this country. I consider the merchant marine to be our fourth arm of defense and vital to the stability and expansion of our foreign trade.

President John F. Kennedy said:

> If the domestic merchant fleet, so strategic to the nation's economy and its defense is to be kept alive—and it must be—government must lend a hand.

President Lyndon B. Johnson said:

> A strong merchant marine is a guarantee of national security and economic stability. . . . Even at its present level, it earns or conserves almost $1 billion of foreign exchange every year, making it a major factor in our balance of payments position.

It is obvious from these quotations—and I am sure the history books could produce many, many more such expressions from American Presidents—indicate that these Chief Executives were in agreement that an adequate merchant marine is vital to our national defense posture. So it strikes me as odd that administration after administration has totally failed to provide the support that this industry needs so that it can properly fulfill its defense role.

The Merchant Marine Act of 1936 laid down the basic premise that we needed an American-built, American-owned, and American-manned merchant fleet capable of carrying our peacetime cargo and capable too, of fulfilling its defense responsibilities in times of crisis. Quite obviously, the two roles—peacetime carriage of our goods and service as a wartime auxiliary to our Armed Forces—are linked inextricably. If our merchant fleet is to be available and ready in times of crisis, it must be maintained strong and healthy in times of peace. To achieve this desirable result we must make certain, first, that our fleet receives its proper share of public funds to build new vessels, and second that it gets its proper share of America's ever-growing export-import cargo.

The lessons of history make it clear that we need a merchant fleet of our own, when the chips are down. We

learned that, at the start of World War I—when we had to turn to foreign-flag ships, we were obliged to pay excessively high rates for the privilege, once we became involved in the war in Europe. We learned it again in World War II when, even though we had been moving forward with shipping and shipbuilding, we still had to mount a crash program, at enormous cost, to back up our forces fighting around the globe. We learned it again in Korea, when it was a sealift which proved to be the lifeline in that struggle against Communist aggression.

At this very instance, we are relying on America's commercial ships and merchant seamen to carry 98 percent of the war materiel and two-thirds of our fighting men to Vietnam—while it is true that airlift has its capabilities, it is also true that it could not carry out the total capacity load of our commitments.

Everyone felt a sense of great concern when, a few months ago, war broke out in the Middle East, and for awhile it looked as if we might have been drawn into that conflict. How could we have transported men, munitions, and supplies to another war theater, at a time when our sealift capabilities were being strained to their maximum limits in meeting the need in Vietnam?

The commercial enterprise and its depletion also produce some disturbing figures. At the end of World War II, ships flying American flags, numbered at 5,000, carried 40 percent of our export-import cargoes—today, U.S. ships, totaling less than 900, carry only 8 percent of the international trade. More importantly, the United States ranked first among the maritime nations at the close of World War II. Today, we have slid down to sixth place and we are vying with the fast-developing Soviet merchant fleet for even that unenviable position. To place the Maritime Administration in any of the existing agencies would not serve to encourage international negotiations for our share of international trade for American vessels.

These statistics and facts are not baffling—they outline a fearful lesson on the consequences of neglecting the American merchant marine.

Mr. Chairman, we are in this very real maritime crisis today, precisely because the Government has not given sufficient attention to our merchant marine over the years. I submit, Mr. Chairman, that this attention has been lacking, because we have permitted the maritime program to be placed under the jurisdiction of some mammoth Cabinet-level department, where it remained obscured by other programs and ignored by people who lack the understanding of our Nation's needs—and the needs of an industry to survive in peacetime so that it can be on call and ready in times of crisis.

Maritime independence will change that posture. We must get the maritime agency out from under the layer upon layer of bureaucracy. We can upgrade its methods of communicating with the executive branch, with the legislative branch, and with the American people, themselves.

The very act of creating this new agency will be important. It will be notice to the American people that this vital function of our Government will no longer be relegated to a position of secondary importance. The creation and maintenance of a first-class, first-rate merchant marine deserves special treatment in terms of agency structure and in terms of getting the public investment that it needs in order to fulfill its dual roles of peacetime service to our economy, and wartime service to our defense.

Reconstituting the Maritime Administration as a completely independent agency will mean that it will be in a position to devote its time, its energy, and its talents exclusively to maritime matters, unhampered by costly delays, bureaucratic bungling and pennypinching economies.

Mr. Chairman, the Committee on Merchant Marine and Fisheries is to be commended for the work it has done in trying to correct the present situation by bringing this legislation to the floor. Last year, the committee reported out a similar bill calling for an independent Maritime Administration. The bill did not receive House consideration because it was preoccupied in resisting efforts to put the Maritime Administration into the new Department of Transportation. Nothing less than a comprehensive program and an independent agency to administer our merchant marine will satisfy our needs for the maintenance and revitalization of a strong U.S.-flag merchant marine fleet.

Mr. Chairman, for many years a number of our colleagues have issued warnings to the American people of the serious threat to our economy and our national security involved in our failure to maintain a strong and active merchant marine.

These warnings have, for too long a time, fallen on deaf ears, and as a result, our maritime situation has steadily worsened. Today we are virtually at the bottom of the heap among the maritime nations of the world. There are many reasons for this—but perhaps the key reason is that the Maritime Administration has been voiceless and defenseless for far too long.

I remain convinced that one of the surest ways to get our maritime problems solved is to give the Maritime Administration back its independence. We must take it out of the bureaucratic jungle where it now languishes, and where the undergrowth of indifference and neglect threaten to destroy it.

An independent agency will have a direct line to Congress—and we have already made it easier for this agency to operate by approving earlier in this session, the bill on annual maritime authorizations.

An independent agency, working with a Congress that is prepared to move in the proper direction, can achieve a great deal in getting us moving again. An independent agency can devise a program for ship construction and operation that will insure that we have a new, fast, and efficient fleet that can compete with other maritime powers. Most of all, an independent agency can frustrate the attempts to undermine our shipbuilding capability, and our entire merchant marine structure, through ill-devised schemes to build U.S.-flag vessels in foreign countries.

I know that there are some in high places, and also some of the subsidized ship operators, who make a strong argument about how much cheaper it is to build our ships in foreign shipyards. If price were the only consideration, perhaps I might go along with them. But there is a good deal more involved than price alone, our national prestige is at stake that is why I stand shoulder to shoulder with other friends of the maritime industry in opposition to any and all foreign building of American ships.

The trouble with those who want to build ships in foreign yards is that they simply refuse to look at the whole picture. They look at the price of a single ship, and say the price is too high. Do they not realize what could happen to the American economy if we stopped building ships in this country, and turned to foreign yards to do the work? Not only would it throw shipbuilding workers out of their jobs, but it would also hurt our basic industries like metalworking, mining, and the like; because they all rely on the shipbuilding industry for a good share of their business. It is essential that we maintain our shipbuilding capability for our national security.

We have to commit ourselves to the most efficient and powerful shipbuilding capability consistent with our resources—construction of more merchant vessels in American shipyards will help achieve this goal—and passage of H.R. 159 is the means to that end. The United States should once again occupy the No. 1 position in the world as the leading maritime power.

Mr. CHARLES H. WILSON. Mr. Chairman, will the gentleman yield?

Mr. GILBERT. I yield to my distinguished colleague, the gentleman from California.

Mr. CHARLES H. WILSON. Mr. Chairman, I am one of the more than 100 cosponsors of this measure to give the Maritime Administration back the independent status it had 30 years ago—independence which it lost during one of the periodic reshufflings that go on in the executive branch.

The idea of incorporating maritime into the Department of Commerce may have looked like a good one back in 1950. But time has proven this wrong, because the decline of our merchant marine has paralleled this loss of independence for the Maritime Administration.

The United States is in urgent need of a modern and revitalized merchant fleet. This is necessary not only so that our merchant marine can meet the demands of our growing foreign commerce, but also so it can maintain its role as a vital defense auxiliary to the Army and Navy.

Under existing conditions, our fleet has continued to decline to a critical point. Fleets of other nations, particularly the Soviet Union, are increasing at the same rate that our own fleet is decreasing. Yet in spite of our dwindling numbers, we are only building 13 ships a year.

Only $143 million has been requested for ship construction for 1968. When compared with the fantastic size of our national budget, this sum is hardly-

noticeable. Our budget increased more than 38 percent between 1961 and 1967, but the maritime budget has remained practically unchanged and, in fact, during the last 3 years, there has been an actual decline in the total amount of funds allotted to the maritime program.

It is not surprising that maritime has not fared very well, Mr. Chairman, for it is so buried within the Department of Commerce that it is difficult for its voice to be heard outside the Department. With respect to budgetary efforts, it must compete with too many agencies within the Department. The Maritime Administrator can be overruled by a number of other officials in the Department, none of whom has adequate knowledge of maritime affairs.

Thus maritime is at a disadvantage in promoting its programs and policies. It is necessary that we create a maritime agency that has the power to promote and carry out a forceful maritime program. The only way in which to do this is the creation of a wholly independent maritime agency, completely separate from the other Departments. This is the sole way that maritime can make known its needs and obtain support for its various programs.

Without independence, the maritime program will continue to decline bit by bit for, unless we change its status drastically, it will get no more attention from the administration than it is getting today.

I urge my colleagues on both sides of the aisle to join in the passage of this legislation today. Unless we get to work at once on rebuilding our merchant marine, it may be too late.

Mr. GILBERT. Mr. Chairman, I yield to the gentleman from New Jersey [Mr. DANIELS].

Mr. DANIELS. Mr. Chairman, I am glad to have this opportunity to rise in support of H.R. 159 for the creation of an independent maritime agency.

This bill may be one of the most important pieces of legislation we deal with in this session of Congress. This bill is so important because it is the key to revitalization of one of this Nation's most strategic industries—the maritime industry.

The maritime industry is vital to both the commerce and defense of the United States. Ships of the American merchant fleet carry the commerce of this country in peacetime and meet the challenge of transporting our military men and material in wartime.

The maritime industry also includes American shipbuilding. The United States needs its shipbuilding industry to insure that it will have enough vessels to meet both its commercial and defense needs.

As you are all well aware, today the United States does not have an adequate American-flag merchant fleet nor does it have an adequate shipbuilding industry.

Furthermore, our critical foreign problems reflect the deplorable state of our maritime industry. The crisis in Vietnam demands a strong and vital shipping and shipbuilding industry.

We are fighting a war in Vietnam, and we are supplying that war by ships. Ships carry 98 percent of all the food, medical supplies, clothing, ammunition, oil and gasoline used by our men in Vietnam.

The American-flag merchant fleet met the challenge of supplying our troops in Southeast Asia. But the demands of wartime supply exacted a heavy toll on the merchant fleets commercial business. To keep the supply lifeline moving steadily across the seas to Vietnam, ships had to be pulled off commercial routes and pressed into Vietnam service.

Each time an American-flag ship is pulled out of commercial service to meet our defense needs in Vietnam, a foreign-flag ship moves in to snatch that business and the percentage of U.S. trade carried in American-flag bottoms drops another notch. There is a good chance that American ships will never recover the trade they have lost to foreign shipping due to the demands of Vietnam.

It is evident from the stress placed on the American merchant fleet by war demands, that we do not have a fleet today which meets the requirements of the Merchant Marine Act of 1936. That act required that the United States have a merchant fleet sufficient in numbers and strength to carry a substantial portion of its foreign trade and all its needs. To assure the existence of such a strong merchant fleet, the act provided for an independent Maritime Administration to oversee the allocation of U.S. maritime resources. By contrast, administration of our maritime needs today is subordinated to the bureaucratic exigencies of the Department of Commerce.

An independent maritime agency would be a major step in assuring that the needs of the American maritime industry receive proper attention within the Government. I strongly urge all Members of this House to join with me in support of H.R. 159.

Mr. GARMATZ. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. ROONEY].

Mr. ROONEY of New York. Mr. Chairman, of course I shall vote for the pending bill but, as I sit here this evening, I am highly amused to find all of those many fine-feathered friends on the other side of the aisle who only as far back as May 31 voted to slash the appropriations bill for the merchant marine, including the distinguished minority leader, the gentleman from Michigan [Mr. GERALD R. FORD], including the distinguished gentleman from New Jersey [Mr. HUNT], including the distinguished gentleman from New York [Mr. GROVER], ad infinitum, asking for passage of this bill.

Here today their hearts bleed for the merchant marine, although only recently they voted for the Bow amendment to recommit the appropriation bill for the Department of Commerce, which included funds for the entire operation of the merchant marine. This is hard to conceive.

Mr. MAILLIARD. Mr. Chairman, I have no further requests for time.

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MURPHY] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. MURPHY of New York. Mr. Chairman, I rise today in support of H.R. 159, a bill to amend title 11 of the Merchant Marine Act of 1936, which would create an independent Federal Maritime Administration.

Our American merchant marine has steadily declined since the end of World War II when, after a crash program of shipbuilding, we were the strongest maritime nation in the world. Today there is no more fitting monument to our decline as a maritime power than the old liberty ships lying in mothballs in our maritime graveyards. Had we replaced them with new and modern ships, there would be no reason for alarm today, but the fact is we have not. Some statistics for the years 1951 through 1965 illustrate the extent of this decline:

First. The world fleet increased by over 62 percent in number in this period while the U.S. fleet decreased by over 26 percent.

Second. The world fleet total aggregate deadweight tonnage increased by 156 percent while the U.S. fleet tonnage decreased by 2.7 percent.

Third. Passenger-combination ships declined in number in practically every country, but the world fleet decreased by only 1.1 percent, while the U.S. fleet decreased by 41.4 percent.

Fourth. The number of freighters rose by over 51 percent worldwide, while the United States dropped over 17 percent.

Fifth. The world tanker fleet increased 64.7 percent in number while the United States decreased 38.3 percent.

Sixth. The only classification in which we registered a gain was in bulk carriers, yet here the United States increased only 11 percent in number against a world increase of 295 percent.

These statistics, I think, are reason for alarm, but statistics alone do not give the entire story. Of even greater concern is the rising threat of Soviet maritime power. For a number of years Russia has vigorously pursued a course of ship construction with an ultimate goal of maritime superiority on the high seas. This, coupled with a decline in the American fleet, can only be viewed with alarm.

For example, the Russian merchant fleet already exceeds the active U.S.-flag fleet 1,400 to 1,040, and while nearly 80 percent of our ships are over 30 years old, almost 80 percent of the Soviet ships are less than 10 years old. In 1965 the Soviets took delivery on 100 new merchant ships, while the United States received only 16; for the past several years new ship deliveries to the Soviet Union have outpaced U.S. deliveries by a ratio of 8 to 1.

Further, in 1965 we had only 41 merchant ships over 1,000 tons on order, while the Soviets had 464 on order; their backlog of ships under construction or on order exceeded the U.S. total by a ratio of 11½ to 1.

In short, the Soviet Union is engaged in an all-out drive to become the strongest maritime power in the world. The U.S. response so far has been to further

erode its once dominant position on the high seas.

But there are other reasons for strengthening our merchant marine besides the potential danger of Soviet maritime superiority. For one, our balance-of-payments problem is aggravated by the necessity to rely on foreign ships to handle our waterborne commerce. Today our fleet's participation in the Nation's total export and import tonnage is only 7 percent.

Second, of the 77 most strategic materials required to maintain our industrial and military might, more than 60 are imported, and presently 96 percent of this tonnage is being carried on foreign flag ships. To me it is an unacceptable position to be so dependent on foreign shipping to obtain vital materials, especially when that foreign shipping may not be inclined to provide consistently reliable service.

Third, our merchant marine is a vital component of our comprehensive defense system. The merchant marine has always borne the bulk of the supply effort in times of national emergency, and there is no exception today in Vietnam. Ships carry 98 percent of the supplies and equipment for our Vietnam effort, and two-thirds of the men; the latest tonnage figure available is 800,000 tons a month. It is truly a credit to our merchant marine that they are doing the job so well, but the strain on our fleet and personnel is serious. We are already taking old Liberty ships out of mothballs at a cost of $500,000 per ship. We know from experience that we cannot rely on foreign ships to carry our supplies in Vietnam, and in spite of some administration voices, air transport is not the answer. It would take 260 of the big C-5A cargo planes to carry the load of a single ship, and air transportation would cost six times as much per ton-mile.

With our merchant marine already strained by the necessity of supplying our men in Vietnam, we must ask ourselves whether we could adequately respond to another crisis in another area of the world. I think the answer is obvious.

Mr. Chairman, it seems to me that these are compelling reasons for strengthening our merchant marine. The bill now before the House would be a significant step in the right direction, by creating an independent Maritime Administration which would give a strong, coordinated voice to the maritime interests now spread over 22 separate Federal agencies.

The administration has opposed this idea, and favors putting the Maritime Administration within the Department of Transportation. Experience has shown, however, that the maritime interests suffer whenever they have to operate within a multi-interest Department. In 1950, the last year the Maritime Administration was independent, we were carrying 41.4 percent of our country's exports and imports in American-flag ships; today that figure is 7 percent.

Another reason for keeping the Maritime Administration out of the Department of Transportation is the fact that Secretary Boyd is such an ardent advocate of foreign building of U.S.-flag merchant ships.

We cannot begin building our ships abroad unless we want to ruin our own shipbuilding capability. It is naive to think that our shipyards would ever be able to regain this business once it has gone abroad. As a matter of fact, it is naive to suppose that we can merely open the door a crack to foreign construction. Once the law was amended, we would have destroyed the build-at-home theory, and it would not be long before all of our ships—instead of just some of them—were under foreign construction.

A shipbuilding capability is essential to the defense of our country. It is as erroneous to rely on foreign shipbuilding as it is to rely on foreign-flag shipping—for in event of some national or international emergency, there may be conflicting interests which will prove to be our undoing.

How can we even think of building ships abroad, when our own shipbuilding industry is capable of handling our present needs—and when it is in a sad economic state precisely because we are not giving our shipyards the opportunity to build ships.

Less than 100 vessels have been built in American yards during the past 6 years. That is less than an average of 17 vessels per year—less than one ship per shipyard per year. We have the capacity; why are not we using it? What possible reason can there be for starving our own shipyards and feeding those of other countries?

Yet Alan Boyd, whose salary is paid out of the taxes of American shipbuilding workers, among others, would like us to build American ships abroad. If the Maritime Administration were ever placed in the Department of Transportation, that is exactly what we would be doing—building our ships abroad.

Mr. Chairman, that is not the route I would ever permit our maritime policy to follow. That is why I support this bill, which I believe is vital to our national interest. We cannot hope to maintain our position of power in the world without a healthy merchant marine, and an independent maritime administration would provide the necessary stimulus to revitalize our sagging maritime position. I urge my colleagues to support this bill.

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ADDABBO] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. ADDABBO. Mr. Chairman, as one of the more than 100 Congressmen who presented companion bills to H.R. 159, I particularly welcome this opportunity to set forth my views in support of maritime independence.

Any struggle for independence is difficult, and the maritime industry's struggle is no exception.

One hundred and ninety-one years ago, our Nation declared its independence from foreign domination. In many respects, parallels can be drawn between that struggle and the current battle facing the maritime industry of this country.

In 1776, the American patriots realized that this country was too big and too important to be governed as merely part of a whole which eventually became the British Empire. The needs of Americans were being subjugated to the needs of England.

As you all well recognize, the American maritime industry faces a similar situation now. Today, in 1967, the needs of American shipbuilders, American ship operators and American seamen are being neglected and ignored.

The maritime industry of the United States is too big and too important to be submerged within the Department of Commerce or any other Government department. Maritime needs an agency of its own, with its own budget. The problems of this industry are too complex and diverse to be handled on a part-time basis—they need full-time consideration.

Ships carry the products of American factories to foreign markets and return to this country with the raw materials and foreign goods which make possible the American standard of living. Ships comprise an integral link in the supply and distribution phase of our economic life.

In wartime, ships form an integral part of our national defense. Ships carry the soldiers and material to fight wars in foreign lands. Ships carry the food and raw materials needed by our allies and by our own industry and people.

The production of ships—like any heavy industry—forms a vital part of our economic balance. Every one of the 50 States produces at least one item and some produce 25 or more—which is needed to build a merchant ship. For every man employed in American shipyards, a job is created for another man in industries supplying materials for shipbuilding.

The more ships we build here at home, the more jobs we create throughout our economy; the more consumer incomes we create and the more tax dollars we generate.

Like ripples spreading on the surface of a pond, the importance of maritime pervades our entire economic complex.

Mr. Chairman, this is the reason maritime is too big and too important not to be given its own agency, its own voice, its own freedom.

Maritime is commerce, industry, transportation, and national defense all rolled into one and the problems posed by these diverse roles can only be properly dealt with by a separate and independent agency for maritime and maritime alone.

I urge this body to resist pressures to give maritime anything less than it deserves—complete independent status. The proposed H.R. 159 is a product of wise and far-seeing action and I urge all to support its passage.

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. KARTH] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection

to the request of the gentleman from Maryland?

There was no objection.

Mr. KARTH. Mr. Chairman, I rise in support of H.R. 159.

In all the talk about our merchant marine, one fact emerges very clearly—that the present impasse between the maritime industry and the administration boils down to two essential points:

First of all, there is disagreement about where we are going to build our merchant ships.

Secondly, there is disagreement about where we are going to put the Maritime Administration.

First, there is overwhelming evidence that the best interests of our country are going to be served only if we continue to require—as we have done, by law, for more than 30 years—that American-flag ships must be constructed in privately owned American shipyards.

Our capability for merchant vessel construction must be kept at a high level—for Vietnam has taught us that we cannot rely on foreign-flag ships, and it would be equally as foolish to rely on foreign shipyards.

We can not meet our defense requirements if we are at the mercy of shipbuilders in some other land—shipbuilders who might flatly refuse to build our commercial vessels in time of crisis—or shipbuilders who might put a gun at our heads and set blackmail prices to produce the vessels we need in an emergency.

Now, let us take up the important question of maritime independence:

Past history indicates clearly that the merchant marine industry fared best when its destinies were in the hands of an independent agency—and it fared worst when it was submerged in another Department not primarily concerned with the well-being of the fleet. In fact, the bureaucrats could not care less—by the time they finished talking about trucks, buses, trains, and cars—there was not even time to talk about ships.

For the first 14 years after the Merchant Marine Act of 1936 became law, the program was in the hands of an independent, bipartisan agency—and during this period we made some of the greatest maritime advances in our history.

But maritime independence ended in 1951—and our merchant marine went into a decline—in terms of the amount of cargo it carries and in the number of ships we have on the high seas.

It must be obvious to everyone—as it is to me—that we are not going to get the maritime affairs of this country moving in the proper direction unless and until we have an independent agency handling this important national program.

This question of maritime independence should have top priority on Capitol Hill—because everything else hinges on it.

Once we have an independent agency, we can develop a proper program—building enough ships, building them in American yards, providing the proper kind of economic support for our fleet so that we can compete with the low-wage countries that want to take over our commercial shipping and our shipbuilding—in short, developing the kind of program that we need to make us a maritime power again.

We have got to get moving—and moving quickly—if we are going to survive as a maritime nation—and if we do not survive as a maritime nation, we are not going to survive politically or economically.

All of us here know that the chips are down.

For too many years, too many national administrations have frittered away the hours—failing to take action that has been vital to our security and our economic growth, in terms of our merchant marine.

But the time for action is here now—and I know we can win this fight, so that the American flag will fly proudly again on the high seas of the world.

Mr. SCHADEBERG. Mr. Chairman, the crisis in the American merchant marine fleet has been well documented. The United States is 14th in shipbuilding in the world. Our fleet of 1,090 ships is the fifth largest. It is badly overaged. Some 70 percent of the ships are over 20 years old. We do not carry our own cargo. Only 7.7 percent of American foreign commerce moves in American ships.

Then there is Vietnam. Our retired fleet was pressed into service to supply some 98 percent of all the supplies. About 180 ships constitute the lifelines to the war. Now, look at the costs. It requires $500,000 apiece to bring each one of the ships out of mothballs. About $60 million will be spent not for new ships, but to keep old ones going. Mr. William Rand, president of the U.S. Lines, has described the results of working such ships on long hauls:

> In one month alone, there were some 61 breakdowns with an average repair time of 40 days.

Our replacement schedule is many ships behind. This has been our approach to the demands of seapower.

Unfortunately, the Russians have not been so remiss. As of January 1, 1967, its fleet numbers 1,422 and has largely built after 1950. The strength of their fleet continues to grow.

We were fortunately not confronted with great demands in the recent Arab-Israel war. This is no guarantee for the future. "East of Aden" is rapidly becoming a vacuum of seapower, as the British influence in the area continues to diminish.

Considering the checkered career of various independent maritime agencies, there is no justification for absolute confidence that agency independence alone will solve our problems.

Yet, as a knowledgeable writer on merchant marine affairs, Miss Edith Roosevelt, has stated:

> The recent crisis in the Middle East has shown that we have little time to lose in restoring our nation to the status of a first-class maritime power.

The idea of H.R. 159, to create an independent Federal Maritime Administration, has been supported by some 140 Members who have introduced similar legislation. I am proud to have been part of this effort that has resulted in bringing this bill to the floor today.

We do indeed have little time. I believe this measure will allow an independent maritime agency to develop and support a viable maritime policy. This sorely needed thing has so far not been forthcoming.

Mr. GALLAGHER. Mr. Chairman, maritime policy has become one of the most neglected areas of concern in this country since the coming of age of air transport. The U.S. Government, which should be the leader in developing new and responsive policies, has overlooked a vital commercial and military link with the rest of the world.

I read recently that some shipping experts fear the United States will lose the lead in developing and constructing containership methods of maritime transport. Yet, on the other hand, foreign experts predict that too much emphasis on containerization will cripple the Atlantic trade by idling many of the conventional ships.

This area of dispute should now be receiving close and constant study by both the American Government and private maritime interests. And, yet, within our Government there is no agency free from other transportation interests which can study and guide our maritime policies during the coming period of expansion and development. For this very reason, last year I introduced legislation to create an independent Maritime Administration with commensurate powers to fulfill the delicate task of guiding our policy in the area of maritime affairs.

The American lead in utilizing containerships is being threatened by foreign shippers as every day passes. Only yesterday, the British and French Atlantic Container announced the inauguration of ship container operation between American east coast, French, and British ports. This service, in fact, begins today. And by next year Atlantic Container Line expects to have 10 ships operating between Europe and the United States. If America is to maintain its position of leadership in containerized shipping, we must begin to develop and foster, at the Federal Government level, policies and programs designed to strengthen and support the continued expansion of containerization. I believe that our only recourse is to bring into being a separate agency to deal with the increasingly technical problems facing maritime transportation.

Mr. Chairman, the American merchant marine has fallen from a place of prominence in world shipping. The United States no longer holds a commanding position in commercial shipping. But air transport has not relieved the basic fact that America's international commercial standing is directly tied to our merchant marine. Without a strong and growing fleet, the maritime position of the United States becomes increasingly and dangerously dependent on foreign vessels. We should not and cannot depend on our goods of tomorrow being carried by our friends of today.

I am hopeful that creation of an independent Maritime Administration will spur the National Government and the

maritime industries to bring the American merchant marine back from the cellar to the top where it belongs.

By failing to project policies aimed at fostering a strong merchant marine, we have granted a monopoly to foreign shippers. While we have shut our eyes to the plight of our maritime fleet, the Soviet Union, Japan, and other maritime nations have emphasized efforts to gain supremacy in maritime commerce. At the end of World War II, we had a fleet of 5,000 merchant ships. Today we have 935. A continuing oversight policy in maritime affairs will surely further deplete our fleet.

Any further decline of the American merchant marine will have a serious impact on the shipbuilding capacity of this country. The shipbuilding industry, which has suffered in the past from a near cessation of American ship production, will be revitalized by an increase in shipbuilding which should certainly follow any sincere effort to upgrade the American merchant marine.

Mr. Chairman, I would hope that this new agency, devoted entirely to our maritime policies and administration, will spur both the Government and the shipping industries by revising our policies governing the awarding of ship construction contracts, by pushing for tax incentives and low-interest loans for shipbuilders, by thoroughly reviewing our subsidy policies and by forcing this country to come to the realization that our deficient merchant marine can only be brought back to the forefront by intelligent policies, aggressive leadership, and effective programs.

Mr. Chairman, a first step to this goal is creation of an independent agency to govern the Federal Government's participation. We are at a critical point in history. Perhaps had we realized this deficiency after Korea, rather than now during Vietnam, we would not now be forced to bring back to service decrepit and discarded merchant ships to carry supplies to the war effort. I urge my colleagues to act favorably on this legislation.

Mr. HALPERN. Mr. Chairman, while Nero fiddled, Rome burned. While we procrastinate, our merchant marine drifts toward oblivion. Now we have an opportunity to stem the tide, even to reverse its direction. The first step toward accomplishing this result is to reestablish an independent Federal agency charged with responsibility for maritime affairs. This is not the first opportunity we have had to take action in this vital area, but time is running out and we must act now if we are to prevent virtual disappearance of the U.S.-flag fleets from the oceans of the world.

H.R. 159, introduced by the gentleman from Maryland [Mr. GARMATZ], chairman of the Committee on Merchant Marine and Fisheries, provides for reestablishing the Maritime Administration as an independent agency. My position on this subject was demonstrated in a bill which I introduced in January of this year, H.R. 3963, which was identical to H.R. 159. I add my support to the bill now before the House.

Congress has recognized that independent, quasi-judicial agencies provide the best method for administering economic and regulatory functions of the Federal Government. The validity of this premise has been amply demonstrated by the results, or rather the lack of results, in maritime affairs under administration by a Cabinet-level Department. The merchant marine is the only major transportation form without an independent agency for administration of Federal functions which concern it.

There has been no dearth of proposals and discussions in the Congress regarding maritime matters. Perhaps public indifference or unawareness of the problems have been barriers to positive action. However, the public now seems more aware of the implications of failure to maintain an adequate merchant marine for our national purposes in foreign commerce and defense.

Had our merchant marine fared as well under the Marad as now constituted as it did from 1936 to 1950 under an independent maritime agency, this Nation would not now be a fourth- or fifth-rate maritime power. We are fast becoming a "has been" among the major maritime nations of the world; once we were "out front."

In 1950, when the independent agency was abolished, U.S.-flag vessels carried 41.5 percent of the Nation's export and import cargoes; 2 years later only 22 percent; now only approximately 7 percent. Not only have the U.S.-flag fleets declined in numbers, but also in deadweight tonnage, shrinking 2.7 percent from 1951 to 1965 while the world fleet tonnage increased 156 percent. Sufficient U.S.-flag vessels are not available to carry the mandatory 50 percent of Government-sponsored exports of agricultural surplus commodities. Even more serious than the decline in size of the merchant marine, in terms of the national interest, is the proportion of U.S.-flag vessels which are now or will shortly become obsolete. By 1970 almost all of our merchant fleet will be obsolete; already the program for replacement of overage ships is nearly 100 vessels behind schedule.

During the years the Maritime Administration has been a relatively minor segment of the Commerce Department, funds authorized by Congress for ship construction have not been used for that purpose, despite the obvious need to replace outmoded vessels in the fleet. Frequently, the Department has not approved construction when both the Congress and the Bureau of the Budget have approved funds. Had an independent maritime agency been in existence, it might at least have been able to forestall bloc obsolescence of the merchant fleet.

The ineffectiveness of the existing organization for administration of maritime policy and programs was highlighted by the proposal of the Department of Defense for construction of a fast deployment logistics ship fleet to take over the defense activities formerly the responsibility of the merchant marine. The breakout of ships from the mothball fleet, which are not only too slow for effective support of Vietnam activities but also extremely costly to reactivate and to operate and maintain, also emphasized inadequacies of our maritime position.

Merchant fleets differ from other transportation means, with the possible exception of international operations of some airlines, as their operations are international in scope. In a sense the merchant marine is a policy as well as an economic instrument and an adjunct of defense. Each of the roles of the merchant marine must be given adequate attention in determining national policy and administering maritime affairs. Other leading maritime nations utilize their merchant marine as an instrument of national policy and provide strong support for their merchant fleets.

This Nation is now forced to ship 96 percent of strategic materials requirements by foreign flags. Of the 77 strategic materials necessary for the U.S. military and industrial complex, only 11 are obtainable within the boundaries of the country. All others must be obtained from foreign lands and transported by ship—the only bulk transportation available. Nearly every State in the Union and practically every industry are affected by the condition of the merchant marine. Changes in the international situation at any time could cut off vital strategic material when most urgently needed if no U.S.-flag vessels are available for transport. No such adequate fleet now exists.

Hearings by the House Committee on Merchant Marine and Fisheries over the past few years reinforce the proposition that the maritime position of the Nation will continue to deteriorate unless Federal maritime policy is administered more effectively. H.R. 159 provides the most effective method for this purpose. An independent Marad will not assure more financing authorizations or appropriations than have been made, nor will it cure all the ills of the maritime industry. However, based on past performance, continuation of the agency in a subordinate position in an executive department not primarily concerned with maritime affairs will not result in any improvement in the future. Independent agency status for Marad will focus greater attention on the serious condition of the merchant fleets and on implementation of national policy as set forth in existing legislation and its objectives of a merchant marine capable of meeting national needs in commerce and defense.

In a message preceding the Merchant Marine Act of 1936, President Roosevelt said:

> An American merchant marine is one of our most firmly established traditions. It was, during the first half of our national existence, a great and growing asset. Since then, it has declined in importance and value. The time has come to square this traditional ideal with effective performance.

President Roosevelt's statement is as true today as it was more than 30 years ago. That it is true is a measure of our failure to support a strong merchant marine. We can no longer delay action to remedy past omissions. I am convinced that Federal functions in this area can best be provided through an independent Federal Maritime Administration. I

strongly urge prompt favorable action on H.R. 159, constituting the first step toward rehabilitation of our merchant marine. World conditions are such that we must no longer remain in a subordinate position among the maritime nations of the world.

Mr. LEGGETT. Mr. Chairman, I want to take this time to compliment the fine work of the Merchant Marine Committee and the gentleman from Maryland, Chairman GARMATZ, in bringing this legislation to create an independent merchant marine to the floor. I am pleased to join as coauthor of the bill with my H.R. 2822.

It has been said that the story of our merchant marine could be entitled "The Rise and Fall of the *Savannah* in 148 Years." It would be nice if we could say that we have truly progressed since the first U.S. ship *Savannah* sailed across the Atlantic to Europe in 1819.

Instead, however, we are compelled to report that until this committee intervened the nuclear ship *Savannah* was to be consigned to "mothballs" after visiting only 40 ports and cruising but 130,000 miles. Now, thanks to the wisdom and persistence of this committee, at least we can say that the *Savannah* remains an active vessel in our sadly diminished merchant fleet.

In a way, the outlandish proposal to scuttle the *Savannah* is par for the course with today's American maritime program. Labor, management, and the present and past administrations must bear their share of the responsibility for the current status of affairs.

Mr. Chairman, no one knows better than this committee the degree of concern in the Congress, and among the American people, over our Nation's dwindling status in the shipping lanes of the high seas.

I am quick to acknowledge that my concern with the merchant marine and the shipbuilding industry is somewhat provincial. As you may know, I represent the Fourth Congressional District of California, which contains the Mare Island Division of the San Francisco Bay Naval Shipyard. Out in the West we learned long ago that we cannot be healthy in public shipbuilding unless we are healthy in private shipbuilding. And to those who charge that shipbuilding know-how has deteriorated in the United States, I would say look over the nuclear attack submarines *Stonewall Jackson, Theodore Roosevelt, Andrew Jackson, Kamehameha, Woodrow Wilson,* and the latest, *Mariano Guadalupe Vallejo*—SSBN-659—all built at Vallejo, which latter ship we named after my hometown.

These submarines are true, precise, accurate, and durable instruments of American foreign policy—and in their quietness and capability they have no peer in the free world or the Communist world. Last month in Vallejo we launched the SSN *Gunnard,* the 14th nuclear sub and the 40th submarine built at Mare Island.

The secret of these undersea ships, however, is money—$35 to $55 million each for the hulls and in excess of $100 million each for Government-provided equipment. I could also cite the great ships produced by private yards, the nuclear attack carrier *Enterprise* and the nuclear frigate *Bainbridge,* for example. All of these ships are the best in the world and we know that they could be constructed in no other yards public or private outside the United States.

It was my Mare Island yard during World War II that constructed 392 ships and repaired and overhauled a total of 4,560 ships. Mare Island is also the yard that launched the World War I destroyer *Ward* in 16½ days.

At the insistence of my Armed Services Committee, Secretary Nitze announced a few months ago that Kaiser Industries would shortly complete a 5- to 7-year, $600 to $700 million naval ship modernization program. Eight or nine naval shipyards will each achieve a 20th century capability, and I think my home yard will receive modernization in the order of maybe $72 million over a 5- to 7-year period.

Moving forward simultaneously with the naval shipyard improvements I hope will be a modern merchant program for which the Congress has waited well over 2 years. Nearly every Member I know has a feeling that we should be moving ahead with a radically new maritime program. How are we going to do it? So much has been written and said by so many people—some of it enlightening, some confusing.

We have had task force reports and Maritime Committee reports and all of these thoughts have been capsulated so many times it is difficult to expound a new idea to resolve the problems of building foreign or forming an independent Federal Maritime Administration or upgrading the number of ship deliveries.

Frankly, I believe that there is enough steam or nuclear propulsion in the maritime industry to insist on and stimulate the creation of a new American maritime industry, of space program proportions. We have been thinking large but we are budget programed small at the Federal level. I do not need to tell this committee that the Maritime Administration received a total support of $303 million for 1966, $230 million for 1967, and $305 million is scheduled for 1968. It was announced recently that the 1968 funds were up $25 million from 1967 and that amounts were included for 13 new vessels to join our subsidized fleet. This is in the budget. This kind of a replacement program begins no place, ends no place, and will do little to abate bloc obsolescence.

For ship construction to provide for national defense features in the form of construction subsidy this year we have the monumental sum of $106 million and I am sure someone will claim that the $143 million included in the 1968 budget is excessive. Certainly these kinds of budgets are exactly in line with testimony given by Defense Secretary Robert McNamara before my House Armed Services Committee and, of course, he testified before your committee.

Five years ago his words were as follows:

> From a purely military point of view the Reserve Fleet, plus vessels in service, plus the construction program previously outlined appear adequate to our needs. . . . I do not wish to overstate the military requirement thereby providing an umbrella under which a huge shipbuilding program for the Merchant Marine can be justified.

Personally, I think Mr. McNamara is the best Defense Secretary we have had and the best in the business, but on this issue, along with some others, I think he is dead wrong.

We all considered it rather ironic that after making the statement I just quoted the Secretary then should decide to move full steam ahead this year with a program for construction of the so-called fast deployment logistics ships at a cost of $2 billion plus.

To quote Mr. McNamara again, in criticizing our domestic capability to ships, he said:

> Not only does it cost twice as much to build a ship in this country, it also takes twice as long.

He said the reason is not higher labor costs or less skilled workers so much as the fact that American shipyards are—and I quote him again—"generally technically obsolete compared to those of northern Europe and Japan."

I dispute what the Secretary says, but if he is accurate I think he and the Department of Defense are to blame for compressing our American shipbuilding industry from a capability of better than 1,000 ships per year at the end of World War II to last year's dismal record—13 merchant ships delivered and 16 ships ordered by and in American yards.

Outside of submarines, until the release of the nuclear-guided missile frigate DLGN authorized 2 years ago, the Navy has not lain the keel of a true capital ship during the last two administrations. This policy has allowed our skilled naval shipbuilding levels to degenerate at one point to 75,000 men while private shipbuilding levels were near 100,000 men.

We have had in years past a true "survival of the fittest" in American shipbuilding with the Government forcing companies to bid at cost and under cost so that they were harpooning each other and the naval shipyards in the competition. We have closed two naval shipyards.

Needless to say, with rare exceptions there have been no contracts with profits fat enough for modernization programs. And with the Government spending 85 percent of the shipbuilding dollars in the United States it is no wonder that there has been a severe degree of status quo in the industry.

You wonder why you need an independent agency. I would say just look at the report and the bill that we enacted in the Congress yesterday and for all of the agencies outside of maritime, for railroads, for supersonic transport, for highways, a total of $1.5 billion. I say we need this kind of money every year in merchant marine development and if we are going to fighting with four or five other agencies to share a $1.5 billion budget I certainly do not think that the administration is offering us very much of a lure.

It would be tragic if the Defense Department now decided to live with the congressional action and not to move for-

ward in a new high priority effort with a beefed-up merchant marine to meet the needs of defense as well as civilian shipping requirements.

It is my understanding that Under Secretary of the Navy Robert Baldwin now has a study favoring a 750- to 950-ship program, tied into a Defense requirement, on Secretary McNamara's desk. I would think that this committee ought to have that report because I think you would see some of the thinking in some parts of the Department of Defense which are looking forward to working with the merchant marine in developing a joint use type of ship.

I say if the Soviets can do it so can the United States—it is all a question of postulating a program. The United States with a $760 billion gross national product has twice the economic power of the Soviet Union by any measure of comparison.

California alone with a $90 billion GNP is equal to France, 10 percent ahead of Japan, and by 1975 our State will be leading the United Kingdom and West Germany.

Yet since 1962 the Great Society has built but 87 ships averaging about $100 million in annual Federal cost, whereas the Soviets built 502 merchant ships during the period at a cost of nearly $1 billion per year. As a result 80 percent of the Soviet fleet is less than 10 years old and 80 percent of the U.S. fleet is more than 20 years old.

The Soviets carry 70 to 85 percent of their own commerce. The United States, which accounts for 25 percent of all of the world's ocean commerce, carries but 7.7 percent of that trade in her own American-flag bottoms.

The Soviets employ 9,000 in oceanography while we employ 3,700. The Soviets last year caught 6.5 million tons of fish in near-American waters and also carried on a tremendous amount of intelligence simultaneously. We caught 2.3 million tons.

The Soviets have gone from 1.8 million tons of ocean shipping in 1950 to 9.8 million tons last year and have a projected 15 million tons by 1970—all pursuant to a massive 7-year shipbuilding plan Russia initiated in 1958.

While the Soviets have presently on order 556 ships, the United States is building 48. While the Soviet fleet expanded catastrophically, the U.S. fleet has slumped from 22 million tons to 14 million tons with many second-class ships.

To rehabilitate our American merchant marine and to change the trend of our time is going to take more than 30 merchant ships per year to do the job—more than a simple "respond" program to marshal the forces of our existing merchant fleet. We must think big. If we wait for a tranquil year in the post-Vietnam era, it won't happen.

Gen. Lew Walt came back the other day and said we can plan to be in Vietnam for 12 to 15 years. I say if we can afford to spend $35 billion a year, or $3 billion a month, for Vietnam, we can spend $1 billion a year for a ship program—for an industry employing more than a half million men—to insure our world commerce in that area.

I have saved until the last my comments on the proposal for a new maritime policy submitted recently by Secretary Boyd. To begin with, although his suggestion talks of 100-percent increase in program, it is not of space program proportions. As I understand it, the President asked for a program that would receive the full support of all segments of industry and would allow the United States to recapture a substantial amount of her foreign commerce cartage. I say if they had the full support of the maritime industry you wouldn't require 5 or 10 days of hearings on the pending legislation.

Much like the task force recommendation, the Boyd plan, I believe is conceived in defeat from the outset. According to Ed Hood's latest shipbuilders report, Japan last year completed 6.4 million tons—46.1 percent of the world's new ships; West Germany, 1.1 million tons—8.2 percent; Sweden, 1.1 million tons—8 percent; Great Britain, 1 million tons—7.5 percent; Italy, one-half million tons—3.7 percent; and the United States ranked 13th with 191,000 tons—1.3 percent.

In other words, last year Japan completed more total tonnage than the United States completed during the whole of World War II.

To state it in another way, while the total export and import ocean cargo of the United States escalated from 64 million tons in 1936 to 404 million tons last year, the United States share of this cargo in U.S. bottoms slipped from 29.7 percent to 7.2 percent.

In other words, while our commerce has expanded nearly 700 percent, our ship capability has remained static. As a practical matter, under existing law over the past 20 years, 1,229 ships totaling 35 million tons have been built by American companies in foreign yards. Where does Secretary Boyd think Japan gets her orders for 6 million tons?

I say the purpose in establishing a Department of Transportation was to stimulate all industries as required, not to checkmate our ocean commerce by explaining that a particular offer is the last one and that there is a breaking point where the interests of the public and shipping industry necessarily separate.

I am one who believes firmly that the interests of our American shipping industry and the public and our national defense have much more in common than Secretary Boyd would have us believe. Far better it would be to have a Secretary who would, in fact, do what the President has asked—postulate a multi-billion-dollar shipbuilding program over a 5-year period to tie into a sea science, fishing, and oceanography, and then let the Congress decide whether the program is larger than the American public will sustain and support.

In conclusion, I want to reiterate my full support of a new, modern maritime agency. I must say again, however, that even this agency would not satisfy the aspirations of the 100-plus coauthors of this legislation unless we move forward with administration support on a simple space age, space-budgeted, 5-year maritime construction program.

Mr. DON H. CLAUSEN. Mr. Chairman, I rise in support of H.R. 159, which establishes an independent Federal Maritime Administration to implement our national maritime policy and to regulate and develop our merchant marine fleet.

The existing status of our merchant marine is appalling. Our own merchant fleet carries only 8 percent of our foreign trade. The merchant ships flying the American flag are old and decrepit and the situation is worsening rather than improving. It is incumbent upon the Congress to take firm, immediate action to halt this decline and to move toward a strong effort to rebuild our fleet.

I cosponsored this legislation because of my longstanding belief in the philosophy of "more trade, less aid." We cannot expect to buy friends throughout the world. Our hope of ultimate success with our friends in foreign nations must necessarily lie with international trade and economic competition.

To this end, we must rely on improved transportation of our goods to foreign markets. Improved commercial exchanges between the nations of the earth cannot but result in improved economic, cultural, and diplomatic relations between them.

In addition, our position as the richest nation in the world gives us a unique opportunity and, I might add, responsibility to assist in raising the standard of living in the underdeveloped countries. Starving, illiterate peoples are ripe for exploitation by unscrupulous leaders who would take advantage of their power for their own gain at the expense of depriving their citizens of a full opportunity for an improved way of life.

Our declining merchant fleet is not in the position to help develop the international trade that will be required. However, the opportunity is there and the Soviet Union and its satellites are working to take over. These countries are winning, too, but not in competition with us. It is our default that is giving them superiority in this arena.

An independent Federal Maritime Administration, interested in the development of our fleet could do a great deal toward strengthening our position. And, the Congress, by establishing such an agency would be indicating its support and approval for a reshaping of our maritime policies.

I believe the Federal Maritime Administration should begin immediately to expand our merchant marine fleet. I believe the modernization of our fleet is an absolute necessity. We must begin to build the most technically advanced merchant ships feasible to prepare ourselves for the very important international trade and commerce requirements of the future as well as to assist in the exploration of the resources of the sea which will become increasingly important in coming years.

I want to point out also that the merchant fleet is a necessary adjunct to to any Navy. The logistic requirements of the war in Vietnam have demonstrated how ill prepared our own fleet is for support of our military effort. We have been forced to bring 25-year-old ships out of mothballs to support our men in Viet-

nam. The Soviets do not have the same problem. They have long recognized the importance of a strong merchant fleet and Russia has, in the past decade, surpassed this country as an oceangoing power.

Not only does Russia have more ships with more tonnage, but the Soviet fleet is vastly more modern and capable than ours. The Soviet improvements have become obvious to all of us through its fishing fleet which is the most technologically developed in the world and which has been attacking traditional American fishing grounds for over a year; leaving in its wake a trail of depleted fishing areas and a burden on the American fishing fleet which may take many years to overcome. The growth of the Soviet merchant marine is not as visible as its fishing fleet but is at least as great and could have far more disastrous consequences for the free nations of the world.

Additional emphasis on the growth of our merchant fleet through the creation of an independent agency can do much to halt the decline of our fleet and can improve our position throughout the world. For that reason I hope this body will overwhelmingly support the establishment of this needed agency.

Mr. HOLIFIELD. Mr. Chairman, the bill to create an independent Federal Maritime Administration is a backward step. The committee report on the bill clearly states that that administration is firmly opposed on the sensible grounds that maritime matters should be under the Department of Transportation. It is unlikely that the bill is going anywhere. Even if this House is temporarily persuaded to pass it, I doubt that the Senate will do likewise, and I am certain that the President will veto it.

The House still has authorization and appropriation bills to be passed. We are trying to work our way through the maze of conflicting proposals on budget cuts and fiscal programs. Why add to the confusion and controversy? Let us get on with the important business of the House which cannot be postponed.

This issue is old hat. We have been through all this before. When the House Committee on Government Operations reported the bill creating the Department of Transportation, we made our case why the Maritime Administration should be in the new Department. We lost the teller vote on that issue. We accepted the loss of the agency from the Department of Transportation in order to get that Department running and to start it working on the host of transportation policy issues confronting the Nation.

But the sponsors of this bill today are not convinced. They are proceeding under the mistaken notion that they can somehow squeeze more out of this society if they have their own little maritime agency, if recommendations for maritime funds can be made separate and apart from all other transportation budget matters, and if they can produce grandiose plans for future subsidies without reference to any other programs. Perhaps they will be happy if they just get a bill passed in one House and can report to all hands that progress has been made.

An independent maritime agency is not progress. It is second-class citizenship. Without a Cabinet head, the needs of the merchant marine will have no high-level spokesman with ready access to the President. Standing apart from the great Department of Transportation, maritime policies will be more isolated, not in tune with new technological advances, not coordinated with other important transportation policies and programs. An isolated agency is more likely to be a prisoner of the maritime industry than a strong voice in Government.

The shipping industry of this country needs to be revitalized. New techniques, new methods, new incentives, sustained Government support, are required. We need to take several bold steps forward, not one step backward, as this bill proposes.

So I say to my colleagues, let us not have another exercise in futility. Let us vote down this bill and wait for a bill or reorganization plan which puts the Federal Maritime Administration where it belongs—in the Department of Transportation.

Mr. BRASCO. Mr. Chairman, I am pleased to have this opportunity to join with so many of my colleagues in this House in expressing wholehearted support for H.R. 159.

The fact that more than 100 bills for maritime independence were introduced this session speaks well for the prospects of this legislation when it reaches a vote today. Even more than that, I think this is a manifestation of just how deeply we in Congress feel about the fact that our merchant fleet has been allowed to go into a decline—and how strongly we all believe that only by granting this Federal agency complete autonomous status can we ever hope to regain our merchant marine vigor.

This great concern over the condition of the American merchant marine is certainly valid. During the past 17 years—in the period that the Maritime Administration has been in the Department of Commerce—our Government has allowed two-thirds of our fleet to become obsolescent.

In addition, the American-flag fleet has been abused and neglected, so that today it carries not even the inadequate 8-percent figure we have been led to believe, but less than 7 percent of our foreign waterborne commerce. Federal laws designed to correct this situation have simply not been adhered to.

This has been due in great measure to the manner in which the laws have been administered—or, more precisely, maladministered—by the Federal departments and agencies charged with the responsibility for their implementation.

Neglect on the part of these Federal departments and agencies has resulted in the gradual deterioration of our fleet, which today has fallen to sixth place among the maritime nations of the world.

In addition to the withholding of cargoes, other Federal programs, such as the subsidy program of the Maritime Administration have been maladministered. Our maritime program receives far less of the tax dollar than either the aviation industry or the highway building program. Yet this subsidy program has been singled out—almost alone among the many subsidy programs—and has been subjected to violent attack as being wasteful.

It has been recognized for many decades that the strength of a nation's maritime industry can be directly correlated with the economic strength of the country itself. It is evident that the United States is very weak in this area. A powerful economic machine that does not have the transportation facilities for distribution is most surely subject to ultimate disaster.

It is with this in mind that we call today for an independent maritime agency to deal with the problems of the industry as only a separate agency can. These are the times that will determine the future international strength and position of our country, and failure to provide for a strong and capable merchant marine can only weaken this position.

We must pass H.R. 159 and get our merchant marine moving back on the road to strength and security.

Mr. FARBSTEIN. Mr. Chairman, I support H.R. 159 creating an independent Maritime Administration as one of the surest ways to solve our maritime problems.

Ever since the beginning of this century, the lot of the American merchant marine has been one of feast and famine. Today, we find ourselves virtually at the bottom of the heap among the maritime nations. There are many reasons why this is so, but I believe the key reason is that the Maritime Administration has been virtually voiceless for far too long.

Certainly an independent Maritime Administration will give its full attention to maritime problems. As it now exists, the Maritime Administration is buried in the Department of Commerce where it must compete with the many other functions administered by this Department. Furthermore, transfer of the Maritime Administration to the Department of Transportation, as proposed earlier this year by the administration, would simply be once again relegating the maritime interest.

That is the reason why I became one of the many cosponsors of legislation to create a separate Maritime Administration and that is why I rise today to record my support of the legislation before us.

An independent agency will have a direct line to Congress. In the House, we have already tried to make it easier for this agency to operate by approving the Committee on Merchant Marine and Fisheries, the bill on annual maritime authorization. This means that this congressional committee, which bears such an enormous responsibility for the maritime program, will also have something to say about the money for that program.

An independent agency, working with a Congress that is prepared to move in the proper direction, can do a lot to get us moving again. An independent agency can devise a program for ship construc-

tion and ship operation that will insure that we have a new, fast, and efficient fleet that can compete with the other maritime powers.

In 1936, Congress recognized the maritime needs of the United States, and in the Merchant Marine Act of that year, created a maritime agency with independent status. This independent agency planned the development of the Victory and Liberty ships which served as workhorses of wartime ocean transport and which today comprise the major portion of our National Defense Reserve Fleet.

Planning by this independent agency made possible the large-scale mobilization of our shipyards and training of shipbuilding manpower to meet our wartime needs—planning that was so effective that our shipyards were able to produce thousands of new vessels within a few years.

After the war, when peacetime returned, this independent maritime agency was destroyed.

Mr. Chairman, right now we have less than 1,000 privately owned merchant ships to serve our commercial and defense needs. More than 80 percent of these ships are well over 20 years of age. This shocking neglect of our merchant fleet by the Federal Government has reduced the United States from first to sixth place among maritime nations. I hold that it is time for us to move with speed and with decisive action to correct this past neglect. I believe that an independent Maritime Administration, assisted by a Congress committed to improving our maritime posture, will provide the leverage we need to get the job done.

I urge passage of this bill and wish to personally commend the gentleman from Maryland, Chairman GARMATZ, and the other members of the Committee on Merchant Marine and Fisheries, for taking the lead in support of this legislation. I further commend the committee for their call to action, by requiring the Maritime Board to submit to Congress within 1 year, a report surveying the current condition of the American merchant marine and need for further legislation. It is this kind of positive congressional support that is needed to get to the heart of our maritime problems.

Mrs. HANSEN of Washington. Mr. Chairman, I join today with the distinguished chairman of the Committee on Merchant Marine and Fisheries in support of this bill. I introduced a similar measure, since I have been deeply concerned with the future of the merchant marine. It seems to me that no nation can long remain either a strong nation or an international power, or maintain a viable economy if it does not provide strength in its maritime affairs.

Since the beginning of history, maritime development has been the measure of national vitality. Nations who have lost this vitality soon find themselves with economic and international difficulties.

If the United States is forced to purchase all ships abroad or ship in foreign bottoms, we eventually will become a satellite of others. The independence given the Federal Maritime Administration is essential and I congratulate the committee for presenting this bill today.

Mr. KYROS. Mr. Chairman, I have heard 1967 described as the year of decision for our Nation's merchant marine. If this is true—and I believe it is—then the decision we make in this body today on H.R. 159, to establish an independent Maritime Administration, will have more than ordinary significance.

A favorable vote on this measure will set us on the road toward the development of a reasonable national program and the investment of reasonable sums of money in the rebuilding and revitalizing of our merchant fleet. Thus we will be taking a long-delayed step toward regaining our position as a major maritime power.

We are all well aware of the downhill course which we have been following in recent years. I am sure this entire body is well versed in the sorry statistics of what has happened to our merchant fleet:

At the end of World War II, we had a merchant fleet of some 5,000 ships; today we have 900.

At the end of World War II, American-flag shipping carried 40 percent of our seaborne export-import cargoes; today our ships carry only about 7 percent of that cargo.

At the end of World War II, our merchant fleet provided jobs for 80,000 sailors; today these jobs have shrunk to only about 40,000.

At the end of World War II, we stood No. 1 among the nations of the world in shipping, and No. 1 in shipbuilding; today we are a poor sixth in shipping, and 16th in shipbuilding.

I think this decline of our merchant marine has been directly attributable to the fact that the executive department has failed to implement the Merchant Marine Act of 1936. Budgetary expediencies, rather than national need, have been allowed to dominate our maritime programs. Administration of maritime policy, which once rested in the hands of an independent and autonomous agency, has been downgraded over the years by incorporation of the Maritime Administration in the Department of Commerce.

Last year, Mr. Chairman, it was necessary to mount a major effort to keep maritime out of the newly created Department of Transportation. There are those who still cling to this idea of putting maritime into DOT, although if we did, this industry would be overshadowed, both in budget and in emphasis, by other modes of transportation.

This pending bill, Mr. Chairman, will reconstitute the Maritime Administration as an independent agency. Passage of this bipartisan legislation is the only way we can win this struggle to restore this vital industry to its proper position of size, strength, and prestige.

H.R. 159 has the overwhelming support of maritime management and labor. It has the backing of a significant majority in this body. And I am sure it has the backing of the majority of the American people, who realize that our military security, our economy and our international prestige all depend on a viable merchant marine.

On enacting this legislation, Mr. Chairman, we will be writing a new chapter in our continuing dedication to the building of a better merchant marine. And we will be making our contribution to a stronger, more productive, America.

Mr. HOWARD. Mr. Chairman, as one of the more than 100 Members who cosponsored the pending legislation, I am pleased to rise now in support of its passage.

We need an independent Maritime Administration to make it possible for our maritime industry to grow and expand at a rate equal to our ever-expanding international trade.

At the present time, this is not the case. While the volume of American trade steadily increases each year, the amount of that trade carried in American-flag ships is steadily declining. In 1965, American-flag ships carried only about 7.7 percent of total American foreign trade, and that percentage has now dropped to around 7 percent.

The American-flag merchant fleet simply is not keeping pace with the growth of our international trade, and as a result we are losing cargoes each year to our foreign competitors. In view of this steady and increasing decline, where will American-flag shipping stand against foreign competition by 1970? Where will it be by 1980?

By 1980, it is estimated that American foreign trade will have doubled in volume over its current rate. In other words, just to keep pace with this tremendous trade growth—just to keep American-flag cargo carriage at its current level of 7 percent—the cargo capacity of the American-flag fleet will have to be doubled.

Merely to keep pace, then, we will have to add about 1,000 new ships to our merchant fleet by 1980—to say nothing of replacing the old ships. How can we think of achieving that goal when we are building—at most—only 13 new ships a year?

For too long, Mr. Speaker, we have frittered away our vital maritime resources. We have cut back maritime budgets here on this Hill, or else the administration has failed to utilize the funds which we have appropriated, and so we do not get the new ships which we need.

We must reestablish an independent Maritime Administration to meet our current shipping and shipbuilding needs. An independent agency is the only one that would be able to plan for the large-scale development that is required to rebuild our declining shipyard industry and to add the numbers of ships to our merchant fleet which we must have to keep pace with expanding commercial and defense needs.

An independent Maritime Administration would assure that American maritime industry workers—seamen and shipbuilders—receive recognition by their Government of the important contribution they make to our economy. An independent agency will assure that American shipping and shipbuilding activities are not penalized in their competition with foreign operators and shipyards. An independent Maritime Administration will assure that the

American maritime industry will not be sacrificed by bureaucrats who seek some illusory savings by building ships abroad, or by using foreign-flag vessels.

Only with this legislation—H.R. 159—will we have the planning our Nation needs for maritime development and the protection of our maritime industry against foreign competition.

Mr. BATES. Mr. Chairman, I consider the bill now before us, H.R. 159, one of the most important pieces of legislation we have considered in years. It is unfortunate that, after deciding by a better than 2-to-1 vote, that the problem of our merchant marine was too grave to be lost in the maze of the new Department of Transportation, Congress adjourned last year before it could act on a similar bill to establish this vitally needed independent Federal Maritime Administration.

I agree with the distinguished chairman of the Committee on Merchant Marine and Fisheries [Mr. GARMATZ] that it is now even more necessary that we enact this legislation, as the number of privately owned ships operating under the American flag continues to decrease and the problems of merchant marine tonnage replacement grow ever greater.

To emphasize my long-standing sympathy with the widespread concern over the serious crisis facing American shipping and the crucial need for strong, affirmative action to meet the requirements of our defense as well as our commerce, I was among the 104 Members of the House who introduced bills this year to achieve the goal sought by the measure we are here considering.

We cannot overemphasize the importance of our having a sound, constructive maritime program enacted without delay. In 1953 we had 2,332 active ships, but of the 965 privately owned vessels in the U.S. fleet today, 682, or about 70 percent, are 20 years old or older.

Indeed, the national disgrace of the grossly inadequate attention given to our decline as a maritime nation is further stressed by the fact that the United States today ranks fifth in merchant fleet tonnage and 14th in shipbuilding. Moreover, the Soviet Union has made a startling advance in transforming itself from a minor maritime power to the point where this year it stands sixth in total tonnage but has 1,360 merchant vessels compared to our 965, despite our reactivating reserve fleet ships for Vietnam service.

Not only that, but since 1962, Russia has built 502 merchant ships to our 87. Last year, Russia spent approximately $1 billion on shipbuilding; this country spent some $106 million. Eighty percent of the Soviet fleet is less than 10 years old.

As a member of the House Armed Services Committee, I am especially aware that unless our shipbuilding effort is greatly increased, our defense commitments throughout the world will be in jeopardy. It is very regrettable that the Government departments recorded with respect to H.R. 159 oppose the creation of this independent Maritime Administration, which seems so essential to salvage American merchant shipping. However, I cannot help but believe that the President will concur in the overwhelming desire of the Congress and all segments of the shipping industry that we are on the right course. After the immediate problems appear to be resolved, it well may be appropriate for a well-organized and functioning Maritime Administration eventually to be drawn into the Department of Transportation.

Right now, however, just as we have an independent agency spearheading our travel in space, so should we have the concentrated, unimpeded guidance and development of our travel on the high seas as afforded by an independent Maritime Administration. It was Edward M. Hood, president of the Shipbuilders Council of America, who observed recently before the AFL-CIO Maritime Trades Department that the Russians achieved their aim of surpassing the United States by giving their shipbuilding program "priorities equivalent to or surpassing their outer space program." Mr. Hood continued:

> If one were to assess maritime developments of recent years, the phenominal growth of Russia's fleet would take top honors as the most notable achievement. And, if one were to designate the greatest maritime calamity of the same period, the dubious award would have to go to the United States.

Certainly, this condition cannot be allowed to continue. Earlier this year, the Congress enacted the so-called Marad authorization bill—H.R. 158—to afford the same kind of needed congressional specialized attention given to Defense and other agencies in the matter of authorizing programs and appropriations. This was the first big step toward our making sure that the needed augmented maritime program is implemented. Enactment of the bill before us, H.R. 159, will really put us on the road toward modernization and expansion of the American merchant fleet. Among other things, it is especially worthy of note that it will provide a survey report by the new Maritime Board 1 year hence to guide the President and the Congress on what further must be done to help the United States to compete with Russia and the other maritime powers.

I hope, therefore, Mr. Chairman, that this bill will be overwhelmingly passed.

Mr. RHODES of Arizona. Mr. Chairman, I rise in support of H.R. 159. This bill would create an independent Federal Maritime Administration. It is an important first step in the slow rebuilding process that we must undertake if this country is to have a merchant marine and a maritime industry that can meet our defense commitments and carry our goods to all the ports of the world.

For far too long, the maritime industry has been the stepchild of the Democratic administration. Its plight has gone unnoticed. Its problems have gone unsolved. Faced with this increasingly desperate situation, the House Republican policy committee has issued a series of statements that have helped to focus attention on the need to revitalize and modernize our merchant marine and shipbuilding industry.

I would like to include at this point in the RECORD the three Republican policy committee statements that deal with the maritime problem and the need for an independent Federal Maritime Administration. I also would like to include an article and an editorial that reflect the favorable response that these statements have received.

REPUBLICAN POLICY COMMITTEE STATEMENT ON THE AMERICAN MARITIME INDUSTRY

America is facing a crisis of major proportions with respect to its vital Merchant Marine. At the close of World War II, this country had a Merchant Marine fleet of over 3,500 vessels. By 1951 there were 1,955 active U.S. flag ships. Today there are only 1,000, including those reactivated for the Viet Nam War, and most of these are over 20 years old and near the end of their economic life.

The United States has dropped to 12th place among the world's major ship-building nations. Russia, on the other hand, has risen from 12th to 7th place as a maritime nation and is presently building an even larger merchant marine which she intends, by her own admission, to utilize as an instrument of foreign policy.

On January 1, 1966 the United States had only 45 ships under construction. And President Johnson's budget for fiscal 1967 provides only $85 million for our Merchant Marine ship construction. This represents a cut of $47 million from appropriations for the current year. It would permit construction of a maximum of 13 new ships. It is both significant and tragic that the Administration's total maritime budget for 1967 set a 7-year low. Although the 1965 State of the Union Message promised "a new policy for our merchant marine," nothing has materialized and the bickering and confusion among the various governmental agencies continues and grows.

By contrast, Russia boasts a merchant fleet of almost 1,500 vessels. Most are new and efficient ships built since 1950. Soviet orders for new ships rose from 225 in 1962 to 673 in 1964. Moreover, the Soviet Union is utilizing its satellites, and the Free World at a substantial cost in hard currency, for its merchant fleet expansion. For example, East German shipyards are scheduled to supply 399 merchant vessels. The Polish yards are working on Soviet orders for timber carriers and tankers.

The inadequacy of America's shipbuilding program is further highlighted by the fact that Japan has 199 merchant ships under construction, Great Britain 184 vessels, West Germany 176, and Sweden 44.

At the same time that our shipbuilding effort is lagging and our World War II reserve fleet is growing older and more dilapidated, the expanding war in Viet Nam is putting the United States merchant fleet under tremendous pressure. Tonnage volume to Viet Nam has leaped from 300,000 tons per month to 800,000 tons per month. Almost 470 ships are now under direct operational control of the Military Sea Transportation Service and most of these are engaged in the sea lift to Viet Nam. Moreover, because U.S. ships were not available, MSTS had to look to foreign flag vessels for help.

Much of the present problem is attributable to the fact that several years ago Secretary of Defense McNamara decided that he could reduce the role of ships in the defense picture. According to McNamara, air transport could be substituted as a primary military supply vehicle. Now, just 4 years after this disastrous management decision, 2 out of every 3 soldiers in Viet Nam had to be transported by ships and, as of January of this year, 98 percent of the supplies and cargo for the war went in by ship. The fact that it would take 260 of the C5A planes to carry the load of a single ship, and air transportation, if utilized, would cost 5 or 6 times as much per ton mile, further dramatizes our need for and dependency upon ships.

At the same time that shipping presents a grave problem for us, both Communist and

Free World ships continue to carry goods to and from North Viet Nam. In 1965 there were 199 Free World ship arrivals in North Viet Nam. Of this figure, 107 involved ships flying the flags of NATO countries. We know from our own experience that shipping, and the cargo that it brings to Viet Nam is an all-important factor in the prosecution of the war. Supply problems have hampered our effort. By the same token, Communist and Free World ships have supplied much of the goods and military supplies that have made it possible for the North Vietnamese to continue the war. Certainly, at a minimum, the penalties and restrictions imposed upon ships that engage in Cuban trade should be imposed upon those who trade with North Viet Nam.

The Merchant Marine shipbuilding effort in this country must be increased. Unless this is done, our defense commitments throughout the world will be in jeopardy. Indeed, our national survival may depend upon the shipping that should be under construction but which the Johnson-Humphrey Administration has scuttled. We demand that steps be taken to correct this disastrous situation. If the present trend continues, this country that once boasted the greatest merchant fleet in the world, will be left on history's shore waiting for ships that never come in.

REPUBLICAN POLICY COMMITTEE WARNS OF MAJOR CRISIS IN AMERICAN MARITIME INDUSTRY

Due to neglect, confusion and a general inability to meet the mounting problem, the Johnson-Humphrey Administration has permitted the American Maritime Industry to drift into a major crisis.

Today, the United States has fewer privately owned seagoing merchant ships than in 1936. The percentage of United States flagships in the world's merchant fleet is one-half of what it was three decades ago. The percentage of American goods moving overseas on American ships is now the lowest in modern history. The United States has dropped to fifth among the nations in the size of our active merchant fleet and presently ranks fourteenth in shipbuilding. This national disgrace is heightened by the fact that 70% of our ships are twenty years or older and will be due for layup within the next five years.

More than two years have passed since the State of the Union Message in 1965 when the President promised ". . . a new policy for our merchant marine." To date, that promise remains unfilled. Moreover, in recent testimony, the Secretary of Transportation noted that he "would not seek (the President's) concurrence in the new program until I could assure him that it had general support within the maritime field—However, I must now report that we do not have the kind of agreement which will make such a program a reality." Thus, rather than decision, we have experienced indecision. In place of action, there has been near paralysis in federal leadership. While we are in a continued state of decline, the other maritime nations of the world have been building up their merchant fleets. Last year marked the third successive annual record for world merchant shipping launched.

The seriousness of this situation is graphically reflected by comparing the American maritime industry with that of Soviet Russia. "A 1966 Survey of Russian Merchant Shipping" prepared by the University of Washington, discloses that:

"In 1963 the Russians constructed 115 ships while America launched 31. Between 1959 and 1963 the American fleet increased by 20 fewer ships than the Russians produced in the single year 1963. Moreover, the amount of American seaborne commerce carried in American ships has declined from an already low of 11 per cent in 1960 to around 7 per cent today. The Russians, in contrast, have increased the amount of freight carried in their own bottoms from 33 per cent in 1955 and 45 per cent in 1962 to around 85 per cent in 1965."

There are indications that this country's sea transportation forces have been stretched to the limit to support the massive military operations in Vietnam. In order to meet our obligations there, a large number of old ships have been pulled out of the mothball fleet. These vessels, from 20 to 27 years old, have had a breakdown rate more than double the privately owned commercial fleet under charter for Vietnam service. Although faced with these dismal statistics, the Administration now proposes to modernize more of our aging reserve fleet while only increasing the new merchant ship construction in American yards from 13 to 15 ships a year.

Last year, the Administration attempted to transfer the Maritime Administration into the new Department of Transportation. Under Republican Leadership, this move was defeated and a plan was advanced that would establish an independent Maritime Administration. The proposed transfer would have done little more than shift the maritime problem to a new department. There was no sense of urgency or a call for a redirection of effort. Rather than meeting and solving the problems of the maritime industry, they would have been swept under a bureaucratic rug.

In this session of Congress, the Johnson-Humphrey Administration is continuing to display a dangerous disregard for the very serious problems of our maritime industry. The present situation has been described by the *Journal of Commerce* as follows:

"It is one thing to attempt enticing the shipping industry into the new Department of Transportation with vague promises of a totally new policy. It is quite another to display by current actions a curious indifference to the problems of merchant shipping and to indicate—when discussing the subject at all—not what ought to be done, but what the administration is unwilling to do or keep on doing."

In addition to its failure to develop a meaningful maritime policy, the Johnson-Humphrey Administration has undercut, if not scrapped, the forward-looking ship replacement program that was implemented during the Eisenhower Administration. At that time, it was clearly apparent that unless a program of this type was carried forward, the United States would face, in the foreseeable future, a maritime crisis of major proportions. The Administration's abandonment of the Eisenhower program has triggered just such a crisis. Its current indecisiveness and failure to mount anything more than a minimal program, have escalated the crisis to a point where it is bordering on a national catastrophe.

This Country needs and must have a modern merchant marine. We must revitalize and modernize our shipbuilding industry if the demands of the future are to be met. The need to develop a reasonable and defensible maritime program presents a challenge and an opportunity. 1967 is a year of decision for the American Maritime Industry. Unless our shipbuilding effort is increased our defense commitments throughout the world will be in jeopardy. Indeed, our national survival may depend upon the shipping that should now be under construction but which the Johnson-Humphrey Administration has scuttled.

HOUSE REPUBLICAN POLICY COMMITTEE URGES THE CREATION OF AN INDEPENDENT FEDERAL MARITIME ADMINISTRATION—H.R. 159

The House Republican Policy Committee supports H.R. 159. This Bill would create an independent federal Maritime Administration which would be headed by a federal Maritime Administrator. All of the present duties of the Secretary of Commerce under the Merchant Marine Act of 1936 would be transferred and vested in the Administrator and the 3-Member Board. In the 89th Congress and again at the outset of the 90th Congress, the Republican Leadership and the House Republican Policy Committee warned of a major crisis in the Maritime industry and urged that steps be taken to correct what could become a disastrous situation. The enactment of H.R. 159 would be an important first step in revitalizing our Maritime industry and restoring this country to its former position among the Maritime nations.

In February 1962, the then Deputy Chief of Naval Operations, Vice Admiral John Sylvester, stated:

"The strategic importance of ocean transportation in wartime dictates that the United States must have under its control sufficient active merchant type shipping to promptly meet our emergency sealift requirements.

"The slow rate of progress made in the replacement of aging vessels has left us with a largely obsolescent Merchant Marine. Orderly shipbuilding programs and replacement programs should be instituted without further delay."

On September 28, 1967, Admiral Thomas H. Moorer, Chief of Naval Operations, warned that the swift expansion of Soviet naval power poses a "challenge to our free use of the seas (that) is here for all to see."

The Johnson-Humphrey Administration has not met this challenge. The President's promise in 1965 of a "new policy for our Merchant Marine" has not been fulfilled. There has been indecision rather than action. As a result, the percentage of U.S. flagships in the world's merchant fleet is one-half of what it was three decades ago. The percentage of American goods moving overseas on American ships is at an all-time low. In 1966, the United States put only 13 new ships into service. The Soviets took delivery of 62 ships in the last six months of 1966 alone. Some 80% of the Soviet fleet is less than 10 years old while nearly 70% of the United States fleet is more than 20 years old.

Under the provisions of H.R. 159, an independent federal Maritime Administration with a Maritime Administrator at its head would be created. A Maritime Board composed of 3 Members would be established within the Administration. The federal Maritime Administrator would be the Chairman of the Board. All functions, powers and duties of the Secretary of Commerce and of the offices and officers of the Department of Commerce under the Merchant Marine Act of 1936 would be transferred to or vested in the Administrator. H.R. 159 also requires that the Maritime Board submit to the President and to the Congress within one year after enactment, a report surveying the condition of the Merchant Marine, evaluating the effectiveness of existing law and making appropriate recommendations.

It is unfortunate that the Johnson-Humphrey Administration is opposed to H.R. 159. Action must be taken to reverse the downward trend of recent years. The creation of an independent federal Maritime Administration is a logical first step. It would break the present stalemate. It would underscore the importance of our Maritime industry. It would place Congress on record as being in favor of a Merchant Marine that can meet our defense commitments and once again carry the American flag to all the world ports of trade.

Once an independent Maritime Administration is established, the Maritime industry would cease to be a political football that is kicked from Department to Department. Moreover, the new Maritime Administration would have an opportunity to prepare a

report which would contain long-range solutions to the many problems besetting the Maritime industry. In its recommendations, it could propose a course of action that would provide this country with a modern Merchant Marine and a revitalized and modernized shipbuilding industry.

A reasonable and forward-looking Maritime program must be developed. The neglect, confusion and inactivity of recent years must be ended. The Republican sponsored and supported bill, H.R. 159, was reported from Committee on August 31, 1967. It was given a rule on September 27, 1967. It should be scheduled for Floor action without further delay.

[From the San Francisco (Calif.) Examiner, May 19, 1967]

THE FEEBLE U.S. MERCHANT FLEET

The House Republican Policy Committee ominously reports on the American merchant marine:

"Today the United States has fewer privately owned seagoing merchant ships than in 1936." (Incredible!)

"The percentage of American goods moving overseas on American ships is one half what it was three decades ago." (Shameful!)

"The United States has dropped to fifth among the nations in size of active merchant fleets and presently ranks 14th in shipbuilding." (Frightening!)

The neglect of the American merchant fleet is at the same time the neglect of an essential arm of national defense. While the airlift to Vietnam has been justifiably praised, 98 percent of the supplies carried there are borne by sea, in vessels four-fifths of which are more than 20 years old.

At the time our merchant fleet more and more takes on the silhouette of a bunch of tubs, Soviet Russia's commercial carriers vastly increase in number and quality. Her shipyards, and those of her satellites, are operating near capacity.

From 1950 to 1966, the Soviet fleet grew from 432 ships of 1.8 million deadweight tons to 1422 ships of 10.4 million tons.

Our fleet shrank from 1900 ships of 22 million tons to fewer than 1100 of 14.8 million tons.

America, whose proud Clippers roamed the trade routes everywhere, now can move only seven percent of its world commerce in its own ships.

But the U.S. is not left bobbing in the wake of only the Russians. Other nations are gaining too. Last year another annual record was set in world merchant ship launchings.

Labor, capital and government must team to restore the American flag to world ports of trade. The House Republicans have their teeth in a sound issue. They must not let it go.

[From the Journal of Commerce, Oct. 12, 1967]

GOP BACKS INDEPENDENT SHIP AGENCY—HOUSE POLICY GROUP SAYS ADMINISTRATION HASN'T MET CHALLENGE

(By Robert F. Morison)

WASHINGTON, October 11.—House Republicans today formally endorsed legislation to establish an independent maritime promotional agency, labeling it a step that "must be taken to reverse the downtrend of recent years."

In a partisan statement from the House Republican Policy Committee, under the chairmanship of Rep. John J. Rhodes (Ariz.), the present Democratic administration, which opposes an independent Maritime Administration, was accused of not meeting the "challenge" of the decline of U.S. merchant fleet and the rise of the Russian and Soviet Bloc maritime effort.

FURTHER DECLINES

President Johnson's January, 1965, promise of a "new policy for our merchant marine" has not been fulfilled and there has been "indecision rather than action" since then with the result that U.S. flag ships have steadily declined and are carrying less each year of total foreign trade.

Accompanying Rep. Rhodes at a brief news conference was Rep. Gerald R. Ford (Mich.), House Minority Leader, who has been the key GOP leader in converting the shipping problem into a partisan issue.

Rep. Ford reported that there was no indication yet that the House Democratic leadership will schedule the legislation (HR 159) for establishment of an independent Maritime Administration for consideration. (The bill died in the last Congress when the House leadership failed to schedule it for debate, in part, presumably in deference to the Senate's disinterest and the administration's opposition.)

Rep. Rhodes said the U.S. decline in merchant shipbuilding in this country was "not good for the economy or the defense position."

Neither Rep. Rhodes nor Rep. Ford discussed how their party's economy battle with President Johnson squared with their partisan concern for a new and more costly maritime program, including sizable increases in subsidized ship construction.

Some GOP members have argued that the merchant marine is intimately tied to the defense effort and as such enjoys, or should enjoy, a higher priority among spending programs.

READY FOR ACTION

The independent MA bill was cleared by the House Rules Committee Sept. 27 and "should be scheduled for floor action without further delay," the GOP policy committee said.

The administration, with reluctance, has already accepted this year a congressional authorization process for future maritime programs, but has stood firm for ultimate inclusion of MA in the Department of Transportation.

Mr. RUPPE. Mr. Chairman, we are today contemplating the establishment of the Maritime Administration as an independent agency in the executive branch. I am speaking today in defense of such an independent maritime agency because I believe that Maritime Administration has far too long been incorporated in an organizational framework whose prime consideration lay elsewhere than with the state of the American merchant marine. This organizational subservience has been in some ways a factor in the declining lot of the American marine capacity. Yet subservience is hardly our goal in this matter, despite the appropriateness on the surface of incorporation within the Department of Transportation. An independent Maritime Administration is, I feel, the organizational form most likely to develop the single-minded purpose and flexibility which is going to be necessary if we desire to see the situation we bemoan today improve tomorrow. The American merchant marine has been neglected, and as certainly as it has been neglected, it must be rejuvenated and brought back to life.

I am sure you are all familiar with the present plight of the merchant marine. The decline of our tonnage capacity at the time that the tonnage of the fleets of the rest of the world has greatly expanded is familiar to all. The decline of the maritime industry is dangerous to our military posture in a time of national crisis and represents a real threat to our economic security. A brief look at the record will justify my statement:

Twenty years ago the United States had a merchant marine fleet of 5,000 ships, American-built, American-owned, American-manned. Today there are only about 900 of these U.S.-flag vessels.

Twenty years ago American-flag shipping carried 40 percent of our seaborne export-import cargoes. Today, foreign-flag vessels carry about 93 percent of that cargo.

Twenty years ago some 80,000 sailors were able to find jobs on American-flag vessels. Today, those jobs have shrunk to less than 50,000.

Twenty years ago the United States ranked first in merchant shipping. Today we are sixth.

Twenty years ago we were the world's leader in shipbuilding. Today we are 16th.

In Japan today, it takes 2½ months to build a ship according to the assembly-line methods they have developed, from the laying of the keel to the launching. In another 2½ months the ship is delivered to the buyer. To construct giant tankers such as the Japanese are now building in less than half a year is a fantastic accomplishment. This was certainly an eye-opening experience for me when I visited Japan last spring, and forcefully brought home the necessity for upgrading our shipbuilding technology to insure our future ability to compete in the world market.

I am not saying that an independent agency, simply by its creation, will guarantee the building of a strong merchant marine. What I am saying is that the Department of Commerce has not devoted single-minded purpose and energy to the development of a first-class merchant marine. I have seen nothing to indicate the Department of Transportation would do any better. The Secretary of Transportation himself is a man with no maritime experience whatsoever.

I am aware that a share of the shortcoming is—as in all things—budgetary. This restraint will be felt by an independent Maritime Administration. I am not, however, impressed with the argument that this restraint will have the same debilitating effects upon an independent Maritime Administration which could present and implement a well-constructed program effectively as it would were this function absorbed in the Cabinet-level Department of Transportation.

I strongly feel that an independent Maritime Administration is the best organizational form for incorporating the singlemindedness of purpose and flexibility necessary for the development of a meaningful program of ship construction, cargo preference, and operating assistance, so that we can get back up there as a world maritime nation again.

One of my constituents put the matter pithily, but well, when he wrote:

We are proud of our Ship of State and in order to keep it so we had better be concerned about the state of our ships.

The establishment of the Maritime Administration as an independent agency in the executive branch would be the first major step in the task of rebuilding our merchant marine so that we can reestablish the United States as a major power on the seven seas.

Mrs. MINK. Mr. Chairman, I rise to express my support for the bill pending before us, H.R. 159, which will create an independent Federal Maritime Administration to look after the sagging fortunes of our American merchant fleet.

The purpose of this bill is to get our maritime operations and policymaking out of any larger agency where its interests must compete with those of a multitude of diverse operations, and it has been necessitated by the startling loss of American maritime supremacy over the past two decades. This shocking decline can be well illustrated with statistics, Mr. Chairman. I point to the fact that American-flag ships are today carrying only some 8 percent of our import and export cargoes; at the end of World War II the figure was 40 percent. In the same period we have witnessed a decline of our merchant fleet from 5,000 active ships to 900 today, a downward trend that is made even more alarming by the obsolescence of 70 to 80 percent of this fleet.

Where at the end of World War II the United States was the No. 1 maritime power, we have now slipped to sixth in gross tonnage, and there is no indication that we will not drop further with our planning calling for only 13 to 15 new ships a year out of our shipyards. Significantly, Russia has been consistently and determinedly expanding its maritime activities, and we are advised that the U.S.S.R. does not hesitate to devote up to 5 percent of its national budget on shipping and shipbuilding. Whereas they had only 500 merchant ships, with a gross tonnage of 1.5 million, in 1953, the inauguration of Soviet crash programs has increased these totals by 1966 to 1,437 ships, with 7,290,000 gross registered tons. Russian ships are plying all sealanes in the world today and usurping markets that once were ours. When we consider the strategic value of this dramatically expanded trade to Soviet economic aspirations, it is time we take heed and form a concerted national policy to regain our lost supremacy. The U.S. shipbuilding program is 100 vessels behind schedule at present, and we must compare the 386 ships built for the U.S. flag since 1947 with the 581 ships which Russia had under construction or on order as of May 1966 alone.

America's decline in this intense worldwide competition may well be the result of many interlocking and complex factors, Mr. Chairman, but we cannot blink the fact that our international decline has followed directly and consecutively on the abolition of the independent U.S. Maritime Commission in 1950. This five-man body was created by the Merchant Marine Act of 1936 to implement an expressed congressional policy of maintaining a strong competitive American-built fleet of U.S.-flag ships. It is no wonder when we observe the picture of our decline to sixth in gross tonnage and 14th in worldwide shipbuilding that those who are most familiar with our maritime preeminence view the creation of an independent agency as the best hope for reversing this recent trend. Though the present administration has been promising to send up to Congress a new maritime policy since January of 1965, we are still awaiting such a development, and it appears now that nothing will be done unless Congress takes the lead. An independent Maritime Administration, staffed hopefully with experts familiar with and concerned over the importance of maritime power, is a hopeful first step that it appears we must now take.

We must reckon a vigorous and competitive merchant fleet as having significance not only in maintaining a strong position in world commerce, but for its vital role as an adjunct of our naval strength, and not least as a symbol of our world leadership. To allow the present trend to continue is to ensure that in the future our maritime situation may be beyond recovery. Valuable shipbuilding skills will be lost through declining employment in shipyards, and skilled seagoing personnel will not be available for future contingencies for the same reason. We already have some 100 foreign ships under charter to the MSTS in the Far East, and an increasing number of U.S. ships are being manned by foreign nationals. The president of the American Maritime Association, Mr. Archibald King, head of Isthmian Lines, has recently warned that without a massive and immediate shipbuilding program, American lines will have to build replacement vessels abroad just to stay afloat.

The administration's answers do not appear adequate. Along with the decline in the annual budget request for maritime activities, we have been confronted with proposals to build U.S.-flag ships in foreign shipyards; to rehabilitate 250 presently inactive vessels, at great cost to the taxpayer, only to be returned to the reserve fleet; to provide Government support for construction of only 15 new ships a year instead of the 30 to 40 annual minimum we should be aiming for. Time is running out on us, Mr. Chairman. The process of design, construction, and delivery of new ships can continue 5 years and upwards, and any further delay in revitalizing our maritime program may be disastrous. Even now, with the necessity of pressing reserve ships into action for the conveyance of material to Southeast Asia, we are finding them largely overage, and in many cases beyond economical repair. American ships have broken down at sea, long and costly delays have resulted from obsolescence, and it is doubtful that we could begin to meet our needs if another similar emergency situation were to arise anywhere in the world. With the Russian merchant marine capability rapidly approaching 2,000 ships to fill the vacuum left by our decline, with countries like Greece and Japan accelerating their shipbuilding activities, there is ample evidence of the fruitful trade available to those who are preparing to take advantage of it. In addition, those who can remember our great convoys during World War II will readily acknowledge the importance of the merchant marine as a fourth arm of our military capability, and I am convinced that if we fail to take this into consideration, we are faced with future problems of great magnitude.

Mr. Chairman, in 1966 I was one of those who advocated keeping the Maritime Administration out of the new Department of Transportation, not because of a lack of trust in such an agency, but because of the urgency of immediate and sharp focus on the critical condition of our merchant fleet. I am today voting also to remove the Maritime Administration from the Department of Commerce with the hope that as an independent agency, it will carry more weight in the high counsels of the administration and will be able to muster the support to reverse the loss of our international preeminence in maritime activities. I urge my colleagues to join me in this first, but crucial, step.

Mrs. KELLY. Mr. Chairman, today I rise in support of H.R. 159, as amended. This bill, if enacted, will create an independent Federal Maritime Administration not under any other department, agency, or instrumentality of the Government, nor under the authority of the head of any department, agency, or instrumentality. I believe that the need for enactment of this legislation is most important, if once again the United States is to have a thriving merchant marine. A step toward reinstating our maritime industry to its proper role as a "first-class citizen" would be the creation of an independent Federal Maritime Administration as provided for in this bill. Therefore, I am grateful for the opportunity of again expressing my support of H.R. 159, because I am one of the sponsors of this proposal, my bill being H.R. 6837.

On March 8, 1967, I introduced H.R. 6837, to amend title II of the Merchant Marine Act of 1936, to create an independent Federal Maritime Administration, and for other purposes. While the bill before us today, H.R. 159, is the committee bill, it contains the principal objectives, functions and structures of my bill.

H.R. 159, which is cited as the Federal Maritime Act of 1967, provides for the establishment of the Administration to be headed by a Federal Maritime Administrator appointed by the President with the advice and consent of the Senate. Within this Administration there would be established a Maritime Board composed of three members, one of whom would be the Federal Maritime Administrator who would act as Chairman of the Board.

On July 17, 1967, it was my privilege to submit a statement to the Merchant Maritime Subcommittee of the Committee on Merchant Marine and Fisheries in support of my bill. During the course of my statement, I mentioned that statistics have shown that the 10 major free world maritime powers carry between 30 and 50 percent of their own national trade, while the United States carries less than 8 percent.

Mr. Chairman, there is no question in

my mind but that our balance of payments would be greatly improved if American foreign trade was carried in American ships manned by American crews, instead of transported by foreign-flag vessels. In my statement I brought out that—

Each time a ship engaged in foreign trade sails into an American port, several complicated transactions take place in the ocean transportation account of our balance of payments. Depending on whether the ship is carrying export or import cargo, dollars in payment for goods and services flow into the United States and abroad.

If exports are carried in American ships manned by American crews, there is no question but that the balance of payments is improved as far as the United States is concerned. Just as obviously, if the goods are carried on foreign flag vessels, manned by foreign crews, our balance of payments is further eroded.

Because more and more of these ships have been of foreign registry, the outflow of dollars and gold has increased. That is why, since 1959, there has been a chronic deficit in the ocean transportation account. This, in turn, contributes to the deficit in our balance of payments, as a whole.

Mr. Chairman, I urge passage of H.R. 159, enabling all of the functions, powers, and duties of the Secretary of Commerce and other offices and officers of the Department of Commerce under the Merchant Marine Act of 1936 and other laws and provisions of law enumerated in the bill, to be transferred and vested in the Administrator and in the Maritime Board as specifically provided for in the bill before us. No other American industry competes so directly with foreign-flag competitors as does the maritime industry. Therefore, let us recognize independence for the Maritime Administration, which, I am convinced, will provide the most efficient and effective implementation of our national maritime policy as intended in the Merchant Marine Act of 1936.

Mr. WOLFF. Mr. Chairman, there could not be a more opportune moment for the House to consider the establishment of an independent Federal Maritime Administration. In recent months some of the issues involved have been brought to the attention of Congress in a fashion that paves the way for consideration of the bill before us now.

I refer to the recent Department of Defense Appropriation and the House-passed amendment to prohibit the use of funds in 1968 for the construction of any naval vessel in a foreign shipyard.

In the debate on this amendment the sad state of the U.S. shipping industry and our increasing dependence on foreign shipyards to meet American needs was clearly stated. And the House showed its feeling by twice expressing strong objection to this trend of events.

The issue before us today is much more compelling. The plain fact is that on the seas, the United States is not just second rate, we are in sixth place, and still declining. The figures tell the point graphically. After World War II the U.S. merchant fleet consisted of over 5,000 ships. Today there are only 900 privately owned ships flying our flag. In 1936 when the Merchant Marine Act was passed we were carrying approximately 30 percent of our foreign waterborne commerce. Today 92 percent of our trade to foreign countries is carried on foreign ships.

Why is this a precarious position for a country of our size in today's world?

The first danger is to our system of national defense. Our merchant marine fleet has rightly been called the fourth arm of national defense. At a time when peace is tied intrinsically to a balance of power our merchant fleet is the Achilles' heel of national defense.

In debate on the Defense appropriation bill, the House recognized the danger of our dependence on a foreign shipyard for critical parts of American vessels. Surely it is much more significant that over 90 percent of our foreign waterborne trade is dependent on foreign ships.

A second significance of the present situation is its impact on foreign trade. The operation of trade routes is critical to the establishment of markets and exchange patterns. It is naive to blithely depend on the charter ships from other nations, while ignoring the importance of our own lack of capacity. A secure foreign trade cannot be maintained on such a foundation.

For example, our present policy is directly contributing to our balance-of-payments deficit. Money now going to pay foreign concerns and crews makes up a significant part of our dollar drain—a loss we can do something about.

The Merchant Marine Act of 1936 stated that we must have a merchant fleet sufficient to carry our domestic waterborne commerce and a "substantial portion" of our waterborne foreign commerce. Quite obviously this policy has not been maintained.

But this does point up the key to a solution of the problems of today's merchant marine. We need a comprehensive program and a comprehensive examination of the problems. A look at the steady decline of our fleet is obvious proof that direction within the Commerce Department simply cannot provide the guidance that is urgently required.

The administration would have us transfer the control to the Department of Transportation but this is not a solution. The same administration problems would still exist; the merchant marine would be buried under a superstructure where it cannot effectively make its voice heard. Only as an independent body will it be able to have the scope and concentration necessary to rescue our merchant marine from a spiraling decline.

I urge my colleagues to recognize that a much greater problem exists in the drastic decline of our merchant marine. The clear solution is the passage of H.R. 159 and the establishment of an independent Merchant Marine Administration.

Mr. GARMATZ. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the substitute committee amendment as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Maritime Act of 1967".

SEC. 2. Section 201(a) of title II of the Merchant Marine Act, 1936, is amended to read as follows:

"SEC. 201. (a)(1) There is hereby established an agency to be known as the Federal Maritime Administration (hereafter in this subsection referred to as the 'Administration'), which shall be an independent agency not under any other department, agency, or instrumentality of the executive branch of the Government, or under the authority of the head of any such department, agency, or instrumentality.

"(2) There shall be at the head of the Administration a Federal Maritime Administrator (hereafter in this subsection referred to as the 'Administrator'), who shall be appointed by the President, by and with the advice and consent of the Senate, for a term of four years, except that the term of the Administrator first appointed shall expire on June 30, 1969. Each Administrator appointed to fill a vacancy shall be appointed only for the unexpired term of his predecessor. Upon expiration of his term of office, each Administrator shall continue to serve until his successor shall have been appointed and shall have qualified. The Administrator shall be compensated at the rate provided for level III of the Executive Schedule.

"(3) Except to the extent transferred to the Maritime Board by section 3(a) of the Federal Maritime Act of 1967, all functions, powers, and duties of the Secretary of Commerce and other offices and officers of the Department of Commerce under this Act and under the following laws and provisions of law are hereby transferred to and vested in the Administrator:

"(A) The Merchant Marine Act, 1920 (41 Stat. 988; 46 U.S.C. 861 et seq.).

"(B) The Merchant Marine Act, 1928 (45 Stat. 689; 46 U.S.C. 891 et seq.).

"(C) The Shipping Act, 1916 (39 Stat. 728; 46 U.S.C. 801 et seq.).

"(D) The Merchant Ship Sales Act of 1946 (60 Stat. 41; 50 U.S.C. App. 1735 et seq.).

"(E) The Maritime Academy Act of 1958 (72 Stat. 622; 46 U.S.C. 1381 et seq.).

"(F) The Act of June 12, 1940 (54 Stat. 346; 46 U.S.C. 1331 et seq.).

"(G) The United States Fishing Fleet Improvement Act (74 Stat. 212; 46 U.S.C. 1401 et seq.).

"(H) The Act of September 14, 1961 (75 Stat. 514; 46 U.S.C. 1126b–1).

"(I) The Act of July 24, 1956, ch. 671 (70 Stat. 605; 46 U.S.C. 249 et seq.).

"(J) The Act of August 9, 1954 (68 Stat. 675; 50 U.S.C. 196 et seq.).

"(K) Section 500 of the Transportation Act, 1920 (41 Stat. 499; 49 U.S.C. 142).

"(L) Reorganization Plan No. 21 of 1950 (64 Stat. 1273; 46 U.S.C. 1111 note).

"(M) Reorganization Plan No. 7 of 1961 (75 Stat. 840; 46 U.S.C. 1111 note).

"(N) Reorganization Plan No. 6 of 1949 (63 Stat. 1069; 46 U.S.C. 1111 note).

"(4) There shall be in the Administration a Deputy Maritime Administrator who shall be appointed by the Administrator and who shall perform such duties as the Administrator shall prescribe. The Deputy Maritime Administrator shall be Acting Administrator during the absence or disability of the Administrator, except that the Deputy Maritime Administrator shall at no time sit as a member or acting member of the Maritime Board."

SEC. 3. (a) There is hereby established within the Federal Maritime Administration (hereafter in this Act referred to as the "Administration") a Maritime Board (hereafter in this Act referred to as the "Board"). There are hereby transferred to the Board—

(1) all functions, powers, and duties of the Federal Maritime Board transferred to it

under sections 105 (1), (2), and (3) of Reorganization Plan Numbered 21 of 1950 (64 Stat. 1274; 46 U.S.C. 1111 note) and subsequently vested in the Secretary of Commerce by section 202(b) of Reorganization Plan Numbered 7 of 1961 (75 Stat. 842; 46 U.S.C. 1111 note), and

(2) all functions, powers, and duties of the Secretary of Commerce and the other offices and officers of the Department of Commerce under the following provisions of law:

(A) Title XI of the Merchant Marine Act, 1936 (52 Stat. 969; 46 U.S.C. 1271 et seq.).

(B) The first proviso of the second paragraph under the heading "Maritime Activities" in title I of the Department of Commerce and Related Agencies Appropriation Act, 1958 (71 Stat. 73; 46 U.S.C. 1177a), to the extent it relates to operating-differential subsidies.

(C) The matter appearing under the subheading "Vessel Operations Revolving Fund" in chapter VIII of the Third Supplemental Appropriation Act, 1951 (65 Stat. 59; 46 U.S.C. 1241a), to the extent it relates to the vessel operations revolving fund.

(D) The paragraph entitled "Federal Ship Mortgage Insurance Fund", under the heading "Maritime Activities" in title I of the Department of Commerce and Related Agencies Appropriation Act, 1959 (72 Stat. 231; 46 U.S.C. 1280).

(E) Section 206 of the Merchant Marine Act, 1936 (49 Stat. 1987; 46 U.S.C. 1116).

(F) Sections 210 and 211 of the Merchant Marine Act, 1936 (49 Stat. 1989; 46 U.S.C. 1120 and 1121) and the first sentence of section 12 of the Shipping Act, 1916 (39 Stat. 732; 46 U.S.C. 811).

(G) Section 215 of the Merchant Marine Act, 1936 (52 Stat. 954; 46 U.S.C. 1125).

(H) Sections 5, 7, 9, and 10 of the Merchant Marine Act, 1920 (41 Stat. 990, 991, and 992; 46 U.S.C. 864, 866, 868, and 869), and section 203 of the Merchant Marine Act, 1928 (45 Stat. 690; 46 U.S.C. 891c).

(I) Section 5 of the Merchant Ship Sales Act of 1946 (60 Stat. 43; 50 U.S.C. App. 1738).

(J) Sections 9, 37, and 41 of the Shipping Act, 1916 (39 Stat. 730; 46 U.S.C. 808, 835, and 839).

(K) Subsection O of section 30 of the Merchant Marine Act, 1920 (46 U.S.C. 967).

(b) The Board shall be composed of three members as follows: The Federal Maritime Administrator (hereafter in this Act referred to as the "Administrator"), who shall be Chairman of the Board, and two additional members appointed by the President, by and with the advice and consent of the Senate. Not more than two members of the Board shall be from the same political party. The two additional Board members appointed by the President shall—

(1) be appointed for terms of four years; except that the terms of the members first appointed shall expire as follows: one on June 30, 1970, and one on June 30, 1971; and

(2) be compensated at the rate provided for level IV of the Executive Schedule.

Each member appointed to fill a vacany shall be appointed only for the unexpired term of his predecessor. Upon expiration of his term of office, each member shall continue to serve until his successor shall have been appointed and shall have qualified. No appointed member shall engage in any other business, vocation, or employment.

(c) A vacancy in the Board shall be filled in the same manner as in the case of the original appointment. One vacancy in the Board shall not impair the power of the remaining two members to exercise the authority of the Board. Any two members of the Board shall constitute a quorum for the transaction of business, and the concurring votes of any two members shall be sufficient for the disposition of any matter which may come before the Board.

(d)(1) The Board may, by published order or rule, delegate to the Administrator, any officer or office within the Administration, an individual member of the Board, a hearing examiner, or an employee or an employee board, any function of the Board including any function with respect to hearing, determining, ordering, certifying, reporting, or otherwise acting as to any work, business, or matter.

(2) With respect to the delegation of any function under paragraph (1) of this subsection, the Board shall retain a discretionary right to review any action taken pursuant to such delegated function, upon its own initiative or upon petition of a party to or an intervenor in such action, within such time and in such manner as the Board shall by rule prescribe. The vote of one member of the Board shall be sufficient to bring any such action before the Board for review.

(3) Should the Board decline to review any action taken pursuant to any function delegated pursuant to paragraph (1), or should no review be sought within the time stated in the rules promulgated by the Board, then the action taken shall for all purposes, including appeal or review thereof, be deemed to be the action of the Board.

SEC. 4. Decisions of the Board made pursuant to the exercise of functions, powers, and duties vested in it shall be administratively final, and appeals as authorized by law shall be taken directly to the courts.

SEC. 5. With respect to any function, power, or duty which is transferred from the Secretary of Commerce to the Board by section 3(a), the Board shall have the same functions, powers, and duties as the Secretary of Commerce had under sections 208 and 214 of the Merchant Marine Act, 1936 (49 Stat. 1988 and 1991; 46 U.S.C. 1118 and 1124), with respect to such transferred function, power, or duty before its transfer.

SEC. 6. The provisions of the last sentence of section 201(b) of the Merchant Marine Act, 1936 (46 U.S.C. 1111(b)), shall apply with respect to the Administrator, members of the Board and all officers and employees of the Administration. The first two sentences of section 201(b) of the Merchant Marine Act of 1936 (46 U.S.C. 1111(b)) are repealed.

SEC. 7. The Administrator and members of the Board shall be appointed with due regard to their fitness for the efficient discharge of the powers and duties vested in them and may be removed by the President only for inefficiency, neglect of duty, or malfeasance in office.

SEC. 8. So much of the personnel, property, and records employed, used, held, available, or to be made available, in connection with the functions transferred to the Administrator and to the Board by the provisions of this Act, as the Director of the Bureau of the Budget determines necessary, shall be transferred to the Administration, or to the Board, as the case may be.

SEC. 9. Part II of Reorganization Plan Numbered 21 of 1950, and part II and section 303(c) of Reorganization Plan Numbered 7 of 1961, are repealed.

SEC. 10. Nothing in this Act or any of the amendments made by this Act shall be deemed to affect (1) the Federal Maritime Commission established by part I of Reorganization Plan Numbered 7 of 1961, or (2) any of the functions of such Commission.

SEC. 11. Within one year after enactment of this Act, the Board shall submit to the President and to the Congress a report surveying the current condition of the American merchant marine and evaluating this current condition against the criteria set forth in title I of the Merchant Marine Act, 1936. The report shall include among other matters an evaluation of the effectiveness of existing maritime legislation and programs implementing such legislation, and shall contain appropriate recommendations for such further legislation or programs as the Board deems necessary with particular emphasis upon fostering the development of those shipping services of the American merchant marine which do not receive construction differential subsidy or operating differential subsidy under titles V and VI of the Merchant Marine Act, 1936 (49 Stat. 1985; 46 U.S.C. 1101 et seq.).

SEC. 12. This Act, and the amendments made by this Act, shall take effect on the sixtieth day after the date of enactment of this Act.

Mr. GARMATZ (during the reading). Mr. Chairman, I ask unanimous consent that the committee substitute amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. GROSS. Mr. Chairman, I just want to ask one or two questions. Does this bill have vigorous opposition from the administration, from the White House or any part of the administration?

Mr. GARMATZ. Is the gentleman asking me whether I expect any opposition?

Mr. GROSS. Does it have vigorous opposition? What is the nature of the opposition? Is the administration opposed to this bill?

Mr. GARMATZ. It is opposed only by the Secretary of Transportation, Mr. Boyd. So far as the White House is concerned, I personally have no information.

Mr. GROSS. What I am trying to get at is this: What position would we find ourselves in in voting on this bill and being confronted with a veto? Is that likely or unlikely?

Mr. GARMATZ. That is a question I cannot answer.

Mr. GROSS. Does the gentleman have any word? Is this bill veto-proof?

Mr. GARMATZ. On that I cannot assure the gentleman.

Mr. GROSS. I thank the gentleman.

The CHAIRMAN. The question is on the committee substitute amendment.

The committee substitute amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. PRICE of Illinois) having assumed the chair, Mr. DADDARIO, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 159) to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes, pursuant to House Resolution 931, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 326, nays 44, not voting 62, as follows:

[Roll No. 316]

YEAS—326

Abbitt
Abernethy
Adair
Adams
Addabbo
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashmore
Ayres
Baring
Barrett
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Biester
Blackburn
Blanton
Blatnik
Boland
Bow
Brasco
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burton, Calif.
Burton, Utah
Bush
Byrne, Pa.
Byrnes, Wis.
Cahill
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collier
Colmer
Conable
Conte
Corbett
Corman
Cowger
Cunningham
Curtis
Daddario
Daniels
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Denney
Dent
Derwinski
Devine
Dickinson
Dingell
Dole
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, La.
Eilberg
Esch
Eshleman
Farbstein
Feighan
Fino
Flood
Flynt
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gurney
Hagan
Haley
Hall
Halleck
Halpern
Hammer-schmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harrison
Harsha
Harvey
Hathaway
Hawkins
Heckler, Mass.
Helstoski
Henderson
Hicks
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Karsten
Karth
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kornegay
Kupferman
Kuykendall
Kyros
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lukens
McCarthy
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
Macdonald, Mass.
MacGregor
Machen
Mailliard
Marsh
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Moore
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nelsen
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pike
Pirnie
Poage
Poff
Pollock
Pool
Price, Ill.
Price, Tex.
Pryor
Pucinski
Quie
Quillen
Railsback
Randall
Reid, Ill.
Reifel
Reinecke
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Robison
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Roybal
Ruppe
Ryan
Sandman
Satterfield
St Germain
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sisk
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Springer
Stafford
Staggers
Stanton
Steiger, Ariz.
Steiger, Wis.
Stubblefield
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Tenzer
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Tuck
Ullman
Van Deerlin
Vander Jagt
Waggonner
Waldie
Walker
Wampler
Watkins
Watson
Watts
Whalen
Whalley
Whitener
Widnall
Wiggins
Williams, Pa.
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Zablocki
Zion
Zwach

NAYS—44

Ashley
Bevill
Bingham
Bolling
Brademas
Brinkley
Brooks
Burleson
Cabell
Conyers
Dow
Fascell
Fisher
Hamilton
Hardy
Hechler, W. Va.
Holifield
Jacobs
Jarman
Kastenmeier
Kyl
Langen
McClory
McFall
Mayne
Montgomery
Moss
Nedzi
Pickle
Reuss
Roberts
Rogers, Fla.
Roush
Rumsfeld
Scheuer
Sikes
Smith, Iowa
Steed
Stratton
Stuckey
Vanik
White
Whitten
Yates

NOT VOTING—62

Albert
Aspinall
Boggs
Bolton
Bray
Brock
Broomfield
Button
Cramer
Culver
Dawson
Dellenback
Diggs
Edwards, Calif.
Erlenborn
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Findley
Foley
Fountain
Fulton, Tenn.
Goodell
Gude
Hays
Hébert
Herlong
Holland
Irwin
Jonas
Jones, Mo.
Kazen
Kluczynski
Laird
Landrum
Latta
McMillan
Madden
Mahon
May
Moorhead
Multer
Olsen
Patman
Purcell
Rarick
Rees
Reid, N.Y.
Resnick
St. Onge
Snyder
Stephens
Teague, Tex.
Tunney
Udall
Utt
Vigorito
Williams, Miss.
Willis
Wilson, Bob
Young

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Broomfield.
Mr. Foley with Mr. Jonas.
Mr. Fallon with Mr. Cramer.
Mr. Culver with Mr. Findley.
Mr. Kluczynski with Mr. Bray.
Mr. Boggs with Mr. Utt.
Mr. St. Onge with Mr. Goodell.
Mr. Moorhead with Mr. Reid of New York.
Mr. Olsen with Mr. Brock.
Mr. Irwin with Mr. Snyder.
Mr. Tunney with Mrs. Bolton.
Mr. Everett with Mr. Erlenborn.
Mr. Stephens with Mr. Laird.
Mr. Patman with Mr. Latta.
Mr. Resnick with Mr. Dellenback.
Mr. Herlong with Mrs. May.
Mr. Multer with Mr. Gude.
Mr. Albert with Mr. Bob Wilson
Mr. Aspinall with Mr. Landrum.
Mr. Madden with Mr. McMillan.
Mr. Edwards of California with Mr. Dawson.
Mr. Fountain with Mr. Hays.
Mr. Diggs with Mr. Holland.
Mr. Mahon with Mr. Willis.
Mr. Teague of Texas with Mr. Vigorito.
Mr. Young with Mr. Williams of Mississippi.
Mr. Purcell with Mr. Rarick.
Mr. Fulton of Tennessee with Mr. Evans of Colorado.
Mr. Evins of Tennessee with Mr. Rees.

Mr. BROOKS changed his vote from "yea" to "nay."

Mr. O'KONSKI changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous matter on the bill H.R. 159.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE UNITED STATES WILL KEEP ITS WORD

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

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

There was no objection.

Mr. DORN. Mr. Speaker, some of our critics, domestic and foreign, have said that our efforts to help South Vietnam resist Communist aggression amount to reckless intervention which constitutes a threat to world peace. They say that we are fighting the specter of monolithic communism which no longer exists in the polycentric Communist world.

I would ask these critics two questions: First, who undertook as far back as 1959, long before we had combat troops in Vietnam, to attempt through subversion and terror to seize control of South Vietnam? Who has infiltrated men and equipment, as we spelled out in a white paper on Vietnam released in December 1961? I suggest the reckless intervention has come from Hanoi and history and the facts bear this out.

The second question I would ask the critics is: Are we to ignore the solemn commitments given to the South Vietnamese people—commitments made by four successive American Presidents of both political parties? The whole system of international security built up in the postwar period rests on the trust and faith that America does honor its commitments, that America does keep its word, that America does not and will not acquiesce to Communist aggression or wars of national liberation. If we were to pull out of Vietnam, leaving the 17 million Vietnamese people to Communist domination, the implications for our overall foreign policy and worldwide position would be immediate and catastrophic. Can a system built on trust and faith endure when this trust and faith are breached? But we will not unilaterally withdraw from Vietnam, we will not break our word, we will not abandon the Vietnamese to Hanoi's domination.

Our Government, other governments, world leaders such as His Holiness the Pope, have undertaken countless initiatives trying to bring this conflict to a peaceful and honorable settlement. The

answer of Hanoi to all these efforts, all these proposals, has been a flat "No." One can only conclude that Hanoi does not want peace except on its own terms. And while these efforts to get negotiations continue, we have no option but to espond to the continuing military and terrorist pressures of the Vietcong and Hanoi. Progress has been made, the Communist military buildup has been blunted, and Hanoi is paying a high price for its aggression.

ABM SYSTEM SEEN OUTDATED

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

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

There was no objection.

Mr. DORN. Mr. Speaker, Gen. Billy Mitchell was right. I keep his picture in my office in the Rayburn Building as a constant reminder that our leaders were wrong—military and political leaders.

If the Western World leaders and the Congress had listened to Billy Mitchell, there would have been no Pearl Harbor and, I believe, no World War II with 25 million dead.

I greatly fear that a thin ABM system around the United States will lull us into a feeling of false security.

I believe we could provide more security for our people by spending these vast billions on a future offense system and thus prevent world war III altogether.

The following article appeared in the Columbia State on October 9:

ABM SYSTEM SEEN OUTDATED

NEW YORK.—Pressure from Congress and the joint chiefs of staff for a heavy anti-ballistic-missile (ABM) system oriented to defense against Soviet attack reflects an old military weakness: preparing to fight the previous war.

Technology has overtaken the ABM. The United States already has developed an effective antidote to it—sophisticated multiple warheads for the new offensive missiles, Minuteman III and Poseidon, which are to be ready in the early 1970's. Official estimates indicate that the Soviet Union can do the same in five to seven years.

Whatever the case for a "light" ABM defense against primitive Chinese missiles, arguments for either superpower to build a $40 billion missile defense to protect its cities against the other are now as outdated as the Billy Mitchell bomber-vs-battleship controversy.

A hitherto-secret four-letter acronym, MIRV—multiple independent re-entry vehicles, and the key word is "independent"—describes an advance in nuclear weaponry that will enable the offense to penetrate any defense now foreseeable.

"Both our missile defense system and (Russia's) were designed before MIRV's came along as a serious possibility," Secretary McNamara has acknowledged.

One MIRV missile will be able to carry ten or more hydrogen warheads that can separate in flight, change trajectory several times and fly independently to ten or more preselected targets. Equipped with MIRV, America's 1,700 strategic missiles could carry 17,000 or more separately targetable warheads, dwarfing the widely discussed Soviet increase this past year from 300 to about 450 single-warhead intercontinental ballistic missiles (ICBM's).

Early in the ABM debate, Secretary McNamara predicted that the Soviet Union and the U.S. each would respond to the other's ABM installations by improving offensive capabilities. "All we would accomplish," the defense secretary said, "would be to increase greatly both their defense expenditures and ours without any gain in real security to either side."

THE AMERICAN FARMER HAS BEEN SERIOUSLY AFFECTED BY THE BIGNESS SYNDROME

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

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

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, it is a fact of American life that we think and talk in terms of millions and billions. Whether it is dollars or people we are referring to, we accentuate the mass and generally ignore the few.

The American farmer has been seriously affected by the bigness syndrome. He has been described as the "forgotten American" and is said to be suffering from a Federal agriculture policy that lacks realism.

I have recently received a letter from a constituent who puts forth a lucid argument on behalf of a rational U.S. farm policy. He gives examples of the ill-timed directives of the Department of Agriculture—directives which have forced many of our finest Americans to literally fight for their existence as farm producers.

Under unanimous consent I include the letter in full in the RECORD:

AUGUST 28, 1967.

Hon. CLARENCE J. BROWN, Jr.,
Longworth House Office Building,
Washington, D.C.

DEAR CONGRESSMAN BROWN: The U.S. farmer finds himself in the middle of continuous higher production costs and declining grain prices.

The Secretary of Agriculture asked and encouraged expansion of our 1967 major grain crop acreages.

He insisted on a billion bushel soybean crop, to which the farmers responded, Present estimates of this year's crop is 999 million bushels, yet we failed to find markets for 100 million bushels of the 1966 crop. If we do not find export markets for more soybeans in 1967 than we did in 1966 we will at the end of the 1967 year be faced with a 275 to 300 million bushel carryover. To provide markets for a billion bushel crop it is necessary to find export markets for fifty percent of this production.

Recently we have been exporting about 20% of our corn production. The Secretary asked for more 1967 corn acreage by reducing the amount of corn acreage that could be diverted, and yet at the same time we exported less of our 1966 crop than we did of the 1965 crop. We are now faced with a 4.7 billion bushel corn crop, the largest ever, and less prospects for foreign markets.

Troublesome wheat surpluses had at the end of 1965 disappeared. The Secretary permitted a 32% increase in wheat acreage allotments, so that before next year's crop is harvested we are going to have a 600 million bushel carryover, or almost a half a crop. Wheat today at the local elevator is selling for $1.28 per bushel.

It is apparent that a year ago our National Administration was dedicated to the cause of feeding the world, and to cheap domestic food prices. The farmers responded to the Secretary's request for greater food production, and now we find ourselves faced with insufficient markets and in most part ruinous prices.

During 1966 it appeared that we had eliminated troublesome surpluses, and that agriculture was going to come into its own. Now, due to a reversal in national policy on feeding the world, being dealt short in the Common Market, and an earlier attitude of cheap domestic food prices, we suddenly find ourselves again with burdensome surpluses.

I can appreciate that all this misplanning cannot be corrected immediately, but most certainly it should have careful and quick consideration to relieve the farmer from the situation he was led into.

There are two items that warrant immediate attention—

(1) The U.S. farmer will be dealt another blow in October, when in all probability levies on our grains in the Common Market will be increased $9 per ton.

(2) Beef production was the first of our major agricultural enterprises to emerge in a strong position. Twice during the past three years, however, when beef prices attained satisfactory levels the import quotas of New Zealand, Australia and South America were used to obtain cheaper domestic prices. Beef cattle prices are now in a satisfactory position, but the unlimited useage of these one year quotas in a given period did, and again can break the market. These quotas should be on a monthly basis, so that they cannot be used to the end of breaking the market. There is also some question as to whether or not these yearly quotas as provided are too high.

I trust that you will be able to give study and support to the problems of agriculture as thus stated.

Sincerely yours,

——— ———.

HISTORIC ADDRESS HONORING PAUL AND EMILY TAFT DOUGLAS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I have unanimous consent to extend my remarks at this point to comment on an evening with Paul and Emily Taft Douglas on September 28, 1967, when Senator and Mrs. Douglas were honored by the board of governors of Illinois State colleges and universities and the administration and faculty of the Chicago State College for their distinguished joint contributions to the academic community and to include the full text of the introduction of Senator Douglas, Chairman of the National Commission on Urban Problems, by Dr. Milton Byrd, president of Chicago State College; the response thereto by the Honorable Paul A. Douglas, and the resolutions of the board of governors of Illinois State colleges and universities honoring Paul Douglas and Emily Taft Douglas.

Mr. Speaker, I am privileged to give to my colleagues and the readership of the CONGRESSIONAL RECORD a full accounting of the historic events and addresses honoring the Honorable Paul H. Douglas and his wife, the Honorable Emily Taft

Douglas, in connection with the inauguration of Dr. Milton B. Byrd as president of Chicago State College at the Conrad Hilton Hotel in Chicago on September 28, 1967, an event honored with the attendance of representatives from all the States of the American Union and 20 foreign countries. The tributes to Senator and Mrs. Douglas, herself a former Member of the Congress with a brilliant record in foreign affairs, civil rights and urban problems, attracted national attention and were the subject of an admiring and applauding editorial in the Washington Post.

INTRODUCTION BY DR. BYRD

The following is the address in introduction of the Honorable Paul H. Douglas, Chairman of the National Commission on Urban Problems, by Dr. Milton Byrd, president of Chicago State College:

Some years ago, the members of the United States Senate selected from their 178 year history, five men for their Hall of Fame. The Senators, looking back over nearly two centuries of the history of that great legislative body, decided that the rank of greatness should be conferred upon Henry Clay of Kentucky, Daniel Webster of Massachusetts, John C. Calhoun of South Carolina, Robert Taft of Ohio, and Robert La Follette of Wisconsin.

You will note that three of these five men served in the Senate in the 19th Century; two served in the 20th. We in Illinois are prepared to make this an even number of six great Senators, for we are confident that history will ultimately say that there was a third Senator in the 20th Century who deserves the accolade of greatness.

He does us great honor by coming here tonight. He is at home in such a setting as this for his academic credentials are of the first order, yet he went from the academic world, kept his intellectual integrity and scaled the heights of political influence. National legislation of lasting import in economics, civil rights, and international affairs bears his imprint.

At 75, he continues his distinguished public service. By appointment of the President of the United States, he serves as Chairman of the National Commission on Urban Problems. This commission, created by Congress, is instructed to produce in the next 18 months the working guidelines that will influence for a generation to come, the government, the academic community, and all concerned citizens engaged in our ever-widening struggle with urban problems.

I bid you mark well what this statesman says here tonight. He brings great wisdom to this platform. Tonight and for all time to come, he stands in the Illinois tradition of the Lovejoys, the Altgelds, the Clarence Darrows, the Jane Adamses and the Adlai Stevensons.

I have the privilege to present the Honorable Paul Douglas, Chairman of the National Commission on Urban Problems.

FULL TEXT OF DOUGLAS ADDRESS

Following is the full text of the address by the Honorable Paul H. Douglas, given in connection with the inauguration of Dr. Milton B. Byrd as president of Chicago State College:

Today a new state college was born and tomorrow a new President Dr. Milton Byrd, inaugurated. This college was not born suddenly, as Athena was reputed to have sprung from the brow of Jove. It has instead grown out of the Chicago Teachers College which has had an honorable and useful career. For there under the extraordinary Colonel Francis W. Parker was originated what has since become known as Progressive Education. The work and principles of Colonel Parker were carried into the Chicago school system by a great superintendent, Ella Flagg Young, and into academic life by John Dewey when just before the turn of the century he started the laboratory schools at the nearby University of Chicago and to which he gave formal expression in his classic book, "School and Society." Here his opening sentence was as pithy as that of Holmes in his "Treatise on the Common Law." "The school," said Dewey, "is not a preparation for life, it is life itself." This was the essence of progressive education—to make the school not an ivory tower but a vibrant place where students coped with the problems of life, found their interests and abilities challenged and were given the opportunity to develop their capacities. This is as true of collegiate as it is of elementary and secondary education. It is a fitting slogan for our new institution over whose birth we hover with mingled pride and anxiety.

Like all pioneering institutions, while the College may have lost something of its early glow, it went on to an honorable and useful career of training most of the teachers who entered the Chicago schools. And these teachers have given valiant service in helping transmit knowledge to the generations of youngsters from all parts, not only of the country but of the whole world. The teachers of Chicago have indeed been the most civilizing force in our city and we owe them a debt, only inadequately recognized and acknowledged.

But today we move into a new phase. The College has become a full fledged state college and the burden of support has been formally shifted from the city to the state with its more ample resources. The preparation of teachers will still be a major function but it will not be the only one.

A hundred years ago the Morrill Act, by its system of land grants, encouraged the founding of the great chain of state universities which initially were centered on agriculture and the mechanical arts. Schools of Agriculture and of engineering were soon developed which have raised the production level of farming and engineering, then of medicine and law, of industry, architecture, and the arts, so that the state universities have also become agencies for enlightenment and not merely for the vocational preparation for life.

So may it be for this newest of colleges, for its sister institution on the Northside and for the group of other state colleges which are emerging from their role as teachers colleges and here, as in California, moving forward into a wider role.

But what is that role? Today over two-thirds of our population live in approximately 220 metropolitan areas of which Chicago is the second most important in the nation, while only a little over 6 percent of the workers gain their living from the soil. By 1980, probably 70 percent of our people will live in the metropolitan areas and by the end of the century—now not so far away—three fourths or more of the expected 300 million. We have become an urban and suburban people and not primarily a rural nation as we were in 1867. If we are to be realists our higher education must be relevant to where our people live and work.

II

First let me say that the processes of time have proved that higher education is abundantly rewarding economically, socially, and culturally. As Professor Theodore Schultz has shown, the wide diffusion of education in the United States and the consequent qualitative improvement of the working force is responsible in large part for the great surge forward in productivity from the end of the Great Depression to the Korean War and this was also a powerful factor in the burst of productivity from 1960 to 1966. These gains were enough to have more than paid for all the social and money costs of the educational system during this time.

Secondly, if as the market economists insist, popular demand is and should be the ultimate arbiter of what is to be produced, the popular demand for higher education shows the deep hunger of American youth and their parents for more and ever more education. Forty years ago, when I spent a summer in Great Britain, there was then roughly one college student for every one thousand of the British population. As I remember it, our ratio at that time was 4 or 5 to the thousand. The ratio in Britain has now gone up to around 4 or 5, but in the United States, it has soared according to my estimates to at least 25 to the thousand. There is no sign of stopping.

Many citizens and legislators feared when the state began to back the new four year and junior colleges that they could only grow at the expense of the existing institutions. The market was thought by some to be distinctly limited. But this has been proved false. In a city and state which was already saturated with institutions of higher learning, this college opens with 6000 students while its sister institution to the North has an equally large enrollment. At the same time the other colleges and universities of the Chicago area and of the state are also bursting at the seams.

This is proof that the American people want more education and are willing to spend a considerable portion of their increased incomes in order to obtain it for themselves and for their children. Part of this desire is economic—namely the desire to give the young preparation for better positions and to increase their earning power. There is nothing wrong or demeaning in this desire. On the contrary it is highly praiseworthy and socially beneficial. The industrially retarded countries need first of all better farmers and mechanics. We still need them. But our relative wants are shifting more and more to general education and to those who can furnish services and make our cities and suburbs more liveable places.

But the demands of the students go far deeper than this. Deep in their hearts, they view the colleges and universities as dwelling places of light where they can make contact with the great cultural treasures of man's prolonged experiment in living and with the mysterious secrets of the universe about us and forces which are at work within us.

They may not always be able to verbalize what they want, but they have a hunger to find out what there was in Shakespeare and Michaelangelo, Pasteur and Einstein, Jefferson and Lincoln, which has made them beacon lights of history. That they are trying to gratify this hunger can be seen from the huge editions of the classics in paper back which have been and are pouring from the presses. Those who grew up on Thomas Hardy will remember how Jude the Obscure thirsted for the knowledge which he could never obtain because Oxford and Cambridge barred men like him from their doors.

So I do hope and believe that tens of thousands of young people will be able to understand the theory of evolution and of natural selection as developed by Malthus, Alfred Russel Wallace, Darwin and Gregor Mendel; that they can follow the mysteries of the amino acids and of DNA and RNA. And, may I say that there has been no better illustration of all this than the huge model of the human cell designed by Will Burtin in the Rosenwald Museum a few blocks away in Jackson Park.

Similarly, who can help but be thrilled by the development of our comprehension of the universe of space in which our tiny sphere, the earth, moves. From the earth-centered views of the Ptolemaic astronomers to the sun-centered universe of Kepler and

Galileo, the progress was great enough. But then came the realization that our solar system itself was but a speck in the vast universe, and finally the consciousness that this universe, held together by some mysterious force of mutual attraction, is and has been moving for millions of years with incredible speed out into unplumbed space to an apparently unlimited destination. There can be no more humbling experience and it is well for city folks above all to comprehend it as well as to marvel at the mysterious processes of photo-synthesis.

Finally to take another illustration, who can fail both to thrill and be frightened by the implications of Rutherford's discovery that matter is not solid and that the seemingly solids are really charged masses of electrical-like energies moving at tremendous speeds. And the full import of Einstein's equation that $E=MC^2$ or that matter and energy are interchangeable and that energy can be multiplied from certain types of matter by the ratio of the square of the velocity of light per second or by well over 30 billion times. It was this theorem which paved the way for Hiroshima and Nagasaki and which may ultimately destroy the world but which just possibly could also set mankind free. And a few miles to the west of here will be the giant nuclear accelerator which some of us labored to obtain for our state and which should raise the level of physical study here and everywhere.

But while the physical world is a fitting subject for informal wonder as seen through telescope and electromagnetic microscope, so are man's achievements in literature and arts as well as in the philosophy and ethical aims of mankind. Now through the medium of the museums, phonographic records, reproductions and the paper backs, young students can come to count the Renaissance sculptors and painters as intimate friends, make the acquaintance of the great Russian novelists of the 19th Century, Tolstoy, Dostoevsky, and Turgenev, and absorb the melodies of Mozart and Haydn, and the majestic thunder of Beethoven. And from Plato's *Republic* and Aristotle's *Politics*, they can get a ringside seat. All this will help the urban dweller to be truly urbane.

Finally, the students may ponder about the moral progress of the race. Immanuel Kant once remarked that there were two things which filled him with wonder, "the starry heavens above and the moral law within."

As one reads the *Apology* and the dialogues dealing with trial and execution of Socrates, the question inevitably presents itself as to whether Socrates made the right choice in going to his death rather than abandoning his mission of being witness to the truth. What was the source of the heroic stoicism of Marcus Aurelius and of Thomas More? What lay behind and within Francis of Assissi and the Quaker saint, John Woolman, and finally as one reads the Gospels and tries to ponder over the significance of Jesus, did he make the right choice of spurning magic, power, and nationalism to appeal instead to what He believed to be the universal spirit of love and energized good will and to die with grace for that faith. For He believed in the infectious power of love and He believed that He could help universalize that spirit by unselfish and self-forgetting sacrifice.

In short, through education, we city folks may be given the keys to the kingdom—to the empire of the spirit—and be urged on to the eternal quest. This should be the main task of higher education, namely, to be a true dwelling place of light, where teacher and student may actively cooperate for discovering and rediscovering the truths of life. This is a true culture far separated from the artificial standards which once dominated polite society.

Widespread popular education has an obvious social advantage as well. Ours is a democracy—a somewhat imperfect one to be sure—but nevertheless one in which the people ultimately do rule. With all of the weaknesses of democracy, the wider the participation of the people, the more compensatory are the safeguards which are introduced to counterbalance the dizziness and self-interest which tend to sweep over dictatorships and class rule. Moreover, the very necessity of exercising choice forces men and women to broaden their interests and to make meaningful commitments. This of necessity leads them to be better people. Education helps to make these choices more intelligent and informed. As Jefferson saw long ago, a wise democracy can only be based upon an educated people.

And here the college and university can help out not only in acquainting the students with the long slow upward struggle of democracy but also with the clash of political thought. Let the great protagonists appear and argue their case. Plato v. Aristotle, Hobbes v. Locke, Jefferson v. Hamilton, Karl Marx and Woodrow Wilson, Hitler and Winston Churchill. We need not be afraid of the outcome of such a contest. For if the field is fair, and it should be the function of the university to see that it is, whoever knew truth, as Milton remarked, to be vanquished in open battle?

And along the way there can be many profound and interesting questions raised and tentative answers given which will throw light on some of the central issues of our times. What are the features, for instance, which have permitted Great Britain, the United States, and the British Commonwealth to effect change without revolution and apparently to solve the problem of the peaceful transfer of power? What protections can a democracy build into its system to minimize the dangers of corruption and of special interest? How can a bureaucracy be induced or compelled to use its skills for the benefit of the people rather than primarily to enhance its own power as did the Priest-Astronomers of Egypt and apparently those of the Mayan peoples of Central America?

I need not go further. Education is necessary to help man to live more fully and productively in his economic affairs, his cultural interests and his life in society. It is needed above all in an urban society. It will be up to students and teachers to pursue these purposes together. It is their joint responsibility. This will tax their energies and insights to the utmost. But the cause is a worthy one and the immortal garland cannot be won without dust and sweat.

III

Since everything is relative to its setting in time and place, this university will inevitably be, and should be, primarily an urban university. Just as the land-grant colleges were originally attuned to an America which was overwhelmingly agricultural and rural, so are these newer universities necessary to city and suburban life, to manufacturing and to the fast growing industries, and to men and women as metropolitan citizens striving to lead useful and harmonious lives in an incredibly complex society of widely differing races and ethnic groups and of diverging economic classes.

Central to every life is the problem of making a living—as good and ethical a living as is possible. I have already spoken of the way the college can enlarge and refine the human spirit. That is the first job of all education. But it must also help to prepare the students for the workaday activities of cities. And it should never take on a leisure class contempt for the practical. Only the rich can afford that, and it is no real help to them and to society. Since a large proportion of Chicago State's students will become teachers, it should help them to be better teachers. And here I hope it will emphasize content rather than mere form and method although there are a few simple hints on arousing interest, maintaining discipline, and obtaining cooperation which can be imparted. Another large proportion will go into business and office work and I see nothing demeaning in young men and women choosing to learn typewriting and stenography, book-keeping and accounting. These are honorable and useful tools which society needs and which should be carried out properly. I am not acquainted with all the intricacies of modern computers but it is probable that training should also be given in this field as well since it is here that there is the greatest immediate demand for technicians.

I take it that the college will not have a technical institute attached to it but will leave that work to the Illinois Institute and to the University of Illinois. But in its general courses in science it can demonstrate the basic principles which lie behind modern technology namely the creation, transmission and application of power, and the problems to which this gives rise. Given this, once the student gets a job he or she can go on from there for practical experience and advanced training.

Similarly in the field of business I would not advise that there be a detailed and minute treatment of a number of business functions such as banking, insurance, advertising personnel and other subjects which dominate the curriculum of colleges of commerce. But I would recommend that the courses in economics deal realistically with the way in which the energies of society are distributed through the price system and with the forces which help to determine the distribution of the final product among the claimants. And here I would suggest that concreteness be given to the theories of production and distribution by drawing on concrete and empirical studies of what the actual variables and values are in the production function, and the degree to which the product is distributed in conformity with the production equation. And concreteness should be given to the study of prices and changes in production and employment by the specific elasticities of demand and income which are involved.

Then the practical work which is performed by organized markets for commodities and for securities and these symbols of ownership deserve explanation and treatment as does the function of insurance as a means of pooling existing risks as contrasted with gambling which creates added risk. Finally the evolution and workings of our monetary system needs to be explored in a humanistic fashion.

We are living in one of the greatest and most complicated cities of the world. Here we find the most extraordinary mixture of nationalities and races, and of religions, cultural and economic groups which I suppose have ever been brought together in the whole history of mankind. And what is true of Chicago and New York is also true in large measure of all large American cities. The question which above all others concerns us is whether we can learn to live together in comparative justice and peace or whether we are doomed to go down in a welter of blood because of our animal instincts and cultural and economic cleavages. The Social Darwinians, the race animated Nazis and the apostle of class strife not only believe in the inevitability of conflict but seek to create it. If this spirit conquers then the future of this and every other city will be black indeed. Nor can the suburbs pretend that they are not involved. For the iron band which they have drawn around the inner cities to prevent the poor and those of darker skins from residing in their midst has multiplied the tensions within the cities themselves. To understand these conflicts and complexities and to have a part in their reocnciliation is the opportunity for us all. The college can and I am confident will do invaluable work in this direction. The city can indeed be our laboratory and experience

center. The Rosenwald Museum in Jackson Park for science and industry, natural science and anthropology at the Field museum, astronomy and the universe in which we dwell at the planetarium, the past life of the Near and Middle East at the Oriental Institute, French, Dutch, and American Painting at the Art Institute and Music at Orchestra Hall. Here are the ingredients for the good life for us all. Our new college can help more to share in these rich treasures and to take part more actively in their further creation.

What is needed above all are educated and humane men and women who can see beyond the conflicts of today and apply themselves to the task of helping to introduce rapidly a greater measure of justice and of reconciling in a self-respected manner conflicting interests and emotions.

This may become one of the great creative achievements of this new college whose student body and faculty is already drawn from all races and classes. Can we not hope that just as the United States seems to have solved the problem of peaceful change on the national level, so may not the members of this new university community help to solve the problems created by diversities of classes and colors living together? If we cannot, the prospect indeed is gloomy and the last best hope of man may go down in blood and hate. But it need not happen, and I am sufficient of an optimist to believe that it will not happen if those who are concerned with education are aware of the dangers and set themselves to do their wisest and best.

Finally, on behalf of my wife and myself, may I thank you again for the great honor you have conferred upon us and may we wish the college and Dr. Byrd all good fortune during the crucial years which lie ahead.

RESOLUTION HONORING THE DOUGLASES

Following is the resolution of the board of governors of Illinois State colleges and universities, honoring Paul and Emily Taft Douglas:

Whereas this distinguished audience has gathered this evening because of its interest in and concern for the relationship between the urban university and the people of the city that it serves; and

Whereas we have all been informed, heartened, and challenged by the wisdom, judgment, and learning of Senator Paul Douglas in his presentation here this evening and in the example he has set over four decades of service as an economist-educator-public official actively involved in the problems of the city; and

Whereas Senator Douglas after receiving his academic training at Bowdoin College and Columbia University served with distinction on the renowned faculties of Reed College, the University of Washington, Amherst and Swarthmore Colleges, and the University of Chicago; and

Whereas Senator Douglas began his long career of service to his country in working toward the solution of its economic and social problems as early as 1930 by becoming director of the Swarthmore Unemployment Study and secretary to the Pennsylvania Unemployment Commission; and

Whereas Senator Douglas later became advisor to the New York Unemployment Commission and in 1937 served as a member of the Advisory Committee to the United States Senate at the time that that supreme legislative body developed the federal social security system; and

Whereas Senator Douglas next took on additional responsibilities by becoming an elected public official, representing the citizens of the Hyde Park area on the Chicago City Council where his record of devotion to the public trust has set a standard for generations to follow; and

Whereas Senator Douglas resigned from this honored position in 1942 at the age of fifty to enlist as a private in the United States Marine Corps because of his intense patriotism and his deep-felt conviction about the moral responsibility of this nation to defeat the forces of aggression in World War II; rising through the ranks, he became a lieutenant colonel and fought with great valor in the Pacific theater of war where he was seriously wounded and permanently disabled; and

Whereas Senator Douglas returned to civilian life recognized as an outstanding citizen of Illinois becoming its United States Senator in 1949 and serving for the following eighteen years; his Senate career was marked by an unflagging devotion to the national interest, to the preservation of civil liberties, to the upholding of American international responsibilities, and to the protection of the citizen against the concentration of power whether in the economy or in the government; and

Whereas today at the age of seventy-five Senator Douglas continues his dual career as a teacher of young people and as a servant of the people; now a member of the faculty of the New School of Social Research he continues to inspire his students and as chairman of the National Commission on Urban Problems, he again has taken the leadership in the continuing effort to find solutions for our nation's massive city problems; and

Whereas as Abigail Adams said in 1776, "Remember the ladies," the assemblage this evening is honoring an especially outstanding lady, Emily Taft Douglas, not only as the Senator's wife and helpmate over the years, but also for her meritorious career as a Congresswoman, organizer of the League of Women Voters in Illinois, pioneer campaigner for a state constitutional convention, and most recently as an author; now therefore be it

Resolved that under the authority vested in me by the Board of Governors of State Colleges and Universities and on behalf of the faculty and students of Chicago State College this tribute is presented to Senator and Mrs. Paul Douglas for exemplifying Justice Holmes' dictum: "A man must participate in the actions and passions of his time;" and be it further

Certified that upon completion of its new campus, Chicago State College will further recognize the long record of contributions of Senator and Mrs. Douglas by naming one of its buildings in their honor.

Given at Chicago, Illinois, on this twenty-eighth day of September in the Year of Our Lord Nineteen Hundred Sixty-seven and of Chicago State College the Ninety-ninth year.

ADMINISTRATION ATTEMPTS TO WITHHOLD HIGHWAY TRUST FUNDS

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

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

There was no objection.

Mr. BRAY. Mr. Speaker, the recent action by the Secretary of Transportation in sending a wire to the Nation's Governors which implied a cut in highway construction funds was to be made to help reduce the budget deficit indicates how hard it is for the Congress of the United States to get a point across to the executive branch. We went through this whole business once before, earlier this year, when the administration withheld but later released money designated for the States from the highway trust fund.

The administration's action was wrong then, and it is wrong now. The reasons for it being wrong are few but to the point, and they are included in the following letter which I have sent to the Secretary of Transportation:

OCTOBER 17, 1967.

HON. ALAN S. BOYD,
Department of Transportation,
Washington, D.C.

DEAR MR. SECRETARY: Along with many Members of Congress, I was astonished by your recent telegram to the nation's governors, implying a cut in highway construction funds might be made to help reduce the budget deficit.

Your office knows, or should know, that these funds have nothing to do with the budget and are not even carried as part of it. The money in the highway trust fund comes almost exclusively from the Federal excise tax on gasoline. No Administration has the authority to either use the money for anything else or to arbitrarily withhold it from the States.

The Highway Act of 1956—Public Law 84-627—was expressly written to insure a constant source and flow of money for highway construction. The American motorist who pays these Federal excise taxes has the right to the assurance that the money will be devoted exclusively to his personal convenience and safety, and these points were forcefully made during House debate on the bill by members of both parties.

I am at a loss to understand why your office seeks to repeat the ill-considered actions of a year ago. Such a step as you seem to contemplate denies the motorist his rights, is a classic example of bad faith with the States, and certainly violates the clear intent of the law.

Sincerely,

WILLIAM G. BRAY,
Member of Congress.

BRITISH F-111: McNAMARA'S ALBATROSS

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

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

There was no objection.

Mr. MINSHALL. Mr. Speaker, the TFX is fast becoming a storm-center of controversy with Great Britain. Billions of dollars, much good will and even political futures are on the line on both sides of the Atlantic.

In America this problematical aircraft, the F-111, long has been labeled the "Flying Edsel" by experts who know its poor test of performance record.

Now the British, disillusioned by shortcomings in the F-111's the administration wheeled and dealed to them, are calling it "McNamara's Albatross."

"Conceived in political sin, dogged by budgetary scandal, stalled by flying failure, it now has risen to the level of an international incident," noted economist Eliot Janeway wrote in a September 25 article from Geneva, Switzerland.

The London Daily Express declared on September 27:

The British F-111K version of the controversial swing-wing warplane shares the overweight problems that prevent all American models meeting design specifications.

The story enumerates the shortcomings and failures, so well known to us

who have followed the TFX history, and which may ultimately persuade the British to demand a rebate on the F–111's we have sold them.

This substantiates and underscores the points I made when I protested any further procurement funds for the F–111B when the Defense budget was before this House June 13.

It is time we faced up to the fact that this is a billion-dollar blunder which will be multiplied many times over by the Defense secretary who stubbornly refuses to ever admit he has made an error.

And the British experience with the TFX we sold them will chill any "Buy America" enthusiasm among world military markets.

The Janeway and Daily Express articles follow:

TXF PLANE BECOMES INTERNATIONAL HASSLE

(By Eliot Janeway)

GENEVA, SWITZERLAND, September 25.—Militarily, the TFX delivers less than a major air power needs from a fighting airplane. Politically, it has delivered more. Conceived in political sin, dogged by budgetary scandal, stalled by flying failure, it has now risen to the level of an international incident.

Here in this sleepy lakeside oasis of sophisticated frugality in the heart of Europe, where peace and neutrality are a creed and where wars and revolutions are viewed with the professional detachment of the horse race handicapper or gambling casino operator, the immediate question is whither England?

Will she dissolve her historic American family connection and come to live in Europe? Will she accept exclusion from the new family growing up in Europe out of love—if only cupboard love—for what French President Charles de Gaulle sneers at as her "special relationship" with America? Or will Harold Wilson be clever enough to manage a threesome, keeping America as England's old connection and winning Europe as her new one?

Europe not only wants to know: Europe needs to know. England is a major outlet for Europe's exports and Europe, suffering from a slump, needs all the export business she can rustle up.

Europe also has a money motive in seeing sterling solvent and England strong and friendly. Despite Europe's devotion to financial orthodoxy and her distrust of the foreign policies which have kept England in pawn to foreign creditors, the continent has not outgrown its traditional dependence on the banking, insurance, and shipping facilities of the city of London. London still provides the technical services which move the exports on which every country in Europe counts and which no country in Europe is anxious to finance with its own money.

WHERE IS BRITAIN HEADED

For months, the answer to Europe's question about England has seemed to depend on the performance of the English economy and on the skill of the English diplomacy. Now, suddenly, the TFX affair has taken the decision out of Harold Wilson's hands in England, and out of Lyndon Johnson's hands in America. What Europe sees as a political fluke, what England resents as a political mess could quite possibly throw England into Europe's arms in a fit of revulsion against America.

The admitted source of trouble goes back to the skyrocketing costs of the TFX. Every new failure of the "flying Edsel" to meet specifications has loaded the contract with extras. To lower the apparent cost per plane and, incidentally, to brag about its acceptability, Defense Secretary McNamara pressed the British government to "buy" a batch.

SELLS A BILL OF GOODS

The bill of goods McNamara sold England was hard to resist. He guaranteed delivery of a brand new air fleet for less than nothing. But fixes are never bargains; and the bargain McNamara offered England was too good to be true. It was too good to last for England and too transparent to work for him. His formula for supposedly limited TFX costs was to pay England more for other defense business than we charged her for the TFX.

One of the small "offset" orders guaranteed to England as part of the TFX package was for small ships. When Republican Congressman John Byrne [who has an order-hungry shipyard in his Wisconsin district] knocked this part of the package out of the budget, he not only flushed out the administration's loss of control over Congress. He put England on notice that an American administration which cannot command the confidence of Congress cannot be trusted to make good on its international commitments.

[From the London Daily Express, Sept. 27, 1967]

MORE SWING WING SHOCKS—OVERWEIGHT UNDER-RANGED—NOT ENOUGH DASH—NOT ENOUGH HEIGHT

(By Ross Mark)

WASHINGTON.—The British F111K version of the controversial swing-wing warplane shares the overweight problems that prevent all American models meeting design specifications, aviation experts said today.

One expert with access to classified material on the F111 programme told me:

"Britain's requirements for extra fuel to give the F111K greater range compounds the weight problem and means that it will never be possible for the plane to meet the specifications given by Washington when the British Government ordered its 50."

Inquiries on the latest situation of the F111—nicknamed in Congress "McNamara's Albatross"—brought these statements from other qualified experts:

The first 30 F111As, the United States version on which Britain's "K" model is based, have performed so poorly that they will never be fit for active service.

The Pentagon ordered an initial 18 which failed to meet performance standards. The second batch, which had improvements, performed little better than the first. Now all 30 will be limited to pilot training and research and development.

The 31st F111A, the first of the group that will be sent to a base in Thailand for "blooding" in the Vietnam war, still falls short of several Defense Department requirements.

Although the U.S. Air Force specified a 40,000-ft. ceiling, Air Force officials admit that model No. 31 will not be able to operate with a bomb load above 30,000 ft. But competent industry sources say that the actual ceiling will be about 15,000 ft., well within the reach of all world front-line fighters.

Neither the F111A nor the British "K" would be able to make a supersonic dash at low level on a target until they were within 50 miles of it. The original requirement was a 200-mile-plus "dash" range.

Because of uncontrollable "buffeting," the speed brake was drastically reduced in size. The buffeting has been lessened, but the air brakes are so small they are largely ineffective at high speeds.

The take-off weight of the aircraft has increased from 69,000 lb. to nearly 90,000 lb.

The range the plane can be ferried is 800 miles less than the United States Air Force required.

Engine troubles still unfixed include occasional loss of take-off power due to the after-burner stopping on the ground. The after-burner also sometimes fails at high speed.

Engine "surge" due to compressor troubles at high speed.

The early versions of the aircraft have 50 pylons beneath the wings to carry 50 bombs weighing 750 lb. Each model No. 31 will carry only 12 bombs.

One expert in close touch with the F111 programme said: "Britain's 'K' version has even more weight than our 'A' with its special 'K' components and extra fuel requirements.

"I seriously doubt if it would ever get off the ground if the R.A.F. attempted to load it as originally planned.

"The central fault of this warplane is that it is overweight and underpowered."

Congressional sources say that the U.S. Navy F111B is now so heavy that aircraft carriers will carry only six instead of the originally planned 12.

Chapman Pincher writes: The R.A.F. chiefs insist that the F111 will still meet their requirements in spite of the admitted failure of the plane to fulfill original expectations.

The reason? The purposes for which the R.A.F. needs the machine are far less demanding than those of the U.S. Air Force. The Americans want it as an interceptor-fighter as well as a strike aircraft. Britain does not.

REDUCED

The Defence Ministry denies that the R.A.F. has lowered its operational requirements to suit the reduced performance of the F111.

Further, it claims, there are penalty clauses in the Ministry's contract with the U.S. Government. If the F111 fails to meet the R.A.F.'s requirements the U.S. will claim a rebate for Britain from the manufacturers, the General Dynamics Corporation.

VIETNAM—THE PRESIDENT IS HIS OWN MAN

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

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

There was no objection.

Mr. FASCELL. Mr. Speaker, recently the South Dade News Leader printed an editorial on a rather persistent kind of critic of our policy in Vietnam; the kind who charges that the administration has not leveled with the American people or that it has attempted to "brainwash" this country.

The editorial is particularly timely in its criticism of this new breed of "know-nothings" who blame others for their own mistaken judgement. No one quarrels with those critics who have examined the facts about Vietnam and reached a different conclusion than the President. These honest critics have a right to their own opinion and not only a right but a duty to criticize the Government's policy and attempt to change it as long as they work within our established constitutional machinery.

Nor can one quarrel with honest men who change their minds. These critics, too, have a right to their views and we all must respect that right. It is to be hoped, however, that when men change their minds they will have the courage to say of their previous position, "I was mistaken," instead of blaming anyone except themselves.

These "know-nothings," however, who irresponsibly make charges of brainwashing can only harm their country with their false and totally mislead-

ing statements. Such statements, in reality, amount to nothing but a lot of political hogwash by those who only stand to gain by discrediting one of the most energetic and capable Presidents this country has ever had.

No war ever fought by this Nation has been so fully discussed by Government officials. No war has ever been so fully reported by the press. If there is any fuzziness about this administration's position on Vietnam, it is not because of a lack of public candor by the President but because of cobwebs in the minds of some critics.

The editorial of October 5 in the South Dade News Leader on this subject is an excellent analysis of brainwashing and I am sure many will find it of interest:

HARD, COLD FACTS ON "BRAINWASHING"

Not since the Korean War has so much "brainwashing" been going on.

First Gov. George Romney of Michigan charges that his brain was washed by the Johnson administration's military and diplomatic brass during a visit he made to Vietnam in 1964.

Now Sen. Thruston Morton of Kentucky, former chairman of the Republican National Committee, claims that it is LBJ himself whose brain has been washed—by the "military-industrial complex" no less.

Though Morton does not say it in so many words, his admission that his past support the war was mistaken suggests that his own cerebral cells had been subjected to a bit of laundering.

This loose usage of "brainwashing" is another example of how words which originally had a specific meaning tend to become blunted and ambiguous.

As it first emerged from the Korean War, the word described a sinister power attributed to the Chinese. Through subtle and not-so-subtle physical and psychological pressures, American prisoners of war were led to doubt everything they had ever believed—about themselves, about their country and about the purposes of their government. The shallower their beliefs were in the beginning, the easier it was to make them doubt them.

The word meant just what it said: Their minds were washed clean of previous convictions and new ones were substituted in their place. The technique worked, among a few, as long as they were confined in the artificial world of the prison camp, where the only reality was what their captors said it was.

Today, brainwashing seems to have softened into just another synonym for persuasion. More than that, there is the implication that if one claims he was brainwashed, he is absolved from responsibility for making an error of judgment.

Romney may have been given a biased set of facts about Vietnam, even conned into believing they represented the true situation. Undoubtedly he was told what he wanted to hear, which is as normal a practice between underlings and officials in government as it is between employes and bosses in business.

President Johnson may or may not have chosen wrong alternatives on the basis of faulty information during the course of this war. But his decisions have been made on the basis of the situation as he saw it. The President is his own man and no one tells him what to believe.

All people everywhere view the world through their own personal set of glasses, which they have polished over the years and which filter reality so that they see what they want to see and are able to go on believing what they want to believe.

Americans want to believe that we are right in being in Vietnam, that our aims are noble and that those aims can be achieved for the lasting benefit of the entire world. In these sense, perhaps we have all brainwashed ourselves.

It is one thing, however, to take off our old glasses and put on another pair because our eyesight has changed, and another thing to blame the optometrist because the old glasses don't work so well any more.

It is one thing to change one's mind about Vietnam in the light of experience, but quite another to complain that we would never have had to make this reappraisal had not somebody "brainwashed" us in the first place.

CONGRESSMAN HORTON LAUDS THE AMALGAMATED CLOTHING WORKERS' DEDICATION OF SIDNEY HILLMAN HEALTH CENTER AND ROCHESTER JOINT BOARD HEADQUARTERS

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

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

There was no objection.

Mr. HORTON. Mr. Speaker, I would like to share with my colleagues one of the most satisfying afternoons I have spent as a Congressman.

Yesterday afternoon, in Rochester, N.Y., I attended the dedication of a beautiful new building which will house the headquarters of the Rochester Joint Board of the Amalgamated Clothing Workers of America and the Sidney Hillman Health Center, which provides free health care to members of the union in the Rochester area.

The dedication ceremony was significant not only for the clothing workers union, and not only for organized labor as a whole, but it was meaningful for the entire Rochester community. The location of the new structure on East Avenue, often termed the "showplace of Rochester," marks the first entry of organized labor on a thoroughfare which for decades has claimed some of the city's major landmarks. Now, side by side with the George Eastman House, the Dryden Theater, the Rochester Museum of Arts and Sciences, the Boy Scouts of America, and some of Rochester's most beautiful homes and houses of worship, stands this magnificent structure, designed by Rochester architects, Corgan and Balestiere, and built by Werner Spitz & Co.

Mr. Speaker, the scope of the Rochester joint board's activities could not be better described than it was in the October 13, edition of the Rochester AFL–CIO Labor News:

DEDICATE ACWA BUILDING MONDAY

The Rochester Joint Board of the Amalgamated Clothing Workers of America, AFL–CIO, will officially dedicate its new business offices, headquarters and Sidney Hillman Health Center, 750 East Ave., during special ceremonies to take place at the site next Monday starting at 3:30 p.m. The formal opening of the beautiful new edifice has been timed with a week-long quarterly meeting here of the ACWA's national General Executive Board who will participate in the dedication, including ACWA Intl. Pres. Jacob S. Potofsky. This will be the first Intl. GEB session here in 20 years.

Rochester Congressman Frank Horton will head a long list of area civic, political, religious and local and international labor leaders who will also be on hand for the ceremonies Monday, and tour the new building which houses the Sidney Hillman Health Center on the second floor, under the direction of Dr. Robert Burton, and solely supported by the 15,000 ACWA members affiliated in the ACWA's 17 locals here, providing free health services to all of the union's members and retirees coming under the program. In addition, the new building houses recreational facilities for retirees of the ACWA; general business offices and meeting rooms for the Joint Board officers, and represents the fruition of a project headed by Rochester Joint Board Manager Abraham D. Chatman, who has served the ACWA here in that capacity since 1924, and who is a vice-president of the national union. The Rochester Joint Board represents ACWA members in an area ranging from Poughkeepsie to Buffalo, and including Syracuse, Utica, Penn Yan, and the Rochester region, and involving production workers at Bond Clothes, Fashion Park, Hickey-Freeman, Michaels-Stern, Timely Clothes, Xerox, five box factories, Bravo Macaroni Co., Rochester Button Co., and Bourjois Cosmetics, besides sales personnel in the retail outlets of Bonds, McFarlin's, National, Robert Hall, and Cornwall Clothes.

The site of the new, ultra-modern structure was formerly occupied by the famous Gleason House which was donated to R.I.T. and purchased by the Joint Board. The union's former headquarters at 476 N. Clinton Ave., N., in use since 1919, has been donated by the ACWA to the City of Rochester and is now being renovated as a youth recreation center. The new structure was designed by Corgan & Balestiere, noted Rochester architects, and the interior design was by Molly Stern, of Rochester, and a major Rochester building firm, Werner Spitz, was the general contractor. Construction began in July, 1966, and was completed in 15 months.

The printed dedication program contains a very well done piece entitled "Past, Present and Future," which describes in brief the history and impact of the Amalgamated in the Rochester community. It appears below, along with the program of speakers:

DEDICATION CEREMONIES, HEADQUARTERS, ROCHESTER JOINT BOARD, AMALGAMATED CLOTHING WORKERS OF AMERICA, AFL–CIO, CLC, OCTOBER 16, 1967

THE PAST, PRESENT AND FUTURE

Organized in 1919 after several years of continuous effort by Sidney Hillman, the Rochester Joint Board of the Amalgamated Clothing Workers of America survived the turbulent labor-management conflicts of the post-World War One period and emerged as a constructive force in the community. Not only was arbitration machinery launched in that initial year, but the Impartial Chairman, created to settled disputes between the Amalgamated locals and the members of the Clothiers' Exchange, proved advantageous to both sides and to the economy of Rochester. Moreover the educational programs fostered by the Joint Board brought many of its officers and members into constructive participation in civic and other community affairs.

After a brief period when its offices were located on Central Avenue, the Rochester Joint Board leased and later purchased the large structure known as Germania Hall on Clinton Avenue North. These commodious quarters served for more than four decades as an active community center not only for the officers and members of the Amalgamated but for other labor and community groups as well. There the numerous locals held their monthly meetings, speaking in English, Yiddish, Italian, Polish and Lithuanian. Innumerable classes in successive generations

studied the objectives and strategy of the union movement and probed a wide variety of related social problems.

Sustained by the dynamic interests of its large membership, the Rochester Joint Board was able to play an active role in community affairs. Not only did it serve during the depression and post-depression years as a source of leadership for organizational efforts in the clothing factories of neighboring towns and cities, but it also responded to requests from workers in other industries for organizers and has admitted to its fold locals from the food processing fields, from paper boxes, and the Haloid Company (manufacturers of photographic supply), more recently known as the rising new Xerox plants.

In addition to this expansion of its membership base, the Joint Board has broadened its services by establishing a Health Center to provide free examinations and health services to its present and past members and their spouses. It has also continued its customary practice of endorsing and rallying member support for worthy community efforts, such as the hospital, war relief and Community Chest drives. And a few years ago it endowed a series of annual lectures on vital topics at the University of Rochester to be known as the Sidney Hillman lectures. Moreover, as in all regional divisions of the Amalgamated Clothing Workers of America, under President Potofsky as under President Hillman, the Rochester Joint Board has endeavored year after year to alert its members and their neighbors in the community to their responsibilities as citizens and voters in a democratic society.

In opening this fine new headquarters on East Avenue, the Rochester Joint Board plans to continue all traditional services to its members and hopes to achieve their fuller participation in the affairs of the community at large.

PROGRAM

Welcome..... Abraham Chatman
ACWA vice president, Manager, Rochester Joint Board.

Invocation.. Rt. Rev. Msgr. Dennis W. Hickey
Vicar-General, Rochester, Catholic Diocese.

Greetings..... Hon. Frank Lamb
Mayor of Rochester.

Remarks..... Walter Hickey
President, Hickey Freeman Co.

Remarks..... Rabbi Philip S. Bernstein
Temple B'rith Kodesh.

Remarks..... Peter McColough
President Xerox Corp.

Remarks..... Hon. Frank Horton
Congressman.

Address..... Jacob S. Potofsky
President Amalgamated Clothing Workers.

Benediction..... Rev. Alfred B. Wangman
Bethany Presbyterian Church.

Rochester Joint Board Manager, Abraham D. Chatman opened the program and served as master of ceremonies. His remarks appear below. My colleagues will be interested to know that the printed dedication program bears the union "bug" of the Allied Printing Trades Council of New York, whose Rochester locals were encouraged and helped along in the early years by Abe Chatman and the clothing workers:

REMARKS OF A. CHATMAN

Rt. Reverend Monsignor Dennis W. Hickey, vicar general, will give the invocation.

* * * * *

I want to welcome all of you to the dedication ceremonies of our new Joint Board Headquarters, Health Center, and Retiree Center. This is in some ways the culmination of a dream—for in this new building we will have the finest facilities for our many activities and programs.

I believe that most of you know that although Rochester is sometimes known as a non-union town, the fact is that the Amalgamated has been a strong and progressive organization almost from the moment we signed our first contract.

That first contract was signed in the spring of 1918—a few months short of 50 years ago—so this ceremony symbolizes not only years of future activity but a half century of progress already completed.

Rochester has played a major part in the Amalgamated's history. We are a small town compared to New York, Chicago and Philadelphia, but our clothing industry has always been one of the most notable in the Nation. In the early days, before the union, the industry was characterized not so much by the sweatshop but by large and wealthy companies wielding iron control over their workers. The workers tried for decades to organize here, but we did not make our first breakthrough until almost four years after the Amalgamated was born. Sidney Hillman gave leadership in our first settlement and the first World War was the background which helped make it possible.

Our organizing efforts did not end then. One of our most famous strikes took place in 1919, and was defeated by a court injunction which was so repressive that it helped inspire the passage by Congress of the Federal Anti-Injunction Act. In another strike in 1933, the forces opposing us used tear gas, and we had to obtain gas masks to maintain our picket lines.

But we won those battles, and many more, and today, although the original clothing industry has grown smaller, our membership has been maintained by the addition of new companies—particularly by a great new industrial organization, the Xerox Corporation.

Here in Rochester, we have always been conscious of our obligation not only to our own members but to the welfare of all working people and to the community as a whole. Our activity in community life—in government, in charity, in education, in health—is symbolized by the many friends from other unions and from other organizations who are with us today. We are proud, too, to welcome the general officers, and the members of the general executive board and the principal department heads of the Amalgamated.

Later in the program I will introduce the general president of the Amalgamated for his remarks. At this time, I would like to introduce his associates, general secretary-treasurer, Frank Rosenblum, and executive vice president, Hyman Blumberg. I would like to say an extra word of tribute to Hy Blumberg who, since the birth of our union in Rochester, has taken a special interest in our welfare and has always been helpful to us.

The scheduling of a meeting of the Clothing Workers' international executive board this week in Rochester provided one of the highlights of the dedication ceremony—an address by ACWA international president, Jacob S. Potofsky. My colleagues will note that Mr. Potofsky devotes a major portion of his remarks to well-deserved praise of Abe Chatman, my longtime friend, who in addition to his service as chairman of the ACWA's Rochester Joint Board, is international vice president. Abe has been a driving force for constructive unionism, and for amicable labor-management relations in Rochester for over four decades. To him must go much of the credit for the responsible, active, and respected labor organizations in Rochester today.

Mr. Potofsky's remarks follow:

ADDRESS BY JACOB S. POTOFSKY

I am delighted to be here today. This occasion is a high point in the history—not only of the Rochester Joint Board but of the Amalgamated Clothing Workers of America, as a whole.

Your new building combines beauty and utility. It adds distinction to the area, and should set an example as a union headquarters. Over the years the labor movement has occasionally been critical of industry for spoiling and wasting natural resources and creating ugliness rather than beauty. The labor movement owes it to the community to enhance the appearance of the area when it builds—and I believe that the new headquarters of the Rochester Joint Board does just that.

Ever since 1918, our organization in this city has contributed to the unity and strength of the union as a whole. During the great strikes early in our history in New York and Chicago—including the 1920 lockout—Rochester clothing workers contributed generously to the defense funds of their fellow workers. In all our activities, including our industry-wide bargaining and our political education programs, this joint board has played an important part.

The activities of the Amalgamated in Rochester symbolize the union's dedication to the welfare of the community. Those of you who are old timers in our organization know that very early in our history, the Amalgamated sought to use the strength of our unity in areas beyond so-called bread and butter unionism. We tried to make the union a means of achieving benefits beyond the workbench and the shop.

Here in Rochester, this handsome new headquarters symbolizes almost 50 years of a remarkable record of community activity. We are now as native to Rochester as the Red Cross or the University of Rochester. The record began almost at the inception of the organization. Through the years our union members here have served as the anchor of the labor movement, helping new unions such as the printers, the building trades, the newer industrial unions, and most recently the municipal employees to win bargaining rights. As the largest union in the area, our Rochester Joint Board gave leadership to labor in its political activities, reaching down to workers in the wards and precincts. In addition, the union has been an important part of numerous philanthropic agencies and programs, participating and raising uncounted thousands of dollars for charities locally and nationally.

I could not close my remarks without paying tribute to your veteran manager, Vice President Abe Chatman. Abe is a truly remarkable labor leader—independent, strongminded, a man who combines reason and logic with a passion for progress. His leadership of the Amalgamated—and of the labor movement as a whole—in this area has been unique and constructive. Our relations with employers has been given nation-wide attention, particularly in a study a number of years ago by the National Planning Association.

Abe, thru his tireless efforts, has brought remarkable advances to the clothing workers, as well as to workers in other industries, including the giant Xerox Corporation, which we are proud to have as part of our organization. At the same time our union has been a force for stability and progress for the clothing industry itself. I am pleased to have this opportunity to pay my compliments to Abe for the integrity, the dedication and the enlightenment he has brought to Rochester during almost 45 years of leadership. We can all be proud of his attainments.

May I close with my own congratulations, and those of my colleagues on the General Executive Board, to Abe and his associates for erecting this beautiful building. I know it will serve the wide range of activities of your membership, including the health center and the retirees center and will be a monument to the Amalgamated's contributions to the people of Rochester.

The East Avenue rostrum played host yesterday to yet another great American who is well known to many of our colleagues. He is Rabbi Philip S. Bernstein, of Rochester's Temple B'rith Kodesh, who serves as chairman of the American-Israel Public Affairs Committee here in Washington.

The program would not have been complete without Rabbi Bernstein, whose family roots lie in tailoring, and who has grown up with the clothing industry and the clothing workers union in his many decades in Rochester. Few men know better than Phil Bernstein what benefits the organization of the clothing industry has bestowed on immigrant tailors of all nationalities who flocked to this country early in the century. His well chosen words follow:

REMARKS BY RABBI PHILIP S. BERNSTEIN

There is an ancient Hebrew phrase which seems appropriate at this moment, Zecher Tzadik Lavrachah, the memory of the righteous is a blessing. We think today of Sidney Hillman and his associates who by their pioneering struggles have made this event possible. Mr. Hillman was a courageous fighter, a wise statesman, and a warm hearted human being. His leadership and that of his associates does indeed bless us today.

It is good to have here also today Mr. Hillman's successor and for many years his comrade, Jacob Potofsky, who has carried on the high traditions of the early leadership and for whom I have warm personal regard.

I have regarded Abe Chatman as my friend for forty years. I have respected and continue to respect his integrity, his fortitude, his leadership. This building is an Amalgamated achievement but you know that it is due in no small part to Abe's tenacity of purpose.

All my life I have had a special interest in the clothing industry. My father made his living, if you call it a living, out of making pants. They weren't very good pants because they were cut from remnants bought in fire sales, and most of his customers looked as if they just stepped out of a painting by Picasso. But somehow the family lived by this "schneidering" and educated three children. My mother did some sewing in a tailor shop when she came here as a girl. Practically all of the owners of the clothing factories, excepting that Yiddish speaking Jeremiah Hickey of blessed memory, were members of my congregation. A large part of the Jewish community consisted of people who worked in the clothing factories and shops.

The clothing industry made a very important contribution to the welfare of Rochester. In fact there was a time when I think it was the leading industry in town. It helped to make Americans the best dressed people in the world. It made it possible for workmen of modest means to dress as well as their employers.

As I appreciate the contribution which the clothing industry has made to the economy of our city and our country, and its contribution to raising standards of life and appearance for the American people, so also do I appreciate its social statesmanship. This did not come easily nor quickly. There was a hard and even bloody struggle, but out of it emerged a remarkably constructive industrial peace and cooperation. Both sides should be commended for this and for its ongoing character. But today I think particularly as we dedicate this Amalgamated Building of the social statesmanship of the Union and of its leadership, a statesmanship that was both down to earth and far visioned, that was practical and visionary.

So today I felicitate the Amalgamated Clothing Workers on this great achievement, on this beautiful building and the good use to which it will be put, and I pray for many, many years of continued and growing high usefulness.

Mr. Speaker, the success of the Rochester ACWA joint board, and the quality of its dealings with its members and with industry in Rochester is attested to by the wide variety of manufacturing industries which employ members of what once was exclusively a clothing workers' union. In addition to a wide range of clothing companies in Rochester, which is among the world's leaders in the manufacture of men's apparel, the union is represented in food processing, folding box, jigsaw puzzle and countless other plants, along with the giant Xerox Corp., which makes its headquarters in Rochester.

Both Xerox President C. Peter McColough and Board Chairman Joseph C. Wilson were on hand for the dedication. Walter Hickey, president of Hickey-Freeman Clothes, spoke in behalf of the city's many clothing firms. Their presence, and that of other Rochester industrialists, testifies to the lasting goodwill which exists between the ACWA and the Rochester businesses it deals with, just as the fine and tasteful building we dedicated yesterday testifies to the strength and growth of organized labor in Rochester, and to its permanent, respected and constructive role in the life of our community. The beauty of this building, and steadfastness of Amalgamated Manager Abe Chatman is noted in the following portion of an editorial which appeared yesterday in the Rochester Democrat and Chronicle:

THE AMALGAMATED

Where a mansion once stood, and within a stone's throw of other mansions, the Amalgamated Clothing Workers' new $800,000 headquarters at 750 East Ave. will be dedicated today—and the beautiful avenue is the better for it. . . .

For Abraham Chatman, manager of the clothing workers' union these many years, has more than lived up to his promise to fit the dramatic building into the dignity and the "feeling" of the avenue. It has an austere modern beauty which somehow blends easily with the ornate beauty of the mansions of a century ago. . . .

Those who were hopeful, those who were worried, those who were happy, those who were upset—all of them now owe a grateful thank-you to the slight grey-haired Chatman for bringing off his dream in such good taste.

A TRIBUTE TO THE WORKING-WOMEN OF AMERICA

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

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

There was no objection.

Mr. CONTE. Mr. Speaker, National Business Women's Week will be observed October 15–21 this year, and will be highlighted by congresses of career women leaders at National, State, and local levels. This annual tribute to all career women has been sponsored since 1928 by the National Federation of Business and Professional Women's Clubs, Inc.

The aims and ideals of career women everywhere, including such areas as equal employment opportunity, uniform taxation and retirement laws, and equitable jury representation, are in perfect harmony with the precepts and traditions of our American democratic society. I am proud to acknowledge the endeavors of these courageous women as we celebrate National Business Women's Week and urge all concerned citizens from every strata of our society to give support and recognition to their worthwhile cause.

BOYDEN OF DEERFIELD—NO BETTER MAN

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

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

There was no objection.

Mr. CONTE. Mr. Speaker, a week ago, I led many distinguished Members of this House in paying tribute to this country's dean of headmasters, Frank L. Boyden, upon the announcement of his planned retirement next June. The same day, an editorial in the Greenfield Recorder described the pride mixed with an accompanying sense of loss in that town, also, at the prospect of the removal of Deerfield Academy's most celebrated attraction.

I at that time remarked on Frank Boyden's achievements and the many honors they brought. Other Members joined in to recount the measure of his career since he took the position 65 years ago to pay for law schooling. He started with 14 students and one building and expanded the school until its campus now stretches over 350 acres and its students number 475.

Now, Deerfield Academy faces the prospect of finding a new headmaster. The one reassurance that the man so chosen will not be one easily overwhelmed by the traditions and memories of the man who built Deerfield into a school ranking with the top 16 in the country will be the active presence of Frank Boyden as chairman of the selection committee.

For, over and above the school's 20 buildings and 33 restored homes, Frank Boyden leaves an endowment of excellence and intelligence in the pursuit of culture and public leadership. His encouragement, his guidance and, above all, his example, have already given to the finer schools of this country numerous capable headmasters. There is great assurance in his past record of thoroughness and character that he will give us one more in his mold—for Deerfield.

Since the Greenfield Recorder's editorial expresses these sentiments so well, I ask unanimous consent that it be printed in the RECORD and thus made available to Frank Boyden's many admirers.

NO BETTER MAN

If ever a formal announcement of official decision was greeted with mixed emotions, it was the Deerfield Academy trustees' disclosure Sunday that Headmaster Frank L. Boyden will retire in June of 1968.

There is pleasure, of course, that Dr. Boyden will step down while he is still a dominant figure. For all his 88 years, he is not only active as an administrator but he also possesses an amazing vigor and a comprehensive grasp of the daily situations that arise.

But there is an undeniable element of sadness. For 66 years Frank Boyden has been a focal point of attention at the academy. His personality and his character have dominated the Deerfield scence. Students and teachers have come and gone, but Dr. Boyden has remained constant—challenging encouraging and inspiring all who have come into contact with him.

Pride has been a strong force in the building of this unique educational institution. Personally humble, and at times almost apologetic, Dr. Boyden has developed at Deerfield Academy both a school and a type of American deserving of society's admiration. Students, faculty members, parents and neighbors have shared in this spiritual uplift. It is impossible to remain aloof from the sense of purpose that is the very atmosphere of Deerfield.

Finally, the news of Frank Boyden's impending retirement arouses a determination that this work will be carried on for generations to come. So much has been built from so little of material means that all associated with Deerfield Academy consider it a personal challenge to help advance the work so nobly begun.

The selection of a committee of parents and alumni trustees to choose his successor bears the hallmark of Frank L. Boyden. Those entrusted with this duty are individuals who love the school and who appreciate its traditions as well as its goals. Their choice will be governed by past, present and future considerations.

Probably the most significant factor to Dr. Boyden's old friends in his presence on the selection committee. A man who has devoted his life to the service of the nation can be depended upon for this vital final task. In the discussions ahead, the retiring headmaster's almost mystical ability to judge character will be of incalculable value.

Like the trustees of Deerfield back in 1902, the trustees of 1967 couldn't have chosen a better man for the assignment.

TARIFF COMMISSION TEXTILE STUDY

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

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

There was no objection.

Mr. CURTIS. Mr. Speaker, at the request of the President, the Tariff Commission has instituted a factfinding investigation on the economic condition of the U.S. textile and apparel industries, especially the present and prospective impact of imports upon those industries. The Commission must report the results of this investigation to the President not later than January 15, 1968. WILBUR D. MILLS, chairman of the House Committee on Ways and Means, joined the President in requesting this investigation.

The President's letter to the Commission ordered a comprehensive investigation—

In addition to basic economic data concerning imports, tariffs, production, sales, investment, employment, prices, and profits, the Commission is requested to report on other relevant factors the knowledge of which, in its judgment, may assist me and the Congress. Attention should be paid to the impact of imports upon manmade fiber textiles, wool textiles, and cotton textiles, taken separately, as well as collectively, and to the question of interfiber competition.

In a separate press statement the President added:

In recent months representatives of these industries have expressed to me and to many others a deep concern over their future well-being in light of a number of factors, and especially import trends. A large number of the members of the Congress in both the House and Senate—including Chairman Mills of the Ways and Means Committee—have sponsored bills which deal with the question of imports.

The President is referring to S. 1796, sponsored by about 66 Senators, and to about 200 bills in the House proposing quota restrictions on imports of all textiles and textile products. The Senate Committee on Finance is also scheduled to hold public hearings October 18–20 on quota bills, including quotas on textiles.

The Tariff Commission will open public hearings in Washington on November 13, 1967.

The Tariff Commission study of the current textile situation is a sound step in discovering the factual reality of textile industry claims for special quotas against foreign imports.

The three relevant documents follow: the Tariff Commission's announcement of investigation and hearings, the President's public statement announcing his request for a study, and the concurring letter sent the chairman of the Tariff Commission by Ways and Means Committee Chairman WILBUR MILLS:

[From the U.S. Tariff Commission, Washington, D.C.]

[332–55]

TEXTILE AND APPAREL INDUSTRIES: NOTICE OF INVESTIGATION AND HEARING

In response to a request dated October 4, 1967, by the President of the United States, the U.S. Tariff Commission has instituted an investigation of the economic condition of the United States textile and apparel industries. The full text of the request is as follows:

"DEAR MR. CHAIRMAN: Pursuant to the authority vested in me by Section 332 of the Tariff Act of 1930, I hereby request a comprehensive investigation of the economic condition of the United States textile and apparel industries, especially the present and prospective impact of imports upon those industries, and a report to me on the results of this investigation not later than January 15, 1968.

"In addition to basic economic data concerning imports, tariffs, production, sales, investment, employment, prices, and profits, the Commission is requested to report on other relevant factors the knowledge of which, in its judgment, may assist me and the Congress. Attention should be paid to the impact of imports upon man-made fiber textiles, wool textiles, and cotton textiles, taken separately, as well as collectively, and to the question of interfiber competition.

"Sincerely,

"LYNDON B. JOHNSON."

A hearing will be held in the Hearing Room, Tariff Commission Building, 8th and E Streets, N.W., Washington, D.C., beginning at 10 a.m., on November 13, 1967. Interested parties desiring to appear and to be heard should notify the Secretary of the Commission, in writing, *on or before November 3, 1967*. It is suggested that parties who have a common interest endeavor wherever possible to arrange for a consolidated presentation of their views.

Requests to appear must contain the following information:

a. The products or industry segments on which testimony will be presented.

b. The name and organization of the witness or witnesses who will testify, and the name, address, telephone number, and organization of the person filing the request.

c. A statement indicating whether the testimony to be presented will be on behalf of importer or domestic producer interests.

d. A careful estimate of the aggregate time desired for presentation of oral testimony by all witnesses for whose appearances the request is filed.

Because of the limited time available, the Commission reserves the right to limit the time assigned to witnesses. In this connection, experience in similar previous hearings has indicated that in most cases the essential information can be effectively summarized in an oral presentation of 15 to 30 minutes. Parties desiring an allowance of time in excess of this amount should set forth any special circumstances in support of such request. Witnesses may *supplement their oral testimony with written statements* of any desired length. These should be submitted when the oral testimony is presented.

Persons who have properly filed requests to appear will be individually notified of the date on which they will be scheduled to present oral testimony and of the time allotted for presentation of such testimony.

Questioning of witnesses will be limited to members of the Commission.

Written information and views in lieu of appearance at the public hearings may be submitted by interested persons. A signed original and nineteen true copies of such statements shall be submitted.

Business data which is deemed confidential shall be submitted on separate sheets, each clearly marked at the top "Business Confidential". All written statements, except for confidential business data, will be made available for inspection by interested persons. To be assured of consideration by the Commission, written statements *in lieu of appearance* should be submitted at the earliest practicable date, but not later than November 20, 1967.

All communications regarding the Commission's investigation should be addressed to the Secretary, United States Tariff Commission, Washington, D.C. 20436.

By order of the Commission:

DONN N. BENT,
Secretary.

Issued October 6, 1967.

[From the office of the White House Press Secretary, Oct. 4, 1967]

STATEMENT BY THE PRESIDENT

I have today asked the United States Tariff Commission to report to me by January 15, 1968, in the fullest detail possible on the economic condition of the United States textile and apparel industries. In this report, I expect in particular an intensive analysis of the present and prospective impact of imports upon these industries.

This Administration has consistently acted in recognition of the fact that the textile and apparel industries are of great importance to our economy. In recent months representatives of these industries have expressed to me and to many others a deep concern over their future well-being in light of a number of factors, and especially

import trends. A large number of the members of the Congre in both the House and Senate—including Chairman Mills of the Ways and Means Committee—have sponsored bills which deal with the question of imports.

In considering this widespread concern, I have concluded that we must have all the facts possible to guide our future actions in this important field, and I am pleased that Chairman Mills is joining my request. I hope that the Tariff Commission's report will permit all of us who are deeply interested in the welfare of the textile and apparel industries to take a course of action which will be both in their interest and the national interest.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, October 4, 1967.

Hon. GLENN W. SUTTON,
Acting Chairman,
U.S. Tariff Commission,
Washington, D.C.

DEAR MR. CHAIRMAN: I wish to join with the President in his request that the Commission make a comprehensive examination of the economic condition of the United States textile and apparel industries, including the present and future impact of imports upon such industries.

The report of this investigation should permit both the President and the Congress to formulate a policy for the textile and apparel industries which will be in their interest as well as the national interest.

With kindest regards and best wishes, I am,

Sincerely yours,

WILBUR D. MILLS.

POWELL AGAINST McCORMACK ET AL.

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

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

There was no objection.

Mr. CURTIS. Mr. Speaker, one of the subjects committed to the Joint Committee on the Organization of the Congress for study was relations between the judicial and the legislative branches of the Federal Government.

Our former colleague, the Honorable George Meader, now chief counsel of the Joint Committee on the Organization of the Congress, conducted extensive research into past instances of litigation in which the Congress, its Members, or committees were involved, or which affected the Congress.

When the Adam Clayton Powell matter arose in the House of Representatives in the 90th Congress, as one principally involved in that controversy, I requested Mr. Meader to give close attention to the case in the various stages of its development.

Accordingly, Mr. Meader has been in continuous contact with the counsel retained by the Speaker and the other defendants in the case of POWELL against McCORMACK and has furnished to those attorneys from time to time the results of his study of litigation affecting Congress.

The case of POWELL against McCORMACK is now pending in the U.S. Court of Appeals for the District of Columbia. The brief for POWELL's attorneys was filed with the court on July 12, 1967, and the brief for Speaker McCORMACK and the other defendants was due to be filed on August 20, 1967. Accordingly, in advance of the filing of the defendants' and appellees' brief, Mr. Meader transmitted to Judge Bromley, attorney for the defendants and appellees, his suggestions for the reply to the brief of POWELL's attorneys in the court of appeals. The correspondence accompanying this transmission of the brief is as follows:

CONGRESS OF THE UNITED STATES,
JOINT COMMITTEE ON THE ORGANIZATION OF THE CONGRESS,
Washington, D. C., August 10, 1967.

Re: Powell v. McCormack.

Mr. BRUCE BROMLEY,
Cravath, Swaine & Moore,
New York, N.Y.

DEAR JUDGE BROMLEY: Enclosed herewith is a rough draft of a brief containing my ideas of what might be said in the brief in the Circuit Court of Appeals. These suggestions are for such use as you see fit to make of them.

If there is any further way in which I can be helpful, please let me know.

Sincerely,

GEORGE MEADER,
Chief Counsel.

CRAVATH, SWAINE & MOORE,
New York, N.Y., August 14, 1967.

Powell v. McCormack.

GEORGE MEADER, Esq.,
Chief Counsel, Joint Committee on the Organization of the Congress, Congress of the United States, Washington, D.C.

DEAR MR. MEADER: I am extremely grateful to you for the obviously careful and thorough research which has gone into your draft of a brief in the above matter and I thank you very much for sending it to me.

Yours sincerely,

BRUCE BROMLEY.

Mr. Speaker, because the issues in POWELL against McCORMACK are fundamental constitutional, historical issues going to the very heart of our system of government with its autonomous, tripartite system and the doctrine of separation of powers, I believe the discussion of these issues in the case of POWELL against McCORMACK should be of great interest, not only to the Members of the House of Representatives who, as a class, are sought to be made defendants in the case, but also to the American people, and perhaps not just at the present time, but in the days to come; therefore, Mr. Speaker, I include the text of the suggested brief prepared by Mr. Meader at this point in the RECORD:

[Brief for appellees in the U.S. Court of Appeals, for the District of Columbia, No. 20,897]

ADAM CLAYTON POWELL, JR., ET AL., APPELLANTS *v.* JOHN W. McCORMACK, ET AL., APPELLEES

[Appeal from the U.S. District Court for the District of Columbia]

STATEMENT OF QUESTIONS PRESENTED

Appellants do not state the questions involved correctly in that many of the questions stated go to the merits of the case when the only issue before this court is jurisdictional. The question presented should be stated as follows:

Whether the District Court erred in dismissing the complaint for want of jurisdiction over the subject matter, in denying the motion for a three-judge court, and in denying the motion for a preliminary injunction.

Since both the temporary injunction and the three-judge court fall if the court lacks jurisdiction over the subject matter and the persons of the defendants, the following questions are pertinent:

1. May the court grant the relief prayed by plaintiffs without violating:

a. The separation of powers doctrine?

b. The speech and debate clause (Article I, Section 6, Clause 3) of the United States Constitution?

c. The arrest clause (Article I, Section 6, Clause 2) of the United States Constitution?

2. May the court grant relief in the nature of mandamus against members and officers of the House of Representatives as prayed by plaintiffs?

3. May all members of the House of Representatives and the House of Representatives itself as a legislative body be made defendants as a class (although not named or served) through naming and serving six members of the House as representatives of a class?

JURISDICTIONAL STATEMENT

Appellants invoke 15 sections of the Constitution and 9 statutory provisions to support the jurisdiction of the court.

Significantly, appellants omit invoking Article I, Section 6(1), providing the immunities of freedom from arrest and speech and debate, vital to this case.

STATEMENT OF THE CASE

Appellants use 20 pages of their brief for a statement of the case including detailed and immaterial evidentiary material wholly unnecessary to an understanding of the issue presented.

The basic fact is that March 1, 1967, the House adopted H. Res. 278 excluding Powell from membership in the House. The proceedings appear in a copy of the Congressional Record of that date attached to the complaint.

Plaintiffs ask the court to hold House Resolution 278 unconstitutional and, in effect, urge the court to substitute therefor a resolution drafted by plaintiffs and approved by the court ordering the House of Representatives, its members and officers to seat plaintiff Powell and accord him all the rights, privileges and perquisites of a member of the House of Representatives, without discrimination.

A significant fact is that nowhere in the complaint is it alleged that the defendants, or any of them, acted in any way other than in their official capacities; and the acts complained of and the relief sought relate exclusively to the exercise of official legislative functions and in no way to any individual, non-official acts or functions.

It is important for the court to understand the defendants and appellants have appeared *specially* only, not generally, solely for the purpose of challenging the jurisdiction of the court.

Appellants have not claimed anywhere in their pleadings that any action taken by the House of Representatives or by attorneys for defendants has constituted a waiver of the privileges and immunities of the House.

In fact, during the oral argument before District Judge Hart the Judge stated that appellants had not claimed and it was clear that there had been no waiver of any rights of the defendants (see Page 70 of transcript of April 4, 1967).

Thus, the merits of the case are not before the court.

The House of Representatives has not authorized counsel to appear generally, to concede the court has jurisdiction or to present arguments on the merits of the case. No answer has been filed—or authorized by the House to be filed.

Counsel for defendants have been authorized to raise the question of jurisdiction—no more.

Much of appellants' statement of the case deals with proceedings before the select com-

mittee of the House to inquire into the fitness of Powell to serve as a member. Appellees do not believe this material is relevant.

Should the court give full faith and credit to the final order of the House of Representatives?

If the answer is "yes"—then antecedent proceedings and the application of parliamentary law and rulings on points of order—or rulings which might have been made if a point of order had been timely raised—are wholly irrelevant.

Thus, the proceedings before the Special Committee and questions of adversary proceedings, due process and the like are not matters before this court and it need not interpret and judge the Rules of the House of Representatives and the precedents of the House, which are difficult enough for legislators, to say nothing of judges, to understand and utilize.

If the answer is "no"—and the court does not accord full faith and credit to a final judgment of the House,

First, it will absorb a great deal of the court's time familiarizing itself with the intricacies of parliamentary law and

Second, it will establish a precedent which will be likely to stimulate no end of judicial business, not only by citizens objecting to legislation but even by Senators and Representatives irked by an adverse parliamentary ruling.

To hold that the court has jurisdiction because parliamentary procedures are different from judicial procedures and to hold that a legislative body must conduct its business according to rules and practices established for the conduct of litigation would be a novel proposition leading to utter chaos in the law-making business at all levels. This chaos would be reflected in a tidal wave of litigation inundating courts.

Such a proposition could be advanced only by those abysmally unaware of the difference between an elected policy-making body and a court.

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

Appellants neglect to mention among the constitutional provisions involved Article I, Section 6 of the United States Constitution. This provision is the very heart of the case.

STATEMENT OF POINTS

Appellees intend to rely upon the following points:

1. The holding in *Marbury* v. *Madison* requires dismissal of the instant case.

2. The doctrine of *Dombrowski* v. *Eastland* 87 S. Ct. 1425 (May 15, 1967) and *Kilbourn* v. *Thompson* 103 U.S. 168 require dismissal of the case as to the elected defendants and are distinguishable from the instant case as to the non-elected defendants.

3. The power to issue writs of mandamus was not intended to extend to writs running against the Congress, its branches, its committees, its members or its officers.

4. The court should not render an unenforceable judgment.

5. This is not a proper class suit and the House of Representatives may not be made a party to a suit.

SUMMARY OF ARGUMENT

The lower court granted a motion to dismiss the complaint made after a special appearance by Attorney Bruce Bromley on behalf of some of the defendants on the ground that the court lacked jurisdiction over the subject matter of the suit and the persons of the defendants, and the complaint failed to state a cause of action.

The sole central question of the case, therefore, is whether or not the courts have jurisdiction over the defendants and the subject matter and have the power to grant the relief requested by the plaintiffs.

A number of phrases are used to describe the lack of judicial jurisdiction over the defendants and the subject matter of the suit: "Separation of powers," "Justicibility," "Legislative immunity," "Privileges of the House including speech and debate and freedom from arrest clauses," "Political question," "Legislative discretion," "The power of the court to command affirmative action by a coordinate branch of the government or the members thereof," "Failure to state a cause of action," "Sovereignty."

All of these phrases raise the single central constitutional issue of whether the court on a complaint of a private citizen or a group of citizens has the power to command affirmative action by the elected Representatives of the Congress, either individually or collectively as the House of Representatives and non-member officers of the House of Representatives, as prayed by plaintiffs.

ARGUMENT

I. The holding in Marbury *v.* Madison *requires dismissal of the instant case*

Justice Marshall held that the express description of the original jurisdiction of the Supreme Court in Article III of the Constitution was exclusive and was intended to limit the original jurisdiction of the Supreme Court. The law passed by the Congress authorizing the Supreme Court to issue writs of mandamus as an exercise of original jurisdiction was therefore in conflict with the provisions of the Constitution and was consequently null and void. The court refused to issue the writ of mandamus although it had held that the nature of the case was appropriate for such a writ.

This reasoning applied to the present case requires this court to hold that the power to judge ". . . the elections, returns and qualifications of members . . ." of the House of Representatives is vested in the House of Representatives; that it cannot be vested in any other department of the government, neither the Senate, the Executive nor the Judiciary; that the determination of the House in exercising the power of judgment of elections, returns and qualifications of House members is final and not subject to review in any other place.

If the Congress sought to pass a law giving the courts the power to judge qualifications of House members or to review such a judgment made by the House, under the holding of *Marbury* v. *Madison*, the court would be compelled to hold such a law unconstitutional.

Appellants' attorneys make much of the language in *Marbury* v. *Madison* that every right, when withheld must have a remedy, and every injury, its proper redress. Appellants cite this reasoning as grounds for asserting judicial intervention since this is a case arising under the Constitution of the United States.

The court said in *Marbury* v. *Madison*, Page 162:

"This brings us to the second inquiry; which is,

"2d. If he has a right, and that right has been violated, do the laws of this country afford him a remedy?

"The very essence of civil liberty certainly consists in the right of every individual to claim the protection of the laws, whenever he receives an injury. One of the first duties of government is to afford that protection. In Great Britain the king himself is sued in the respectful form of a petition, and he never fails to comply with the judgment of his court.

"In the 3d vol. of his Commentaries, p. 23, Blackstone states two cases in which a remedy is afforded by mere operation of law.

"'In all other cases,' he says, 'it is a general and indisputable rule, that where there is a legal right, there is also a legal remedy by suit, or action at law, whenever that right is invaded.'

"And afterwards, p. 109, of the same vol. he says, 'I am next to consider such injuries as are cognizable by the courts of the common law. And herein I shall for the present only remark, that all possible injuries whatsoever, that did not fall within the exclusive cognizance of either the ecclesiastical, military, or maritime tribunals, are, for that very reason, within the cognizance of the common law courts of justice; for it is a settled and invariable principle in the laws of England, that every right when withheld, must have a remedy, and every injury its proper redress.'"

Appellants wholly omit calling attention to the court's subsequent modification of this general rule to exclude granting a remedy for rights claimed to have been invaded through the exercise of executive discretion.

Justice Marshall said (Page 165):

"By the constitution of the United States, the President is invested with certain important political powers, in the exercise of which he is to use his own discretion, and is accountable only to his country in his political character and to his own conscience. To aid him in the performance of these duties, he is authorized to appoint certain officers, who act by his authority, and in conformity with his orders.

"In such cases, their acts are his acts; and whatever opinion may be entertained of the manner in which executive discretion may be used, still there exists, and can exist, no power to control that discretion. The subjects are political. They respect the nation, not individual rights, and being intrusted to the executive, the decision of the executive is conclusive. The application of this remark will be perceived by adverting to the act of congress for establishing the department of foreign affairs. This officer, as his duties were prescribed by that act, is to conform precisely to the will of the President. He is the mere organ by whom that will is communicated. The acts of such an officer, as an officer, can never be examinable by the courts.

"But when the legislature proceeds to impose on that officer other duties; when he is directed peremptorily to perform certain acts; when the rights of individuals are dependent on the performance of those acts; he is so far the officer of the law; is amenable to the laws for his conduct; and cannot at his discretion sport away the vested rights of others.

"The conclusion from this reasoning is, that where the heads of departments are the political or confidential agents of the executive, merely to execute the will of the President, or rather to act in cases in which the executive possesses a constitutional or legal discretion, nothing can be more perfectly clear than that their acts are only politically examinable. But where a specific duty is assigned by law, and individual rights depend upon the performance of that duty, it seems equally clear that the individual who considers himself injured, has a right to resort to the laws of his country for a remedy."

Applied to the instant case, this reasoning means that discretion is vested in the House of Representatives to judge the qualifications of its members and that its judgment, being discretionary, political and legislative in character, is not examinable in the courts.

The function of judging qualifications, of course, is judicial in character. But it is also, when judged by a legislative body, an exercise of legislative power. It is a highly important power of the legislative body enabling it to govern its own composition, free from subordination or control by any exterior body.

For a court by an order in the nature of mandamus to command that the discretion or power of decision of elected members of the House of Representatives, individually, or collectively as a legislative body, be exercised in any particular manner or in such a manner as the court thought proper would be in the words of Chief Justice Marshall,

"an extravagance, so absurd and excessive, (. . . that it) could not have been entertained for a moment."

Justice Marshall went on to say, "The province of the court is, solely, to decide on the rights of individuals, not to inquire how the executive, or executive officers, perform duties in which they have a discretion. Questions in their nature political, or which are, by the constitution and laws, submitted to the executive, can never be made in this court." (Page 170)

Appellants' contention of the scope of judicial review proves too much.

Appellants cite *Marbury* v. *Madison* as authority for the proposition that if a plaintiff asserts that his federal constitutional or legal rights have in some way been affected by action of any unit of government—or possibly even by an individual or non-governmental agency—and a "constitutional question" is therefore raised, the federal courts have jurisdiction and can grant relief—at least "declaratory relief—regardless of any other consideration."

They disregard the separation of powers doctrine as either nonexistent or wholly irrelevant.

While this case involves only the Congress, their view of the power of the courts would be equally applicable to the powers vested in the Executive by the Constitution.

This is an assertion of judicial supremacy which goes far beyond anything the courts have yet announced.

Under plaintiffs' interpretation of *Marbury* v. *Madison,* relief could have been granted in all of the numerous actions against the President and the Congress cited under the heading, "Is This A Case of First Impression?" In other words, plaintiffs' theory of the jurisdiction of the courts would have permitted the courts to have afforded relief in the case *All-America Protectorate* v. *Lyndon B. Johnson et al.; U.S. ex rel. Brookfield Construction Co., Inc. & Baylor Construction Corp.* v. *J. George Stewart et al.; Trimble* v. *Johnson,* etc.

II. The doctrine of Dombrowski *v.* Eastland *87 S. Ct. 1425 (May 15, 1967) and* Kilbourn *v.* Thompson *103 U.S. 168 require dismissal of the case as to the elected defendants and are distinguishable from the instant case as to the non-elected defendants*

The court in its order of June 19, 1967, instructed attorneys for appellants to comment on the *per curiam* opinion in *Dombrowski* v. *Eastland* in its relationship to the issues of this case.

Appellants' comments on *Dombrowski* pp. 69, 70, 71 of their brief were superficial and of little assistance to this court in considering and judging an epochal issue in the relations between the separate judicial and legislative branches of the United States Government.

In *Kilbourn* v. *Thompson,* Thompson as Sergeant at Arms of the House of Representatives, arrested Kilbourn pursuant to an order of the House of Representatives and caused him to be incarcerated in the common jail for the District of Columbia. Kilbourn sued the Speaker of the House, the members of the House committee, before whom he had been contemptuous, and the Sergeant at Arms for false imprisonment and asked $150,000 damages.

In a lengthy opinion, discussing the contempt power of the English Parliament, Justice Samuel Miller sought to circumscribe the investigatory power of the Congress and wrote a remarkable decision, which, in the subsequent three-quarters of a century, apparently has not been reconsidered in depth by the judiciary in other cases.

McGrain v. *Daugherty* (1927) 273 U.S. 135 and *Jurney* v. *McCracken* (1935) 294 U.S. 125 have fortified the investigatory power of the Congress and inferentially overruled some aspects of *Kilbourn* v. *Thompson.* Other cases have tangentially minimized the evil of *Kilbourn* v. *Thompson.* See "Congressional Investigations and Judicial Review: Kilbourn *v.* Thompson Revisited," Gerald Morgan 37, California Law Review, Page 556 (Dec. 1949).

Kilbourn v. *Thompson* held that the inquiry the House committee conducted was *ultra vires* the Congress, that the contempt imprisonment pursuant to the House resolution was therefore invalid; that elected members were immune from suit for false imprisonment because of the speech and debate clause (Article I, Section 6(1) of the United States Constitution), but that an officer elected by them, viz. Thompson, Sergeant at Arms of the House, directed by them to execute their orders, was not clothed with legislative immunity. Eventually, a judgment of $20,000 was rendered against Thompson. Congress later appropriated funds to pay the judgment with interest and costs and also the fees of the attorneys who represented the congressional defendants.

The implications of judicial-congressional conflicts were not effectively argued or intensively considered in *Kilbourn* v. *Thompson* or in *Dombrowski* v. *Eastland.* The issues were neither posed, discussed in the briefs, nor resolved in any way other than in the brief holding in Judge Miller's opinion, as follows:

"In this, as in other matters which have been pressed on our attention, we prefer to decide only what is necessary to the case in hand, and we think the plea set up by those of the defendants who were members of the House is a good defence, and the judgment of the court overruling the demurrer to it and giving judgment for those defendants will be affirmed. As to Thompson, the judgment will be reversed and the case remanded for further proceedings."

Clearly, on the basis of *Kilbourn* and *Dombrowski,* all the defendants except Miller, Johnson and Jennings, being elected Representatives, are not subject to suit for action taken by them in the House of Representatives, under the speech and debate clause. See Also: *U.S.* v. *Johnson* 383 U.S. 169 (1966); *Tenney* v. *Brandhove* 341 U.S. 367 (1951).

This legislative immunity is analogous to the judicial immunity upheld in the recent decision of *Pierson* v. *Ray,* April 11, 1967, 386 U.S. 547.

There remains to be considered whether or not legislative immunity attaches to defendants Miller, Johnson and Jennings in the light of *Kilbourn* and *Dombrowski.*

In *Dombrowski* v. *Eastland,* Sourwine, Counsel of the U.S. Senate Internal Security Subcommittee, was considered to be clothed with legislative immunity as the agent of a Senate committee, but apparently not to the same extent as Chairman Eastland who was an elected Senator. While it is not completely clear either from the *per curiam* opinion in *Dombrowski* v. *Eastland* or from an examination of the briefs and records in the case, it would appear that the court believed there was an issue of fact as to whether or not Sourwine, personally, had engaged in activities detrimental to plaintiffs outside of the scope of his duties as counsel and agent for the Senate committee.

If this is a correct interpretation of the holding in *Dombrowski,* then the case is similar to *Wheeldin* v. *Wheeler* 373 U.S. 656, in which an employee of the House Committee on Un-American Activities was sued for action taken by him alleged to be beyond his authority as a staff member of that committee. Justice Douglas, speaking for the majority, affirmed a lower court holding that the complaint failed to state a federal cause of action.

Thus, it would seem that legislative immunity properly extends to cover the official acts of elected officers of the House, who are not members of the House, for acts done in their official capacity in executing the orders of the House.

See also: *Trimble* v. *Johnston* 137 F. Supp. 651 (1959) *U.S. ex rel. Brookfield Const. Co.* v. *Stewart* 234 F. Supp. 94; affirmed 339 F. 2nd 753 (1964)

In this connection, it is significant that defendants Miller, Johnson and Jennings are not alleged to have done anything other than their official duties and no relief is sought against them except in their official capacities. Ordering defendants Miller, Johnson and Jennings to do things in their non-official, individual capacity would be of no avail to plaintiffs. It is precisely their official action in carrying out orders of the House of Representatives under the Constitution, laws and rules and precedents of the House that appellants are seeking to reach.

It is perfectly apparent that, on the basis of reason, House officers should be clothed with legislative immunity for their official action since the House needs the aid of officers and employees to carry out its functions and, to interfere with these employees in faithfully executing the will of the House is to interfere with the House, itself. It must be conceded that this is contrary to the holding in *Kilbourn* v. *Thompson,* but it is submitted that that aspect of *Kilbourn* v. *Thompson* should be reexamined and either reversed, drastically modified or distinguished.

If Miller, Jennings and Johnson are subject to the mandate of this court, although the other defendants are not, it would appear that the only way the House can protect its independence is to elect as its officers members who have been elected by the people. This, manifestly, would be a restriction upon the operation of the House of Representatives since it would require elected members to divert energies from their lawmaking duties to the performance of housekeeping chores.

Wholly aside from the propriety of the assertion of court jurisdiction over elected officers of the House of Representatives, the instant case is distinguishable from *Kilbourn* v. *Thompson* and *Dombrowski* v. *Eastland.*

Both of these cases were suits for money judgments—*Kilbourn* for false imprisonment and *Dombrowski* for interference with civil rights. It may well be said that the defense of a suit for damages is not a direct interference with the functioning of the legislative body other than in the respect that the defendant is required to divert some of his energies and time, which should be devoted to his official duties, to the defense of a law suit; and that he may be required to pay a money judgment.

The instant suit, however, involves direct interference with the legislative process in a far more important and dangerous manner than the mere entry of a money judgment against an agent of the Congress. The instant suit aims at compelling affirmative acts on the part of the non-elected defendants which they cannot perform without violating the order of the House of Representatives. These defendants therefore, in the event the court issued a decree against them as requested by plaintiffs, would be in the untenable position of being either in contempt of the House of Representatives or in contempt of the court, either of which could enforce its order by imprisonment or otherwise.

Here again, it should be noted that, if the court should decide that the speech and debate clause does not clothe the elected members of the House, including the Speaker, with legislative immunity and should enter a decree against the elected defendants as prayed by plaintiffs, the court could enforce its decree only by arrest and imprisonment and would thereby be confronted with another constitutional privilege of the House; namely, freedom from arrest, Article I, Section 6, Clause 2, which reads as follows:

"They (the Senators and Representatives) shall in all Cases, except Treason, Felony, and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of

their respective Houses, and in going to and returning from the same; . . ."

In *Barry v. U.S. ex rel. Cunningham*, 279 U.S. 597 (1929), a suit arising out of the exercise of the power of the Senate to judge the qualifications of a Senator-elect under Article I, Section 5, Clause 1, of the Constitution, in investigating the allegedly fraudulent election of Senator Vare in Pennsylvania, the court said (Page 613):

"First, Generally, the Senate is a legislative body, exercising in connection with the House only the power to make laws. But it has had conferred upon it by the Constitution certain powers which are not legislative but judicial in character. Among these is the power to judge of the elections, returns and qualifications of its own members. Art. I, Section 5, cl. 1. 'That power carries with it authority to take such steps as may be appropriate and necessary to secure information upon which to decide concerning election.' Reed v. County Commissioners, 277 U.S. 376, 388. Exercise of the power necessarily involves the ascertainment of facts, the attendance of witnesses, the examination of such witnesses, with the power to compel them to answer pertinent questions, to determine the facts and apply the appropriate rules of law, and, finally, *to render a judgment which is beyond the authority of any other tribunal to review.*" (Emphasis supplied)

In the case of *Reed v. the County Commissioners*, 277 U.S. 376 (1927), which also grew out of the investigation of the election of Senator Vare, the investigating committee and its counsel sought a decree from the U.S. District Court ordering the delivery of ballot boxes and ballots used in the senatorial election. Although the holding of the case turned upon the authority of the committee and its counsel to sue, the court, on Page 388, discussed the power of the Senate to judge qualifications of its members, as follows:

"The resolutions are to be construed having regard to the power possessed and customarily exerted by the Senate. It is the judge of the elections, returns and qualifications of its members. Art. I, Sec. 5. It is fully empowered, and may determine such matters without the aid of the House of Representatives or the Executive or Judicial Department."

It is this same power to judge qualifications of a member-elect which is the subject matter of the instant case.

The holdings in *Barry* v. *U.S.* and *Reed* v. *County Commissioners* are relevant to the issues of this case in two respects:

First, they are precedents for the contention of defendants and appellees that the power of the House to judge qualifications of its members under Article I, Section 5, is exclusive and is not subject to review.

Second, they are relevant because, like the instant case, they involved a judicial determination of the Senate regarding qualifications of one of its members-elect and, thus, present a completely different situation from either *Dombrowski* or *Kilbourn*, both of which involved the exercise of the investigatory power of the Congress, not its judicial power, and both of which were suits for money damages for abuse of power.

The issue here with respect to non-elected defendants is more nearly comparable to the issue in *Trimble* v. *Johnson*, 173 F Supp 651, in which the court denied a prayer for an order directed to the Secretary of the Senate to divulge information which the Senate had not ordered made public.

III. The power to issue writs of mandamus was not intended to extend to writs running against the Congress, its branches, its committees, its Members or its officers

Title 28, Section 1361, provides as follows:

"Action to compel an officer of the United States to perform his duty.

"The district courts shall have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or any agency thereof to perform a duty owed to the plaintiff. (Added Pub. L. 87-748, Sec. 1(a), Oct. 5, 1962, 76 Stat. 744.)"

This statute is not intended to apply to the Congress, its branches, its officers, its committees, or its members.

a) Neither the Congress nor its members are "officers" of the United States, within the meaning of Title 28 U.S.C. Section 1361.

b) Even if Section 1361 is applicable to members and officers of the House of Representatives, mandamus will not lie because all of the decisions made with reference to the subject matter of this suit by the defendants were legislative decisions. Legislative decisions are not ministerial and mandamus will lie only to compel the performance of a ministerial duty clearly required by law.

Appellants' claim that the swearing-in of plaintiff Powell by the Speaker is a mere ministerial act. While this claim may have superficial plausibility, a thorough-going examination of the principles involved discloses that, on the contrary, it involves the exercise of legislative discretion of the greatest importance and difficulty.

The Speaker could not obey the mandate of the court to swear Powell without disobeying the order of the House as contained in House Resolution 278. House Resolution 278 cannot be done away with unless the courts have the power to reverse internal legislative decisions.

The Speaker possesses no intrinsic power to swear members after an objection has been made to the taking of an oath by a member-elect. The annotation to Article VI, Clause 3 of the United States Constitution relating to the oath of office of Senators and Representatives prepared by Lewis Deschler, Parliamentarian of the House of Representatives, reads as follows:

"Section 231. Functions of the Speaker in administering the oath.

"The Speaker possesses no arbitrary power in the administration of the oath (I, 134), and when objection is made the question must be decided by the House and not by the Chair (I, 519, 520). An objection prevents the Speaker from administering the oath of his own authority, even though the credentials be regular in form (I, 135–138). The Speaker has frequently declined to administer the oath in cases wherein the House has, by its action, indicated that he should not do so (I, 139, 140). And in case of doubt he has waited the instruction of the House (I, 396; VI, 11)."

House Resolution 278 resulted from the exercise of legislative power vested by Article I, Section 5, of the Constitution of the United States in the House of Representatives.

The provision that each House shall be the *judge* of the elections, returns and qualifications of its own members obviously describes a judicial function and a judicial power.

Vesting this judicial function expressly in each House excludes the exercise of that judicial function by any other body, *Barry* v. *U.S. ex rel. Cunningham*.

This obviously stems from concern for the autonomy of a legislative body, since subjecting such judgment to review by any other body would render the legislative body inferior and subordinate.

The courts may no more review and overturn a final judgment of the House of Representatives in the exercise of the power of judging its members than could either the President or the Congress undertake to reverse a decision of the Supreme Court.

There must be finality of decision and the Constitution has placed this authority to judge its members clearly and exclusively in the House of Representatives.

(c) Mandamus is not an appropriate remedy to direct the exercise of discretion or the retraction or reversal of action already taken in the exercise of either, nor where a question of interpretation of law is involved.

(Title 16, D.C. Code 1001–1010
Hammond v. *Hall* (1942) 131 F2 23
Thomas v. *Vinson* (1946) 153 F2 636
Prince v. *Klune* (1945) 148 F2 18
Ewing v. *U.S. ex nll. Fowler Car Co.* 244 U.S. 1 – 61 L. Ed. 955
Youngblood v. *U.S., Mich.* 1944, 141 F2 912)

Mandamus is not appropriate to compel the attendance of a member at a session of the legislature (Wilson v. Cleveland 157 Mich. 510, 122 N.W. 284).

Where a member has been expelled by the legislative body, the courts have no power, irrespective of whether the expulsion was right or wrong, to issue a mandate to compel his reinstatement (French v. Cal. 146 Cal. 604, 80 P 1031).

IV. The court should not render an unenforceable judgment

The following discussion is an attempt to foresee precisely how a decree as prayed by plaintiffs and appellants could be carried out by the courts as a practical matter.

Powell cannot be granted effective relief without disruption of the legislative process. For example, if the court ordered defendants in *Powell* to accord Powell certain rights as a Representative and perform acts prohibited by the order of the House in H. Res. 278, the defendants are faced with the choice of obeying the order of the court or the order of the House. If they, or any of them, chose to obey the House rather than the court, the court's decree would be of no avail to Powell unless the court proceeded against the defendants for contempt and imprisonment. The defendants could not perform legislative duties in jail and the legislative process would come to a halt. Furthermore, imprisonment under contempt proceedings would violate Article I, Section 6 of the U.S. Constitution—the freedom from arrest clause.

A great many powers, rights and privileges attach to the office of Representative. Powell seeks the aid of the court to assure him of the free and full enjoyment and exercise of those rights, powers and privileges without discrimination.

The Constitution, laws and the rules and precedents of the House govern these rights and privileges. Suppose Powell should claim that in the application of these rules by the House, or by a committee he was not given equal and non-discriminatory treatment and should seek the intervention of the court to enforce its decree. Would the legislative process abate while the court reviewed the decision of the House on a ruling pursuant to a parliamentary point of order or would the court appoint a master or referee to accompany Powell in all his legislative doings clothed with power to overule parliamentary decisions instanter, or to direct officers and employees the manner in which they execute their duties and functions in order to accord Powell full and equal enjoyment of the perquisites of the office of Representative.

The judicial supervision of the application of parliamentary rules and precedents to insure Powell's full use of the powers of a Representative would involve practical problems as well as a frontal collision between two branches of our Government—the judicial and legislative—which in a showdown might well involve the third—the executive.

To appreciate the nature and magnitude of such a collision it is helpful to consider a hypothetical case.

Let us suppose the court grants the relief prayed in *Powell* v. *McCormack*, orders the House to swear-in and seat Powell and accord him all the rights and privileges of a member of the House of Representatives, without discrimination.

Let us further suppose the House is in the

Committee of the Whole considering the Civil Rights Act of 1967, Title I of which deals with voting rights of citizens. At the appropriate time, Mr. Powell offers an amendment designed to implement Section 2 of the XIV Amendment by diminishing representation in the House of those States denying the franchise to Negro citizens. A point of order is made that the Powell amendment is not germane, which is sustained by the Chair. Powell, believeing the amendment germane, contends he is being discriminated against in violation of the court's order in *Powell* v. *McCormack*. Then what happens?

Must the House suspend further consideration of the bill until a ruling on the parliamentary issue is obtained from the court?

This hypothetical case illustrates the inevitable clash between two great branches of our Government if the relief sought in *Powell* v. *McCormack* is granted.

No effective relief can be granted Powell without the court establishing a receivership over the House of Representatives. In a showdown of power, the court could enforce its order only by contempt proceedings—which inevitably would bring into play the freedom from arrest clause of Article I, Section 6 of the U.S. Constitution.

The court, even if it has jurisdiction, should refrain from asserting it and clearly announce that the internal organization of the House of Representatives is a matter for that body to judge exclusively and is not appropriate subject matter for litigation.

The court should not order action it is powerless to enforce.

V. This is not a proper class suit and the House of Representatives may not be made a party to a suit

Appellants assert the named plaintiffs sue as representatives of a class and that the named defendants are likewise representatives of a class.

In Paragraph 4 of their complaint, defendants name the Speaker and five other members of the House of Representatives and in Paragraph 4(c) state that all are "being sued individually and, pursuant to Rule 23 (a) of the Federal Rules of Civil Procedure, as representatives of a class of citizens who are presently serving in the 90th Congress as members of the House of Representatives."

It is apparent that while the complaint does not expressly say so, plaintiffs and appellants are seeking to make the House of Representatives as a legislative body a defendant in this case and, likewise, are seeking to make each individual elected representative a defendant in the case through the named elected Representative defendants as representatives of a class.

It is appellees' contention (1) that no member of the House of Representatives not served with process can be bound by action taken by the named defendants or their attorneys or by the court, and (2) that the House of Representatives as a legislative body is not a "person" or "party" subject to suit and cannot be bound by a decree running against the named elected member defendants as representatives of the House as a legislative body.

Each elected member has his own responsibility to his constituents.

Under the Rules of the House each member must cast his own vote—no other person may vote for him.

To bind member A, who was not served or represented in the instant case, by a decree against member B, who was served and appeared by counsel, would deny due process to A and to the constituents he represents.

It is no adequate answer to point out that some of the defendants who were served have appeared specially by Judge Bromley and, thus, to claim that Judge Bromley represents all 435 members of the House, or the House itself.

It is the very essence of a legislative body to hold and advance differing points of view. Indeed, the debate on H. Res. 278 (March 1, 1967), as well as the debate on H. Res. 376 (March 9, 1967) authorizing the Speaker to employ counsel, are evidence of widely differing views of members—not only on the seating of Powell—but even on the manner in which the suit against some members and officers of the House should be defended.

Appellees have not been able to discover any recorded case in which the House of Representatives as a legislative body has been party to litigation either as a plaintiff or as defendant.

There is nothing in the Constitution which authorizes the Congress or the House of Representatives or the Senate to sue or be sued.

The House of Representatives is not a "person" either natural or artificial. It owes whatever corporate existence it has to the Constitution of the United States. The attributes there described can neither be added to by the Congress or by the courts, nor can any of the attributes vested in the Congress be taken away from them either by action of the Congress or the courts (*Marbury* v. *Madison*).

The House of Representatives not being subject to suit as a legislative body by an action against it directly, the House of Representatives may not be made a party defendant indirectly through suing some of its members as representatives of a class of all of the elected representatives collectively as a legislative body.

Even if the House of Representatives as a legislative body is a party subject to suit, it could only be sued if the sovereign immunity of the United States were waived with respect to the House of Representatives and no such waiver has been made. It should be clear, therefore, that this court is without power to render any binding decree against the House of Representatives as a legislative body.

Reed v. the County Commissioners (277 U.S. 376 (1928) was a case where a Senate Elections Committee as plaintiffs sought the subpoena of a Federal District Court to obtain election data. The court held that the suit could not be maintained by the committee and its staff since the Senate had not granted the committee the power to sue, and the question was argued whether the Senate could have granted such power.

A suit against the House of Representatives through the attempted joinder of all members of the House as a class through served Representatives was not intended by the authorization of class suits in Rule 23(a) of the Federal Rules of Civil Procedure. If it were so intended, appellees submit that it would be an unconstitutional exercise of power by the courts attributing to a legislative body a capacity to sue and be sued not granted that body in the United States Constitution.

IS THIS A CASE OF FIRST IMPRESSION?

District Court Judge Hart in his opinion said there were no cases directly in point in the following language:

". . . As to the precise issue which I deem to be raised here, there are no cases directly in point. This Court has not found a case nor has any been cited to it where the complaint and the relief prayed therein have posed to the Court with such stark clarity the question of separation of powers between the Legislature, as represented by the House of Representatives of the United States, and the Federal Judiciary. The following cases may be said to touch on the point but each of them is easily distinguishable on its facts: . . ."

It is true that no case has been found where the aid of the federal courts was sought to compel "the House of Representatives to seat a member-elect." Numerous cases, however, have been commenced by individuals against members of the Congress or its committees for varying purposes. So far as we have been able to ascertain, in no instance except *Kilbourn* v. *Thompson* has a final judgment been entered against any committee, member or agent of the Congress with respect to action taken or to be taken in a legislative capacity. In *Kilbourn* v. *Thompson* it should be noted that there no action was taken against elected Representatives but only their agent, the Sergeant at Arms of the House.

1. One class of such actions are those relating to committee hearings either seeking to enjoin the holding of a hearing or the enforcement of a subpoena to produce documents. Some of these cases are as follows:

Mins v. *McCarthy*, 209 F. 2d 307 (D.C. Cir-1953). On a motion for leave to file an application for stay, the court held that the judiciary "should" not enjoin in advance the holding of a congressional committee hearing or suspend its subpoenas.

Fischler v. *McCarthy*, 117 F. Supp. 643 (1954), Aff'd 218 F. 2d 164 (2nd Cir. 1954). Plaintiff sought to enjoin Senator McCarthy from subpoenaing documents in his possession. Denied.

Pauling v. *Eastland*, 288 F. 2d 126 (D.C. Dir. 1960), Cert. Den. 364 U.S. 900 (1960). Plaintiff was directed by the Committee on Internal Security to produce certain documents. He sought to declare the directive void, to enjoin its enforcement and possible prosecution for failure to comply. The court held that was no justiciable controversy.

Krebs v. *Ashbrook*, U.S. District Court for the District of Columbia, Civil Action No. 2157 (1966). This case commenced in August of 1966 sought to enjoin a hearing of the House Committee on Un-American Activities and prayed other relief. The case is still pending with no final disposition in the District Court.

2. A second, but somewhat related class of cases are suits for damages and other relief arising out of committee investigation. In 1953, the House Committee on Un-American Activities conducted hearings in California, out of which at least four suits against members or agents of the committee arose. Two of these suits eventually reached the Supreme Court and the others were disposed of in intermediate courts with no judgment against members of Congress or the agents of the committee.

In *Wilson et al.* v. *Loew's Inc. et al.*, 355 U.S. 597 (1958), on a writ of certiorari to the Supreme Court of California, which had dismissed the complaint for failure to state a cause of action, the United States Supreme Court in a per curiam opinion held: "The writ is dismissed as improvidently granted because the judgment rests on an adequate state ground."

In *Wheeldin et al.* v. *Wheeler*, 373 U.S. 647 (1963), a suit against an agent of the Committee on Un-American Activities commenced in the United States District Court was dismissed for failure to show a federal cause of action.

A description of this litigation is contained in the following reports from the Judiciary Committee of the House of Representatives in connection with that committee's supervision of the engagement of attorneys to represent the defendants in the various law suits:

Report No. 1085, 87th Congress, 1st Session, August 30, 1961.

Report No. 397, 86th Congress, 1st Session, May 27, 1959.

Report No. 563, 85th Congress, 1st Session, June 13, 1957.

Report No. 2162, 84th Congress, 2nd Session, May 15, 1956.

3. A third category of litigation involves actions against officers of the Congress relating to representation. Two of these cases are as follows:

Albaugh v. *Roberts* (1962). Action to have Mr. Roberts use a corrected Apportionment Report in determining the number of representatives for the State of Maryland. The corrected report was to include the District of Columbia population which, the plaintiff asserted, was a part of the "national election

district of Maryland." The case was dismissed July 17, 1962 and the appeal therefrom dismissed January 29, 1963.

Labor-Negro Vanguard Conference et al. v. *Roberts, Clerk of the House; Bernard L. Boutin, Administrator of General Services of the U.S.; and Wayne Grover, U.S. Archivist of the National Archives* (1963). Action to restrain Mr. Roberts from certifying the representation of and to reduce the number of representatives in certain states which the plaintiffs alleged had denied the right to vote to a significant portion of their population. The action was based on Section 2 of the 14th Amendment. Case dismissed October 21, 1961.

4. A fourth category of cases were suits commenced to obtain information relating to the Congress which the Congress had not made public.

In *Trimble* v. *Johnston*, 173 F. Supp. 651 (1959), a newspaper reporter sought a mandatory injunction against the Secretary, the Financial Clerk and the Sergeant at Arms of the United States Senate. District Judge Holtzoff granted a motion to dismiss the complaint and said the following:

"The judicial branch of the Government is independent of the other two departments. Its decisions and its business may not be controlled or influenced by either the legislative or executive branch. In fact, it has been often said that there can be no liberty without an independent judiciary. Reciprocally, the judicial branch of the Government may not control or direct the legislative or executive departments. Thus, the Federal courts may not issue an injunction or a writ of mandamus against the Congress. . . ."

A similar suit was brought by the same newspaper reporter against Roberts, the Clerk of the House of Representatives, which likewise was dismissed, but apparently this case is not recorded.

5. A fifth category of cases grew out of business activities of the Congress. One example of such a case is *U.S. ex rel. Brookfield Construction Co., Inc., and Baylor Construction Corporation* v. *J. George Stewart et al.*, 234 F. Supp., Page 94 (1964). This was a suit against the Architect of the Capitol and the House Office Building Commission consisting of the Speaker of the House and two other members of the House for relief in the nature of mandamus to compel the awarding of a bid for the construction of a garage under the new House Office Building. Plaintiffs, by claimed inadvertent mistake, did not comply with the bonding requirements to accompany their bid. After the opening of the bids, the surety company telegraphed the Architect an increase of the bond to the proper amount. Plaintiffs were the lowest bidder by $35,000.

On the advice of the Comptroller General, the Architect, with the approval of the House Office Building Commission, declined to waive the bonding requirement and awarded the contract to the next lowest bidder. Plaintiffs sought to enjoin this award and to have the court order defendants to award the contract to plaintiffs.

In a rather lengthy opinion, District Judge Holtzoff, after discussing the separation of powers doctrine, denied relief, holding (Page 97):

"In the United States supreme power is not vested in the judiciary. The courts are not superior to either of the other two branches of Goverment and have no power of supervision or control over them. Were the fact otherwise, we would cease to have a popular form of government, but instead would be governed by a group of several hundred Federal judges holding office by permanent tenure. Technically the Federal Government would no longer be a republic but would become an aristocracy. This is not what the Founding Fathers contemplated or created. As it is, the courts may not step in and stay or control executive action unless the executive or administrative officer acts in excess of his statutory authority, or in a manner repugnant to a provision of the Constitution of the United States."

The court also said (Page 99):

". . . The Court has no such dispensing power as the plaintiff would have it invoke. For the Court to inject itself in a manner sought by them would contravene the principles that we have just discussed. It would be an unwarranted assumption of a power to control and supervise executive action—an authority that the courts do not possess. Since the defendants have done nothing that is illegal or in excess of their statutory authority, the courts with their limited power have no authority to interfere."

In a per curiam opinion, 339 Federal 2nd 753 (1964), the Circuit Court of Appeals (Bastian, Wright and McGowan, Circuit Judges) affirmed the District Court's decision dismissing the complaint, as follows (Page 754):

"Appellants in this case brought an action in the nature of mandamus to compel appellee, the Architect of the Capitol, to award them a construction contract on which their joint bid was the lowest. The District Court dismissed the action on a finding that appellee's rejection of appellants' bid was within his statutory authority and that, therefore, the action is in reality one against the United States which is barred by the doctrine of sovereign immunity.

"In view of the Supreme Court holdings in *Larson* v. *Domestic & Foreign Corp.*, 337 U.S. 682, 69 S.Ct. 1457, 92 L.Ed. 1628 (1949), and, more recently, *Malone* v. *Bowdoin*, 369 U.S. 682, 69 S.Ct. 1457, 93 L.Ed. 1628 (1949), we feel constrained to affirm the position adopted by the court below."

Valley Paper Company v. *Joint Committee on Printing*, in the Supreme Court of the District of Columbia, at law No. 52342 (1910): This was a suit for a mandamus to order the Joint Committee on Printing to award a contract for the supply of paper to the plaintiff. The Senate declined to permit the three Senate members of the Joint Committee to appear in the suit. The House authorized the three House members to appear, and the court denied mandamus.

6. A sixth category of cases are actions commenced by individuals seeking a court order instructing the executive or legislative branches how they should exercise executive or legislative discretion. This class of cases is most nearly similar to the instant *Powell* case.

One such case was *All-America Protectorate, Inc.*, v. *Lyndon B. Johnson, et al.*, U.S. District Court for the District of Columbia Civil Action File No. 1583-65 (1965). This was a suit commenced against Lyndon B. Johnson individually and as President of the United States; Mike Mansfield individually and as Majority Leader of the United States Senate; Everett M. Dirksen, individually and as Minority Leader of the United States Senate; John W. McCormack individually and as Speaker of the United States House of Representatives; Carl B. Albert, individually and as Majority Leader of the United States House of Representatives; and Gerald R. Ford individually and as Minority Leader of the United States House of Representatives.

The plaintiff, purporting to bring suit as a representative of a class against the defendants as representatives of a class, sought to challenge the legality of the war in Viet Nam and asked the court to issue instructions and commands to the President and to the members of the Congress.

July 1, 1965, the United States Attorney for the District of Columbia moved to intervene as amicus curiae and moved the court sua sponte to direct the Marshal to withhold service of the summons on the President for want of jurisdiction and on the same date filed a memorandum of points and authorities citing *Mississippi* v. *Johnson*, 71 U.S. (4 Wall.) 475 (1867), *Marbury* v. *Madison*, 1 Cranch 137, and also citing as precedents fifteen instances in which similar suits against Presidents Roosevelt, Truman, Eisenhower and Johnson had been dismissed. July 2, 1965, this motion was granted.

On September 3, 1965, the United States District Attorney moved to dismiss as to the remaining defendants on the grounds that:

1. The plaintiff lacks standing to sue
2. The complaint fails to show a justiciable controversy
3. The court lacks jurisdiction to issue a mandamus compelling legislative action under the separation of powers doctrine.

September 14, 1965, United States District Judge J. Sirica granted an order dismissing the suit on the grounds stated in the motion.

ENDING DISCRIMINATION AGAINST WOMEN

Mr. ESCH. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mrs. DWYER. Mr. Speaker, the signing of Executive Order 11375 by the President on October 13 is a source of considerable—though not unqualified—encouragement.

By specifically applying the existing prohibition to job discrimination based on sex, this Executive order fills the gaping legal loophole in Federal policy designed to establish equal employment opportunity for all in three areas: Federal employment, employment by Federal contractors and subcontractors, and employment on federally assisted construction.

It thereby completes, at least theoretically, the work begun in the Civil Rights Act of 1964 when Congress, in title VII of that act, established a national policy of equal employment opportunity in private employment without discrimination because of race, color, religion, sex or national origin. That policy was applied in 1965 to Government employment by virtue of Executive Order 11246 but for some inexplicable reason was limited to prohibiting discrimination based on race, creed, color or national origin.

No matter how noble in purpose a policy may be, however, the worth of that policy can only be determined by the energy and seriousness with which it is implemented and enforced. And herein lie my own concerns: First, that effective administration will overcome the doubts and demurrers of those who eliminated women from the protection of the 1965 Executive order; and, second, that every effort will be made to expedite acceptance and enforcement of the policy by private employers who are covered by virtue of the Federal contracts or subcontracts they hold and the federally assisted construction work they are doing. Such employers are given a year—a very generous amount of time—in which to comply.

For the information of our colleagues, Mr. Speaker, I include the text of Executive Order 11375 as a part of my remarks, as follows:

[Executive Order 11375, Oct. 13, 1967]

EQUAL OPPORTUNITY FOR WOMEN IN FEDERAL EMPLOYMENT AND EMPLOYMENT BY FEDERAL CONTRACTORS

AMENDING EXECUTIVE ORDER NO. 11246, RELATING TO EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the United States Government to provide equal opportunity in Federal employment and in employment by Federal contractors on the basis of merit and without discrimination because of race, color, religion, sex or national origin.

The Congress, by enacting Title VII of the Civil Rights Act of 1964, enunciated a national policy of equal employment opportunity in private employment, without discrimination because of race, color, religion, sex, or national origin.

Executive Order No. 11246 of September 24, 1965, carried forward a program of equal employment opportunity in Government employment, employment by Federal contractors and subcontractors and employment under Federally assisted construction contracts regardless of race, creed, color or national origin.

It is desirable that the equal employment opportunity programs provided for in Executive Order No. 11246 expressly embrace discrimination on account of sex.

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States by the Constitution and statutes of the United States, it is ordered that Executive Order No. 11246 of September 24, 1965, be amended as follows:

(1) Section 101 of Part I, concerning nondiscrimination in Government employment, is revised to read as follows:

"SECTION 101. It is the policy of the Government of the United States to provide equal opportunity in Federal employment for all qualified persons, to prohibit discrimination in employment because of race, color, religion, sex or national origin, and to promote the full realization of equal employment opportunity through a positive, continuing program in each executive department and agency. The policy of equal opportunity applies to every aspect of Federal employment policy and practice."

(2) Section 104 of Part I is revised to read as follows:

"SECTION 104. The Civil Service Commission shall provide for the prompt, fair, and impartial consideration of all complaints of discrimination in Federal employment on the basis of race, color, religion, sex or national origin. Procedures for the consideration of complaints shall include at least one impartial review within the executive department or agency and shall provide for appeal to the Civil Service Commission."

(3) Paragraphs (1) and (2) of the quoted required contract provisions in section 202 of Part II, concerning nondiscrimination in employment by Government contractors and subcontractors, are revised to read as follows:

"(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

"(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin."

(4) Section 203(d) of Part II is revised to read as follows:

"(d) The contracting agency or the Secretary of Labor may direct that any bidder or prospective contractor or subcontractor shall submit, as part of his Compliance Report, a statement in writing, signed by an authorized officer or agent on behalf of any labor union or any agency referring workers or providing or supervising apprenticeship or other training, with which the bidder or prospective contractor deals, with supporting information, to the effect that the signer's practices and policies do not discriminate on the grounds of race, color, religion, sex or national origin, and that the signer either will affirmatively cooperate in the implementation of the policy and provisions of this order or that it consents and agrees that recruitment, employment, and the terms and conditions of employment under the proposed contract shall be in accordance with the purposes and provisions of the order. In the event that the union, or the agency shall refuse to execute such a statement, the Compliance Report shall so certify and set forth what efforts have been made to secure such a statement and such additional factual material as the contracting agency or the Secretary of Labor may require."

The amendments to Part I shall be effective 30 days after the date of this order. The amendments to Part II shall be effective one year after the date of this order.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 13, 1967.*

[Filed with the Office of the Federal Register, 5:10 p.m., October 13, 1967]

NEWSPAPERS AND MAGAZINES RECEIVE HUGE GOVERNMENT SUBSIDY

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

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

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, the following is a radio report I have made to the people of the Second Congressional District of Nebraska, the district I have the honor to represent. My radio remarks follow:

THE GREAT MAIL RATE SUBSIDY

This is Congressman Glenn Cunningham in Washington with a story you will never read in the newspapers. Its about this nation's carefully guarded secret subsidy.

Many of you have read editorials in the *Omaha World Herald* telling of subsidies for farmers, railroads and airlines, but you have never read an editorial complaining about the huge newspaper mail subsidy they receive. Yet it is true, newspapers like the *World Herald* are subsidized by you, the taxpayer.

Here are the facts on this nation's largest "Secret Subsidy."

In the early days of our nation, Congress properly decided that it was essential to a democracy that the people be informed. Because of this early national interest in the free flow of information, Congress made sure that newspapers moved through the mails at a very low rate. In the early days this approach made sense—but things have changed. The newspapers of today are no longer poor and struggling. They are rich and powerful. In addition they are no longer the only source of news. Radio and T.V. are faster and some say better.

Despite these changes, newspapers with page after page of rich advertising revenue, continue to fight for their secret mail subsidy.

How much is the subsidy? Some estimates for both newspapers and magazines run as high as 236 million dollars a year. The rich *Wall Street Journal* mail subsidy which comes out of your pocket is estimated at 20 million per year. Your own Omaha newspaper with a large out-state circulation in Nebraska and adjoining states helps contribute to the postal deficit and is fighting hard to keep this Federal subsidy.

This situation has a direct effect on your cost of mailing a letter. According to official U.S. Post Office figures, 1st class mailers are paying 123 percent of the cost of moving a letter to its destination. Third class advertising mail pays 100 percent of its cost of delivery. By comparison, newspapers and magazines are now paying only 29 percent of the cost of delivery by the Post Office Department.

In addition the newspapers are receiving what is called "Red Tag Treatment." This means that they receive the same top priority handling as the average 1st class letter. Some Post Office Department officials admit that this "Red Tag Treatment" is given so that they will get better write-ups in the papers . . . they say it is good public relations.

Public relations or not, it is not fair to the nation's taxpayers.

Last week I fought to raise the subsidized mailing rates for newspapers and magazines during the debate on the Postal Rate Bill for 1967 and was successful in getting a small adjustment. But the fact remains that rich "Holier Than Thou" newspapers and magazines are still being subsidized and they quietly support our nation's secret subsidy or what I call the big mail rate newspaper steal.

WHO SPEAKS FOR THE CHURCH?

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

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

There was no objection.

Mr. ASHBROOK. Mr. Speaker, a prominent Protestant theologian, Dr. Paul Ramsey, has recently written a book "Who Speaks for the Church?" which questions the practice by some religious leaders and organizations of making public pronouncements on national problems in which they have no particular competence. In addition, Dr. Ramsey looks with alarm at the procedures of some church groups which allow positions and policies to be adopted by a relatively small number of church leaders after a minimum of serious debate and based on documents prepared by anonymous staff members. To make matters worse, these proposals are sometimes presented to national assemblies under conditions which afford little serious consideration or few alternatives.

Dr. Ramsey cited the case of the Conference on Church and Society, sponsored by the World Council of Churches in Geneva, Switzerland, last year as a prime example of steamroller tactics. In only 2 weeks, the 410 participants ar-

rived at specific, detailed "conclusions" on no less than 118 complex public questions. Dr. Ramsey's decision to write his book stemmed from his experience at the above-mentioned conference.

David Lawrence, in his column in the Evening Star for today, October 17, comments on Dr. Ramsey's views. I include his column entitled "Clergy's Stand on Vietnam Varies," in the RECORD at this point:

CLERGY'S STAND ON VIETNAM VARIES

Many people are beginning to say that clergymen and church organizations are driving away parishioners by talking too much about politics—national and international—about which they know very little, and by failing to teach the all-important lessons of ethics and morality so essential today in countries troubled by disorder and violence.

Dr. Eugene Carson Blake, general secretary of the World Council of Churches and formerly the head of the United Presbyterian Church of America, said on Sunday at St. Louis that the position of the United States in Vietnam is wrong for moral, strategic, diplomatic and sociological reasons. He said with respect to the Vietnam War: "It is wrong for a great and powerful nation to impose upon a small nation even a right policy for their own good."

Dr. Blake added that the claim of the United States that it is bound to fulfill a commitment to the government of South Vietnam is hypocritical and that he believes the Vietnamese are "fighting a war of independence, and overwhelming force won't make them seek peace." He called for unconditional cessation of bombing by the United States.

While occupying a high post in the World Council of Churches, Dr. Blake claims, of course, to be speaking in conformity with a resolution adopted in August by the central committee of the World Council. His criticism of U.S. policy is, however, far more direct. The World Council—composed of representatives from virtually all denominations—recommended that the United States stop bombing, but declared that the North Vietnam government, "either in advance of or in response to the cessation of bombing, should indicate by word and deed its readiness to move toward negotiations."

Dr. Paul Ramsey, one of America's most respected Protestant theologians, has just been attracting attention by his criticism of voluble clergymen. He declares that both "liberal" and "evangelical" Protestant leaders have been inclined in recent years to say too much on too many topics.

Dr. Ramsey points to a growing disposition on the part of church councils and denominational conventions to adopt resolutions on a variety of intricate national problems on which religious leaders, as such, have no particular competence to formulate policies. On the question of their offering "concrete political policies for the world's statesmen," he says:

"For ecumenical councils on church and society responsibly to proffer specific advice would require that the church have the services of an entire State Department."

Dr. Ramsey further asserts that many of the pronouncements are adopted by a relatively small number of churchmen after a minimum of serious debate, and that often these documents are drafted by anonymous staff members and presented to national assemblies under circumstances which provide rank-and-file delegates with little choice except to rubber-stamp them.

He points to the procedures of the Conference on Church and Society, sponsored by the World Council of Churches in Geneva last year, as a glaring example of this weakness. He recalls that, in only two weeks of deliberation, the 410 participants in the conference arrived at specific, detailed "conclusions" on no less than 118 complex public questions, ranging from the best way to make peace in Vietnam to the suppression of crime. Dr. Ramsey's experiences at the Geneva conference, where these resolutions were adopted, prompted him to write a recently published book entitled, "Who Speaks for the Church?"

The author, in calling on contemporary Christianity to clarify the church's message about the meaning of Christian life in the world today, criticized both the National Council of Churches and the World Council of Churches for wrong methods and wrong goals. It is being predicted among religious leaders that this very question will be raised in the Study Conference on Church and Society, to be held by the National Council of Churches on Oct. 22–26 in Detroit, Mich. Up to now, it has been assumed by church leaders that the rank and file of Christians were backing the involvement of their organizations in governmental questions with a political background.

TAX CREDIT FOR HIGHER EDUCATION EXPENSES

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

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

There was no objection.

Mr. LANGEN. Mr. Speaker, I believe we should make the financial burden of higher education a tolerable one for American families. Accordingly, I have today introduced a bill to allow a Federal tax credit for expenses of higher education.

Higher education is the key to the future. Since the problem of financing the costs of college and vocational instruction is growing more acute, families should be given a tax break for these educational expenses.

My bill would allow a tax credit for tuition, books, and supplies and would be available to either the parents or the student himself if he pays for his own post-high school training. The measure specifically provides increased benefits to families with lower incomes. If the education tax credit were greater than actual income taxes owed, the Government would refund the difference.

This legislation is not intended as a substitute for any other form of aid for higher education. Current loan and scholarship programs, particularly those to help families in greatest financial need, must be continued. My tax credit proposal is aimed at helping the millions of families with limited incomes who cannot stand the staggering burden of educating their children at costs that run as high as $3,000 per student each year.

Many families are forced to use lifetime savings or must go into debt to pay for the education of their children. This is because parents know the value of education and sincerely want to adequately prepare their children for the future.

But the excessive burden of increased expenses of higher education is already too heavy for many to bear; therefore, we must lighten that burden. I feel my bill will be helpful in this regard, and urge its consideration by the Ways and Means Committee at the earliest possible time.

REPORT TO CONSTITUENTS ON ACTIVITIES AND VIEWS

Mr. ESCH. Mr. Speaker, I ask unanimous consent that the gentleman from North Dakota [Mr. ANDREWS] may extend his remarks at this point in the RECORD and include extraneous matter.

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

There was no objection.

Mr. ANDREWS of North Dakota. Mr. Speaker, it is my custom from time to time to send out a report to my constituents outlining some of my activities and views. Such a report is being mailed to the people of North Dakota's First Congressional District this week, and under unanimous consent I place this report in the RECORD at this time:

When FBI Director, J. Edgar Hoover, testified before my Appropriations Subcommittee earlier this year, he called for a "realistic and commonsense approach in the sentencing, parole, and probation treatment of repeating criminals who have demonstrated time after time their contempt for society and who can reasonably be expected to once again victimize the public when prematurely set free. It is imperative that all with responsibility, the courts, juries, and law enforcement alike, face squarely and intelligently the deadly threat of unwarranted leniency if we hope to retain law and order in America."

The Director's words echo the sentiments of a growing number of Americans who are becoming more and more concerned about increased crime in our nation today.

CAMPAIGN FINANCING—THE WRONG WAY

The Senate Finance Committee recently reported out a bill which would make about $54 million in tax dollars available for presidential and senatorial campaigns and it is anticipated that this proposal will be extended to include House elections as well. I am opposed to this plan not only because of the high cost, but because it would concentrate power in the hands of national party leaders who would disburse campaign funds. Thus, campaigns would be financed from the top down, and be that much more less responsive to the people.

Far better would be a proposal to allow tax credits to individuals who make small political contributions of not over $25. This broadens the base of political participation and encourages more people to contribute on an individual basis.

The dedication of the Matejcek Dam in Walsh County gave me an opportunity to pay tribute to men like Joe Matejcek and others who have done so much for land and water conservation in eastern North Dakota.

The combined efforts of many people have resulted in the approval for planning asistance on 8 and for construction of 3 watershed projects in North Dakota's First Congressional District since I came to Congress.

The Mayor of Valley City, Lou Bruhn, was in town with a tour group sponsored by the Valley City State College. Lou and I had the opportunity to visit on matters of special interest to his constituents—and mine.

A good delegation from Jamestown came down in an attempt to get Federal Aviation Administration approval for a much needed runway extension at the Jamestown Airport, I accompanied them to the FAA as they pre-

sented their case. They had the facts and figures well in hand, and, as testimony to this, the runway extension was granted. Included in the group are: Don Legrid, Herman Weiss, John Klingenberg and Mayor Bill Taft.

Mary and I, as guests at the Indonesian Embassy discussed that country's need for American wheat with their Finance Minister, Frans Seda. This country, which recently overthrew its former pro-Communist regime, very much needs food assistance and can, I believe, become an important U.S. ally in combating communist aggression in Southeast Asia.

THE PROBLEM OF THE DEFICIT

When the President sent Congress his budget recommendations for fiscal 1968 last January, he estimated a deficit of approximately $8.1 billion. That figure has since skyrocketed and we now face the prospect of a $29 billion deficit at the end of this fiscal year, according to recent predictions made by the Secretary of the Treasury, the Director of the Bureau of the Budget and the President himself.

There are only two ways to reduce this deficit.

One is to cut expenditures and the other is to increase taxes.

Many of us on the Appropriations Committee have strongly emphasized the importance of reducing wasteful Federal spending before considering any increase in taxes.

The House Ways and Means Committee, by a vote of 20–5, demonstrated its support of our position by putting off action on the President's proposed 10 percent tax increase until the President makes a significant cut in spending on some of the new "Great Society" programs that have so loaded down the budget.

Meanwhile the House has made important cuts in the President's proposed budget. For example, while the Viet Nam war costs have pushed the Department of Defense budget up to the $70 billion mark, the Congress still reduced the Defense appropriation by more than a billion and a half dollars. The foreign aid appropriations will be cut by a record $700–800 million and requests for the space program, housing and transportation have already been reduced sizably by the House.

The showdown on reduced spending versus increased taxes is now the major issue to be decided during the closing days of the 1st Session of the 90th Congress.

FARM INCOME—DOWN AGAIN

Farm prices have dropped another 1.5 percent, according to the most recent report, and are now 7 percent below those of a year ago. They are now at 73 percent of parity, compared with 75 percent last month and 79 percent a year ago; and net farm income is expected to be 10 percent below last year.

Meanwhile, the prices farmers paid for goods and services used in production and in family living went up one-fourth of 1 percent in the month ending September 15. For the preceding year, these prices registered a 2 percent increase.

WORTH WATCHING

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

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

There was no objection.

Mr. SMITH of Oklahoma. Mr. Speaker, something has taken place in my district in Oklahoma of which we can all be proud. I refer to the recent action taken by the Harmon County commissioners, down in the southwestern corner of the State.

They have halted distribution of free commodities. Their action went into effect on August 1. Since that time, one of the three commissioners said, many of the recipients have gone back to work, and they have not had too many people complain.

At this point I would like to insert two newspaper stories into the RECORD. The first is a UPI story carried in the Anadarko, Okla., Daily News on October 3, 1967, and the second is an editorial comment carried in the Altus, Okla., Times-Democrat on October 12, 1967. Together, they tell the story better than I can:

COMMISSIONERS IN HARMON COUNTY QUIT COMMODITIES

OKLAHOMA CITY.—Harmon County commissioners have stopped distributing free commodities because they "really didn't think it was worth it" and thought workers "were all quitting work."

The commissioners, who estimated cost of the program at from $3,000 to $9,000 per year halted distribution Aug. 1, a state welfare department official said Monday.

County Commissioner Sam Earls of Gould said about 1,600 persons were on the welfare list in the southwestern Oklahoma county, but that the commissioners "haven't had too many people complain" about the action.

"The fact of the business is that we've been getting more praise," he said, adding that it is now easier to hire workers.

ALL QUITTING WORK

"They've gone back to work. They were all quitting work," he said. "They didn't want to work unless they had to."

Earls said the program cost about $9,000 a year and commissioners felt they could accomplish more by spending the money directly on needy persons. He said the commodities program was stopped because, "We really didn't think it was worth it."

"We were distributing 25,000 pounds of groceries a month and putting a lot of little grocers out of business," Earls said.

He said the commissioners had no aversion to cooperating in the federal food stamp program. The program permits needy persons to purchase food from grocery stores with federal stamps.

Earls said such a program would "give the grocery stores some business instead of putting them out of it."

Commissioner E. O. Byrd of Hollis disagreed with Earls and Commissioner Floyd Carter of Hollis over stopping the commodities distribution.

Byrd said most of the welfare recipients were in his district, and the cost of the commodities program was $3,000 a year.

Asked whether the former food recipients had suffered since the food cutoff, Byrd said, "They've been eating, I guess."

"I haven't heard much from them," he added. "If someone's in need, we try to help them. So far, things have been running along pretty smoothly."

John T. Sanford, commodity unit supervisor for the state welfare department, said about 600 of the persons eligible for the food were welfare clients, and another 200 were from families needing assistance.

"I don't imagine anyone has suffered any hardships, but naturally some of them have been deprived of a source of food," he said.

Sanford said counties pay only for freight on the free commodities from Oklahoma City warehouses to the county seat and for its storage and personnel to supervise the distribution.

He estimated distribution would cost the foundation $100 per month. He said he was hopeful the commissioners would agree to cooperate in the federal food stamp program.

[From the Altus (Okla.) Times-Democrat]

ANYWAY, IT'S INTERESTING

Our neighboring Harmon County is by no means a poverty stricken area, nor is it among the state's wealthier counties. It is pretty much economically average, relying largely on agriculture which has been enhanced in recent years by well irrigation.

That's the background and one of the reasons it makes so interesting the decision of the Harmon County commissioners to stop distributing free commodities because two of the members contended that many persons were quitting work so they could qualify as clients.

Harmon halted commodity issuances two months ago and one of the commissioners reports there haven't been many complaints; in fact, more praise for the action. The commissioner is quoted as saying: "They're gone back to work. They were all quitting work. They didn't want to work unless they had to."

Neither the Harmon board members nor state welfare officials could pinpoint any cases of real hardship caused by eliminating the free food stuff. Some families, of course, are bound to have less in the pantry because circumstances do prevent employment possibility for any member of some unfortunate households.

If hardships arise, surely Harmon will care for its own. Meanwhile, what's going on around the Hollis vicinity is going to be worth watching. This could turn out to be proof that there's far too much pudding in a lot of the free eating.

CONGRESSMAN WHALEN EXPRESSES CONCERN OVER A REGRESSION OF ATTITUDES REGARDING INTERNATIONAL TRADE

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

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

There was no objection.

Mr. WHALEN. Mr. Speaker, the passage of H.R. 478, the so-called low wage imports bill, on September 28 suggested to some that a regression of congressional attitudes regarding international trade is taking place.

I made that very point in my remarks during the debate on the bill. I expressed my concern that if the provisions of the bill are implemented by the imposition of tariffs or import restrictions, other countries affected by our action will respond in kind.

As an economist, I am apprehensive about the impact that legislation such as H.R. 478 and other measures under consideration could have on the progress made in the Kennedy round. Tariffs or import regulation would have an adverse affect on those American industries which presently are exporting. In the long run they would cost more jobs than they would save. Further, any diminishment of the results of the Kennedy round would tend to cancel out prospective gains in international trade for American industry.

Mr. Speaker, I find that several of the most eminent newspapers in the United States also share this concern and have addressed themselves to the subject in recent days. For the information of my

colleagues who might not be fully aware of the dimensions of the problem, I herewith insert into the RECORD editorials which have appeared in the New York Times, the Wall Street Journal, the Journal of Commerce, and the Washington Post:

[From the New York Times, Oct. 6, 1967]

PROTECTIONIST OFFENSIVE

The big and effective protectionist lobby in Washington is mustering all its forces for an attack on the liberalizing measures made in the Kennedy Round of trade negotiations.

The attack is being spearheaded by textile, oil and meat interests, which are asking Congress for relief against rising levels of imports. They have the support of the dairy industry, which has already gained concessions and is pressing for more, as well as that of metal producers, the steel industry and other manufacturers. Their combined contention that they are being hurt by foreign competition may well convince susceptible Congressmen that protectionism is necessary to maintain domestic jobs and profits.

Undeniably, American consumers are buying more foreign products. But American producers are also selling more abroad. If Congress gives in to the protectionist lobby by restricting foreign access to the domestic market, it will also be restricting American access to much bigger—and constantly expanding—foreign markets.

This damage to overseas sales would come about partly because of political retaliation, which is sure to take place if Congress discriminates against foreign imports; but it would also come about because the demand for goods would decline if foreigners could not earn the funds to pay for them.

Thus, the erection of new protectionist barriers in the form of quotas or other nontariff curbs on trade is bound to dampen the over-all growth of the American economy. It would also give fresh impetus to already dangerous inflationary pressures because domestic producers would have greater freedom to raise prices in the absence or curtailment of foreign competition. So resort to protectionism would mean a reduction in productive employment and a further escalation in prices.

The Administration, flushed with its victory in the Kennedy Round, does not appear to appreciate the seriousness of the protectionist threat. It has done little to point up the economic dangers in protectionism or to rally the forces of free trade. The protectionists have shown their strength in the Byrnes amendment barring Britain from bidding on ships for the Navy and in the Dent bill designed to bypass the existing machinery for granting relief. Clearly, the protectionists are out to undermine the Kennedy Round and it will take a broad coalition, led by the President, to thwart them.

[From the Wall Street Journal, Oct. 5, 1967]

THE PAINS OF PROTECTIONISM

Economists can, and frequently do, muster all sorts of arguments against import curbs. Though their case is convincing, the matter isn't entirely one-sided.

To begin with, no academic reasoning will ease the pain of a businessman who believes he is being undone by imports. At the moment such major industries as textiles, meat, steel and oil say they are in that situation, or close to it, and are pressing Congress for new or increased protection.

They contend, quite correctly, that their economic health is important not only to them but to the nation. They also stress the difficulty of competing with foreign firms whose wage costs are lower.

When it comes to proposed relief, the import-troubled industries emphasize their eagerness to be reasonable. For the most part they do not want to shut out all foreign competition; instead, they would merely limit it to a "fair" share of the domestic market. Even that might not be necessary, some spokesmen say, if other nations would only allow the U.S. freer access to their own markets.

Before Congress comes to any decision, however, it should ponder this question's other sides. If the U.S. moves toward protectionism, for instance, what happens to the nation's export trade? As an international merchant, after all, this country still leads the world by a wide margin.

The answer is partly a matter of simple economics. If Country A can no longer sell quite as many textiles to the U.S., it won't earn as many dollars to buy American business machines. Thus the effect would be to limit U.S. exports, even if the only change in the situation was a higher U.S. tariff or lower import quota.

But that's not likely to be the only change. Among nations, as among little boys, there's a tendency to strike back when someone hits you. If history is any guide, then new U.S. import curbs would quickly bring retaliation abroad, further crimping America's foreign sales.

Turning the question around another way, Congress might consider it from the point of view of consumers. What happens to them if the nation raises new barriers against imports?

For one thing, consumers would often be paying higher prices. Some people may like the snob appeal of a foreign label, but most Americans buy imports mainly when they believe they're getting more for their money. Trade restrictions, furthermore, obviously limit consumers' freedom of choice.

That brings us back to the economists, who focus most of their attention on a still broader aspect of import curbs: Their effect on the general well-being of the economy. As is their wont, the academicians take a fairly long-run view of things; they find little comfort in the economy's current health if it seems due to degenerate before long.

One prime worry is protectionism's upward pressure on prices. Inflation is already very much with us, even without fresh trade restraints to accentuate it.

Economists also fret about the effects of import curbs on the vitality of domestic industries. If foreign competition is curtailed, domestic producers will have less incentive to increase efficiency and develop new and better products.

Through the past three decades, the domestic economy has expanded enormously while U.S. protectionism has shrunk to a shadow of its former self. While there are numerous reasons for this happy development, not the least of them is stiff competition, some of it furnished by foreigners.

Trade restrictions, in sum, provide benefits for U.S. firms in the domestic market, though these gains may be only temporary. On the other hand, import curbs endanger the nation's exports, impose penalties on consumers and tend to weaken the vigor of the country's economy. Looked at from all sides, the package hardly seems appealing.

If a company is genuinely damaged by imports, machinery already exists to provide job-retaining, technical assistance and the like. If Congress decides that more help is needed, it would be better to pay direct Federal subsidies than to opt for the even more debilitating devices of trade restraint.

For some businessmen, import competition can prove quite painful. From the standpoint of the rest of the nation, however, the agonies of protectionism could be a good deal worse.

[From the New York Journal of Commerce, Oct. 6, 1967]

THE MOON ON CAPITOL HILL

It would be a pity if Congress were to undo the positive results of the Kennedy Round in its desire to protect some domestic industries. Yet that may well happen unless the administration steps in to head off a massive protectionist assault. We would hope that Congress itself will not let the problems of certain industries overshadow the potential benefits to the entire nation of the trade negotiations. Yet, the actions of Congress in the past two months do not foster confidence in the lawmakers' ability to see clearly and act wisely in the national interest.

As a matter of fact, the record of Congress in the past three months has been disgraceful. Has there been a full moon over Washington for the past few months? It's very difficult to make any sense out of some of the things that have been emanating from Capitol Hill recently.

There was for example, the disgraceful episode dealing with the dispute between six shopcraft unions and the nation's railroads. While the nation waited, the political game was played out. In the end Congress was literally forced to pass the legislation that is preventing a strike. If it had thought of the national interest it would have passed the legislation in the first place.

A couple of weeks ago, Rep. John W. Byrnes, a Wisconsin Republican, spearheaded a move that resulted in an amendment to the defense appropriations bill prohibiting the use of federal funds for the purchase of foreign-built warships. Involved is $60 million in orders for 16 new minesweepers that the British might receive if their bid is successful.

Permitting the British to bid on the minesweepers was part of an arrangement under which they were to purchase almost $800 million worth of U.S. military aircraft.

Then last Thursday the House passed a bill giving the President the right to impose quotas or increase tariffs on imports that might threaten the "well being" of American workers. The President did not ask for the authority and does not want it since it obviously would complicate the U.S. position in trade matters and negotiations.

Right on the heels of this protectionist measure the Senate Finance Committee announced that it will hold hearings later this month on a number of import quota proposals, dealing with industries such as oil, some nonferrous metals, steel and textiles, among others.

It is unlikely that the hearings will lead to actual bills. More likely, they will set the stage for riders when House-passed trade bills reach the Senate. However, the handwriting is on the wall and the administration should take steps now to make sure that all the potential good of the Kennedy Round negotiations does not go down the drain because certain industries may face greater competition.

It is totally unrealistic to think that we can impose restrictions unilaterally. Foreign governments are not about to sit idly by while we take away some of their potential markets. Their only recourse would be to impose limitations on our exports. And, quite frankly, they would be right.

While we sympathize with the industries that face additional competition as a result of the Kennedy Round negotiations it would not make sense to scuttle the entire pact to protect these companies and their employes. It is more than likely that any potential losses will be more than offset by gains by other companies to the benefit of the nation as a whole. This was the main consideration of the U.S. negotiating team. One still has to give a little in one area to gain in another. It is silly to think that the U.S. comes out of a negotiation such as the Kennedy Round a winner in all areas. Over-all, yes, but not in every single instance.

Apparently the industries to be hit hardest by new imports have been working diligently to line up support in Congress for their positions (the textile industry reports that 67 senators and 171 representatives are cosponsoring legislation for major curbs on textile

imports). Unions representing workers in the various fields that may be hurt are lining up for import curbs.

Obviously, great pressure will be brought to bear on Congress. If Congress knuckles under, it will be making a great mistake. A return to protectionism can only hurt the U.S. Our export sales greatly exceed imports and make up one of the major plus components in the balance of payments picture.

It behooves Congress to look at the big picture and not view the Kennedy Round on an industry by industry basis.

[From the Washington Post, Oct. 13, 1967]

AN OUTRAGEOUS PROPOSAL

The congressional drive to stifle international trade through the imposition of import quotas is now entering the obsessional stage in which the proponents, blindly oblivious to international reactions, are courting instant retaliation from the countries that would be injured by their protectionist designs. Surely rational explanations cast little light on the behavior of Senators Dirksen and Long, the architects of a strategy that would attach a broad range of import quotas as a rider to the Social Security bill.

This legislative technique is well suited to the low purpose of the quota proposal. The attachment, by rider, of legislative parasites to otherwise sound and healthy measures, is an abomination that ought to have been abandoned long ago. In this case, serious damage could be done to a Social Security bill which has absolutely nothing to do with international trade policy.

If riders are the most retrograde of legislative devices, quotas are the most retrogressive of protectionist devices. They place a ceiling on the volume of imports that prevent foreign suppliers from competing on a price basis. They confer gifts on the protected domestic industries, gifts granted at the expense of American consumers without the increase in revenues that would be yielded by tariffs. And because they involve transfers of income to favored industries and firms, quota systems are natural spawning grounds for political favoritism, bureaucratic abuses and corruption.

What is most astonishing is the arrogant assumption that other countries will docilely submit to the injuries that a Long, a Dirksen or a Hartke would inflict upon them. Suppose that Senator Hartke and his friends in industry succeed in reducing steel imports by as much as 20 per cent. The Japanese, for example, could retaliate at no cost to themselves by switching their wheat purchases from this country to Canada. And the Europeans would be perfectly justified, under the rules of the General Agreement on Tariffs and Trade, in retaliating with tariffs or quotas on United States exports. Where then is the net advantage?

Although there is no principled defense to be made for the quota strategy, Senator Dirksen can at least score points in the game of irresponsible partisan politics. But why should Russell B. Long, whose father, the late Sen. Huey Long, was a strong proponent of freer trade and lower prices, lend his talents to such a disreputable effort? It is to be hoped that he will reconsider his position and disavow legislation that would scuttle the Kennedy Round and halt the expansion of international trade.

SECRETARY RUSK'S STATEMENT ON VIETNAM

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

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

There was no objection.

Mr. RANDALL. Mr. Speaker, I believe all of us should reflect seriously on what Secretary Rusk had to say at his news conference about whether or not our national security is really at stake in Vietnam. Mr. Rusk asked us to look ahead to the next 10 or 20 years when there will be a billion Chinese on the mainland, armed with nuclear weapons, and great uncertainty as to what their attitude will be toward the rest of Asia. The free Asian nations, which will contain another billion persons, have rejected the idea of communism being imposed on them by force. Mr. Rusk noted that these nations must have security, stability, and cooperation among themselves if there is to be peace in Asia.

And while the world hopes that mainland China will abandon its aggressiveness and veer toward peace, there is no certainty that it will do so.

The Secretary asked us to consider the unattractive prospect of hundreds of millions of people in Asia living in fear and subjugation. I agree with him that the United States, as both a Pacific and an Atlantic power, has a tremendous national stake in the ability of free Asia to live in peace, and to turn the interests of mainland China to the needs of its own people and away from its adventures abroad. Like Mr. Rusk, I believe we cannot be the world's police force, but like him, I recognize that through our treaty commitments we have accepted our share of the burden in our own vital national interests. I believe, with him, that the history of the past four decades offers proof that the world cannot have peace if it allows one small country after another—including South Vietnam—to be overrun by an aggressor.

And we, as a nation, are committed to world peace.

HALPERN URGES ACTION ON SITUS PICKETING BILL

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, inattention piles upon inaction as the Congress continues to shunt aside legislation which is sorely needed to end serious discrimination against the building tradesmen of America.

The legislation has awaited congressional action since early in this session, when the distinguished gentleman from New Jersey [Mr. THOMPSON] introduced H.R. 100, I introduced H.R. 5065, and several of our colleagues submitted similar legislation.

These bills would end the unfair definition of onsite picketing by building tradesmen as a prohibited secondary boycott under section 8(b)(4) of the Taft-Hartley Act.

Other trades are allowed free, peaceful picketing at places where they work, but only those who work in the Nation's vitally important construction industry may not do as much.

In this House, the situs picketing bill has moved well on its way toward action. Hearings have been held, and the measure now waits in the Rules Committee. I am told that the committee plans no further action until the other body advances its own similar bills.

The discrimination against building tradesmen dates back to the April 1949 decision of the National Labor Relations Board in the Denver Building Trades case. The ruling did not bear out the intention of Congress. What is more, at the time the ruling was handed down, the Board was unfamiliar with the special conditions in the building trades, over which it had but lately taken jurisdiction.

For the past 18 years, under that decision, building trades unions have been barred from picketing peacefully at construction sites because the Denver rule holds that such picketing is a secondary boycott, prohibited by the Taft-Hartley amendments to the Wagner Act.

No one has ever been able to produce a reasonable justification for the fact that the building tradesmen—and they alone—are barred from such peaceful demonstrations at the places where they work. At hearings held on the bills awaiting action in this House, I discussed the Denver rule and told the Labor Subcommittee:

> Through the years, there have been many legal opinions opposing that ruling. It is also true that there have been forceful and impressive arguments in favor of the NLRB position, but these seem only to fortify the impression that if the wording of the Taft-Hartley Act actually does justify such discrimination against the tradesmen of a single industry, then the need for amendment is all the greater.
>
> In the long history of attempts to rectify this injustice, there has always been bipartisan support for the amendments which are being discussed today. In fact, it has received multi-partisan support, not only from outstanding spokesmen for the two major parties, but even by leaders of differing shades of opinion within these parties.

As an example of this across-the-board support, President Truman and President Eisenhower asked for legislation to nullify the Denver rule. In 1959, the section was amended to prevent similar injustice in the garment trades.

In the second session of the 89th Congress, the Rules Committee went so far as to report the bill by the distinguished gentleman from New Jersey [Mr. THOMPSON]—but the measure was suddenly withdrawn before it could be acted upon by the full House. And now the bills in this 90th Congress sit gathering dust in committee pigeonholes.

Mr. Speaker, there cannot be a Member of this House who is not aware of the fact that the construction industry is one of the most important in the Nation, and its tradesmen are the heart and muscle of that industry. Let us not ignore their just complaint. Let us act, at long last, to nullify an inequity perpetrated against them.

THE REPUBLICAN CONFERENCE SUMMER INTERN PROGRAM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin [Mr. LAIRD] is recognized for 20 minutes.

Mr. LAIRD. Mr. Speaker, I wish to bring to the attention of my colleagues the inspiring accomplishments of the summer interns of the House Republican Conference. From mid-June to mid-August, the conference directed the research activities of 18 interns, and the wide-ranging scope of their inquiries will find meaningful application in the development of Republican programs and principles.

I am particularly impressed by a paper on campaign finance and election law reform prepared by Charles William O'Neill, a senior at Princeton University. "Dub," son of the former Governor and now Supreme Court Justice of the State of Ohio, follows in distinguished footsteps and has acquitted himself admirably. I commend his thoughtful and timely study to my colleagues. This staff research paper is indicative of the probing scholarship evidenced by our interns.

I also wish to pay tribute to the professional staff of the House Republican Conference, who worked earnestly to generate a challenging and productive program for our interns. The following list indicates something of the organization and direction we have tried to provide so that our interns could develop an intimate understanding of the functioning of our Federal system of government. Based on such activity, I do not think I am being boastful when I say that I feel that ours is the most rewarding intern program of this Congress.

HOUSE REPUBLICAN CONFERENCE: 1967 SUMMER INTERNS

John Herman, Akron, Ohio, Harvard Law School, "An Analysis of the Problem of National Emergency Strikes".

James Rosbe, Potomac, Maryland, University of Michigan, "The United States and the Arab World: A Political Study".

Steven Martindale, Pocatello, Idaho, Gould School of Law, USC, "Study of the Coleman Report".

Thomas Roehl, Wausau, Wisconsin, University of Oregon Graduate School "A Cost-Benefit Analysis of the Wood County Project".

George B. Walton, Louisville, Kentucky, University of Louisville Law School, "The Open Generation" (Also on assignment to Republican Task Force on Crime).

Margaret Wilner, Washington, D.C., University of Pennsylvania, "The Soviet Union in the Middle East".

Cynthia Bartlett, Vista, California, Whittier College, "American Foreign Policy with Israel".

David H. Cleverly, Arlington, Virginia, University of Miami (Fla.), "A Study of United States Relations with Egypt: Nasserite Belligerency".

David E. Rosedahl, Jamestown, New York, Columbia College, "Antidote to Boredom: A Study of Public TV".

Terence E. Horgan, Reno, Nevada, Stanford University, "The United States and the War in Viet Nam" (Also on assignment to Republican Task Force on Crime).

James G. Gidwitz, Highland Park, Illinois, Standford Univerity, On assignment to the Republican Task Force on East-West Trade.

David H. Breen, Dansville, New York, Middlebury College, On assignment to the Republican Task Force on Crime.

James Fais, Columbus, Ohio, Denison University, On assignment to the Republican Task Force on Crime.

Tish Newman, Vallejo, California, Wellesley College, On assignment to the Republican Task Force on Crime.

Stuart F. Johnson, Bennington, Vermont, University of Virginia Law School, On assignment to the Republican Task Force on Crime.

Robert vom Eigen, Morristown, New Jersey, University of California School of Law, "New Towns Housing Program."

Charles William O'Neill, Columbus, Ohio, Princeton University, "The Dilemmas of Campaign Finance and Election Law Reform: Analysis of Republican Views."

Ross H. Hicks, Niota, Tennessee, Vanderbilt University, On assignment to the Minority Poverty Staff, House Committee on Education and Labor.

Mr. Speaker, the program director, Dr. John F. Bibby, a member of the political science faculty at the University of Wisconsin—Milwaukee, and the staff members of the conference, earned well-deserved praise for developing a comprehensive and stimulating program.

Mr. Speaker, we are justly proud of our interns. The experience and insights which they have gained augurs well for the future of our American political system. They have realized practical involvement, an absolutely essential ingredient in participatory democracy.

The paper referred to above follows:

THE DILEMMAS OF CAMPAIGN FINANCE AND ELECTION LAW REFORM: ANALYSIS OF REPUBLICAN VIEWS

The problems of campaign finance and election law reform are offspring of the same overbearing parent—the influence of money on the machinery of democracy.

The problem makes itself felt in the campaign of an individual, in the maintenance of the party machinery, and in the decisions and integrity of government.

Campaign expenditures at all levels were $175 million dollars in 1960; in 1964, this figure rose to $200 million. Broadcasting costs alone have undergone a phenomenal increase in the last several years. Expenditures on broadcast time for non-Presidential races have gone from $20 million in 1962 to $32 million in 1966. Other costs have also been on the increase.

It cost Pierre Salinger $1,600,000 to lose a seat in the U.S. Senate; Ronald Reagan's sucessful gubernatorial campaign cost $5,000,000.[1] A party, or an individual, who is unable or unwilling to establish a broad base of contributors to raise sums of this magnitude, may be forced into a dependence on the large individual contributor. As President Kennedy's Commission on Presidential Campaign Finance states:[2]

"It is not desirable to have candidates for high office, especially for President and Vice President, dependent on individuals or organizations with special interests who are willing to make large contributions in the form of cash or campaign contributions."

Senator Albert Gore (D-Tennessee) further emphasized the issue when he addressed himself to the problem on the Senate floor:[3]

"Next week the party of the people will have a fund-raising dinner at $250 per plate. What man of toil will be there? Who will buy the plates at $250 each? I do not know who will buy them by the plate. Not many. Who will buy the tables of plates? We know, and we are ashamed of it. The lobbyists and the special interests seeking favors from Congress and the government will buy these tables."

A broad base of support will free a public servant to "weigh the special interest against the common interests within his own constituency"[4] without financial obligation to the special interest.

Such views and words of warning have been brought home to the electorate recently by the Baker, Dodd, Long and Dulski cases. These have created what Senator Hugh Scott (R-Penn.) calls "the crisis of confidence"[5] expressed toward the Congress today. This "crisis of confidence" springs from a crisis of finance affecting both individuals and party organizations.

Both parties emerged from the 1960 campaign with deficits. In 1964 the Democrats again emerged with a large deficit. The burden this cost places on a party is the difficulty it presents in maintaining a permanent party structure. To be a truly effective and dynamic force, a party must be able to maintain a staff to research and develop positions and programs.

This costs money and it costs money in non-election years when many pools of revenue dry up. It necessitates developing a broad-based group of supporters willing to make small contributions on a yearly basis. The Republican party has developed a system of contributors willing to give $10 apiece per year to sustain the operation of the party apparatus.

Such a program has allowed the party to develop sophisticated positions on the issues and problems currently facing the country and to publish such material. It has given the party the means to become an opposition of constructive alternatives rather than an opposition of negatives, to act as a true counterweight to the majortiy.

It is agreed by all who have studied the problem that in order to best represent the interests of the people, and to remove the stigma of undue influence, a political organization should be funded by small contributions from a variety of people.

The broader the contributing base, the larger and more intense is the feeling of participation by the citizenry. If a citizen has an investment in a candidate or a party, he is more likely to talk, work, and ultimately vote for him than if he has no personal stake in the campaign. In the spectrum of argument about financial problems that will be alleviated by a broad base of contributors, this positive civic good is overlooked.

The next question is, since almost everyone is in agreement about the fact that a broad base of small contributors is desirable, what has been done about it in the past and what is the trend for the future?

There is a continuing mythology, a legacy from the past, that casts the Republicans as the party of the large contributors and the Democrats as the poor party scraping by on the nickels and dimes of its followers. The myth was never true, but there was at least some basis for such an exaggeration in the past. No such basis exists any longer. Instead, it is the Republican Party that has acted on its belief in the small contributor, while the Democratic Party has come more and more to rely on heavy individual contributors.

The facts speak for themselves. In 1956, 74% of the money raised nationally by the Republicans, and 44% of the money raised by Democrats, had come from contributions of over $500.

In 1964, the Republicans raised only 28% of their national funds with contributions of over $500, while the Democrats raised a full 69% of their money through such means.[6]

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[1] *Time*, March 31, 1967, p. 24.

[2] Report of President's Commission on Campaign Costs, *Financing Presidential Campaigns*, 1962.

[3] *Congressional Record*, May 4, 1967, p. S-6398.

[4] *The Condition of Our National Parties*, Stephen K. Bailey, p. 13.

[5] *Senator Hugh Scott*, Statement before the Senate Subcommittee on Privileges and Elections, June 20, 1967.

[6] *Responsibility in Party Finance*, Herbert E. Alexander, Citizen's Research Foundation.

As Alexander and Meyers put it in their study of 1964 campaign finances: [7]

"Careful study of the recorded campaign contributions and expenditures reveals that the Democrats became the party of the 'fat cat' and the Republicans, the party of the small contributors."

Alexander and Meyers also have an explanation for this phenomenon: [8]

"The chief magnet attracting large gifts to the Democrats in 1964 was the President's Club, which provided the party with a good share of its campaign funds."

This is the organization that was described by a member as a "financial oligarchy for the President of the U.S." [9]

The orgy of large contributions that was initiated in 1960 and brought to full potential in 1964 has not yet let up. *U.S. News and World Report* recently carried the following items: [10]

"Within three weeks in three widely separated cities across the nation, Lyndon Johnson helped raise more than three million dollars in political contributions for the Democratic party . . . most of the money came from wealthy men who belong to the exclusive President's Club which was formed as a fund raising device by Democrats during the Kennedy and Johnson administrations.

"For $1,000 a year in political donations club members are promised a 'direct relationship, with the White House, including social invitations and access to the President."

The Democrats left another legacy from their high priced fund raising in 1964–65, this one statutory.

The Democrats sold advertising in their 1964 Convention Program for $15,000 a page, plus an increased rate for front and back covers.[11] The uproar created over the 1965 Democrat book, "Towards An Age Of Greatness", which was marked by heavy advertising, led to Congressional actions. The issue at hand was an ambiguity in the Corrupt Practices Act that allowed the problem to exist. Under the Act, corporations are not allowed to make direct contributions to a political campaign. The advertising purchased in the convention book was not strictly a campaign contribution, and was deducted as a business expense by the corporation. Such advertising had been declared legal by the courts but only to the extent that it was used to defray convention costs. The Democrat book raised a good deal of money beyond such limited goals.[12]

In response to such an abuse, Senator John J. Williams (R-Delaware) introduced an Amendment to an Administration tax bill, which disallowed advertising in political journals and tickets to testimonials as tax deductions. This provision, coupled with the ban on corporate giving, effectively eradicated the problem.

The Republican record offers a marked contrast to that of the Democrats in many ways. The Republican trend has been toward a large number of small contributors, both in policy and in fact. From the Republican Coordinating Committee report in December, 1965: [13]

"We strongly endorse the principle that the larger the number of individual contributors the more healthy are the parties and the political system."

An important issue is that of government participation to alleviate the burdens of campaign costs. What are the alternatives? Where do the parties stand?

Finance alternatives seem to fall in three general categories:

1) To maintain the status quo;

2) To implement an incentive to political giving;

3) To institute direct appropriation of government funds to finance campaigns.

The statistics that have been presented, as well as the pronouncements of most members, seem to indicate the need for some action in this area. Senator James B. Pearson (R-Kansas) spoke for many of his colleagues when he stated: [14]

"The need is growing more critical every day to reform and revitalize our system of financing campaigns for public office."

The idea of direct subsidy is the alternative most recently discussed and to some extent enacted in the Congress of the United States.

There are two basic difficulties with this kind of program. First, no matter what form in which it is enacted, it does nothing to promote voter participation in the democratic process. It denies both tenets of the President's Commission on Presidential Campaign Finance: [15]

1) A belief in citizen participation.

2) A belief in voluntary individual effort and not effort animated by government.

The specific proposal made by Senator Russell B. Long (D-Louisiana) would give every taxpayer the option on his Federal income tax return of appropriating one dollar to be divided evenly between the two major political parties. This would raise about $30 million dollars for each party.[16]

The President's Commission offered four objections to such a system of direct subsidy.[17] The first was that it would lessen the feeling of citizen participation. A person would automatically be contributing to both major parties, with no choice in the matter and no vehicle available to express his own preference. It would tend to isolate parties from responsibility to the people.

A second objection is that such a plan would alter the basic power structure of the parties. As Herbert Alexander has written: [18]

"Given our institutional arrangement, the basis of political organization in the U.S. is and will remain local. The only adequate and reliable foundation for a strong financial structure within the party based on small contributions is at the local level and the search for financial responsibility must begin there."

A system of direct subsidy would pour money in at the top of the system and leave its distribution to the party from the national level down. It is true that such a system has been advocated by some political scientists as a way to establish a more homogenous party structure, and as a way to impose discipline on the party.[19] By the same token, it may also lead to party proliferation. It is doubtful that a reorganization of basic party structure should be in the purview of legislative initiative at this time. Such institutional revisions could work broad and unknown changes in the American political system.

A third objection voiced against such a system is the difficulty in assessing what happens to public money once it disappears into party coffers.

Before public money is pumped directly into a party system, it should be established for what purposes it is given. Campaigns are often grossly inefficient.

Louis Howe, secretary to Franklin Roosevelt, found that only about 3 to 5 percent of the literature distributed to state committees by national headquarters ever reached the voter.[20]

There is great question whether the Federal government should appropriate money into such a morass of inefficiency.

The final problem with a direct subsidy is one of impartial administration. No matter how such a plan is drawn, Congress still must maintain power to alter it in terms of total money appropriated, and the nature of the allocations. To place such power in the hands of men who are by nature politically minded is to risk great temptation. This fact has been amply demonstrated in the stormy history of such a direct subsidy in Puerto Rico.[21]

For these and other equally compelling reasons, it would seem inadvisable to use a direct government appropriation for political campaigns as the instrument to solve the financial crisis.

The other alternative would be government approval and encouragement of political giving through some form of tax incentive, either through a deduction or a credit. These two methods have several advantages in common. First, they are designed to stimulate individual citizen participation and commitment. The effect would be similar (although certainly not psychologically identical) to the present stimulus for charitable giving.[22] The chief strength of the plan is that it reserves to the individual the right to support the party or candidate he prefers. As Senator Mansfield said on matters of subsidy:

". . . we must make also certain that the basic control for the choice (elective) remains with the electorate.[23]

Such a program of tax relief for contributors would eliminate the low level of involvement stimulated by the direct subsidy. It would make it unnecessary to develop complicated formulae to apportion funds; it would not institutionalize the problems involved in minority party access to funds. It would allow the individual to follow the dictates of his own convictions with a contribution.

The amount of money that might be raised under such a system is open to speculation, but indications are that it would be considerable. A tax incentive increases both the propensity of the electorate to contribute and the inclination of the parties to solicit small contributions. Gallup polls based on a $10 tax credit for a twenty dollar contribution indicate that about $340 million dollars would be available under the program (assuming there was comprehensive solicitation by the parties).[24]

Thus, it can be demonstrated that some form of tax relief to promote campaign contributions is both effective and desirable. The problem in determining what the nature of that tax relief should be is more complex. The President's Commission on Campaign Costs only recommended *some form* of tax relief and went no further.[25] The parameters of the problem include the magnitude of the relief to be granted, whether such relief should be a credit or deduction, extension of

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[7] *Fortune*, November, 1965. "The Switch in Campaign Giving," p. 170.

[8] *Ibid.*

[9] *Ibid.*, p. 172.

[10] "L.B.J.: Miiion-a-week Fund Raiser," *U.S. News and World Report.*

[11] *Fortune*, November, 1965, p. 170.

[12] *Ibid.*

[13] *Toward Fair Elections in America*, Task Force on the Functions of Federal, State, and Local Governments, December, 1965, Republican Co-ordinating Committee.

[14] Republican Congressional Committee News Letter.

[15] *Op. cit.*, President's Commission.

[16] *Senator Russell B. Long*, Finance Bill Debate, May 4, 1967.

[17] *Op. cit.*, Bailey.

[18] *Responsibility in Party Finance*, Herbert E. Alexander.

[19] *Op. cit.*, Bailey.

[20] V. O. Key, *Politics, Parties and Pressure Groups*, p. 525.

[21] *Commission Campaign Finance in Puerto Rico*, Herbert E. Alexander, Citizen's Research, Princeton, New Jersey.

[22] *Tax Incentives for Political Contributions*, Herbert E. Alexander.

[23] Congressional Record, April 20, 1967, p. S–5658.

[24] *Op. cit.*, *Tax Incentives for Political Contributions.*

[25] *Op. cit.*, President's Commission.

relief to primary elections, and sustaining contributions.

The President's Commission recommended a credit for half the amount of the contribution up to a limit of $10 total *credit* or a *deduction* of up to $1000.[26] There are differences between the two. A *tax credit* is simple to compute.[27] Once the taxable income is computed, the amount of one half the contribution (up to a credit of $10) is deducted from the tax liability. The effect is to decide to pay part of the tax liability to the party of the taxpayer's choice. Each taxpayer receives the same absolute benefit for the same size gift.

The situation with a *deduction* is different. The deduction is not figured against the tax liability but is used in order to establish the taxable income from which the liability is then computed. Instead of each taxpayer getting the same amount of absolute tax relief, a deduction makes the amount of relief a function of income. In effect, as income increases the amount of the contribution paid by the government increases. Suppose there are two men, each of whom contributes $100 to the party of his choice. The first man, Mr. A, pays tax at the rate of 25% of his taxable income, while the second, Mr. B, pays at the rate of 75% of his taxable income. In effect, Mr. A is contributing $75 to the party of his choice, while the government is paying $25 in lost revenues. To phrase it another way, Mr. A is paying $75 more than he would if he paid the tax as opposed to taking the deduction. Mr. B, on the other hand, is only contributing the $25 that he wouldn't otherwise be losing, while the government is in effect contributing the $75 it would be receiving in taxes.

Another point concerning the workability of a deduction is the way it would appear on the income tax form. If such a deduction were to be just one of the variety of itemized deductions, its value would be lost for a great many people. The great number of individuals with smaller incomes fail to file an itemized list of deductions.[28] In 1957, only one third of all taxpayers itemized deductions. In 1956, of those taxpayers with adjusted incomes below $5,000, only 27% itemized deductions, while 54% of those with income above $5,000 did so. Thus, if a system of deductions is to be implemented, it should appear on both the long and the short tax return form. It should not be necessary to itemize all deductions in order to gain one for a contribution.

The difference between a *tax credit* and a *tax deduction* is not crucial. A *tax credit* would seem to be a larger revenue drain (at 1956 levels of giving it would have represented a revenue drain of about 80 million dollars[29]), but it would appear to be more of an incentive to low income contributors than a deduction, assuming that the average taxpayer sits and riddles out exactly where the line determining his income bracket falls. The *deduction* plan would seem to have a greater weight of precedent behind it in the field of personal income taxes. There is the precedent of charitable gifts on the national level, and at least four states (Missouri, Minnesota, California and Hawaii) give state income tax deductions for campaign contributions.[30]

The Republican position on the whole subsidy issue was stated in these terms:[31]

"We are opposed to any scheme which would provide direct financing for our political parties out of the Federal Treasury, but we believe the encouragement and stimulation of political contributions is desirable.

"Specifically we propose that a reasonable deduction from the Federal Income Tax be permitted for contributions to parties and their nominees."

This statement fails to mention primary elections. In many areas the primary election is the only election. It is the decisive election. In 1966, for example, Democrats spent $10 million on broadcasting for primary elections and only $8.5 million on the general election.[32] This can properly be attributed to the large number of single party constituencies that are controlled by the Democrats. However, each party rules certain areas at different levels of government in the same way. In such a situation it is hardly wise to exempt primaries from any finance action. One reason for the reluctance of the Congress to legislate in this area, both in terms of spending controls and now in terms of financial encouragement, is the hazy legal position of primary elections. However, Assistant Attorney General Fred Vinson, concerning the role of the primary in election law reforms of the past, has said:[33]

". . . there was serious constitutional doubt as to the powers of Congress to legislate in the area of party primaries. These doubts have long since been resolved, and Congress now clearly has the power to include primaries."

One area of possible objection to the subsidization of primary candidates is that it will limit the control that the established party organization is able to wield in determining party nominees (at least in states with party primaries rather than conventions). There are two issues to be raised concerning this concept. (1) the idea of a party primary is to give the membership as well as the leadership of the party a voice in who is selected as the standard bearer in the general election. There is no reason to discriminate against a candidate financially because he does not have the endorsement of some party organization. (2) would the party organization really be disadvantaged? In several ways it would not. Deductions for campaign contributions and sustaining contributions would help put the party in a more comfortable position financially, better able to offer support to candidates it might endorse. Also important is the fact that citizens would be able to make only one deductible contribution per year and would be reluctant to pledge it for an unendorsed candidate who may be a lost cause. These two facts serve to preserve the power and the prestige of the party endorsement in most primaries, while still leaving as a legitimate check the opportunity for adequately financed and meaningful opposition. The opportunity for citizen participation in the true spirit of the party primary is thus enhanced.

Even with a well established system of small contributors, there would remain large administrative problems for the parties to solve. Competition between local, state and national units or committees of the same party as well as inter-party competition over the one tax-benefited contribution of each individual would be vigorous.[34] The competition would be drawing on a larger pool of money, and thus there would be a little more to go around, but the competition would still be there.

The final problem to be considered in this brief examination of the problems of campaign finance is both a conclusion to the problem and an introduction to that of election laws concerning expenditures and disclosure.

The problem is the participation of corporations and labor unions in the financing of political campaigns. It is a participation that is excluded by existing law (Hatch Act, Corrupt Practices Act), but both sides of the labor-management complex have found loopholes which facilitate contributions.

These loopholes should be closed. What should be encouraged is participation by both of these groups in genuine nonpartisan ventures. Such a recommendation was made by the President's Commission in their report.[35]

In this way, programs that were sponsored by these groups in order to get a broad cross-section of people to register or to vote, without attempting to influence their political choice, could be encouraged. Honest attempts at non-partisan voter education could be rewarded. Efforts such as donating battle pages in newspapers, free television time to recognized candidates or donation of radio time to a discussion of issues by each camp could be fostered. It is sometimes hard to draw a line between something that seems to be non-partisan or bi-partisan and is actually *de facto* partisanship (i.e. registration drives spotlighting areas predominated by one party). This still appears to be a large and fruitful area for public service by this sector of society.

The supplement of campaign funds by some form of Federal encouragement of small contributions is only half the problem of campaign expenditures and rising costs.

Senator James B. Pearson of Kansas has noted:[36]

"The need for reform is twofold: the reliance of candidates on a few wealthy sources for their campaign funds must be reduced and our reporting requirements for campaign spending must be tightened."

The Congress has a long history of attempts and failures to control the problems of money in politics. The Federal Corrupt Practices Act was first passed in 1925 and was amended in 1944, 1947, and again in 1948. Assistant Attorney General Fred Vinson has described it in the following words:[37]

"The Federal Corrupt Practices Act (Title 2, United States Code, Section 241 through 256) was designed to compel disclosure of contributors and expenditures in Federal campaigns. Treasurers of 'political committees' which accept contributions and make expenditures in support of candidates for the Senate and the House or in support of presidential electors, are required to maintain certain records and file certain reports with the Clerk of the House, and additional reports on contributions received by the candidate or by other persons with the candidates knowledge and consent. Section 248 of the act limits the amounts candidates for Congress may expend in their campaigns for election.

"The intent of the Federal Corrupt Practices Act was good—to insure disclosure to the electorate of the sources of a candidate's financial support and the recipients of the campaign funds expended by the candidate. In practical fact, however, the Act has not met with its goals. It is, as President Johnson has said, 'more loophole than law'."

A very striking analysis of the truth of that statement was reported in Time magazine.[38]

"Few of the expenses (from a campaign) are an official record since the Corrupt Practices Act of 1925 stipulates that a Senator can spend only $25,000 on his campaign, a Representative $5,000. A candidate gets around this simply by setting up innumera-

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[26] *Op. cit.*, Congressional Record, April 20, 1967.

[27] *Ibid.*

[28] *Ibid.*

[29] *Ibid.*

[30] *Ibid.*

[31] *Op. cit., Toward Fair Elections in America.*

[32] Surrey of Political Broadcasting, Primary and General Elections Campaign, 1966-June 1967, F.C.C.

[33] *Assistant Attorney General, Fred M. Vinson,* testifying before Senate Subcommittee on Privileges and Elections, June 28, 1967.

[34] *Op., cit., Tax Incentives.*

[35] *Op. cit.*, President's Commission.

[36] *Op. cit.*, Pearson Statement.

[37] *Op. cit.*, Attorney General Vinson.

[38] *Op cit., Time,* March 31, 1967.

ble committees that collect and spend money for his campaign without his 'knowledge or consent'. Thus Massachusetts' Senator Ted Kennedy, like many another Congress member, could and did file a report declaring that his 1962 campaign expenses were zero—though his supporters spent an estimated $2,000,000."

Mr. Vinson, in his testimony before Senate Sub-Committee on Privileges and Elections, also covered the other area of previous Federal legislation, the Hatch Act, which was passed in 1939 and amended in 1940. He stated that:[39]

"Section 608 (a), Title 18, United States Code, appears to prohibit a single individual from contributing over $5,000 to any campaign for nomination or election to a federal elective office. However, since 608 (a) is expressly made inapplicable to committees operating completely within a state, there is no limit on the amount an individual can contribute to such a committee even though it supports a federal candidate. I would also point out that 608 (a) does not prescribe the making of a $5,000 contribution by an individual to as many multi-state committees supporting the same candidate as the individual may desire. This then is a limitation which does not limit.

"Section 609 appears to place a $3,000,000 ceiling on both contributions and expenditures by a political committee but once again the statute is expressly made inapplicable to committees operating completely within a state. Even as the multi-state committees, which are ostensibly covered, the law places no restriction on the number of such committees which can receive and expend up to the $3,000,000 limit. The soaring costs of modern campaigning have made the ceiling patently unrealistic and inevitably forced what President Johnson has described as the endless proliferation of committees."

Thus, two measures that are currently a part of the United States Code include a disclosure bill that discloses nothing and a limiting bill that totally fails to limit.

The approach that Congress currently seems to be taking to correct the situation is directed to use of stringent disclosure, placing great faith in the ability of the public to punish transgressors. It rests on the assumption that if the public is supplied with all the facts and figures of a candidate's campaign finances, it will be the most effective tribunal to judge him. But the problem of disclosure is twofold. As Senator Scott said in testimony before a Senate subcommittee:[40]

"Disclosure comprehends not only reporting of the sources and uses of campaign funds but also their publicity."

Thus, the disclosure bill that the Oregon Legislature placed on the books of that state has not been particularly effective. The office of the Secretary of State has not been able to efficiently process and made available to the mass media the information filed with that office. This is a standing problem with such laws in Ohio, Pennsylvania, North Carolina and others. The fact that effective disclosure legislation can be passed on the State level has been demonstrated by efforts such as Florida's "Who Gave It, Who Got It" law.[41] The basic approach to a Federal disclosure law has centered around the same idea. There are difficulties. The problem is first to insure that all significant contributions and expenditures are reported, and second, to provide that intelligible records are made available to the public before the election (to as large an extent as possible), along with a complete record of contributions and expenditures after the election.

There are two proposals for a Federal disclosure act. One entails reporting all major contributions and expenditures to the Clerk of the House of Representatives and the Secretary of the Senate. This is the proposal that has been offered by the Johnson Administration. It is rivaled by a bill that has Republican support, the Ashmore-Goodell bill. Both measures were introduced in 1966, and although neither passed, it has been interesting to note the impact of the latter proposal on the Administration bill in at least three areas:

1) Registration of political committees.

2) The making of political contributions in the name of another.

3) The financing of national conventions.

The 1966 Administration bill offered nothing in these areas, while the Ashmore-Goodell bill (HR 18162) covered them very adequately. In the re-introduced 1967 version of the Administration bill (S 1880), these gaps have been filled by provisions closely resembling those of the Ashmore-Goodell bill, also re-introduced. The remaining difference is in the method the Ashmore-Goodell bill provides for the dissemination of the collected material. It establishes a bipartisan Federal Elections Commission, composed of five members, appointed by the President to ten year terms.

The Commission is charged with developing the general forms necessary to facilitate prompt and accurate reporting, and with the responsibility for making comprehensible reports available to the public. It is charged with issuing reports comparing campaign costs with past elections, devising a system for cross-indexing the records, and preserving the information on individual contributors.

The National Director of the National Committee for an effective Congress stated:[42]

"We agree with Senator Scott and others who have urged the creation of a Federal Elections Commission which would have this responsibility (receiving, recording, and publicizing the information) as its sole concern. Such a commission would be able to quickly establish uniform methods of reporting and bookkeeping, to process the incoming data rapidly and efficiently and to effectively *publicize* this information which is the real key to any meaningful disclosure legislation."

The difference was also characterized by Robert C. Albright, writing for the *Washington Post*, in the following term:[43]

"The President's bill requires full reporting of campaign receipts and expenditures, but the reports would be filed as at present with the Clerk of the House and the Secretary of the Senate, without strong enforcement provisions.

"In contrast the House bill (Ashmore-Goodell) would create a new Federal Election Commission with power to make audits, subpoena witnesses, conduct investigations and report suspected violations to law enforcement officers.

The Republican Co-Ordinating Committee has been on record since December of 1965, in favor of such a proposal. It issued a statement calling for:[44]

". . . the establishment of a fact-finding Advisory Commission on Voting and National Elections with equal representation of the two major parties. This commission, armed with authority to subpoena witnesses, would determine by investigation and hearings whether violations of the law had occurred and, if so, would recommend prosecution to the appropriate state or federal agency."

The other approach to election law reform is a limitation on the size of contributions and/or expenditures. As has already been seen from the Assistant Attorney General's testimony, current limitations on expenditures have been totally useless. Both the President's Commission and the Republican Co-Ordinating Committee Report, *Toward Fair Elections in America*, urged the abolition of spending limits on committees and for offices.[45] Both the Administration's election reform proposal and the Ashmore-Goodell bill provide for the abolition of these ceilings, while maintaining the ceiling on individual giving and strengthening the provisions to insure their enforcement. In regard to the latter concept Senator Gore has said:[46]

"If the concept of one-man one-vote is to have practical validity we should limit the degree to which one individual's influence on the outcome of an election may be determined by the size of his pocketbook."

But the Senator goes on to endorse the importance of issue development and maintenance of a ceiling on general expenditures in a campaign:[47]

"I think it would be a great mistake to eliminate altogether the idea that there should be a ceiling on how much may legally be spent, leaving only the sky as the limit.

"The legitimate purpose of campaign expenditures is to inform the electorate as to issues in the campaign and the views of the candidates, so that the voters may make a wise choice. Expenditures beyond that amount may tend to obscure issues and the views of the candidates and, in effect, be designed to 'sell' an image of a candidate rather than who the candidate really is and what he stands for.

"Ceilings can be made effective if the candidate is made responsible for the conduct of his campaign.

"I do not think it is asking too much to require a candidate to authorize committees to spend money in his behalf and to include the amount spent by authorized committees in the over-all ceiling applicable to that candidate's campaign."

The arguments that are used to offset the sentiment of the Senator from Tennessee hold that it has been impossible to enforce ceilings in the past so it will continue to be impossible to enforce them in the future. The question is, then, how can someone place faith in a disclosure system and at the same time maintain that such disclosure will not reveal a record of contribution and expenditures detailed enough to establish the level of total spending for the campaign?

The other attendant difficulty is that of determining a reasonable level of expenditure that would allow the candidates to effectively reach the electorate. The most rational approach to this problem would seem to be determining a formula based on an allowable expenditure per vote figure that, when multiplied by either the eligible or registered voters in a constituency, would provide the maximum level of expenditures for any office sought—district, state, or national. Research and testimony from the campaign experts on both sides of the Hill would probably serve to establish such a formula.

Both bills maintain and strengthen the contribution limit of $5,000 per person per candidate. The Ashmore-Goodell bill also takes steps to uphold sanctions previously imposed by Congress on contributions by corporations or labor unions.

In 1907 the progressive vigor of the country was directed to impose restrictions against direct corporate contributions to federal campaigns. This prohibition was extended by the Smith-Connally Act in 1944 and the Taft-Hartley Act in 1947 to include labor unions.[48]

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[39] *Op. cit.*, Attorney General Vinson.

[40] *Op. cit.*, Scott.

[41] *Op. cit., Towards Fair Elections in America.*

[42] Effective Congress before Subcommittee on Privileges and Elections, June 20, 1967.

[43] Robert C. Albright, *Washington Post.*

[44] *Op. cit., Towards Fair Elections.*

[45] *Ibid.*

[46] *Senator Albert Gore* before Privileges and Election Subcommittee, June 27, 1967.

[47] *Ibid.*

[48] *Regulation of Political Finance.*

The spirit of both sanctions has been violated. Corporate donations in the form of convention book advertising and donations of goods or services have been deducted as business expenses. (The Williams Amendment, passed in 1966, barred deduction of advertising in convention books.)

The labor unions have managed to circumvent the intent of the law through political education divisions such as the AFL-CIO's COPE, or the Teamsters Union's DRIVE. V. O. Key's comments would certainly be applicable to this group when he said: [49]

"Expenditures by lobbying and 'educational' organizations may fall outside the statutory definitions of reportable expenditures."

Both the recommendations of the President's Commission on Campaign Expenses and the provisions of the Ashmore-Goodell bill call for tightening of prohibitions against the partisan participation of these two special interests.

Section 610, Title 18 of the United States Code prohibits direct partisan campaign expenditures and contributions by labor unions or corporations.[50]

The Ashmore-Goodell bill would tighten this law in several ways. It amends the section cited to include "any organization or association which is supported financially by a corporation, trade association or labor organization from its own funds." [51]

Such legislation would cover not only such groups as COPE, but also groups like Business Industry Political Action Committee (BIPAC), and the political action arm of the American Medical Association.[52]

Another problem that the Ashmore-Goodell measure seeks to attack is that of special interest influence in respect to gifts, an area not covered in the 1967 Administration measure. The bill calls for the disclosure of:

"The total sum of gifts of money (except contributions as defined in Section 201) received by him, his wife or minor children, on his behalf during the reporting period and not stated under paragraph (1)."

There is another provision which requires disclosure of honorariums:

"Each statement required by this section from a candidate or Senator or Representative shall disclose—

1) the full name and mailing address of each person from whom he or anyone on his behalf received any honorarium within the reporting period; the amount or, if not money, identity and value thereof; and the name and address of each person for whom such service was performed;

2) the description of the service performed;

3) the aggregate amount of honorariums received by him."

The Washington Evening Star of August 9, 1967, reported that an effort to amend the Administration proposal to include such material was defeated by a 6-3 vote in a Senate Subcommittee.

Disclosure is a complex approach to the problem of expenditure control. There are those who feel that a strong, complete, preelection disclosure law, with strong enforcement measures included in it, would be a useful substitute for all other forms of control. It would seem that full disclosure, if it can be achieved, would also make possible the enforcement of realistic spending ceilings.

Finally, when the whole problem of campaign costs is examined, there are many other alternatives that should be examined. Research should be undertaken concerning the effective and efficient use of campaign materials. Corruption and waste can be trimmed from campaign expenses. Suggestions for use of the public air waves in the public service should again be examined.

Exploration of the feasibility of these ideas would help to break away from the concept expressed by Alexander and Denny when they said: [53]

"Neither new laws nor revisions of old ones have significantly attempted to encourage the reduction of political costs through means other than limitations."

The first action that Congress must take is to remove the influence of special interest, both by disclosure and through the encouragement of increased citizen participation in campaign finance. Once that task is achieved, it should then turn to an examination of the technical aspects of the campaign process, in an effort to streamline and improve it.

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[49] *Op. cit.,* V. O. Key, p. 525.

[50] *Op cit.,* (2) Recommendation, 5,596, Scott Bill.

[51] 5,596, Scott Bill.

[52] Robert C. Albright, *Washington Post,* June 30, 1967.

[53] *Regulation of Political Finance,* Herbert E. Alexander, p. 5.

PRESS SUPPORT FOR GONZALEZ BILL TO STRENGTHEN THE RENEGOTIATION BOARD: FOURTH OF A SERIES

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, the Renegotiation Board has returned to the American taxpayer millions of dollars by recovering excessive profits on defense and space contracts. From fiscal year 1953 through 1966, the Board issued determinations of excess profits totaling $936,455,823. In addition, the Board has been effective in negotiating voluntary profit cutbacks. In fiscal year 1966, for example, the Board issued determinations of excess profits in the amount of $24.5 million, while voluntary negotiation resulted in $23.2 million in voluntary price reductions and voluntary refunds to the Treasury. And it is pertinent that the Board's predecessor, the War Contracts Price Adjustments Board, recovered $11 billion in excess profits during World War II.

When the present Renegotiation Board was created at the outbreak of the Korean war, any company with defense sales exceeding $250,000 in its fiscal year was required by law to file statements on all its contracts considered "renegotiable." But this floor was increased to $500,000 in 1954, and to $1,000,000 in 1956. Not only has the floor been raised, but exemptions have been enacted which have hampered the Board's effectiveness in combating war profiteering. Certain so-called competitively bid contracts are now exempt from renegotiation. Standard commercial articles and services, defined as those of which 35 percent or more are sold to private firms, are exempt now. Agricultural commodities are exempt. Contracts for new durable productive equipment are partially exempt. And so on.

The effect of these exemptions and the two-step increase in the minimum sales volume has been to greatly reduce the number of companies which file with the Renegotiation Board, and corresponding to reduce determinations of excessive profits.

A comparison of the number of mandatory filings illustrate the effect of these cutbacks in the Board's purview. In fiscal year 1952, 13,104 companies reported defense contracts in excess of the floor of $250,000, and were subject to renegotiation. Contrasted to this, only 3,387 companies were required to file during fiscal year 1966, under the present floor of $1 million and the present exemptions. This approaches a 75-percent reduction.

The large upsurge in defense contracts occasioned by Vietnam are reaching the fiscal accounting stage. Whether a significant number of these can be examined for excessive profits will depend upon whether the Board can be restored to its original effectiveness. I have introduced a bill, H.R. 6792, which would eliminate the main exemptions and restore the floor to $250,000.

Mr. Speaker, I have no doubt that war profiteering is increasing, in view of some shocking cases turned up relative to defense procurement procedures. Present controls are grossly inadequate. Whether or not companies with space and defense contracts but without scruple are permitted to pocket, unearned, the taxpayer's dollar is squarely up to Congress.

To date, I have received no support for my legislation to strengthen the Renegotiation Board from any Member of either body. However, several newspapers have supported my bill, and I have permission to insert the fourth in a series of these comments:

[From the Houston Chronicle, July 31, 1967]

CHECKUP DUE ON WAR PROFITEERING

Texas Congressman Henry B. Gonzalez took the floor of the House several months

ago to introduce a bill designed to curb war profiteering.

He contended that there has been an alarming growth of excessive profits taken by private firms in Defense Department procurement contracts. The San Antonio representative pointed out that government efforts to oversee contracts and expenses were far less than they had been during the Korean War.

No action has been taken on his bill which would rid the government's renegotiation board of some limitations upon its jurisdiction and what Gonzalez calls the many exemptions from renegotiation which special interest groups have obtained for themselves.

Charges last week that Colt Industries will make almost 1400 percent profit on resale to the government of manufacturing rights for the M-16 rifle should stir some interest in Rep. Gonzalez's proposals.

Of course only one side of the Colt story has been heard so far. It was the general counsel of the Army who estimated the profit on manufacturing rights and said there would be added millions in royalties and production guarantees. It's possible that Colt's side of the story would show a different profit picture.

However, the fact still remains that the United States is spending an estimated $2 billion a month in Vietnam and little has been done to check on procurement expenses to determine if the charges and profits have been excessive.

Gonzalez says that restoration of the renegotiation board's authority to the Korean War level is long overdue. He's right.

SOVIET TROUBLEMAKING IN NIGERIA

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. RESNICK. Mr. Speaker, Americans, regardless of faith, place a high value on human life, which they regard as a sacred gift. Whenever and wherever they see thoughtless killing, they react with revulsion and indignation, and seek to bring moral pressure to bear to halt such bloodshed. I rise to bring to the attention of the House a situation of just this nature, complicated by Soviet Russian troublemaking.

It is occurring in Nigeria. Earlier this year, before the present war broke out between the Federal Government and the secessionist eastern region which now calls itself Biafra, I visited all sections of Nigeria. I formed a high regard for the people of that country, and the hope that they could resolve their differences in a way that would permit Nigeria to develop its potential as a great nation.

Unfortunately, the differences between the eastern region and the Federal Government were not resolved. Instead, the people of the east, predominantly Ibos, felt compelled to proclaim the establishment of an independent nation they called Biafra, and the Federal Government responded by sending troops to crush what it considered a rebellion.

So long as this remained a war between two military groupings, the United States proper role was to stay out. What we see happening now is of a different reaction. Instead of soldiers killing soldiers, innocent civilians, women and children as well as men, are being murdered—there is no other word for it.

Reliable reports reaching me indicate that these killings already are on a large scale, and carry the clear warning that unless there is a cease-fire in the next week to 10 days, they will reach the proportions of genocide. Federal troops now are penetrating deeper into Biafra, the homeland of the Ibo people. The Ibo recall that Federal troops slew 30,000 of their tribe in the north a year ago, and just last month singled out Ibos in the midwestern city of Benin, chained them together, and machine-gunned them to death. They hear shocking reports that when Federal troops entered the university town of Nsukka they killed so many people that it was necessary to dig a mass grave for them.

Faced with this record of Federal troop behavior and having nowhere to retreat, the Ibos have the choice—if it is a choice—of fighting a guerrilla war to the death or surrendering and risking probable slaughter. The Ibo leaders—most of them men educated in American colleges and proponents of the American way—say they have been told by Federal officials that they are marked for death. The Soviet Government, which has sent planes and several hundred Russian specialists, most of whose names I have in my files, would rejoice in this tragedy.

Humanity impels us to call for a cease-fire before the extermination of the Ibo people. Some of the most shameful events of the 20th century involve genocide where the world has done nothing but wring its hands after the event. This time let us speak before it is too late.

It may be asked, "What can we say that the Federal side will listen to as long as it has hope of military victory?"

We can say as a friend that the wisest course now would be one of magnanimity. We can commend to their attention the words of Abraham Lincoln:

> With malice toward none, with charity for all . . . let us strive . . . to bind up the Nation's wounds . . . to do all which may achieve . . . a just and lasting peace.

It would be a victory that wins nothing if the surviving people of the most advanced section of the country are so embittered by killings of family and friends that they have no heart to participate in reconstruction and development. The threat of force may keep them from open resistance but it cannot enlist the enthusiastic cooperation that will be so urgently needed. The Russian arms that some Federal officials so eagerly welcomed can kill and maim the body, but they cannot win over the human spirit.

Time is running out. Let us use every available forum to call for a halt in the killing. As an expression of the feelings of individual Members of Congress I am circulating a resolution calling for a cease-fire and the dispatch of impartial observers. I hope many of my colleagues will join in this nonpartisan, humanitarian document which will be sent to the Secretary of State with a request that it be transmitted to both belligerent parties as well as to the Organization for African Unity, the United Nations, and the International Red Cross.

Let those who would put innocent civilians to the sword know that the world is watching and their deeds will not pass unseen. Let the men of good will on both sides be encouraged to insist on civilized behavior by their soldiers. Let them take satisfaction not only in the moral rightness of such efforts but in the knowledge that they will make it possible for the United States and other friendly countries to assist them in the heavy task of reconstruction that lies ahead.

We cannot reward genocide by extending friendship and aid to the killers of innocents. We can join hands with those who demonstrate they are truly members of the family of man.

THE FARM BUREAU'S BUSINESS EMPIRE IN ALABAMA

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. RESNICK. Mr. Speaker, for several months I have been compiling material showing that the Farm Bureau, far from being an organization of farmers, is really a gigantic, expanding complex of insurance companies and other profit-making businesses.

Each step of the way, as I have uncovered new facts, I have brought them to the attention of this distinguished body and the American public. Despite the detailed documentation that has accompanied all of my charges, I am sure that some skeptics still remain. It is not easy to demolish two generations of blind faith. Besides, it is understandable that the skeptics may have remained somewhat doubtful because most of the revelations have had a single source; namely, my office. And, after all, one must admit that Washington is a long way from the scene of the action in Trafalgar, Ind.; Tullahoma, Tenn.; Evergreen, Colo.; and Tonganoxie, Kans.

For this reason, I think my distinguished colleagues will be particularly interested in reading the following story published as a feature on October 8, 1967, in the Birmingham News, a fine, authoritative daily in Birmingham, Ala. The article was researched and written entirely in Alabama by Ted Pearson, a reporter whom I have never met or spoken to, but who I am told enjoys an excellent reputation as a responsible and accurate journalist. I did not even know the story was written until an interested reader in Birmingham took the trouble to send me a copy.

While I do not necessarily agree with all of the conclusions in this article, it is an excellent exposé of the far-flung big-business activities of the Alabama Farm Bureau. For example, the reference to their supposedly low insurance premiums is very misleading since it

overlooks the fact that you cannot buy a Farm Bureau policy without buying a membership for a $12 fee. The article also overlooks the spectacular rise in the personal fortunes of the principles of the Alabama Farm Bureau and the companies it owns and operates. For example, one of their top officers went to work there not too many years ago for a nominal salary. Today he owns, or until recently did own, a substantial interest in a Chevrolet dealership in Auburn, Ala., an interest in one or more finance companies in Mobile, and was a director of a newly organized bank in Mobile. He also owns interests in construction companies and housing developments in Montgomery. Furthermore, while it is true that the business organizations operated by the Farm Bureau pay their fair share of taxes—with the exception of their cooperatives—the fact is that the Farm Bureau itself does not pay any taxes on the net income it receives from these enterprises. I would also hope that Mr. Pearson's future articles on this subject will reveal in fuller detail the extent of the Farm Bureau's multimillion-dollar involvement in real estate, much of which is speculative.

Considering its enormous range of business activities, the Farm Bureau must have a difficult time keeping a straight face every time it tells the Internal Revenue Service, legislators, and hard-working farmers that it is a farm organization.

If any skepticism remains about the real purpose and aims of the Farm Bureau, this exposé in the Birmingham News should dispel it for good.

The article referred to follows:

[From the Birmingham News, Oct. 8, 1967]

MANY EGGS IN FARM BUREAU BASKET

(EDITOR'S NOTE.—A familiar name has been bobbing up in the news in recent weeks: Farm Bureau. Alabama's Farm Bureau played a key, controversial role in property tax debates in the recent legislative session at Montgomery, and it has been active in other political areas. Nationally, Farm Bureau as a whole has been attacked hard by Rep. Joseph Y. Resnick, D-N.Y., on the claim it has used its tax exempt status to grow into a great business combine contrary to public interests. The time is well suited for a comprehensive profile, a close examination of just what the Farm Bureau is in Alabama—what it does, how it acts, what it thinks, its role in politics, business, agriculture and social affairs. This is the first article of a four-part Alabama Farm Bureau profile.)

(By Ted Pearson)

To so many thousands of Alabamians, Farm Bureau is a well-known name with a limited meaning.

They look upon it as an organization committed wholly to helping the farmer do better with his crops, buttonholing politicians in the farmer's behalf, and writing insurance on farm families and what they own.

Farm Bureau is all that, to be sure.

But it's also much more.

Farm Bureau in Alabama is far bigger than most people realize. Its umbrella spreads out over a maze of business, political and social endeavor so extensive as to make its very name too limited and inadequate. Its membership roll shows more than 100,000 members, each paying $12 yearly dues.

Curiously, within its scope is this paradox: Farm Bureau is big enough to wield a heavy impact on the face of Alabama business and the fabric of Alabama politics, but is small enough to be a family affair.

And Farm Bureau is not just a weld of farmers and farming. People who wouldn't know a disc harrow from a turning plow belong to it—and the most urbane of Alabama citizenry are unknowingly touched by its magnitude.

In capsule form, here's a look at Alabama's Farm Bureau today:

It operates three separate insurance companies with combined assets of nearly $32 million and direct premium income of nearly $13 million a year. One of these companies is the second largest auto insurance company in Alabama. Together, they rank high up on the list in all types of insurance sold.

In partnership with Farm Bureaus in four other Southern states, it owns and manages a giant life insurance company with assets of $132 million and insurance in force of nearly $1.6 billion.

Through these far-flung insurance operations, it has become a major property owner and landlord, holding an extensive amount of commercial, residential and speculative land and buildings with market value high in the millions.

Among its many property holdings are two of Alabama's largest, most profitable shopping centers, both acquired within the last two years: Eastwood Mall and Five Points West in Birmingham.

It is a merchandiser with more than a million dollars in sales of a limited line of products principally automobile and truck tires. It's looking around for more lines of merchandising to get in.

It does a brisk business in mortgages of various kinds.

It has one of the most active, aggressive and influential political lobbies on Capitol Hill at Montgomery, although its political power appears to be fading somewhat, victimized by the urban-favoring reapportionment of the Legislature as a reflection of the rural-to-urban population migration.

While it does all this, Farm Bureau carries through a masterfully organized, expertly conceived program of looking after and promoting the welfare of the farmer and his family.

Technically and legally, the giant, tax-exempt, nonprofit Alabama Farm Bureau Federation doesn't engage in the purely private, profit-making business functions under its protective wing and guiding hand.

But practically it's all under the same roof. Only corporate lines, and the tax regulations and other laws governing business corporations, separate Farm Bureau from its business enterprises. The management is the same, and some of the managers and members of Farm Bureau have direct financial interest in the business operations.

The Farm Bureau Federation's 18-member board of directors, elected annually at statewide conventions, is also the board of directors for the insurance and merchandising operations. The president of the Federation is the president of the allied companies. Some officers of the Federation hold positions with the adjunct firms.

While the Farm Bureau Federation itself pays no taxes, the companies it runs pay taxes, license fees and other legal assessments by governmental agencies at the same rate and on the same basis as all other companies in those fields. Whether the tax-exempt status of Farm Bureau has been a contributing factor to its gaining such a strong foothold in profitable fields of business is argued pro and con, but no clear-cut conclusions have yet emerged.

It is, however, both insufficient and unfair to say Farm Bureau is a tax-exempt operator of big business, as some of its critics have done, and let it go at that. Literally, that may be true, but the impression thus rendered is erroneous for Farm Bureau's business operations in Alabama are taxed just like everybody else.

The insurance and merchandising operations of Alabama Farm Bureau are not, in any way, in the nature of co-ops with special or exempt tax status. They operate as individual tax-paying corporations formed and managed by the Farm Bureau management.

Profits of the three Alabama-owned Farm Bureau insurance companies are distributed two ways—part into the companies' treasuries for reserve and growth, and part into dividends paid to policyholders. Profits from merchandising of specialized items by a separate Farm Bureau company are so negligible that nobody gets dividends; the profits, in effect, go to Farm Bureau's member-customers at the time they buy tires, batteries or other items in the form of low prices in which normal profit margins are left out. Farm Bureau's claimed premise for this approach is service to members, not profit.

Nevertheless, both the insurance and merchandising operations have been enormously successful.

Insurance, by far, is the field in which Farm Bureau has racked up its greatest business successes.

The three companies within Alabama and operating out of Farm Bureau's state headquarters at Montgomery are the Alabama Farm Bureau Mutual Casualty Insurance Co., Alabama Farm Bureau Mutual Insurance Service Co., and Federated Guaranty Mutual Insurance Co. They write a wide array of insurance: Fire, windstorm, extended coverage, farmowner and homeowner multiple peril, automobile, livestock and machinery, accident, medical.

Over the last five years, they have collected nearly $50 million in direct premiums, $12.7 million in 1966 alone. In those five years, their combined net income totaled nearly $4.4 million. Some of the profits go back to policyholders as dividends credited against future premiums due, and the rest is retained in reserve and surplus for continued growth and future investments.

One apparent reason for success of Farm Bureau insurance in Alabama is the lower premiums charged on many coverage policies. For example, the six-months cost of auto insurance for 100 per cent farm use and in comparable types of protection is listed by national companies at $55.30. Farm Bureau's nearest competitor in Alabama lists a cost of $49.40, while Farm Bureau's rate is $41.30. Similar lower rates exist on other than straight farm use, and the Farm Bureau companies post lower rates in other types of coverage as well.

How is this done? Farm Bureau's insurance managers say they have no secrets. They say it's simply a matter of good management, wise investment, slicing through old-line insurance tradition by cutting corners that tradition-bound companies cling to, and linking insurance selling to the wonders of computers.

Aside from its three Alabama-based insurance companies, Alabama's Farm Bureau owns one-fifth of the Southern Farm Bureau Life Insurance Co., a firm headquartered in Jackson, Miss., which wrote $214 million of insurance during 1966 to bring its in-force insurance up to $1.6 billion.

This life company ownership interest lies in another Farm Bureau subsidiary called the Alabama Farm Bureau Investment Corp. It, and similar Farm Bureau investment subsidiaries in Arkansas, Kentucky, Mississippi and Texas, owns all the common stock. But there are also a number of preferred shares owned by individuals, including Farm Bureau officials and leaders in those states.

The company does business not just in the five founding states, but in seven others as well. Its management ties to Alabama's Farm Bureau is reflected in its roster of officers and directors: J. D. (Jimmy) Hays, the Alabama Farm Bureau president, is a vice president and director of the life company, and two other directors are Walter L. Randolph, longtime Alabama federation president until his 1961 retirement, and State Sen. Walter C.

Givhan, director and secretary-treasurer of the Alabama Farm Bureau.

Of Southern Farm Bureau Life's $1.6 billion insurance in force, $220 million is in Alabama. Last year, the company reported net income from operations of $2.9 million and investment income of $5.4 million—total net profits of $8.3 million.

Through insurance, and merchandising, and property investments, Alabama's Farm Bureau is making a major impact on the business face of the state.

Rarely is there an organization founded solely for the welfare of a single economic or social group that has branched out so profoundly into areas of competitive business. Farm Bureau is that rarity.

POVERTY PROGRAM

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. HANLEY. Mr. Speaker, a short while ago, the syndicated columnist, Miss Ruth Montgomery, wrote about the success of the Upward Bound program. Since the House will soon be considering the poverty bill, I would like to share some of Miss Montgomery's thoughts on the matter of the poverty program.

I am particularly interested in this article because Le Moyne College, to which she refers, is in my congressional district. I was intimately involved in the funding of the Upward Bound program at Le Moyne and feel a great satisfaction over the way in which it has succeeded. It is a prime example of the good which can come out of the poverty program. Miss Montgomery's column follows:

[From the Syracuse Herald-Journal, Oct. 4, 1967]

UPWARD BOUND PAYS!

(By Ruth Montgomery)

WASHINGTON.—Of all the altruistic schemes unveiled by chieftain Sargent Shriver in the war on poverty, Upward Bound was the one voted least likely to succeed. Critics were hard-put to conceive of a more pointless boondoggle than treating poor high school students—below average scholastically—to summer study courses on college campuses at taxpayers' expense. I-told-you-so was the common reaction, after the project was launched, two years ago, because many of the slum kids literally turned their backs on the teachers, and refused to participate in classroom discussions.

Nonetheless, the early returns are remarkably encouraging.

Poverty Chief Shriver says that whereas the usual rate of college extrance from the poverty population is eight per cent, a phenomenal 78 per cent of Upward Bound seniors went on to college last year.

This finding is supported by the experience of LeMoyne College and the percentage is still climbing.

More than 83 per cent of the 1967 Upward Bound graduates are enrolling in colleges, universities and trade schools this fall, an astonishing figure in view of the fact that a year ago these students had a dismal C-minus grade average in high school.

If most of them stick with the tax-financed program for the full four years, their increased earnings will eventually more than repay society through their income taxes as well as brain power.

Most of the 250 colleges that gambled on the program by waiving standard admittance requirements for Upward Bound students are enthusiastic with the results.

In fact, at Wesleyan University in Connecticut nearly 11 per cent of this fall's freshman class will be Upward Bound students.

Shriver explains the early success of the program in these terms:

"Individuals who have learned from birth to scrape an existence out of the most meager surroundings acquire a depth of wisdom and maturity not ordinarily found among sons and daughters of more affluent classes."

RESOLUTION SUPPORTING MAXIMUM FISH PRODUCTION AS AN ADDED SOURCE OF FOOD SUPPLY

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. BYRNE of Pennsylvania. Mr. Speaker, the Honorable Paul D'Ortona, president of the City Council of Philadelphia, has brought to my attention Resolution 354, which was adopted unanimously by the council on October 4, 1967. Since the production of food is of vital importance to the growing population of the United States, and the entire free world, I am bringing this resolution to the attention of my colleagues:

RESOLUTION 354

Resolution memorializing the Congress of the United States to help in the building of a powerful Merchant Marine fleet to insure maximum fish production as an added source of food supply for the growing population of the United States, and the entire free world

Whereas, World population growth has been projected at such a high rate that a similar projection of food supply will not be able to support the peoples of the earth unless new sources are found; and

Whereas, The sea is such a source, proven by scientific research, with its vast marine life and untold quantities of food; and

Whereas, The Soviet Union during the past ten years has built a powerful Merchant Marine fleet, which may possibly make them the leaders in the vital field of fish production and research before 1975; therefore

Resolved, By the Council of the City of Philadelphia, That the Congress of the United States is hereby memorialized to implement the following program that will add to the food supply of the United States, and the entire free world:

1. Place restrictions on imports of fish and fish products to a maximum which can be reduced as our fish production is increased;

2. Increase subsidies for the construction of fishing vessels to assure a fleet which could compete with the Soviet Union;

3. Provide aid programs to the fishing industry to increase production;

4. Provide for long-term low interest rate loans to enable small operators to improve their fleets;

5. Encourage the development of fish farms to aid both production and marine research; and

6. Encourage the construction of new shipyards specializing in the building of fishing vessels utilizing modern fishing techniques.

Resolved, That certified copies of this Resolution be forwarded to the President of the United States, the Vice-President, the President Pro Tempore of the Senate, the Speaker of the House of Representatives, and to all the members of the Congress from Pennsylvania, as evidence of the concern of this legislative body.

PAUL D'ORTONA,
President of City Council.

Attest:

NATHAN WOLFMAN,
Chief Clerk of the Council.

THE POVERTY PROGRAM

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. EDWARDS of California. Mr. Speaker, in 1964 the antipoverty program was introduced by President Johnson to "open the gates of opportunity" for those to whom they had been closed. Dedicated Americans were enlisted in the war against poverty, and Congress committed Federal funds to the battle. Now, only 3 years later, are we to concede the victory to those who fear that an influx through the opened gates might crowd them a little too much?

In Kentucky's Pike County a group of those dedicated Americans, the Appalachian Volunteers have apparently been too successful in making the poor more visible and vocal. The AV's—whose efforts preceded the Federal war on poverty but who are now heavily funded by the OEO—have been teaching the Kentucky mountaineers the importance of confronting their problems together, and taking control of their own lives. But those who profit by maintaining the status quo—in this case the system of strip mining—have been frightened into cries of "sedition," and accusations against "Communist sympathizers." Mr. James C. Millstone, of the St. Louis Post-Dispatch, has movingly chronicled the story of these antipoverty fighters, and the fight against them. His article captures the mood that I fear characterizes too much of our society today, and, yes, even these hallowed Halls. Are we to sit by and let those Americans who have enlisted as soldiers in the war against poverty be told to "Halt"; and even worse, are we to be the ones who issue the order?

Mr. Millstone's articles follow:

KENTUCKY GRAND JURY CHARGED ANTIPOVERTY WORKERS WITH SEDITION—FEAR OF COMMUNIST TAKEOVER GRIPS PIKE COUNTY RESIDENTS—APPALACHIAN VOLUNTEERS HAVE HELPED HILL PEOPLE FIGHT STRIP MINING

(By James C. Millstone)

PIKEVILLE, KY., September 16.—Deep within the lush green hills that protect eastern Kentucky from the outside world, a restive, troubled summer is ending on a note of hysteria.

A Pike county grand jury concluded this week that the Communists have decided to commence their takeover of America right here. The grand jury indicted five persons on charges of sedition.

Armed with documents confiscated by police in raids on the homes of two antipoverty

workers, the jury found evidence that violent overthrow of the county government was in the offing, with dirty work to be performed by armed groups of "Red guards." It placed much of the blame on the federal antipoverty program.

Harry M. Caudill, an outspoken attorney from neighboring Letcher county and something of an ideological maverick hereabouts, denounced the report as "grotesque, preposterous and outrageous." But his was a minority voice.

A more popular view was expressed by Robert Holcomb, president of the Pikeville Chamber of Commerce, and also of the National Independent Coal Operators Association.

"We know that these people are Communists," he said. "There are no ifs, ands or buts about it. They had established a base here. They intended to take over the county."

In the five weeks between the raid and the grand jury report, the imaginations of local citizens have been given free reign. Fathers have expressed concern that their sons might be subverted. Holcomb told this reporter without equivocation that the suspects had converted to Communism some local persons, including a woman antipoverty employe who heretofore had led an exemplary life in Pike county.

Redmond Woodall, a hardware store employe, who lived in Island Creek, a farm community a few miles from here, illustrated the snow-balling effects of fear and rumor when he said:

"Rumors have been around here that there's two of 'em (antipoverty workers) a-livin' up there on Island Creek. I've heard they go out of a night. If they're what we heard they are, we want 'em out."

Some citizens tell of a training school having been run by the antipoverty workers to teach Communism. Holcomb said that some of those at the school undoubtedly wound up fomenting the summer riots in Newark.

A specially convened federal court in Lexington brought a note of sanity to the situation late Thursday when it ruled Kentucky's sedition law unconstitutional and ordered the five defendants freed.

Whether ridiculed or taken seriously, the grand jury's actions, following three months of unrest in the backwoods hills and hollows over the ticklish issue of strip mining, carried implications extending far beyond the mountain barrier. It brought the nation's antipoverty program to another crossroads, testing once again whether Americans really want to allow the poor to assert themselves; it injected a strident new campaign issue into the state gubernatorial election and it raised the intensity of the strip mining controversy another decibel.

To sort out what has happened in eastern Kentucky this summer, it is necessary first to introduce an antipoverty organization known as the Appalachian Volunteers and to define the Kentucky brand of strip mining.

The Volunteers, known as AV's, came into existence ahead of the war on poverty, in the early days of the late President John F. Kennedy's program to improve economic conditions in Appalachia. A group of students at Berea (Ky.) College, began spending weekends helping to build and paint backwoods schools for the children of poor Kentucky mountain folk.

When the Office of Economic Opportunity put its war on poverty into operation, the AV's were organized well enough to qualify for the first OEO grant. Gradually the organization shifted from weekend college volunteers to full time field men operating in three states—West Virginia, Kentucky, and Virginia—and its representatives went into the hills to discover how they could help the poor mountaineers deal with the basic problems that kept them in poverty.

A watchful OEO recognized the AV's as a spearhead and did nothing to discourage their innovations, even when community action agencies, dominated by local political leaders, began to complain that AV personnel were not cooperating with them.

This year the AV's received more than $1,000,000 in federal funds, accounting for 90 per cent of their budget. There are about 60 fulltime AV's in the field, more than half of them in Kentucky. OEO has assigned VISTA volunteers to work with the AV's and many more summer volunteers were sent to the AV's for training and assignment.

A few months ago, the AV's made a policy decision to start helping the hill people organize in their fight against strip mining. "Our field men were getting a tremendous amount of community concern about it in every one of the counties where we were working," explained Tom Bethell, an AV official in Whitesburg, Ky. From that point, AV stock with eastern Kentucky political and business leaders began to slip.

Kentucky is one of the great coal producing regions of the world, with 33 billion tons of coal still embedded in its hills and valleys. Some of the richest seams run along the state's most glorious scenery. In the last 10 years, coal operators have come to favor strip-mining the coal—that is, removing the dirt and rock on top of it, then lifting it out with huge shovels—rather than sinking the traditional deep shaft.

Strip mining leaves the land scarred and torn, causes erosion, destroys timber and wildlife. Houses have been crushed by boulders and slides from mountain-top stripping. Many mountain people have been ruined by strip mining and Kentucky law has given them no redress.

Last year the State Legislature, at the bidding of Gov. Edward Breathitt, passed a strip mining control act, but it has failed to improve the situation. A major reason was the political muscle of the coal operators in eastern Kentucky, where coal is the one and only industry.

In the past two years, groups of mountaineers made largely ineffective protests against stripping. But it was not until this summer that an organized movement of poor landowners won an actual victory over a coal operator.

On June 29 a resolute farmer named Jink Ray stood in front of a bulldozer to prevent the operator from starting to strip his land. His stand, aided by as many as 24 neighbors, attracted much publicity and eventually brought Breathitt to the scene. The Governor, in a bold and unprecedented move, took Ray's side. On Aug. 1, the state revoked the operator's permit.

One of the men who helped Ray was Joseph Mulloy, an AV field representative for Pike County. On Aug. 12, a raiding party led by Pike county sheriff Perry Justice entered the homes of Mulloy and Alan McSurely, a field worker for a civil rights group known as the Southern Conference Education Fund based in Louisville.

The raiders confiscated huge amounts of literature from both homes. Pike county Commonwealth Attorney Thomas Ratliff, by coincidence a Republican candidate for lieutenant governor, called it "a Communistic library out of this world." The McSurely collection, Ratliff said, included a "white paper" on how to "take over Pike county from the power structure and put it in the hands of the poor." Mulloy, McSurely and McSurely's wife, Margaret, were charged with violating Kentucky's sedition law. They called the charges a smear intended to crush the strip mining fight in eastern Kentucky and drive the AV's out.

Attorneys for the defendants then took the case to federal court, contending that the Supreme Court has already outlawed state sedition statutes. The three judge court upheld their contentions.

Among the conclusions of the county grand jury were these:

(1) "A well-organized and well-financed effort is being made to promote and spread the Communistic theory of the violent and forceful overthrow of the government of Pike county."

(2) "Communist organizers have attempted, without success thus far, to promote their beliefs among our school children by infiltrating our local schools with teachers who believed in the violent overthrow of the local government."

(3) "Communist organizers are attempting and planning to infiltrate local churches and labor unions in order to cause dissension and to promote their purposes."

(4) "Communist organizers are attempting to form community unions with the eventual purpose of organizing armed groups to be known as 'Red guards' and through which the forceful overthrow of the local government would be accomplished."

In addition to indicting the original three defendants, the jury also named Carl Braden of Louisville, and his wife, Anne, who head the Southern Conference Education Fund. Kentuckians recognized the names immediately. Carl Braden is the only man in the state's history to be convicted of sedition.

In 1954, Braden sold his home in a white section of Louisville to a Negro. Shortly after the sale, the house was dynamited and Braden was arrested for advocating sedition. His conviction was overturned on an appeal.

Ratliff and his supporters insist that neither the coal controversy nor politics had any connection with the arrests, and the grand jury so found. The fact remains that the Commonwealth's attorney, a decided underdog in the state-wide November election, is expected to profit handsomely from his association with the case. Some observers think he is in a good position to upset his Democratic opponent.

Antipoverty workers are convinced that coal interests supplied the real reason for the arrests and Harry Caudill, a longtime foe of the coal operators, agrees with them. Ratliff says he no longer has any coal connections, but he concedes that he made a fortune in the coal business. He once served as president of the Independent Coal Operators Association.

An OEO investigation into the arrests found that they were motivated by both economic and political interests. OEO is watching the situation nervously. There have been demands that the agency drop its funding of the AV's, and with troubles of its own OEO finds one more controversy difficult to bear.

How it decides to deal with the AV's may tell a lot about the future direction of the war on poverty.

LATE-NIGHT ARREST BEGAN KENTUCKY SEDITION CASE—AFTER 5-WEEK ORDEAL IN ALLEGED RED PLOT, ANTIPOVERTY WORKER GOES BACK TO WORK IN HILLS

PIKEVILLE, KY.—The sound of two automobiles pulling into the driveway broke the stillness of the night. In the kitchen of the ramshackle two-story house in the Pike County backwoods, Joe Mulloy looked at his watch. It was 12:30 a.m. Footsteps on the porch. A heavy banging on the door.

"This is the law," someone called. "Open up."

Mulloy, shirtless, looked at his young wife, Karen, and shrugged. He knew he was about to be arrested on a charge of sedition. He was not quite certain what that meant—something to do with disloyalty, he thought. Nervous, yet curious, he walked toward the front door.

Three years of antipoverty work in the remotest hollows of Appalachia had taught Mulloy a lot, but he was hardly prepared for the events that followed. Who could have been? For from the moment Mulloy unlatched his screen door to admit a carload

of Pike county deputies Aug. 12, believability and reality vanished.

In the days to come, Mulloy would find himself accused of fomenting a Communist plot to overthrow the government of Pike county, Ky., by force of arms.

Looking back on it last week, Mulloy could afford a glimmer of amusement. Last Thursday, a three-judge federal court in Lexington, recognizing a circus when it saw one, rule that Kentucky's sedition law was unconstitutional. It forbade Pike county from prosecuting Mulloy and four others who were also supposed to have a part in plotting the violent coup of the local government.

But the five-week interval between arrest and the court's decision was anything but funny. It was—in the words of Dan Jack Combs, the stocky, tough-talking Pikeville lawyer who defended Mulloy—"a tyrannical attempt by local public officials to deny these people their rights and their liberty. What happened here must be akin to what was prevalent during the witch-burning days at Salem, Mass.

Curly-haired Joe Mulloy was especially upset because he does not consider himself an outsider. He was born in Kentucky and reared in the west end of Louisville. He majored in English at the University of Louisville and later at the University of Kentucky. At U.K., he began working with the Appalachian Volunteers, a group of college students who devoted their weekends to repairing schools that served poverty-stricken people in the mountains of eastern Kentucky.

When the AV's expanded to a full-time program, Mulloy dropped out of school to become a field representative for the organization. By then the AV's had attracted heavy financial support from the Office of Economic Opportunity and had fanned out to develop a close relationship with some of the poorest and remotest Appalachian mountaineers.

Last spring, Mulloy, 23 years old, moved to Pike county, the largest and easternmost county in the state, and now the largest coal-producing county in the nation. He began organizing efforts among the poor to cope with some of their onerous problems.

One such project was the Marrowbone Folk School, incorporated in June, a community center to serve about 6000 persons in a seven-mile-long hollow where large mines shut down a few years ago and left destitution. The center was planned for educational and recreational purposes, for conferences and training groups, and for discussion of community problems such as improving the impossibly rutty roads in the hollow, obtaining a decent water system and developing some kind of money-making business for the residents.

Mulloy pushed the idea of organizing welfare recipients to assure that their rights were protected. But the bulk of his time was devoted to encouraging land-owners to band together to prevent strip coal mine operators from ruining their land.

On occasion Mulloy worked with Alan and Margaret McSurely, a young couple who came to Appalachia to join the AV staff but who wound up affiliated with a left-wing civil rights group known as the Southern Conference Education Fund.

McSurely, 31, came from the Washington area. With a master's degree in psychology, he had worked as a juvenile court counselor in Fairfax, Va., a Washington suburb, and later joined the War on Poverty as director of suburban programs for Washington's community action agency. His wife, 28, a Tennessee native, was also a Washington antipoverty worker.

Pike County officials said early this summer that they began to hear rumors of strange goings-on among the anti-poverty workers around Pikeville.

Commonwealth's attorney Thomas Ratliff, a wealthy former coal operator and Republican candidate for lieutenant governor of Kentucky, said he heard reports that antipoverty workers were dirty, immoral. The man who rented his house to Mulloy wanted Mulloy out. He told Ratliff he saw a lot of questionable material around the house. There were reports of demonstrations, people being taught to sing, "We Shall Overcome."

The Marrowbone Folk School appeared to be intended to stir up class hatred, turn the poor against the rich. A busload of strangers showed up for some kind of training course at McSurely's house—"Looking like hippies, dressed like Li'l Abner," Ratliff said. (It turned out that they were Peace Corps and Vista volunteer trainees receiving a six-day training course on Appalachian antipoverty work.

Sheriff Perry Justice sought out Mulloy and warned him to take care, observing that outsiders teaching strange notions had been targets of violence in Pike county in the past. Nelson Radwan, director of the Pikeville Chamber of Commerce, went out to Mulloy's house to see what they were up to.

"They were dirty. The house was crummy," Radwan recalled.

There was a picture on the wall that Radwan identified as Raul Castro. He concluded that "something funny was going on" and after mulling it over for a few days told a friend, "I'll bet they're a bunch of Communists."

The clincher may have been the discovery that McSurely worked for the Southern Conference Education Fund. A little checking on the part of Robert Holcomb, president of the Chamber of Commerce, disclosed that SCEF was headed by Carl Braden of Louisville, infamous among all good Kentucky right-wingers as a man convicted of sedition in 1954 after selling his house in a white section of Louisville to a negro. (The conviction was overturned on appeal.) So far as Holcomb and a good many other "patriots" in Pikeville were concerned, Braden was a known Communist.

On the afternoon of Aug. 11, the county judge and five of the eight county magistrates convened en banc in what Dan Jack Combs described as "some sort of star chamber proceeding." They swore and heard testimony from several witnesses with complaints against the McSurlys and Mulloy. Warrants charging sedition were issued.

At 7:30 o'clock that night, as the McSurlys were sitting down to dinner, Sheriff Justice, Ratliff, one of the magistrates and deputies whose number has been estimated variously at from 10 to 20 surrounded the house, entered, conducted a two-hour search and confiscated cases of books, letters, diaries, bankbooks, income tax returns, memoranda and other documents.

Ratliff appeared surprised to see a bible among McSurely's possessions. "What is this doing here?" he asked. The volume was left behind. The McSurely's were arrested and then taken to the county jail.

Some of the raiders dropped out; others went on to the Mulloy house. Mulloy had been awakened and advised of McSurely's arrest by a mutual friend, so he was unsurprised by the midnight intruders.

"There were eight or nine altogether," he recalled. "Four or five rushed in and pushed me to the center of the room, then handcuffed me with my hands behind my back. They fanned out through the house. The sheriff walked in and read the warrant and informed me of my rights.

"He asked me, 'is there anything you want to say?' I said, 'Yes, it's kind of cold. I'd like to have a shirt.' He took the cuffs off so I lowed the men around the house. They were could get on a shirt, then my wife and I folthere about 45 minutes."

Confiscated from Mulloy were all his files including AV business, income tax returns, personal letters and college notes. Books taken included "Quotations of Mao," "Poems of Chairman Mao," "The Essential Works of Lenin," "Great Russian Short Stories," "Corridors of Power" by C. P. Snow, "Catch-22" by Joseph Heller and "The Other Side" by Thomas Hayden and Staughton Lynd, Mulloy handed a deputy a copy of Ramparts magazine featuring an anti-Vietnam war article, and this was added to the collection.

The raiders passed up two books by Barry M. Goldwater and Robert Welch's John Birch Thomas Hayden and Staughton Lynd. Mulloy was arrested on a sedition charge.

An intense round of legal jockeying followed, with Combs trying to block any state action until a federal court could decide his challenge of the legality of Kentucky's sedition law. At one point Ratliff agreed to delay further action—specifically saying that he would not present his evidence to a grand jury.

Nonetheless, a county grand jury reported on the case last Tuesday, concluding that a Communist plot was in the works to overthrow the county government. To the surprise of Combs and most others, the jury handed down sedition indictments not only against the McSurelys and Mulloy but also against Carl Braden and his wife, Anne. Braden, Combs said, had come to the county only once, to deliver bond for McSurely, and Mrs. Braden had never set foot here.

Pikeville, meanwhile, was in the throes of hysteria, and a public clamor rose against the Red menace.

"I am not a nut on this thing," prosecutor Ratliff, who call himself a liberal Republican, told this reporter. "Frankly I laughed about these things when I first heard them.

"Then I got into this material, and I became convinced. After reading 2000 letters and umpteen pamphlets and articles, I believe that these people not only mean business but are doing business in this county."

Even after the federal court ruling stopped the prosecution—and Ratliff said he hoped to appeal that ruling to the United States Supreme Court—the residue of fear and smear remains. Ratliff said the whole episode was beneficial because it clarified the law and disclosed "the waste of money" in federal antipoverty programs. He plans to exert every influence to rid his county and state of the AV's, who he said were "absolutely ineffectual."

That assessment is not shared by persons who have worked with the AV's and who are familiar with their efforts. In fact, some antipoverty officials regard the AV's as the only present hope for bringing help to the poor of Appalachia.

Combs, like Ratliff the son of a coal miner and a Pike county native, views the lessons of the last five weeks far differently from the commonwealth's attorney.

"Many of our public officials think they have a divine right to serve and that some people have a divine right to be subjugated," Combs said. "Here we have so-called outsiders coming in and working to alleviate the plight of our poorest people, and the people responsible for those conditions suddenly get up on their high horse and call them un-American and want them run out.

"Our public officials have ignored their responsibilities and have used their power to actually deny these people their rights. The paradox is that the people who are trying to protect constitutional rights are the ones branded as Communists, and the ones attempting to deny freedoms are the heroes."

As for Mulloy and the McSurelys, they are returning to work among Pike county's poor.

"This whole thing has helped me," Mulloy said. "It has gotten the word out to a lot of people. They have seen what a bunch of idiots they have for public officials."

STRIP-MINING FEUD IN KENTUCKY

(By James C. Millstone)

WHITESBURG, KY.—Head down, shoulders slouched, John Brown picked his way up the steep mountain. Far below, nestled in the valley where he had made his home for 38 years, his white frame house and the rough outbuildings behind it were specks on a green carpet.

In every direction, rising from the narrow valley, the eye beheld wave after forested wave of quiet beauty. Even the silence seemed pure, broken only by an occasional bird call, the buzz of a locust.

Climbing through thickening forests, Brown stopped, his head cocked. A new sound intruded, a distant rattling noise.

"Now you can hear 'em," the farmer said. "The bulldozers."

The noise grew louder as he approached the ridge. And then he was at the edge, looking down on a dreadful sight. What once had been a wilderness mountaintop was now a scarred moonscape with jagged rocks and monstrous boulders and gray-brown dirt pouring over the sides, sliding down into the next valley. Great trees hung at crazy angles, their trunks splintered and fractured. In the cup-shaped open sore that once was a mountain, massive machines tugged and ripped at the land, trying to move the dirt on top to get at the object of the destruction—the coal.

"He's been just about everywhere around here," John Brown said in a quiet drawl. "It's a sight the way he's tore it up."

"He" was a strip-mine operator, Don Nicewander, who had been at work on this Letcher county mountain for a year and now had reached John Brown's property line.

Brown was determined that the bulldozers were not going to cross that line. Every day for the last three weeks, since it became obvious that Nicewander was coming his way, Brown trudged up the mountain to back up his determination with action. He was not certain what he would do, but he meant to stop that bulldozer.

Furthermore, Brown was getting some help from an unexpected quarter. Not long ago a young fellow from Minnesota, Mike Shields, had rapped on his door. He introduced himself as a Vista volunteer working for an antipoverty organization called the Appalachian Volunteers.

Mike had heard about Brown's forebodings and had offered his services. He had gone around knocking at other doors along the Dry Fork section of Letcher county and found plenty of others who wanted to get together to help Brown stop the bulldozers. They were Billy Howard Cook and Otis Cook and Charlie and Trubie Cornett and Garfield Tyree, among others. They were having meetings and trying to organize a plan of action. Mike and other AVs were going to help them protest to state officials.

Now his seamed, sun-darkened face expressionless, Brown tried to explain why he felt so strongly.

"I've got 16 kids," he said. "I put one through college and four through high school, and I've still got eight in school. I worked in the mines for 35 years and then I'd come home and work this farm. This land was wore out pretty good when I came, but I rotated my crops — beans, 'taters, corn, cane — and I've got it in good shape now.

"I worked all my life from dawn to dark to put my kids through school and fix up this place, and I don't want it tore up now."

The dilemma facing John Brown has become a common crisis in the coal-rich hills of eastern Kentucky. The pros and cons of strip mining have confronted the people of the state with an agonizing controversy. It is an issue that has favored rich man over poor, coal operator over landowner. And ironic though it may sound, the authority of the state has backed exploitation rights over property rights.

The fact of the matter is that, even though John Brown does not want Don Nicewander to enter his property, the coal operator has the legal right to mine there. The reason is a peculiar Kentucky anachronism known as the Broadform deed.

Broadform deeds are titles to mineral rights granted by east Kentucky landowners nearly 100 years ago, before strip mining was known. Owners of the deeds have the right to remove coal by any method, including destruction of the surface, and Kentucky courts have held that such deeds give strip miners the right to operate over the objection of the land owner.

"This wretched document has haunted Kentucky and brought ruin to its mountain people," the Louisville Courier-Journal said recently.

In these anguished words, the newspaper explained what can happen to the owner of land that has been strip-mined:

"The farm from which he drew a living can be bulldozed into a rubble of stinking mud and rock. The stand of timber on which he depended for old-age income can be ripped off and shoved down the side of the mountain. Acid runoff from the resulting mess can flood and poison his pasture. Boulders and mud can threaten his house and garden. The pleasant valley which he has tended and enjoyed can be turned into a reeking eyesore. And there is not a thing he can do about it."

That last sentence is not quite accurate. Jink Ray, a Pike county mountaineer, and Kentucky's lame-duck Gov. Edward T. Breathitt, together with the AVs and a grassroots eastern Kentucky organization called Appalachian Group to Save the Land and People, have done and are doing something about it.

Last year Breathitt persuaded the Legislature to pass a control bill that was intended to prevent strip mining on the steepest slopes and to assure that all strip-mined land was planted and left in shape to be reclaimed eventually. Coal interests warned that the law would kill coal mining in Kentucky.

There is general agreement today that the law has failed. Some blame lax enforcement, others say the statute has too many weaknesses. The reclamation section is a hoax, critics say, because once a mountaintop has been lopped off, no effort by man can make it whole again. A small but growing point of view is demanding that strip mining be prohibited in eastern Kentucky, where the rugged slopes and the heavy annual rainfall increase the dangers of erosion and slides into the valleys where the people live.

Despite the law, the coal operators remained in firm control. Strip mining actually doubled in the last year. Landowners faced a dim future.

Enter Jink Ray. A mild-mannered, bespectacled mountain man, Ray has owned a small piece of land on Island creek near Pikeville for 46 years. His home is built in a tight hollow surrounded by steep mountains. A stripping operation began too near his property line in late June, and Ray was sure that he was in danger. He felt certain that debris would roll down on his house, that he would lose valuable timber and that resulting erosion would wash him away.

On June 29, when the first bulldozer started across his property line, Ray stepped in front of it. The machine was halted. Over the next few days the confrontation continued until it had attracted national attention. Ray was supported by his neighbors who had organized a chapter of the Appalachian Group to Save the Land and People, and by the AVs, who preached organized efforts as the only effective method of countering the political strength of the coal operators.

Breathitt finally intervened, and through his efforts the stripping permit of the coal operator threatening Ray's property was canceled. It was the first time a Kentucky landowner had bested a coal operator short of violence.

Coal interests were furious and have not yet recovered from the blow. They recognize a distinct threat to their livelihood.

No one is yet sure of the extent of the impact of the Jink Ray episode. It has aroused the interest of city groups, such as the League of Women Voters, in the strip-mining controversy. It has made politicians painfully aware of the need for some kind of change, and this is an election year in Kentucky.

Certainly it has spurred organization of additional landowner groups by the Appalachian Group to Save the Land and People. AV and Vista workers have dared the wrath of local officials in a number of counties by talking up the potential of landowner organizations.

Many persons attribute the sedition arrests of three antipoverty workers in Pike county last month at least in part to hard feelings over Jink Ray's victory.

Certainly there is evidence that the mountain men are no longer willing to accept without a fight the consequences of strip mining. They are learning to abandon their traditional isolation from one another for the common good.

Thus John Brown is optimistic that he will be able to prevent the strip mining of his land.

"Mike and them have helped me a right smart," he said, referring to the work of the AVs. "The boys are doing good. If everybody stays with me that says he is with me now, I think we're going to come out all right."

FIGHT ON ANTIPOVERTY FIGHTERS

(By James C. Millstone, a staff correspondent of the Post-Dispatch)

PIKEVILLE, KY.

Pike County needs help. Tucked away in rugged mountains, difficult to reach, burdened with heavy unemployment, dependent on a single industry, coal, it confers on a substantial number of its people a grim, hunger-panged past and a bleaker future.

Pike county is Appalachia in microcosm. Nearly one quarter of the county's residents are functionally illiterate: 45 per cent of the 13,084 families are poor, twice the percentage of the typical American county. In family income, 97 per cent of the counties in the nation are better off than Pike.

Yet for the last two months, some of Pike county's leading citizens have devoted their time to discrediting and driving out a small band of young men and women, who are trying to alleviate poverty here.

And although these efforts have bordered on the absurd, culminating in allegations that the antipoverty workers were bent on overthrowing the county government by violence, they stand a strong chance of paying off. The tragedy facing Pike county and the rest of the forgotten land of Appalachia is that a genuine attempt to bring hope and humanity to the poor is in danger of destruction.

The focal point of the threat is an antipoverty organization known as the Appalachian Volunteers. Little noticed until recently, the group has been at work among Appalachia's poor for four years and has expanded its influence since 1966, thanks to grants totaling $2,460,000 from the Office of Economic Opportunity.

Today heavy pressure is being exerted on R. Sargent Shriver, director of OEO, to drop federal funding of the group when the current grant expires next May. Although a final decision cannot be expected for months, informed sources in OEO consider the volunteer group's future dark.

The organization's leaders insist that the Volunteers will remain in business regardless of whether they continue to receive fed-

eral funds. At the same time, they concede that they will have to reduce sharply their activities if OEO drops them. OEO now provides about 90 per cent of the money on which the group operates.

Supporters extol the Volunteers as the only real hope for promoting the kind of change that offers the eastern Kentucky mountaineers a chance to escape a life of poverty.

Harry M. Caudill, a Whitesburg, Ky., lawyer and historian, told the Post-Dispatch: "People have been coming in here promising to do something for our people for years and they never accomplished a thing. The AVs are far and away the most effective organization ever to come into eastern Kentucky."

A source within OEO who has worked with the group and with other Appalachian antipoverty organizations said that the Volunteers operated "the most significant program in the area."

"There isn't much else going," he said. "The local establishment is in total control of the community action programs. No one else is willing to organize the poor to take on the power structure."

The very techniques that made the group something special got the Volunteers in trouble with local powers. One reason that Appalachian poverty has been defied solution is the remoteness of the poor. The Volunteers went into the hollows and found them, talked to them, listened to them.

Director Milton Ogle explained the group's philosophy.

"We feel that it is very important that all people begin to play a much more active role in the problems that affect their lives," he said. "Our primary goal is to help mountain people realize that they are capable of solving the problems in their communities if they will utilize their own experience and the assistance which can be made available to them."

A sampling of the group's projects might include helping a community buy equipment to improve roads and buildings, forming marketing organizations for sale of products such as quilts and wood carvings, building community centers for education and recreational programs and promoting organizations of landowners to oppose strip mining.

Ogle conceded that the Volunteers had made mistakes, had promised more than could be delivered, had spread themselves too thin and had failed to carry through some projects. A notable omission was the organization's failure to open lines of communications with local political and business leaders.

Thus, while winning friends among the poor and among some liberals familiar with their work, the group began to annoy political leaders. The strip-mining issue, a sore point in coal-rich eastern Kentucky, brought the opposition into the open.

At the same time, Kentucky's other antipoverty officials resented the Volunteers. For the most part, community action programs were vested in the hands of county courthouse politicians who found themselves unable to dictate the Volunteers' policy.

Unfortunately for the Volunteers, their detractors sat in high places. In Pike county, the organization ran afoul of Robert Holcomb, president of the politically powerful Independent Coal Operators Association, the Pikeville Chamber of Commerce and Thomas Ratliff, Prosecuting Attorney and Republican candidate for lieutenant governor.

Holcomb told the world that the group's workers were nothing more than "Communist sympathizers on the federal payroll." The group's program, he declared, "is being used to teach insurrection and rebellion, not against poverty but against the entire system of democracy that we call our great American way of life."

Ratliff charged Joe Mulloy with sedition after raiding his home last month. He then assailed the entire poverty program as "a prime example of the way not to spend money."

Undeterred although a federal court blocked his prosecution of Mulloy and four others rung into the sedition case, Ratliff made no secret of his intention to exert all his influence to keep the group out of his county in the future.

The smear engineered by Ratliff and Holcomb had its effect on higher authority. Gov. Edward T. Breathitt of Kentucky leaped to the conclusion that the group was a liability and demanded that Shriver cut off the program in Kentucky. He may have been influenced by a recommendation of Albert Whitehouse, director of the state antipoverty program.

Long unhappy with the independence of the Volunteers, Whitehouse accused them of open rebellion against community action agencies and was vainly trying to force Washington to place them under his authority. When the attack on the group's patriotism occurred, Whitehouse added his voice to the chorus of opposition to continuation of the program in the state.

Shriver almost caved in immediately, seemingly agreeing to Breathitt's request. But after two weeks of uncertainty, the OEO director disclosed that the group's funding would continue as scheduled until next May. At that time, he said, consideration would be given Breathitt's request for an end to the organization's programs in Kentucky.

In recent weeks, Ogle and other Volunteer officials and their friends have made several trips to Washington in the hope of mending fences. The Citizens Crusade Against Poverty, a private group, has attempted to rally a liberal coalition to the group's cause. Nonetheless, OEO insiders consider their leadership shaky on the subject of renewing the group's funds.

Ralph Caprio, assistant director of the Citizens Crusade and once an OEO official, regards the group's story as a test of the federal antipoverty agency's intentions for the future.

"It's a good program," he said. "It is one of the few that takes seriously the participation of the poor. We think it is instrumental to the antipoverty program in Kentucky."

THE NATION'S ECONOMIC WELFARE IS THE VICTIM OF GOP POLITICS

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, to tax or not to tax is no longer in question.

This Congress knows that all economic signs point to the fact that the President's tax surcharge must be enacted if we are to avoid the terrible consequence of an overheated economy.

Mr. Speaker, raising taxes—even in such a modest way as the President has requested—is not a popular thing to do. But the American people understand that the alternative to this tax surcharge is the real threat of inflation and tight money that will cost them much more in the long run.

The people also know that a tax increase can be rescinded by Congress; but inflation and tight money cannot be voted out of existence.

Yet, Mr. Speaker, the Republicans have sought to muddy the waters over this tax proposal. They have raised the phony issue of cuts in Federal expenditures as a substitute for the surcharge proposal. And they have demanded that the President trim $5 billion from the budget before the surcharge can be considered.

Mr. Speaker, this is the height of political irresponsibility. For the Republicans are determined to oppose every move the administration wants to undertake to head off the dangers of an overheated economy.

In essence, the Republicans are playing politics with the savings and investments of the American people. They are willing to score a few political points at the expense of America's economic security. By their overwhelming opposition to the President's proposed cutbacks in Federal spending and their negative attitude toward the surcharge proposal, they are dooming millions of citizens to extreme financial hardship.

This is cruel and selfish politics. And I am certain that the American people will not forget this incredible Republican performance on election day 1968.

But this is small satisfaction, Mr. Speaker, in a matter so vital to the national interest as the tax surcharge proposal.

This Congress must rise above blind and mindless Republican opposition and do its duty to the Nation. America needs this tax increase if it is to preserve its economic health and fiscal soundness.

Time is running out, Mr. Speaker. We must act—and soon—to pass this measure.

As President Johnson told us in his tax message:

> There are times in a Nation's life when its armies must be equipped and fielded, and the Nation's business must still go on. For America that time is now.

I can only add, Mr. Speaker, that for the 90th Congress "that time is now."

THEODORE SORENSEN ON VIETNAM

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. OTTINGER. Mr. Speaker, Theodore C. Sorensen, one of the original New Frontiersmen, a man who has been close to both President Kennedy and President Johnson, has written a perceptive, thought-provoking article on the war in Vietnam for the current issue of Saturday Review magazine.

Ted Sorensen is uniquely qualified to write on Vietnam and knows, as few Americans know, what conflicting pressures have been brought to bear on the President as he has sought a solution to the tragic conflict in which we have become so deeply involved. It is heartening that he has concluded, as have I and many of my colleagues, that the United States must call an unconditional halt to our bombing of North Vietnam as part

of a program to determine whether it would be possible to achieve a just and honorable peace through negotiations.

I commend Ted Sorensen's article to the attention of my colleagues and present it herewith for inclusion in the RECORD:

THE WAR IN VIETNAM: HOW WE CAN END IT

(By Theodore C. Sorensen)

(NOTE.—Theodore C. Sorensen, former Special Counsel to Presidents Kennedy and Johnson, is a Saturday Review editor-at-large.)

I have not previously spoken out publicly against our course in Vietnam. My years in the White House made me more conscious than most private citizens of the burdens our President bears, more aware of his unique access to information, and more unwilling to add fuel to the fires of dissension within my party and country. But I believe that the President's friends and supporters today can best serve him as well as the country by speaking out: Not by offering oversimplified solutions or personal criticisms; not by questioning anyone's motives or credibility; not by reflecting on the skill and courage of our fighting forces; but by helping to seek before it is too late a reasonable, feasible course in Vietnam that offers some hope of achieving an early peaceful settlement—a course with costs and risks more proportionate to America's interests than this present avenue of expanding escalation and slaughter.

"Your government should understand," a Russian diplomat said to me as we lunched last August in Moscow, "that we are obligated to do for the North Vietnamese whatever they ask us to do. If they ask us to send bombers, we will send bombers. If they ask us to send men, we will send men." This was not delivered as a threat nor was it surprisingly new. But it helped point up for me the urgency of our stopping World War III now before it starts.

I realize that it is difficult for a great power to alter its course—but the Soviet Union pulled its missiles out of Cuba (and received world praise for doing so). I realize that it is difficult for our proud nation to acknowledge error instead of compounding it—but we did exactly that at the Bay of Pigs.

I do not say that we have wholly erred in Vietnam or that we should precipitously pull out our troops. Nor am I concerned here with many of the other disputes surrounding that war. The Senate will long debate the legal basis for our involvement, the alleged choices between Europe and Asia, and the effect of the war on our prestige, politics, and priorities. Historians will long debate over how and why we got into Vietnam, who first breached the Geneva Agreement, whether it was originally a civil war, whether another President would have acted differently, whether Congress was consulted adequately, and whether the various past precedents cited—from Munich to Malaya—are meaningful. What concerns me now is not the past but the future.

What concerns me now is the prospect of an endless war in which the original issues (to say nothing of the Vietnamese people) will have long been forgotten, in which each gradation of American escalation will continue to be offset by more troops from the North and less help from the South. What concerns me is the prospect of a frustrated, aggravated, bitterly divided America, irritated at its increasing isolation from the world, unable to accept its inability to bring this upstart to heel, under growing pressure from a growing military establishment, consequently pouring in more men, bombing out more targets, and finally, in desperation, mining or blockading the Haiphong harbor or even invading the North by means of a permanent excursion across the demilitarized zone or an "Inchon-type" landing behind that front line. Then the entry of Chinese and possibly Russian "volunteers" will be a very real threat and possibly—even without our destroying North Vietnamese dikes, bombing MIG bases in China, or occupying Hanoi—an inevitable fact, as inevitable as the fact that their entry will lead eventually to a world-wide nuclear war. The tragic irony of it is that all this could happen without our advancing one single step nearer to our original goal of a terror-free South Vietnam.

We have already moved in recent years from limited counterinsurgency to all-out combat, from 15,000 advisers to 500,000 troops, from a war fought largely by South Vietnamese forces in the South to a war fought largely by American forces both North and South. Each stage of escalation has brought a response from the other side requiring more escalation, bringing a further response from the other side requiring still more escalation. When two doses of penicillin failed to help the patient, we gave him four, then six, now eight. It is high time we realized that penicillin is not what this patient needs, and more can only poison him.

To be sure, we cannot now lose the war. We have prevented the kind of large-scale North Vietnamese assaults that might have destroyed all hope for self-determination and survival in the South. There is no prospect now that the Communists can push our forces into the sea or impose their rule by conquest. Nor is there any prospect now that we will abandon to slaughter those South Vietnamese who stood up against a Communist military takeover. But this country has to face the unaccustomed and uncomfortable fact that, despite all the brilliance and valor of our fighting forces, their lives are being given for a war which—in terms of achieving our *total* objectives, political and moral as well as military, in all Asia as well as Vietnam—we are not "winning" in the traditional sense and cannot ever expect to "win."

We are not "containing" the Red Chinese when we create a vacuum on their borders into which they will inexorably move unless we stay forever—when we increase North Vietnam's dependence on Chinese imports—or when we erode South Vietnam's institutions, traditions, economy, independence, and spirit.

We are not "winning the war for men's minds" among the South Vietnamese people, much less "pacifying" their country, when we level their villages, burn their crops, dominate and prolong their war, work primarily with the privileged few entrenched in both their military and government, and place half a million free-spending Americans into that tiny, impoverished, and now inflation-ridden country.

We are not demonstrating the futility of Communist "wars of liberation" to an army that soon returns to rule by night those areas from which we have temporarily driven it; nor are we deterring similar attacks in Thailand or elsewhere when we stretch our forces thin in Vietnam.

We are not "defending our national interest" when we endlessly divert more than two billion tax dollars a month away from our cities and schools and overseas friends for a war that, much as we dislike the word, is producing at best only a stalemate.

I read all the predictions that victory is just around the escalation corner—but I heard those same predictions three and four and even five years ago. I read all the rosy statistics on how many Communists we have killed and captured and induced to defect—but still their number keeps growing. I read all the claims on our bombing successes in the North—but still the infiltration southward continues. I read all the statements that this is a joint effort with South Vietnam and others—but still we are doing more and more of the fighting and dying. And, finally, I read all the assurances that neither the Russians nor the Chinese will intervene—but at the same time Washington experts acknowledge that neither Peking nor Moscow could tolerate a North Vietnamese defeat.

General Westmoreland calls it a war of attrition. That it is—a war of attrition pitting American youth on the Asian mainland against an Asian foe which has not yet begun to tap its immense manpower reserves. Most of the time that foe is a Vietnamese guerrilla—a tough, cunning, elusive warrior who knows every hiding place in his native land, who is fed and shielded by the people we are supposedly there to defend, and who believes that someday his children will push out the Americans just as his elders pushed out the French.

Even if the old-fashioned kind of military victory in Vietnam were possible, it would require an indefinite occupation of that country by American troops under constant attack from such guerrillas. But such a victory is not possible against an enemy that keeps coming and fighting, as it has for twenty years and as it seemingly can for twenty more, suffering heavy casualties but also inflicting them, hiding in the hills or brush, disappearing literally underground or by mingling with civilians, eluding our "search and destroy" missions and then returning, controlling or terrorizing virtually as many villages and roads, and assassinating or kidnaping virtually as many South Vietnamese local leaders, as it did before we arrived.

If countering this kind of guerrilla warfare requires, as the Pentagon has said, that our forces outnumber theirs by a lopsided ratio of 3 or 4 or even 10 to 1—and if, in addition, we must take over the immense and unfamiliar task of nonmilitary "pacification," and do it without a nonpartisan civil service, without the goodwill of the people, without effective land distribution or respect for the South Vietnamese troops or cooperation from their intellectuals—then where do we obtain the manpower to offset the gradual tapping of Communist reserves? Not from our Asian and Pacific allies who have, on the whole, shown very little enthusiasm for propping up with their own forces what we have warned could be the first of the falling dominoes. Nor are there unlimited reserves still available to the South Vietnamese army, whose brave but poorly paid and dispirited soldiers are still too often led by corrupt and politically controlled officers more imitative of the Vietcong in brutally interrogating civilians and prisoners than in risking their own comfort in combat.

It is small wonder, then, that one American military leader has said that 2,000,000 U.S. troops will be required to root out the terrorists in the South, village by village. But if the other side keeps growing through recruitment and reinfiltration, despite escalated bombings and electronic barriers, even 2,000,000 may not be enough. And what would an American commitment of 2,000,000 men do to our force levels at home and around the world? What, finally, would it do to the South Vietnamese themselves?

"In the final analysis," said President Kennedy in the fall of 1963, "it is their war. They are the ones who have to win it or lose it . . . the people of Vietnam." But as we pour in more troops, destroying in the process their economic stability more effectively than the Communists have ever done, it has become *our* war. We have the largest fighting force. We suffer the largest fatalities. The South Vietnamese people, weary after twenty years of warriors and foreigners, divided by rival sects and provincial politics, seem simultaneously to resent and prefer our taking over their battle. Many of the young leaders and scholars upon whom the country's liberation must ultimately depend are reported openly cynical and skeptical of the American presence. The present military gov-

ernment with which we are identified—now popularly elected but still far from universally accepted—seems incapable of understanding any real opposition or dissent, and incapable of undertaking any serious land reforms or serious peace negotiations.

A more viable, representative, and reform-minded civilian government, possessing real strength in the grassroots as well as the cities, rallying the people after the fashion of the Philippines' Magsaysay, and offering true amnesty and amity to the Vietcong and true reconciliation to the North Vietnamese, might have at least been able to increase the rate of Communist defectors to a level exceeding South Vietnamese desertions. That has not happened, nor will it. But the strength, the morale, and the legitimacy of the present government in Saigon are at least sufficient now to permit our own country to pursue a different course.

I wrote in my book *Kennedy* that that Administration's objective in Vietnam was to gain time—time for the South Vietnamese, with our help and protection, to achieve a society sufficiently cohesive both politically and militarily to negotiate a balanced settlement. There is no reason now for us to refrain from concluding that such time is finally near at hand. The South Vietnamese have expressed through their elections a longing for peace and the beginning of constitutional rule. The Communists have reason to know that they cannot win a final military victory. The Red Chinese, beset by internal strife and external setbacks, may be less able to interfere with negotiations. The Soviets prefer peace to a widening war. The National Liberation Front has dropped its resistance to the inclusion of other South Vietnamese in a postwar government, and the North Vietnamese, at least in the view of some, may again be indicating a genuine willingness to talk peace.

Their willingness, to be sure, has been conditioned upon our suspending indefinitely and unconditionally the bombing of the North. If that bombing had been clearly curtailing Communist infiltration and operations within the South, one could more readily accept our refusal on the ground that such attacks were a more effective way of saving American lives than attempting to interdict North Vietnamese lines in the South. But in fact, despite our constant expansion of targets to include all those of genuine military importance, Secretary of Defense McNamara has acknowledged that the infiltration of North Vietnamese forces has continued to grow—infiltrating over countless routes, by boat and truck and bicycle and foot, under cover of jungle or darkness. In the South they live off the land whenever their supply trains are delayed. In the North, they obtain replacements overland through China whenever their supply depots are destroyed. On balance, the continued bombing, by increasing an embittered militancy in the North and thus prolonging the war, appears to be costing more American lives in the long run than it actually saves.

Heavy bombing has never been wholly decisive in any war. No one promised that it would be in this one. But let us leave aside the various inconsistencies in the various statements explaining our original reasons for bombing. The overwhelming weight of the evidence still fails to indicate that pounding that largely primitive, peasant economy with more bombs than we unloaded on all of Europe in World War II has brought us a single day closer to the hour of peaceful settlement. The overwhelming weight of the evidence still fails to indicate that the North Vietnamese resolve to resist has been weakened instead of hardened by these massive attacks on their homeland. The overwhelming weight of the evidence still fails to indicate that any feasible amount of bombing can ever prevent the North Vietnamese from infiltrating into the South all the men, arms, and food needed to sustain a low-level guerrilla war indefinitely.

To be sure, the bombing is not without effect. It not only boosts the morale of the Saigon government—a somewhat dubious justification—but punishes and pressures and pains the North Vietnamese. It makes their maintenance of reserves and supply lines, and particularly their transportation of large cadres and heavy artillery pieces, more difficult and more costly. It makes life harder and poorer for their citizens and their soldiers. But their life has always been hard and poor. They have never depended on cities or industries. They have known very little but war against the Japanese, the French, and the Americans during most of their lives. A still lower standard of living now, an inconvenient mobilization of manpower to repair bridges and railroads, an increase in shortages and terrors and casualties, do not add up to grounds for surrender, now that they have endured this much this long and have so little to lose but their lives.

There seems little to be gained, then, by our insisting upon a continuance of the bombing in the North. Suspending it will not produce a Communist military victory in the South, nor will it bring the collapse of any Saigon government worthy of our attention. But suspending it will, possibly with the aid of the new electronic "fence," confine the war to the South, where it must be won anyway. It will end the strain on U.S. aircraft crews badly needed for air support in the South, while reducing the costly loss of our aircraft and the humiliation of our captured pilots. It will limit the area our dollars must surely rebuild when the war is over. It will end the toll of North Vietnamese civilian casualties which embarrassingly but unavoidably grows as the list of our targets is expanded. And it will eliminate the single largest barrier to world support for our position and the single largest barrier to negotiations with Hanoi.

Bombing, we have now learned, cannot force negotiations but it may well be preventing them. There is no possibilty of the North Vietnamese engaging in talks while their homeland is being bombed. Inasmuch as the bombing can no longer be regarded as an indispensable means of securing our forces and objectives in the South, the time has come for us to suspend indefinitely and unconditionally our bombing of the North in order to test Hanoi's sincerity and see how it will reciprocate.

Accompanying such a suspension with conditions and deadlines will not work. The North Vietnamese will not respond to an ultimatum. Nor will they respond to our demand or even "expectation" that in exchange they stop sending men and supplies to South Vietnam—in effect stop fighting the war altogether—while we continue to fight. Naturally, no American is going to like it if and when the North's flow of troops and supplies to the South increases during such a suspension. We did not like it when fighting continued in Korea during the truce talks; but had we refused to talk, the loss of American lives there would surely have been higher. Today we must face the facts that prolonging the bombing cannot end the war or even the infiltration and that this impasse is costing us more lives than the bombing saves. Let us also face the fact that someday we will stop it—and the longer we put it off, the more difficult it will be for both sides to negotiate a reasonable settlement.

Indeed, there is already a danger that we have passed the point of no return beyond which neither the Hanoi regime nor the Administration in Washington could reach an accommodation with the other without the risk of being turned out of office. Bitterness and distrust are rapidly rising in both camps. Militants and military chieftains are gaining influence in both capitals. Each side is fearful that a cease-fire will cause a loss of momentum and morale, that negotiations will be only a cover for reinforcements. Each side believes that the other should pay the price of aggression, accept the blame, and make the first concession. Each side would prefer to postpone negotiations until he is clearly winning (at which time, of course, the other side would not negotiate).

Perhaps even now the North Vietnamese and the National Liberation Front are not interested in serious negotiations. Their recent public statements about peace talks have been largely bellicose, rude, and inconsistent. They appear convinced of their ability to outlast us, meanwhile bleeding us white. They do not wish to offend their largest neighbor, protector, and potential supplier, Red China, which would obviously prefer to see us hopelessly bogged down in Vietnam without risking one Chinese casualty, and which might well threaten the North Vietnamese with a disastrous interruption of supplies if they even talk with the Americans. The pro-Chinese faction in the Hanoi government is already said by some to be on the ascendancy.

But even if Hanoi is not now ready to negotiate, we can—instead of continuing the present treadmill into ever more dangerous, divisive, and self-destructive escalation—prudently de-escalate our war effort without harming our interests and with some hope that Hanoi will de-escalate also. Limiting our military commitments, objectives, investment, and assaults, meanwhile consolidating our position in the most populous areas of the South, would cost us fewer lives, less money, no territory, and no "face," while better enabling us to wait until outside events—such as divisions in the Communist camp—make negotiations more possible. Certainly our present course is not dividing the Vietcong from Hanoi or Hanoi from Peking, and indeed may end up helping to unite China for Mao or even Peking with Moscow.

But in fact we do not know with any certainty whether Hanoi and the Vietcong—together or separately—are now ready to negotiate. We have not stopped the bombing indefinitely to find out. We have not since one thirty-seven-day pause nearly two years ago accompanied our talk of negotiations with real deeds of de-escalation demonstrating our earnest good faith. We have not given to the pursuit of peace the same effort, ingenuity, and relentless consistency we have given to prosecuting the war. We have not prevented the Saigon regime from torpedoing the rise of civilian neutralist forces in the South capable of negotiating with the North and the National Liberation Front. We have not left those voices in Hanoi who might once have been concerned about their economy with much reason now to justify a cease-fire. We have not, to the best of my knowledge, adopted a concrete, mutually acceptable plan for negotiations—as distinguished from admirable but vague statements of principle—and communicated that plan to the North. Publicly, at least, we have not offered any of the concessions and compromises required by the military and practical situation for a realistic settlement, frequently implying instead only that we stand ready to negotiate the surrender of the Vietcong.

Most serious of all, we have not been sufficiently forthright or forthcoming in response to what may have been actual opportunities to start or explore negotiations. Perhaps we were looking for a different kind of "signal" and missed the one they sent. Perhaps we were plagued by poor translations, poor communications, or poor coordination on both sides. But whatever the reasons and whoever is to blame—and assessing it now will not help—we must in the future take more care not to spurn or ignore potential opportunities for negotiation, much less

deny their existence or escalate in response to them.

Such a posture would involve no weakening of our resolve or responsibility. President Johnson has called "the path of peaceful settlement . . . the only path for reasonable men." President Kennedy obtained withdrawal of the Soviet missiles from Cuba by giving attention to the olive branch as well as the arrows—by adopting a carefully measured combination of defense, diplomacy, and dialogue. Perhaps his ploy in that crisis of interpreting a Communist demand in his own terms, his response thus necessitating their reply, could be used now to initiate negotiations with Hanoi. Perhaps the good offices of U Thant, a resolution by the U.N. General Assembly, or a reconvening of the Geneva Conference could initiate talks without either side worrying about protocol or precedent. Perhaps we could invite the other side to the President's next summit meeting with our Asian allies. It would be more realistic, in my view, to seek a secret conference, with no mediator, arbitrator, or press releases, thus alleviating potential Chinese and other pressures. But the essential step is to bring together the combatants—and that necessarily means all the combatants, including the Vietcong.

Such talks are not doomed to end in disagreement and disappointment. After all, *both* sides are pledged to work:

First, for a return to the Geneva Agreement of 1954;

Second, for an end to hostilities and the withdrawal of all foreign troops and bases;

Third, for a neutral, peaceful, independent South Vietnam, free to determine in new elections its own political, economic, and social system, and its relationship or reunification with the North;

Fourth, for a government—if necessary (though neither Saigon nor the NFL has squarely faced this), a coalition government composed of all parties, as in the Laotian settlement of 1962—acting on behalf of all South Vietnamese citizens in accordance with the principles of universal suffrage, free speech, free worship, and meaningful land redistribution.

Agreement on the interpretation and implementation of these principles will not be reached quickly or easily. Such words as "freedom," "independence," and "neutrality" mean very different things to the two sides. Some form of international guarantees and supervision will be essential at least at the outset. But agreement should not be impossible.

Such an ending, while restoring South Vietnamese self-determination and preventing its conquest, would not leave the United States and its allies with any better position militarily than they had before the war began—but neither did the ending of the Cuban crisis or the Berlin crisis or even the Korean war. Such a settlement would also involve grave risks. It would endure only if both sides felt as a matter of practical self-interest that this kind of peace was preferable to war. Even then there would be no way of assuring the American people of the elimination of terrorists from the South, of the early departure of all American troops from Asia, or of the nonparticipation in the South Vietnamese government of one variety or another of Communists. Indeed, there is no negotiated solution possible that would not lend itself to bitter attacks in the Congress and pose continuing dangers for the future.

Thus, whatever quantities of national courage, understanding, and unity are required on our part today to fight and accept the war in Vietnam, they will be needed in twice those amounts to find and accept the peace. But find it we must. While we cannot overlook any dangers, neither can we overlook any opportunities. A new opportunity may now be approaching in the holiday season. We have been able to arrange in recent years a Christmas cease-fire in Vietnam. If we plan and work for it now, we can be prepared this Christmas to have the firing cease forever.

CONGRESSIONAL INITIATIVE IN AVIATION SAFETY

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. OTTINGER. Mr. Speaker, I commend my colleagues for their action today in rejecting by a better than 2-to-1 margin an attempt to reduce $26 million funds badly needed by the Federal Aviation Administration to increase air safety. In my view, this was a misguided effort to economize at the expense of American lives, and it richly deserved an overwhelming defeat.

While the action of the Congress in increasing FAA's appropriations for additional controllers and radar equipment is encouraging, it is appropriate to point out that this was a matter of congressional initiative. FAA never would have obtained approval of these additional funds were it not for the active concern of many Representatives and Senators that they were needed to save lives. It is my continuing and strong belief that the FAA simply has not been aggressive enough in promoting safety in the airways. Only under intensive questioning by members of the House Committee on Interstate and Foreign Commerce did the FAA Administrator admit that the Bureau of the Budget had disapproved funds needed for controllers and radar. Left to its own devices, the FAA would have been content to make do with a budget totally inadequate to meet today's needs.

Three weeks ago, I pointed out some 20 areas in which the FAA had been remiss. Many of these proposals involve little or no cost, requiring only new procedures or regulations. Yet, the FAA's reaction has been one of total indifference.

If the United States is to truly lead the world in aviation safety, the FAA will have to realize that the programs, procedures and personnel that were adequate 10 years ago are not adequate today and invite disaster in the future. I would hate to think that anyone in a position of public responsibility would play politics with the lives of those who use America's airways.

WALT W. ROSTOW: SECURITY RISK AND CHIEF ARCHITECT OF PROPOSED PANAMA TREATIES

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. RARICK. Mr. Speaker, since publication in the CONGRESSIONAL RECORD of July 17, 21, and 27, 1967, of the texts of three proposed new treaties with Panama affecting the Panama Canal, many of our thoughtful and patriotic citizens have written letters of protest, and some have requested the identity of the instigators of these treaties. Based upon extensive documentation in the CONGRESSIONAL RECORD over the last decade, it is unquestionably the Department of State that has been a dominant influence in the formulation of the appeasement policies that have had such disastrous consequences at Panama. These policies are directly responsible for bringing about the present situation in which U.S. sovereignty over the Canal Zone and ownership of the Panama Canal are endangered by the provisions of three mob-incited treaties.

In seeking information on precisely who in our Government is responsible for our policies at Panama, I find that Walt W. Rostow, now Presidential assistant for national security affairs, has been identified as the "chief architect"—Washington Observer, February 15, 1967, page 1, column 1. Before his present assignment in the White House, Dr. Rostow was chairman of the policy planning council of the Department of State starting in 1961, the year after the hoisting of the first Panamanian flag in the Canal Zone, and thus has been in a position to influence national policy over a period of years.

A news story from Washington, D.C., in the October 4, 1967, issue of the St. Louis Globe-Democrat, in commenting on the case of Otto F. Otepka, former top-level security officer of the State Department, reveals that Rostow was rejected three times for Government employment for security reasons.

Because of the importance of such revelations to the security of the United States, I quote the indicated news story as part of my remarks and commend it for examination by the appropriate committees of the Congress:

OTEPKA BRIEF SAYS ROSTOW WAS REJECTED THREE TIMES FOR SECURITY

(By Denny Walsh)

WASHINGTON, D.C.—Walt Whitman Rostow, now a special assistant to the President on national security affairs, was three times rejected by the Eisenhower Administration as a possible security risk, according to briefs filed in a Civil Service case.

The Air Force made a security ruling adverse to Mr. Rostow in a period before 1955 and the State Department made similar findings in 1955 and in 1957, rejecting Mr. Rostow for highly secretive projects, according to briefs filed by Otto F. Otepka, chief security evaluator for the State Department, who is fighting to save his career Civil Service job.

GET OTEPKA

Mr. Otepka contends that he has been the object of a "get Otepka" drive because of difficulties with top Kennedy Administration figures and because he testified before a Senate subcommittee on "laxity" in security procedures involving political appointments.

In the brief, Mr. Otepka said the Rostow case brought his first difficulties with Secretary of State-designate Dean Rusk and Attorney General-designate Robert F. Kennedy in December, 1960, a month after John F. Kennedy's election.

SECURITY PROBLEMS

Robert Kennedy and Mr. Rusk wanted to appoint Mr. Rostow to a high State Department job, the brief contends, and were aware of some security problems in connection with his previous consideration for national security projects.

Meeting with Mr. Kennedy and Mr. Rusk that December, Mr. Otepka said he was asked: "What kind of a security problem would be encountered regarding the appointment of Mr. Rostow to the (state) department?"

According to the brief, Mr. Otepka replied that he was familiar with the Rostow file dating back to 1955, when the department was considering hiring Mr. Rostow as a key person in a psychological warfare project.

NEEDED CLEARANCE

"Persons employed by the projects," the brief states, "were required to have a security clearance under the strict standard prescribed by the United States Intelligence Board."

Mr. Otepka reviewed files on Mr. Rostow from the State Department, the CIA and Department of the Air Force, which previously had made a security finding adverse to Mr. Rostow, the brief reports.

The brief gives no indication of the nature of the security problem involved in Mr. Rostow's background.

As a result of Mr. Otepka's review of the Rostow files, Under Secretary of State Herbert Hoover Jr. decided that Mr. Rostow would not be hired for the psychological warfare project in 1955. A similar decision was made in 1957 by Roderick O'Connor, then administrator of the Bureau of Security and Consular Affairs, when Mr. Rostow was again recommended for State Department employment.

SAME EVALUATION

At the 1960 Kennedy-Rusk meeting, the brief states that Mr. Otepka made it clear he probably would continue to evaluate the Rostow case in the same manner as it had been evaluated by the Air Force and State Department previously.

According to the brief, Robert Kennedy became furious, and said: "Those Air Force guys are a bunch of jerks."

Subsequently, Mr. Rostow was hired by the White House, where the President and whomever he names to handle security matters can establish any standards they wish in hiring. Later Mr. Rostow was hired into the State Department as one who had been given top-level clearance.

It was after the Rostow incident that John F. Reilly, a former Justice Department lawyer, was assigned to the State Department and admittedly took part in a "get Otepka" effort involving wiretapping and other methods to try to find some grounds for firing him from his $19,000-a-year job. Mr. Reilly resigned after being forced to admit wiretapping and eavesdropping.

The brief also outlined details of 18 cases of "misconduct and infractions of rules" by State Department employes.

THE CASE FOR BOMBING PAUSE, NO. 7

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. IRWIN. Mr. Speaker, it is with profound disappointment that I bring to the attention of my colleagues the current Life magazine editorial, "The Case for Bombing Pause, No. 7." Published reports tell us that the editorial is a product of a change of mind among some of the top men at Life magazine and unfortunately the editorial seems to be the product of differing opinion. The first weakness is that it proposes a halt that would not include the Ho Chi Minh Trail complex in Laos and the southern provinces of North Vietnam and this, of course, would make it unacceptable to both the North Vietnamese and to those who want a cessation of bombing here at home. The next weakness is the hope that a cessation will recapture support for the U.S. presence and commitment in Vietnam around the world and of course, our previous experience shows the weakness of this argument.

The editorial seemed especially naive when it says:

> If we did try for a reasonable time, accompanied it with an energetic diplomatic probing, and then nothing came of it, the air would have been cleared.

Unfortunately, past experience again shows that it will not clear the air. It will only add to the confusion and add to the President's burden.

Perhaps the most disturbing thing of all about the editorial is when it says:

> We are also trying to maintain a highly important—but in the last analysis not absolutely imperative—strategic interest of the U.S. and the free world.

Because here the editors seem to betray a change of mind with regard to our commitment.

THE CASE FOR BOMBING PAUSE, NO. 7

Six times in 32 months of bombing North Vietnam, the U.S. has held its fire. Three times it was for a brief holiday respite. The three other bombing pauses were ordered to allow Hanoi to signal a willingness to talk peace. No clear signal came. Then, three weeks ago, President Johnson announced the U.S.'s willingness "to stop all aerial and naval bombardment of North Vietnam when this will lead promptly to productive discussion." Hanoi came back with its standard reply: the U.S. must stop bombing "unconditionally," and North Vietnam will promise nothing in return.

Notwithstanding, we believe it would be worthwhile for the U.S. to take the initiative in another bombing pause. We think the U.S. should declare a respite in the attack against the areas north of the battle zones, confining bombing to the Ho Chi Minh Trail complex in Laos and to the southern provinces of North Vietnam, the immediate rear of the enemy forces pressing against the DMZ. There should be no publicly announced "conditions" that carry the whiff of an ultimatum. But this should not be a commitment to stop the bombing indefinitely. In taking this diplomatic and political initiative, the U.S. administration would have clearly in mind the kind of North Vietnamese response we would consider constructive, and how long we were willing to wait for it.

In advocating a bombing pause, with no advance promise of any reciprocal move by North Vietnam, we must acknowledge that almost all U.S. military opinion opposes such a course. The U.S. would be reducing pressure on the enemy, and that is not ordinarily the way to win a war. This, of course, is not an ordinary war. U.S. bombing is in a sense a reprisal against the North for the destruction and terrorism the Vietcong work in South Vietnam. Bombing damage and strain is an important price the North is forced to pay for continuing its support of Communist aggression in the South. The more direct military benefit for the U.S. and our allies is, of course, the interference with the flow of men and matériel from the North. There is much argument as to exactly how effective the bombing is, but in stopping most of it, we would unquestionably be giving up a weapon of some value.

Life believes, however, that the benefits of a bombing pause at this time outweigh the short-term military cost:

There is a remote possibility that a pause now could be the first step toward an acceptable diplomatic settlement of the war.

There is a strong probability that a bombing pause would improve the posture of the U.S. in Vietnam, in the eyes of many other nations and indeed of many Americans, and thus ultimately improve our chances of achieving our purposes in Vietnam.

As to the possibility of a pause leading to meaningful negotiations, Secretary Rusk tirelessly points out, "I have yet to hear anyone tell us that if we did stop the bombing they could definitely deliver Hanoi to the conference table. I have asked a number of governments, 'All right, if we stop the bombing, what can you deliver?' I get no response."

Hanoi itself has denounced past bombing pauses as U.S. "hoaxes." There is a danger that they would take a new bombing pause as a sign that the U.S. is caving in. There is considerable precedent in Communist diplomacy for *raising* your terms when the other side offers any concession.

Yet there do come times in wars when belligerents change policies and positions, sometimes shortly after swearing they never would. The fact that Hanoi will not promise anything in advance, in return for a bombing pause that hasn't happened yet, does not necessarily foreshadow their actual reaction to a pause that had gone on, say, for several weeks. Such a pause could stir up hopes all over the world, including the East European branches of Communism, and could put considerable diplomatic pressure on Hanoi. Probably Hanoi would say No again, to everybody—Canada, India, Denmark, U Thant, etc. But it is worth finding out.

The more weighty reason for a bombing pause is to recapture support for the U.S. presence and commitment in Vietnam. The bombing has isolated the U.S. from most of its friends and allies throughout the world (there are a few stout exceptions in Asia), and in this country the bombing is the focus and catalyst of most of the opposition to the war. There is the "bully" image—the most powerful nation on earth pouring World War II-scale bomb loads onto a primitive little country. The U.S. has never been bombed; countries that have been tend to identify with the targets rather than with the bomber crews.

The fear that the bombing might bring China into the war, even bring on nuclear war, naturally increases as the U.S. goes after North Vietnamese targets which are only 60 seconds' jet-time from the China border. It may be foolish of so many Japanese, Indians, Indonesians, etc., to worry about this. But they do.

In the U.N., over 30 non-Communist nations, among them several of our NATO allies, have now advocated stopping the bombing (with many variations of formula as to "conditions" or no-conditions). Perhaps the most thoughtful proposal was the Canadian suggestion of a bombing halt followed by restoration of the DMZ's neutralized status under international inspection. In later phases of the plan would come freezing of military "capabilities" throughout Vietnam and an eventual cease-fire.

Naively or not, many millions of ordinary citizens, and not a few ambassadors, foreign ministers and U.S. senators, think a bombing halt *could* lead to peace in Vietnam, and they

are increasingly critical of the U.S. for not trying it again. If we did try it for a reasonable time, accompanied it with an energetic diplomatic probing, and then nothing came of it, the air would have been cleared. Support for a resumption of bombing, even for an escalation, would be stronger than for our present policy. But much would depend on what the Administration said about the new policy, and how it said it, not just to Hanoi but to the U.S. and the world.

Life believes that the U.S. is in Vietnam for honorable and sensible reasons. What the U.S. has undertaken there is obviously harder, longer, more complicated than the U.S. leadership foresaw. And in 1967 we are having another hard, complicated year out there. There is the encouraging fact of the Vietnamese elections, small blemishes and all; there is straight military progress; but there is the maddeningly slow work of translating these advances into pacification at the "rice-roots level." We are trying to defend not a fully born nation but a situation and a people from which an independent nation might emerge. We are also trying to maintain a highly important—but in the last analysis not absolutely imperative—strategic interest of the U.S. and the free world. This is a tough combination to ask young Americans to die for.

Home-front support for the war is eroding. One may discount some maneuvering among U.S. politicians as 1968 politics, but even the most patently partisan of these noises represents somebody's rather professional judgment of how the voters are feeling.

LIFE has more than once expressed its admiration for the Johnson administration's coolness and courage in its Vietnam policy. In action the President himself has shown a remarkable blend of resolution and restraint. But in articulation of the policy—which in the ends is inseparable from policy itself—the President and his administration have become more and more glaringly unsuccessful.

The President is said to be subdued these days, inclined to "hunker down" and let the Vietnam criticism beat over him. Dean Rusk is infinitely patient and courteous in explaining to critics and questioners "Your quarrel is really with Hanoi." A confusing circumstance is that the other most influential Cabinet officer, Robert McNamara, clearly is less convinced of the efficacy of bombing the North than are the Joint Chiefs of Staff, or Rusk. Nothing inspiring or eloquent and not much that is simply informative is being said from Washington.

We believe the Administration very soon must act—and speak—to recapture domestic political and intellectual respect for its Vietnam policy and to rally more diplomatic and moral support abroad. We believe the initiation of a bombing pause is a gesture of forbearance and conciliation which might accomplish that. America has the strength to do it.

THE CAUSE IN VIETNAM IS BEING WON

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. IRWIN. Mr. Speaker, the New York Times Sunday magazine of October 15 has in it an article by Gen. Maxwell D. Taylor, entitled "The Cause in Vietnam Is Being Won," which I believe is one of the clearest and most lucid statements on why we are in Vietnam; on why we must stay there and why we will succeed, that has ever been written. I commend this to my colleagues and to those people in the United States who are properly concerned with the difficulties we face in Vietnam; the difficulties we face in the world and most of all, the difficulties we face here at home because of the burden of our efforts in Vietnam.

GENERAL TAYLOR SAYS—"THE CAUSE IN VIETNAM IS BEING WON"

(By Maxwell D. Taylor)

(NOTE.—Gen. Maxwell D. Taylor, chairman of the Joint Chiefs of Staff (1962–64) and U.S. Ambassador to South Vietnam (1964–65), is now president of the Institute for Defense Analysis. Earlier this year he toured Southeast Asian capitals on a Presidential mission in connection with the war in Vietnam.)

Among those of us who are impatient for a quick and clear-cut decision in South Vietnam, we often hear the situation described as a "war that cannot be won." If that phrase is a valid description of what we are facing, then there is some ground for the mood of pessimism which seems to becloud a growing segment of public opinion.

Fortunately, it is not the view of most responsible United States representatives on the spot in South Vietnam, nor is it mine for reasons which I shall try to set forth. In so doing, rather than support a negative position with regard to a negative assertion, I would prefer to demonstrate its invalidity by presenting the case which supports the affirmative judgment that the cause in Vietnam is one which *can* be won and is *being* won.

At the outset of such an undertaking, there should be agreement as to what that cause is—what our objective is—in South Vietnam. It has been defined in about the same terms by three Presidents, but for our purposes here I shall take the statement of President Johnson in his Johns Hopkins speech in April, 1965:

"Our objective is the independence of South Vietnam and its freedom from attack. We want nothing for ourselves, only that the people of South Vietnam be allowed to guide their own country in their own way."

This statement—clear, simple and unambiguous—is the best answer I know to those who say that they do not understand what United States policy is trying to accomplish in Southeast Asia. Not only is the statement simple, but it is also limited in the sense that it does not threaten the survival of the opponent nor require the unconditional surrender of anything vital to his existence. But it does have a certain intractable quality which prevents its compromise without altering its essential nature.

When the fighting finally stops, either South Vietnam will be independent and able to choose its own form of government or it will not. We will either attain this objective or we will fail. Thus the achievement of this objective becomes the true criterion of victory—it is the accomplishment of what we set out to do in 1954 and what we are still pursuing today.

As the language of the quotation indicates, there are two parts to our objective: the end of the aggression directed and supported by North Vietnam and the establishment in South Vietnam of a self-determined Government. The accomplishment of the first does not necessarily imply the complete destruction of the enemy forces and the roundup of all the Vietcong and their sympathizers. If the North Vietnamese withdraw and the Vietcong are reduced to the point where the new Government of South Vietnam can cope with any residual threat with its own resources, that level of suppression should suffice.

As for the second part of the objective, if the new Government represents the free choice of the people of South Vietnam, regardless of how it measures up to the preferences and predilections of foreign observers, that level of success also meets the terms of our stated objective. Naturally, we would hope for more than marginal performance; we would like the self-determined Government to be stable, truly democratic and efficient to the degree that can be expected of an immature society embarked for the first time upon self-government. However, no such conditions have been expressed in the language used thus far in defining our purpose in Vietnam and our experience in Korea, where we expanded our original objective after the Inchon victory from one of repelling the invasion to that of reunifying the country by military means, should remind us to be slow to enlarge our present objective in Southeast Asia.

In determining whether we may hope to achieve these two requisites of success—the cessation of the Hanoi-directed aggression and a self-determined Government for the South Vietnamese people—we should identify the requirements for accomplishing each. With regard to the cessation of aggression, the basic requirement is to bring Hanoi to conclude that in its own interest it should cease the attack on South Vietnam. Such a change of behavior would end the problem, otherwise never completely solvable, of stopping the infiltration of men and supplies essential to the continued conduct of the war in the South and would establish on the part of the guerrillas engaged in South Vietnam a feeling of abandonment which would probably lead them to an early accommodation with the South Vietnamese Government.

The North Vietnamese leaders are likely to reach this conclusion only if we can succeed in creating a set of conditions which are compellingly persuasive. One such condition is a continuation of the heavy losses in the ranks of the Vietcong and North Vietnamese units engaged in ground battle in South Vietnam. We estimate that these forces lost over 100,000 men last year—men who were killed, seriously wounded or defected—and they are losing men at about double that rate at the present time.

If this trend accelerates or merely continues during the remainder of this year, the loss of military manpower should raise serious doubts among the leaders in the North who direct this war as to the feasibility of continuing the struggle much longer at such a cost.

Another military factor tending to bring Hanoi around is the mounting destruction of the war-supporting targets in North Vietnam as the result of the air attacks. These attacks were started in 1965 for three specific purposes: to encourage the South Vietnamese people by the knowledge that direct attacks were being delivered against the homeland of the principal enemy; to exploit air power to the extent possible in limiting and making costly the infiltration of men and supplies from the North; and to remind Hanoi of the growing price of the continuation of the aggression.

The first purpose, raising the morale of the South, has been achieved. The effort to make infiltration costly and difficult has also succeeded although by dint of great effort, the enemy has been able to sustain his forces in South Vietnam, but at a relatively low tempo of combat activity. Whereas U.S. battalions are in action on an average of five to six days a week, enemy battalions average about one day of combat per month. On the final point, influencing the behavior of Hanoi, the evidence does not yet support a definite conclusion on the effect of the bombing. Certainly, thus far, Hanoi has shown no interest

in opening negotiations, but the concentrated propaganda emanating from every Communist capital to get us to stop the bombing of the North is a persuasive testimonial to its effectiveness.

These forms of military pressure are important as means to change the will of Hanoi but the reaction of the leaders to the situation will be affected by nonmilitary factors as well. For example, the success of the South Vietnamese in extending local security and establishing stable local government throughout the rural areas of South Vietnam can be an affirmative factor for our side and a distinctly negative one for them. Likewise, the establishment of a popularly chosen Government in Saigon which offers the promise of stability and progress will be a cause of discouragement for those in the North who are constantly hoping for a return of the political turbulence and governmental impotence which characterized the period of 1964 and early 1965.

Hanoi can be influenced not only by punishment which fits the crime but also by the hope of rewards resulting from reformed conduct. If the enemy leaders both in Hanoi and in the South were assured of economic and political compensations for a cessation of the efforts to impose a Communist Government upon the South, this fact might well tilt the balance in deciding them to change their ways. Thus far, we have suggested possible ways of rehabilitating the Vietcong and of readmitting them to citizenship in South Vietnam or of repatriating to North Vietnam those who desire to go. Also, we have indicated a willingness to include North Vietnam in economic arrangements for the benefit of all Southeast Asia. In due course, the possibility of a better future instead of the bleak present may make an important contribution to diverting Hanoi from its present course.

But apart from all other considerations, one major condition must be met if we are to expect Hanoi to withdraw from the lists. It is to convince that leadership that under no circumstance will the United States change its present policy and vary from its determination to attain the basic objective which we have proclaimed before the world. Until this conviction has been established, it seems unlikely that our success in the actions described above will be sufficient to cause Hanoi to cease the aggression against Vietnam.

So much for the requisite success in ending the aggression. Now let us consider what is required for the establishment of a self-determined Government for South Vietnam.

On this score, the main thing is to carry out the current program for establishing a constitutional Government and choosing the officials to man it. The success of the recent Presidential and senatorial elections, carried out in spite of the violent efforts of the Vietcong to sabotage them, is a major political victory for the South Vietnamese over their Communist enemies. It has been a blow to the skeptics who, from the outset, tried to denigrate the importance of this success in establishing constitutional government in time of war. Such critics forget the fact that South Vietnam is a young country which has never had a chance to develop a true spirit of nationhood, whose leaders have never had the opportunity to practice statecraft or acquire the experience necessary to govern a country under the adverse conditions which exist in Vietnam.

Before becoming unduly critical, we Americans need to remind ourselves that it took us from 1776 to 1789 to elect our first constitutional President and that period included eight years of peace. This young nation of South Vietnam, in time of bitter strife, has attained constitutional government in approximately four years—the time separating the overthrow of the Diem Government and the election of a constitutional President. Whatever the imperfections of performance in carrying out this program, it is an amazing feat and one which deserves the applause of all true believers in democratic government.

One consequence of the establishment of a constitutionally based Government in Saigon should be to give an impetus to political and social progress in the provinces —carried out under the Revolutionary Development Program.

Since all resources in the provinces stem from the Government in Saigon, a strengthening of that Government will inevitably redound favorably to the effectiveness of the nation-building activities in the countryside. Better government in the capital and in the provinces will in turn allow a more effective meshing of United States nonmilitary activities in support of the Vietnamese efforts in the rural areas.

A basic factor which conditions success in these nation-building activities is the degree of permanent security from the guerrilla terrorists which can be established and maintained around the areas under restoration. We found in our frontier days that it was useless to plant the corn outside the stockade while the Indians were sill around. Unhappily, up to now there have been plenty of "Indians" around in many Vietnamese provinces. Hence, while establishing a stable Government in South Vietnam, it is essential to protect that Government and its workers by military, paramilitary and police forces adequate to guarantee local security behind which the villages and hamlets can develop and prosper.

If these are the requisites for success in frustrating the aggression and in permitting governmental self-determination for South Vietnam, we should now make an inventory of the assets available to apply against these requirements.

These assets are varied in quality, including military, economic, political and psychological elements. They are also impressive in quantity, but their effectiveness will depend not on a mere summation of components, but very largely upon the manner in which the components are used in effective combination.

Let us begin this inventory by examining the trained manpower available for use against the Vietcong guerrillas and units of the North Vietnamese Army in South Vietnam. The major force on our side is that of the South Vietnamese Government, consisting of military, paramilitary and police forces which have grown from about 275,000 men in mid-1960 to some 735,000 in mid-1967. When the latest increase of 65,000, announced by Saigon in July, is added to this total, there will be more than 800,000 Vietnamese under arms. As a percentage of available manpower, the comparable figure for United States forces would be 12,000,000 men, about our strength under arms at the height of World War II.

The United States forces in South Vietnam have grown from some 23,000 in 1964 to about 450,000 in mid-1967, with an announced target strength for mid-1968 of 525,000. Other free world forces, negligible in South Vietnam in 1965, have now grown to 58,000.

In the United States, we often are inclined to complain about the smallness of the allied contribution to the assistance of South Vietnam. We ask why we should carry almost all the burden when many of our allies are more directly threatened by the situation than we are. While this complaint may be understandable, we tend to overlook the fact that allied support in South Vietnam actually surpasses in many ways the support given in the Korean war.

In the latter case, the United Nations strength (not including U.S. forces) at its peak amounted to 39,000 men whereas in South Vietnam today the allied strength is, to repeat, 58,000. Also, whereas some 20 nations contributed to the defense of Korea under the United Nations flag, 37 nations are assisting the South Vietnamese Government in some way in its present struggle. It is true that, in most cases, the help is only token in quantity but the endorsement of the South Vietnamese cause is nonetheless significant.

Numbers, of course, are not the only measure of military strength and effectiveness. Fortunately, the quality of the forces is keeping pace with the numerical growth. As in the case of Korea, governments contributing free world forces have selected their troops with care. Like the Korean Army in the period 1950–53, the armed forces of South Vietnam are steadily improving in performance on the battlefield. If they sometimes lack the initiative and dash of the foreign forces freshly arrived on the scene and which, as in the American case, stay for only a year, the Vietnamese, when properly led, fight with tenacity and courage.

Unfortunately, many of us have acquired an impression of the South Vietnamese combat performance which is unjust and at variance with the facts as known to our qualified military experts on the scene. The most competent American judge of the effectiveness of the Vietnamese is Gen William Westmoreland, who has lived and fought with them for the past three and a half years. In a recent statement, he expressed the following opinion:

"In my view, the recent improvement of Republic of Vietnam armed forces combat effectiveness can be measured in terms of their willingness to carry the fight to the enemy and to close with and destroy him in sharp, violent contact. They have demonstrated the well-disciplined attributes of professional soldiers and a vastly improved ability to use their supporting arms and combat support. They have maneuvered with notable success when closed with the enemy. They have participated successfully with United States forces in multi-battalion operations."

For those interested in statistics, there is strong support for General Westmoreland's view of the Vietnamese forces to be found in their lowered rate of desertion, in the increased numbers of enemy weapons they capture in relation to Vietnamese weapons lost to the enemy and in the effectiveness ratings of Vietnamese units by United States advisers.

In the last analysis, the most convincing evidence of the steadfastness of Vietnamese troops in combat is found in the grim statistic of killed in action per thousand men under arms. The ratio for 1966 for Vietnamese forces was 14 per 1,000 and for United States forces 13 per 1,000. In 1967, the United States ratio is running slightly ahead of the Vietnamese, largely because of the increased action on the United States front along the Demilitarized Zone and the decision to use Vietnamese forces in increased numbers in support of pacification.

Passing to a consideration of other military advantages on our side, I would point to the increased tempo of the air campaign in the North. This upward trend is expressed in increased numbers of sorties and targets and in the reduced loss rate of aircraft per sortie. In spite of the very dense concentration of antiaircraft defenses around the sensitive targets of North Vietnam, by virtue of improved tactics, techniques and equipment, our air forces have been able to increase the weight of the air attacks at decreased loss rates. In so doing, they have destroyed most of the electric power, damaged seriously the key points of the rail and highway system and have obliged Hanoi to commit over half a million North Vietnamese to air defense, the repair of damage and related activities.

In effect, the air war has obliged Hanoi to fight on a second front which causes a

serious drain on manpower and a heavy consumption of ammunition, supplies and materiel far in excess of the requirements of the guerrilla warfare in the South. Thus, it constitutes an indispensable part of the strategy directed at breaking the will of Hanoi and destroying their capability to continue the conflict.

We noted at the outset that many resources required for success are nonmilitary in character. The unstinted use of our vast economic resources has created the great complex of harbors, airports, roads and depots in a distant, underdeveloped country which permit us to conduct this anti-guerrilla war with the most modern weapons and means of transport. Apart from the direct application of such resources to the military campaign, American economic aid has played an indispensable role in controlling inflation, preventing runaway prices and assuring adequate food stocks for the Vietnamese population. We have made available roughly half a billion dollars a year for such aid and a similar sum will be available next year. Through the use of these funds many forms of economic progress have been possible, such as the increase in port capacities which now allows civilian goods to flow freely into South Vietnam without detriment to the war effort. Our military expenditures also will eventually redound to the advantage of the civil economy when, at war's end, such great bases as Camranh Bay revert to domestic peacetime uses.

There is an impression among many Americans that the so-called pacification program—the Revolutionary Development Program—is going badly. I think that a more accurate statement would be that this program is making uneven progress. It is doing quite well in some provinces, rather badly in others and holding its own in the remainder. That progress should be uneven is inevitable in a country where the conditions differ so widely from place to place.

One of the great obstacles to fair reporting of the situation in Vietnam has been the difficulty of making accurate generalizations which apply to most of the country at any one time. Many statements about Vietnam that are misleading are not necessarily untruthful. There may be some evidence to support them at a specific time and place, yet they may be completely inaccurate as a generalized description of the situation at other times and places. Hence, I would warn against saying without qualification that pacification or any similarly complex program is going either well or badly. To be accurate, one must specify time, place and circumstance.

Generally speaking, I think it is fair to say that pacification succeeds in direct proportion to the amount of permanent security provided by the Government. As Government control of the countryside increases, definite progress becomes possible for civilian ministries such as Agriculture, Health, Education and Public Welfare which are engaged in the tasks of rural reconstruction.

As an indicator of progress in pacification, there has been an encouraging increase in Government control in rural areas in recent months. Indeed, since mid-1965, there has been an increase of some 3 million people in rural areas clearly under Government control. About 1,200,000 of this increase has occurred in the last six months. Concurrently, the Vietcong-controlled population has decreased by more than a million since 1965, the remaining Governmental gains having come from contested areas. In that year, it was estimated that 26 per cent of the total population (including the cities) was under Vietcong domination; now it is down to 14 per cent. If one includes the cities, the total population under secure Government of Vietnam control has increased from 6.6 million in mid-1965 to 10.8 million in mid-1967.

All statistics in South Vietnam are likely to include a substantial factor of error and this possibility exists for the foregoing estimates of population under Government control. However, the recent registration of 5.8 million voters in the Presidential election suggests that the figures quoted above are substantially correct. The registration would indicate that about double that number, or 11.6 million, enjoy enough Government-provided security for the adults to be able to vote in spite of Vietcong efforts at intimidation.

Population liberated from Vietcong control is a double asset from our point of view. Not only are these people freed from the tyranny of Vietcong domination, but they are withdrawn from among the human assets so necessary to support the guerrilla movement. The Vietcong are necessarily parasitic upon the rural population from whom they draw recruits, porters, food and other forms of help. Without this rural support, the local guerrilla movement risks atrophy and progressive attrition.

The effects of this current trend are shown in the growing difficulty of the Vietcong in obtaining local recruits. More and more, we find North Vietnamese replacements filling the gaps in the ranks of the Vietcong guerrilla units as far south as Saigon. Captured Vietcong documents attest to the seriousness of this increase in Government control. One such document, written in October 1966, bemoaned the fact that some 400,000 people had come under Government of Vietnam control in Region III (the lower Mekong Delta) alone. Another document captured this summer in Phuyen province acknowledges that "the population in liberated areas and base areas has decreased in an alarming manner."

On any list of assets, we should note the growing political experience of the Vietnamese leaders and the evidence of their ability to maintain a relatively stable Government. The most dramatic evidence of political progress is represented by the movement to constitutional government and the successful conduct of the recent Presidential elections in spite of Vietcong threats and terror. Recalling as I do the turbulent times of 1964–65 when, as Ambassador, I was obliged to do business with five different Vietnamese Governments, I must say that this evidence of growing political maturity is most encouraging.

As we appraise our advantages in South Vietnam, we should never fail to be thankful for the asset represented by the quiet tenacity of purpose of the South Vietnamese people. While they are not enthusiastic—indeed, they often appear apathetic to us—it is impressive to note how uncomplaining they are in carrying forward this war into its 14th year. We must remember also that 10 years of warfare with the Japanese and French preceded the conflict with the Vietcong.

Whatever may be said about their lack of civic consciousness and their absence of a dynamic political creed, it is perfectly clear to any observer that they are positively committed to a non-Communist way of life and reject absolutely a Communist-imposed political regime. We often express admiration of the toughness of the North Vietnamese and Vietcong who are defecting to our side at an annual rate of about 35,000, but we fail lamentably to pay tribute to the steadfastness of our long-suffering allies, the South Vietnamese, hundreds of thousands of whom have preferred to abandon all that they own and have accepted the life of a refugee rather than live under Communist rule.

I mentioned earlier that our total strength is not represented by a mere summation of the assets available. These assets, stemming from many sources and differing in quality, must be combined in a coherent strategy which will produce the result we are seeking. I think that we have such a strategy in the one which we have been following since 1965.

It calls for the use of graduated and limited military force to convince Hanoi that it cannot win a military victory in the South and will inevitably pay an increasing price in the North for a continuation of the aggression. It includes all the nonmilitary activities directed at establishing a stable government on a constitutional base and the economic measures directed at protecting the economy from inflation. It gears the military campaign to nonmilitary efforts to rebuild the countryside and, finally, on the diplomatic front, it undertakes to exploit military and political success to bring about negotiations to end the conflict.

All parts of this strategy are interrelated and interdependent. We must succeed in all sectors if we are to attain our ultimate objective. But as a total program it makes solid sense and thus far there have been no new proposals that offer a better, or even an equal, chance of attaining our basic objective. If we were willing to sacrifice that objective and accept the consequences of failure, it would, of course, not be hard to find ways to do so.

The foregoing inventory constitutes an impressive list of assets and achievements which, combined with a coherent strategy, provides reasonable grounds to believe that this war can be won and is being won. But if this is to be a balanced appraisal, we should recognize that there are also serious liabilities. If not eliminated or at least neutralized, they could prolong the war or even cause us to lose it.

I refer to such continuing military problems as the infiltration of men and supplies from North Vietnam and the exploitation by the enemy of sanctuaries in the Demilitarized Zone and in Laos and Cambodia. On the civil front there are the ever-present dangers of increased economic inflation and the possibility of new outbreaks of factionalism among the political minorities of South Vietnam. There is the dual problem of establishing a dialogue with North Vietnam leading to a negotiated settlement while avoiding the pitfalls which will exist in any negotiations. There are the long-range problems of the postwar settlement, which include the need to provide for the Vietcong in such a way that they will cease to be a menace to peasants and, at the same time, will find an honorable place in Vietnamese society.

I shall single out for added comment only one of these problems—the pitfalls inherent in achieving a terminal settlement consistent with our basic objective. Those of us who lived through the Korean experience are deeply impressed with the danger of another Panmunjom kind of negotiation. We need to read and reread the history of this conference to understand the mistakes we must avoid in South Vietnam.

In Korea we sat at the conference table for two years with our troops on the defensive because of the feeling that peace must be just around the corner since negotiations had begun. In this period American forces suffered some 46,000 casualties and our allies about 150,000 casualties in attacks initiated at the time and place chosen by the Communist enemy. We must not allow a Panmunjom to occur again.

The lesson derived from that experience is that Communists will negotiate expeditiously only if they are under continued pressure. Hence, in the case of Vietnam negotiations, we must not yield to the specious slogan: "Let's stop shooting and start talking." It will be essential to keep up the military pressure while we negotiate if we are to expect an acceptable settlement in any reasonable period of time.

To keep up the pressure and refuse to be discouraged calls for a patience which is a virtue often in short supply among us. It also calls for a better understanding of why we

are doing certain things so differently from the past. The graduated use of military force, which has been an essential characteristic of our strategy, has compounded the difficulties of explaining to our people what we are doing and why it takes so long. They have been no easy ways to measure progress.

In the military operations there have been no fronts, no hills, no fortified lines to serve as objectives providing a measure of success. We have been forced to fall back upon statistics of uncertain reliability—estimates of enemy casualties, enemy infiltration, bomb damage in the North and the like—and have found that the resulting statistical curves are poor substitutes for Bunker Hill, Little Round Top or the Siegfried Line in explaining the situation to our people.

This difficulty to demonstrate progress in a convincing way has contributed to the feeling that this "is a war that can't be won." It adds to the seeming endlessness of our involvement which is antithetic to the impulsive American disposition. We are inclined to flare to quick anger, to wish to strike a sharp and decisive blow, then walk away from the prostrate villain. Unfortunately, this kind of Hollywood ending has not been forthcoming in the Vietnam conflict and the yearning for one can only contribute further to a defeatism which plays into the hands of the enemy and fosters the illusion in Hanoi that the United States will eventually quit.

Probably the most serious liability which we must offset is the illusion that the United States is deeply divided over Vietnam and, in the long run, will abandon its present policy. It is probably so deeply seated in Hanoi that mere statements from the American side are not likely to eradicate it. To bring conviction, our performance as a Government and as a people must clearly demonstrate that, in the words of President Johnson: "We will not be defeated. We will not grow tired. We will not withdraw either openly or under the cloak of a meaningless agreement." Until we set forth this fact in action, it is unlikely that we can reach a final settlement of this conflict.

After this balancing of assets and liabilities, I am impressed with the fact that the former far outweigh the latter and that the results achieved thus far attest to that fact. We are seeking a limited, attainable objective with vast resources available and many more still untouched. On the other hand, our opponents are pursuing what amounts to an unlimited objective—the imposition of a Communist government on the people of South Vietnam against the will of the vast majority.

Most South Vietnamese will resist this fate to the end, primarily because of the fear for their lot under Communist rule. They well know of the slaughter of tens of thousands of North Vietnamese in the period 1954–56 when Ho Chi Minh was consolidating his police state in the North—a fate they in the South might expect if Ho wins now. From the point of view of the South Vietnamese, this is total war.

Fortunately, to attain such an unlimited objective the assets and resources of the North are strictly limited and clearly inadequate. It is they who started a war which cannot be won, and it is their leaders—not ours—who should be meditating upon the inevitability of failure. Although they may cling to the hope for the collapse of our determination, events will, I think, prove it vain.

It would be hard for any serious student of American history to believe that the United States will fail to carry out its purpose with such preponderant strength and with such an impressive record of success since 1965 in overcoming formidable obstacles. The immediate stake in this conflict is the future of Southeast Asia and the worldwide credibility of the commitments of our Government. The outcome will determine the success or failure of the so-called "war of liberation" which Hanoi, Peking and Moscow have announced to be the favored technique for future Communist expansion. In such a contest for such stakes, as President Kennedy said in 1961: "We cannot stand aside." Having taken sides, this side can and must prevail.

DISTRICT OF COLUMBIA NEEDS CONGRESSIONAL REPRESENTATION

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. ANDERSON of Tennessee. Mr. Speaker, I heartily support the resolution which would amend the Constitution so as to assure the people of the District of voting representation in the House of Representatives and the Senate.

I often wonder what people in other countries think as they hear us proudly proclaim the cherished ideals of self-government while citizens residing at the very seat of the Nation's Capital are denied effective participation in their own Government. It is difficult, if not impossible, to defend such unequal treatment.

The fact is, moreover, as all of you know, that taxation without representation has always been alien to the American tradition. And true representation of necessity must include the power to vote in the legislative body which governs the affairs of the people.

The District has a population of about 800,000 residents, more than 11 States. Like other large cities, the District is compelled to grapple with its full share of pressing problems—crime in the streets, health, economic opportunity, housing, and others. Such problems could be dealt with far more effectively if the District were granted a voting representation in Congress.

This is an essential step to meaningful representation in the Congress for the residents of the District. It is a measure which deserves the overwhelming support of both parties.

At the same time, Mr. Speaker, I want to publicly commend the Honorable Stephen J. Pollak for the great work he has done in connection with the reorganization of the District of Columbia government and in advancing the cause to which I have addressed myself. As Presidential Adviser for National Capitol Affairs, Mr. Pollak has rendered incalculable service not only to the District of Columbia but to the Nation generally. I know of no one with greater ability, dedication, and soundness with the Federal service.

U.S. TRADE POLICY CHALLENGED

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. ASHLEY. Mr. Speaker, for 35 years the United States has pursued a trade policy based upon mutual advantage to the United States and to other nations of the free world. It is a policy which in recent years has had the vigorous support of Presidents Eisenhower, Kennedy, and Johnson, and it is a policy which, beyond challenge has enured to the enormous benefits of American industry and labor and, indeed, to the dynamic growth of our entire U.S. economy.

This policy is now being challenged, Mr. Speaker, by some representatives of American business and labor who seek, through their spokesmen in the Congress, to substitute protectionism for the broader advantages and benefits of reciprocal trade.

Rather than promote the expansion of international commerce through the negotiation of mutually advantageous agreements to reduce trade barriers, protectionist spokesmen would have us return to the law of the jungle, except that in this economic jungle not even the strongest survive. Blind to the necessity of winning for American products a place in the foreign marketplace, these short-sighted spokesmen are asking Congress to destroy the agreements reached during the 4-year Kennedy round and to revert to the chaos of bygone years by imposing quotas, high tariffs, and other means of limiting imports.

We know from past experience that such action only begets retaliation. And reprisals will not be long in coming. Already, six member countries of GATT have submitted identical notes to the State Department complaining against protectionist tendencies which may compromise the results of the Kennedy round of trade negotiations. According to a news story of late last week--

> The European Community Commission, the independent executive Arm of the Common Market, has begun studying possible retaliatory measures. Reprisals by the Common Market, the world's largest trading unit and a major American market, could wipe out many of the tariff cuts accepted last June.

Mr. Speaker, let us take a moment to review. Five years ago the Congress passed the Trade Expansion Act of 1962, replacing the Reciprocal Trade Agreements Act, and gave the President a 5-year authority, until July 1, 1967, to cut tariffs generally by 50 percent, to eliminate tariffs on categories of goods of which the United States and the European Economic Community, governing body of the Common Market, accounted for 80 percent of free world trade, and to eliminate tariffs on goods currently dutiable at 5 percent or less on certain noncompetitive agricultural and forest products. This led to the so-called Kennedy round of multilateral trade negotiations, the sixth round of trade negotiations under the auspices of the General Agreement on Tariffs and Trade—GATT.

In terms of the number of participating nations, the amount of trade involved, and the scope and depth of trade liberalization, it was by far the greatest achievement in the series of negotiations in the 20-year history of the GATT.

As a result of the Kennedy round, tariff concessions were exchanged covering about $40 billion of trade. The United States granted tariff concessions on $8.5 billion of its imports. It made tariff reductions on $7.9 billion, or on 64 percent of U.S. dutiable imports from all sources, including both participants and nonparticipants in these negotiations. In addition, the United States bound existing rates of duty on $150 million, and bound the existing duty-free treatment on about $400 million of imports.

Of the total of $8.5 billion, almost $700 million were imports from developing countries which participated in the negotiations and about $500 million were imports from nonparticipants.

Concessions by the United States to other major participants—Canada, the European Economic Community, the United Kingdom, Austria, Denmark, Sweden, Switzerland, and Japan—covered $6.7 billion of U.S. imports, these concessions consisting of $6.4 billion of duty reductions or eliminations, $89 million of bound or existing rates, and $240 million of duty-free bindings.

Tariff concessions made by all participants other than the United States covered a total of about $32 billion of their imports, including $8.1 billion of imports from the United States. Other major participants—listed above—made tariff concessions of all kinds totaling about $30 billion, including $7.6 billion of imports from the United States. These countries reduced or eliminated duties on $6.7 billion of imports from the United States and bound existing rates on $68 million and existing duty-free treatment on $845 million of U.S. imports.

Mr. Speaker, spokesmen for protectionist-oriented industries would have us believe that U.S. negotiators were outflanked, outplayed, and outwitted by their counterparts during the Kennedy round of negotiations. This manifestly is contrary to fact. What they see is an opportunity to advance their individual advantage by bringing pressure on the Congress at a time when there is restiveness in the business community, concern over a tax increase and anxiety over the demands being placed upon our competitive economy. I would hope and most respectfully urge, Mr. Speaker, that this Congress will have the good sense and wisdom to consider most carefully these proposals which would reverse U.S. policy and posture. Our responsibility, after all, is to the total business community, both now and in the years ahead, and, beyond that, to the economic well-being and viability of the free world, which looks to us for enlightened guidance and leadership.

REASON PREVAILS

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. CLARK. Mr. Speaker, the following editorial is worthy of our attention:

[From the Malden Evening News and Medford Daily Mercury]

REASON PREVAILS

There now exists a fair chance that $339 million of taxpayers' money will not be spent on the proposed government owned Dickey-Lincoln School hydroelectric project in northern Maine. Evidently the Congress, having second thoughts, viewed this dubious undertaking as both impractical and unnecessary although the Senate has taken a different view and the matter of initial funds will probably go to a conference.

By its recent action in deleting $1.6 million of preliminary planning money for Dickey-Lincoln School from the $4.6 billion omnibus public works bill, the House of Representatives demonstrated a competent awareness of the realities of electric power supply in New England.

First, this proposed Federal hydroelectric project would cost at least $284 million without the transmission facilities and interest during construction. Secondly, adding the cost escalation of labor and materials at a modest annual rate of four per cent, it would increase the total cost by $55 million over the six-and-one-half year period of construction, making a cost of $339 million. In addition, the cost of high voltage transmission lines to bring the power some 400 miles to load centers would be another $80 million plus a four per cent escalation of this construction, plus the interest during construction to bring the grand total to nearly a half million dollars.

Now what would the taxpayer be getting for this huge sum of money?

He would get a project that would produce one per cent of New England's combined electric power requirements.

He would get a project that would be technologically obsolete before it was finished. Atomic power and pumped storage generation are now a practical reality.

He would get a project that would have no genuine effect on the cost of electric power in New England.

The electric utility industry in New England, through its regionally coordinated construction program known as the "Big 11 Powerloop," is today building electric generation facilities and transmission lines to meet this area's growing requirements for low cost electric power. The one-and-one-half billion dollars being used to carry this program is tax-producing investor capital that will contribute to federal, state and local treasuries, not money from the taxpayers' already well-used pocket.

The Dickey-Lincoln School project remains as always highly debatable.

LIBRARY SERVICES AND CONSTRUCTION ACT AMENDMENTS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. WILLIAM D. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. WILLIAM D. FORD. Mr. Speaker, I want to express my pleasure and gratification on the passage by the House yesterday of H.R. 13048, the Library Services and Construction Act amendments.

As one of the cosponsors of this legislation, I am deeply aware of its importance to library systems throughout the Nation. Of particular significance are sections which extend for 1 year the period during which the Federal Government will continue to provide 100 percent of the cost of certain programs.

These programs include interlibrary cooperation, institutional library services, and services for the physically handicapped.

Other sections of the amendments provide for technical corrections which are vital for proper implementation of the act.

The entire library services program has far exceeded even the most enthusiastic predictions of success. Its impact has been truly astonishing. Its accomplishments in the past decade include:

Seventy-five million people received new or improved public library service.

Thirteen million people received public library service for the first time.

Twenty-seven million books and related materials were purchased with Federal, State, and local funds and added to local library collections.

Five hundred and fifty bookmobiles have been placed in operation across the country, primarily giving library service to rural areas.

Two thousand eight hundred persons have been employed in our States and localities to carry out the program of library services and construction.

Seven hundred and nineteen public library construction projects have been approved, to serve 23 million people.

One hundred million dollars in Federal funds for public library services in the States has been matched with $321 million in State and local funds.

Sixty million dollars in Federal funds for public library construction has been matched with $130 million in State and local funds.

With such a list of accomplishments, it is not difficult to see why I am so pleased at the passage of H.R. 13048, which will make it possible for our Nation's libraries to continue this outstanding progress. I commend my colleagues for this farsighted action.

SECRETARY FOWLER CITES PERSUASIVE EVIDENCE TO SHOW NEED FOR ADMINISTRATION'S TAX PROPOSAL

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MULTER. Mr. Speaker, in a speech at the National Press Club last month, Secretary of the Treasury Henry Fowler set the record straight on the need for a tax increase this year.

In view of all the nonsense we are hearing from our Republican colleagues on this matter, I think it would be worthwhile to remind ourselves what the Secretary said.

His persuasive arguments in favor of this proposal demolishes the Republican position of do nothing and the need for an increase will go away.

This is irresponsible politics. And the Republicans know it. But they are trying to hide the fact, as the Secretary noted, that a vote against the tax increase "is a vote for the biggest budget deficit for any fiscal year since World War II."

America needs this 10-percent tax surcharge and it needs it now. We can delay no longer. And those Republicans who have raised phony issues to cloud their opposition to this tax must realize that they are endangering the economic well-being of the Nation.

For as the Secretary said:

A vote against the tax increase is a vote to keep the heaviest foot since World War II on the Nation's economic accelerator at a time when it has already rebounded to a safe cruising speed.

A vote against the tax increase—

He continued—

is to risk throwing away an economic expansion which in November will reach its 80th month and become the longest and most rewarding period of sustained growth in the Nation's history.

The case is clearly in favor of a tax increase.

And time is running out for the Congress to act.

I think every Member of this Congress should carefully review Secretary Fowler's speech on the reasons for a 10-percent tax surcharge.

Mr. Fowler's excellent statement on the urgent need for prompt enactment of the administration's tax proposals follows:

REMARKS BY THE HONORABLE HENRY H. FOWLER, SECRETARY OF THE TREASURY, AT A NATIONAL PRESS CLUB LUNCHEON, WASHINGTON, D.C., SEPTEMBER 21, 1967

The moment of truth is approaching for the Congress and the nation. In that moment the Congress will decide the foremost financial and economic policy issue of the year and, perhaps, many years. That question is whether Congress will enact the President's proposals for a 10 percent surcharge on existing income taxes and join with him in reducing planned Federal expenditures and avoiding some contingent increases.

If I don't register any other point, let us be clear that this proposed tax would not be 10 percent of your income, but 10 percent of your tax—a tax on a tax—equal to about 1 cent out of every dollar of your income.

It is the height of presumption for a downtown bureaucrat, who has never run for office, to give unsolicited advice to members of Congress on politics and taxes. Besides, I've heard how high the mail is running against a tax increase. So, I would confine my comments to what is good for the country. However, if you change the tense of the remarks that follow concerning a vote against the tax increase they might be what a hypothetical opposition candidate might say next summer or fall about a vote this fall against the tax increase by an incumbent—particularly if the tax increase failed to pass.

A vote against the tax increase proposals is a vote for the biggest budget deficit for any fiscal year since World War II.

A vote against the tax increase is a vote to keep the heaviest foot since World War II on the nation's economic accelerator at a time when it has already rebounded to a safe cruising speed.

A vote against the tax increase is to risk throwing away an economic expansion which in November will reach its 80th month and become the longest and most rewarding period of sustained growth in the nation's history.

A vote against the tax increase is a vote for a resumption of the old boom and bust cycle that every American over twenty-one can remember with sadness, bitterness and apprehension.

A vote against the tax increase is a vote for a return to the excessive and unsustainable boom followed inevitably by the recession years like 1954 and 1958 when over a million jobs a year disappeared in sharp contrast to the years beginning with 1962 when every year more than a million new civilian jobs were created.

A vote against the tax increase is a vote for an overheated economy and spiraling inflation.

A vote *against* the tax increase that would temporarily take away on the average of 1 percent of the income of the individual taxpayers of America until June 30, 1969 is a vote *for* an inflation that will diminish the real income of these same individual taxpayers a number of percentage points a year for many years and unjustly place the cruelest tax of all—spiraling inflation—on the tens of millions of our low income families who pay no taxes or are exempt from the proposed surcharge.

A vote against the tax increase is particularly a vote to levy that cruel and unjust depreciation of income on those who are elderly and retired and must live on a fixed income with the prospect of increased earnings no longer a compensating factor.

A vote against the tax increase is a vote for sky-high interest rates and tight money for all borrowers that will be the consequence of the overcrowding of already crowded credit markets by government borrowings to meet the deficit.

A vote against the tax increase is a vote to bring demand into balance with supply by making credit unavailable to some which will bring depression once again to the housing industry, make credit less available to the small businessman and State and local borrowers, and leave the would-be home buyer out in the cold.

A vote against the tax increase is a vote for increased hardship for the young and the poor, whether in ghettos or outside of them, because they will bear the brunt of increased costs of the bare needs of living, the lack of adequate housing and the eventual loss of opportunity that can only come from a steadily growing economy that creates a million to a million and a half civilian jobs each year.

A vote against the tax increase is to strike a hard blow at our national competitive strength and our favorable balance of trade. If they are undermined by flooding imports to meet excessive demand and diminished exports because of price and supply problems, it will endanger the dollar and the international financial stability and progress which depend on it. It will diminish the ability of our country to play its historic and crucial part in Free World security and development.

These views reflect far more than my judgment. They embody the opinions of the President and Vice President, the Council of Economic Advisers, the Director of the Budget, the entire Cabinet, and the entire Federal Reserve Board. But this point of view goes far beyond those in the Executive Branch of the Federal Government concerned with public economic and financial policy. It embraces the leaders of the private sector.

In recent weeks a singular near unanimity has emerged among many of the nation's foremost businessmen and labor leaders, economists (both academic and in business), industrialists, bankers and financial leaders in recommending a tax increase. All of them, subjectively at least, have the normal human aversion to paying increased taxes. Objectively, however, and after appraisal of the unacceptable alternatives, they support the President's recommendations—in substance, if not in each detail.

This consensus in favor of a tax increase is spread among responsible leaders throughout the country. It takes a sense of true responsibility for an industrialist, who is responsible to his stockholders, to recommend greater taxes. The labor leader, elected by the members of his union to represent their best interests, must show a similar sense of wise fortitude. The professional economist, who is paid to be right more often than he is wrong, evaluates the economic climate most carefully before he goes down the line for a tax increase. In a way, all of these have as much to lose from making a wrong judgment on this question as a member of Congress.

Let me recite a few expressions of this growing consensus for a tax increase:

In early August, Henry Ford was joined by other well-known members of the business community in supporting a tax increase. He simply said that "higher tax revenues are necessary to help control inflation".

George Meany, President of the AFL-CIO, told the House Ways and Means Committee that organized labor backs higher taxes under the current circumstances in both principle and practice.

Another group of twenty-four leading businessmen, headed by Howard Boyd, Chairman of the Board of El Pasco Natural Gas Company, told the House Ways and Means Committee that "we believe a tax increase, together with the restriction of non-essential government spending, is vitally necessary to the continued economic health and well being of the Nation." Those joining Mr. Boyd included J. Peter Grace, President of W. R. Grace and Co.; Edgar F. Kaiser, President of Kaiser Industries Corporation, and James A. Linen, President of Time, Inc.

Leading business and financial organizations, reflecting their intimate knowledge of money and credit conditions and the economic outlook, unanimously supported the call for a tax increase and reduced expenditures. These included the Committee for Economic Development, the National Association of Manufacturers, the American Bankers Association, the U.S. Savings and Loan League, the Investment Bankers Association, the Life Insurance Association of America, the National Association of Home Builders, and the National League of Insured Savings Associations.

A group of 260 academic economists signed a statement circulated by Walter Heller, former Chairman of the Council of Economic Advisers; tax expert Joseph A. Pechman of the Brookings Institution, and George L. Bach of Stanford University. They stated to the House Ways and Means Committee, in part: "We urge early enactment of tax legislation along the general lines proposed by President Johnson." While not necessarily agreeing on the timing and the amount of the increase, the group said the increase is needed "to maintain orderly growth, prevent a resurgence of inflation, and forestall excessive reliance on tight money".

Lined up in favor of the tax increase is every man who served as Chairman of the Council of Economic Advisers under Presidents Eisenhower, Kennedy and Johnson—Dr. Arthur Burns, Dr. Raymond Saulnier, Dr. Walter Heller—and such outstanding and experienced former members of that body as Dr. Paul McCracken, Dr. Kermit Gordon, Dr. Otto Eckstein, and Dr. Robert Turner.

In a letter submitted to the House Ways and Means Committee since the Labor Day recess, William H. Chartener, Vice President of the National Association of Business Economists, said a poll of the group revealed that three out of four economists employed by major U. S. business firms favor an increase in income tax rates immediately or in the near future.

Those supporting the tax increase include former Secretary of the Treasury, Douglas Dillon, and the former Under Secretary for Monetary Affairs, Robert Roosa. At the time these gentlemen, and Stuart T. Saunders, Chairman of the Pennsylvania Railroad, and Walter Wriston, President of the First National City Bank of New York, appeared before the House Ways and Means Committee, Mr. Saunders presented to the Committee a statement supporting the tax increase and the control and reduction in Federal expenditures that was signed by 445 of the nation's leading industrialists and banking and financial leaders. The statement said: "The combined result of the tax increase and expenditure reductions should hold the deficit to manageable proportions. These steps are necessary to prevent a deficit so large that it could lead to dangerous inflation, spiraling interest rates, tight money, and a serious weakening in our balance of payments position."

And the next day William McChesney Martin, Jr., Chairman of the Federal Reserve Board, told the Committee: "We have already clear and compelling evidence of a resurgence in inflationary pressures, which, if unchecked, would curtail our domestic expansion, aggravate an already serious balance-of-payments problem, and bring severe strains in the markets for credit, particularly the mortgage market . . . Accordingly, I favor prompt enactment of the tax program proposed by the President."

In last Sunday's *New York Times* news analysis there was this observation:

"The experts—economists, businessmen, financiers, union leaders—agree to a remarkable extent that a tax increase is needed this year to stop inflation and a rapid rise in interest rates that could seriously damage many areas of the economy. The near-unanimity of those who have educational and professional qualifications to speak out on economic issues was, beyond question, the most dramatic and startling aspect of the hearings on President Johnson's proposed 10 percent tax surcharge that came to a close last week in the House Ways and Means Committee. That those who were heard by the committee constituted a truly representative cross-section of their various fields could not be doubted. The witness list was in no way stacked.

"Yet the number of those who opposed a tax increase could be counted on the fingers of one hand: the Chamber of Commerce of the United States (but not the National Association of Manufacturers), one prominent economist and a couple of businessmen."

Why did I stress at the outset of my remarks, in the tones and words of a political stump speaker, the fact that a Congressman who votes against the tax increase is practicing political Russian roulette?

Why do I outline the basis for a telling political appeal to people who think of themselves as consumers, the poor and untaxed, the elderly and those who live on fixed incomes, the businessman and the worker, those who would build a home, by anyone who would run next year in primary or general elections against a member of the House who votes against the tax increase?

It is because representative government may face a breakdown. There is considerable danger that many of the people's elected representatives in the Congress may accede to wholly normal but uninformed taxpayer reaction and vote against the tax increase. There is a risk that the House of Representatives will not lead public and voter opinion to the almost uniform judgment of those in both public and private life who are experts in the way our economy works.

For this is not the simple issue of voting to increase taxes to pay for some desired objective, as we face it at the State and local level. No one is per se for increasing taxes. Voters who reflect the taxpayer syndrome will naturally react against an increase. There are few who feel passionately with Justice Holmes that "Taxes are what we pay for civilized society."

Indeed, this Secretary of the Treasury, who had fought for three significant reductions in Federal taxes in the last five years which are saving taxpayers $24.2 billion this year, recommended to the President this tax increase for only one reason and with great reluctance.

And the President recommended it to the Congress for only one reason and with great reluctance.

It was because the alternative—an economy in shambles—with incalculable damage to the individuals and efforts that depend on it—was far more unhappy.

One who is importantly involved in this issue remarked recently that old age was very unwelcome, but the alternative is worse.

So it is with this tax increase.

As of this hour, this date it may be politically realistic for a member of Congress to state, and with perfect honesty, that "my mail is running heavily against this tax increase" and, consequently, "I don't propose to vote for it."

My first plea would be that he put the welfare of his country ahead of his own personal interests. But I wouldn't stop there.

Let him look ahead to next fall. Let him look at what may well turn into a voter backlash with painful political consequences if he reads only his current mail and ignores the economic indicators.

Let him remember that, however unwelcome to Americans as taxpayers, the President's program is in the best interest of those same Americans—as consumers who want prices to be as stable as possible consistent with reasonably full employment and a healthy rate of growth—as wage and salary earners who have or seek jobs—as businessmen whose life blood is credit and steadily expanding demand from confident customers—as home buyers, farmers and small businessmen to whom ever higher interest rates, tight money and increased costs are far more cruel than taxes—as poor elderly or living on a fixed income to whom a spiral of inflation is ruinous—as fighting men who dream of returning some day to a job and a home.

If the President's program is rejected—with the economic consequences that those most familiar with the economy fear and predict with near unanimity—then the members of Congress who voted against the tax increase, regardless of their reasons, are likely to find a large share of the responsibility placed on their doorstep by all of their constituents—not just a few who responded as natural, normal Americans by writing a letter to their Congressmen objecting to increased taxes.

To illustrate, let us consider the alternative from the consumer point of view of a tax increase versus no tax increase for the people of America, including both the 125 million men, women, and children who are taxpayers or members of taxpaying families, who would be asked to give up an average of 1 percent of their income for the surcharge, *and* the 75 million men, women and children who would not be touched at all by the surcharge either because of the low income exemption from the surcharge or because no tax is paid by them or their families under present law.

As a benchmark, over the first two years of the Korean War prices rose at an annual rate of 5½ percent. This is 3 percentage points *more* than the 2½ percent rise that might be expected with the surcharge.

Let us consider the impact on all of us of an *additional* rise of 3 percent in consumer prices which, using the Korean experience as a guiding benchmark, might result in the absence of the surcharge.

The figures are both shocking and very instructive. A single individual with $900 of money income would pay no surcharge; he would be exempt. But a 3 percent additional rise in prices would actually decrease the real income of this individual 4 percent since such a person typically must spend more than his meager income on current living, making up the difference by going into debt or drawing down on savings. This would be equivalent to a 4 percent tax on his income.

For the single individual living on $5,000, the surcharge would impose a tax of $33, equal to 1.3 percent of his income. The burden of the additional 3 percent rise in prices would amount to $144, equal to 2.8 percent of his income—a smaller relative burden than for the individual with $900 income, but still be above the burden of the surcharge. At the $20,000 income level the surcharge burden would rise in relative terms to 2.5 percent of income and amount to $492, while the additional 3 percent rise in prices would amount to $540.

Turning to a family of four we again see the same unjust pattern of the burden distribution of inflation compared to the surcharge. At $2,500 and at $5,000 of family income no surcharge is paid. In contrast, the burden of the additional price rise is equal to $82 or 3⅓ percent of income at $2,500, and $147 or 3.1 percent at $5,000.

At $10,000 of family income, the surcharge would amount to $111 or 1.1 percent of income. The burden of the 3 percent price rise would be $285 or 2.9 percent. This is substantially higher than the surcharge but less in relation to income than the burden on lower incomes.

Some individuals and families in each of these ranges will, of course, experience a rise in incomes when prices rise. These people would not be hurt as much by inflation as would others whose incomes are fixed, but in the end everyone loses. While the surcharge exempts entirely the low income families and individuals, the price rise would place its heaviest relative burden on families and individuals in the lowest income ranges.

But the overall result of a 3 percent additional price rise would be to diminish the real income of the overwhelming majority of the American people far more than the average loss of 1 percent flowing from the tax increase.

Does that make a vote against the increased tax reflect the right measure of the political risks?

But there are others who place their opposition to the tax increase on higher ground than mail from home. Let us turn to them.

Some of the reluctance to support a tax increase wholeheartedly and see it move along promptly through the legislative process comes from those in Congress and out who believe that a balanced program of fiscal restraint, including both tax increases and reductions in Federal expenditures, is necessary and desirable. Many of those who stress the importance of reducing Federal expenditures along with any tax increase share the point of view expressed in my comments concerning the danger to the economy from operating the government on the very large deficit in the current and prospective economic environment.

During the course of this week the members of the House Ways and Means Committee are beginning their closed door deliberations on the tax increase. Many members of this determinative body have no secret of their concern that adequate treatment of the problem of reducing expenditures be geared by Congress and the Administration.

There is no disagreement in principle be-

tween the President and his Administration and the members of the Ways and Means Committee or the Congress on the substantive importance of coupling expenditure reductions with tax increases, while minimizing and avoiding any contingent increases in expenditures that are not now definitely provided for in law and appropriations.

The President in his Tax Message of August 3, 1967 pledged to the country and the Congress that he will make every possible expenditure reduction—civilian and military—in the Budget submitted last January, short of jeopardizing the nation's security and well-being.

He outlined a procedure for effecting these expenditure reductions, stating that as Congress completes each appropriation bill affecting Fiscal 1968 expenditures, "we will examine at once, *very, very* carefully" the results of those actions, and determine where, how, and by how much expenditures under these appropriations can be reduced. He also, at the same time, announced that he was directing each Department and Agency head to review every one of his programs, to identify reductions which can be made, and to report to the Director of the Budget in detail on the actions he is taking to put those reductions into effect.

But he noted that action by the Executive Branch alone to reduce expenditures would not serve the purpose if every time the Executive Branch saves a dollar the Congress adds another dollar—or more—to the expenditures recommended in the January Budget by appropriation or legislation increasing expenditures outside of appropriations such as the Employee Pay Bill.

In every case in which the Congress has completed the appropriation bill for a Department or Agency affecting Fiscal 1968 expenditures this process has been followed. Appropriation bills covering the operations of the Treasury, Post Office and Interior Departments are the only ones completed to date. The heads of those Departments, pursuing an extensive review, are identifying the reductions that can be made over and beyond those resulting from Congressional appropriation action. They are taking steps to put into effect both the reductions in expenditures for Fiscal 1968 reflecting Congressional action and additional Executive action.

This sets a pattern for the procedure which will be followed for the remaining appropriation acts as soon as Congress sends them to the President.

Moreover, following the presentation of his Message the President met with every Democrat in the House and at least fifty Republicans and talked extensively about the problem of the deficit, the tax increase proposal, and the need to reduce expenditures—as well as take other action necessary to diminish the deficit.

In his statement to the House Ways and Means Committee on August 14, the Director of the Budget made clear that these cuts would bite into projected non-defense or civilian type expenditures. He said:

"We have begun a concerted effort to achieve every reduction and deferral which can reasonably be made in order to lower non-defense expenditures. We are determined to cut more than the $1.5 billion, which would offset the release of 1967 withheld funds and the uncontrollable increases in CCC, public assistance, and other outlays. Such a cut would bring civilian expenditures—exclusive of changes in participation sales and in the President's pay proposals—back to the $59.5 billion level estimated in the January budget. Our actual reduction target is larger than that—we are aiming at a cut of over $2 billion—as a means of holding civilian expenditures *below* the January estimate. Such an expenditure reduction would require cuts in obligational authority and program levels of some $4 billion. Whether we will be able to achieve our target fully, I cannot predict at this time. But we are setting our sights high in order to insure significant reductions, when the actual results are all in. The outcome will, of course, depend in part upon Congressional action on the budget, as well as our own efforts."

I am confident that the discussions being currently held in the Executive Session of the House Ways and Means Committee will produce an agreement which will give every member of Congress an opportunity to cooperate with the President in bringing the deficit in the 1968 Budget to manageable proportions by increasing taxes and reducing or holding down expenditures.

We cannot afford a failure or delay in acting affirmatively on the tax increase proposal because the procedures of the appropriation process and the administrative follow-up promised by the President have not yet supplied the detailed particulars of the reductions that will be forthcoming.

Everyone knows that after a Report by the House Ways and Means Committee and House action, there must be hearings by the Senate Finance Committee and debate under the Senate rules prior to Senate action. Everyone knows that during this period final action on appropriation bills by the Congress, putting the President in the position to make positive identification of the areas of expenditure reduction to be effected, will proceed in piecemeal fashion. Everyone knows that only when all of these actions have been completed and the Congressional decisions on appropriations and reductions in programs are finally taken can the President make the additional decisions on expenditures that may be necessary and supply the Congress and the nation with a bill of particulars identifying in orderly fashion the reductions in expenditures—military and civilian—in the context of up-to-date Budget totals. For the President to transmit to the Congress a new series of budget recommendations at this time would only serve to compound the delays in the appropriation process. Many of the appropriation bills already have been acted on by the House appropriation committee and subcommittees and passed by the House.

Everyone knows that there are various provisions in law or statements in the House Committee Report that could be devised to protect the position of the House in any final insistance its members may require on expenditure policy as a prerequisite to voting a tax increase. Moreover, final House action on the Conference Report that is usually required on revenue bills to settle differences between the Senate and House versions—which is some weeks away—would provide an opportunity to affect the bill if appropriate expenditure control has not been manifest in the interim. It is not necessary now to hold up the processing of the tax measure until the passage of the appropriation bills and the President's action on expenditure reductions are complete.

Therefore, the appropriate and statesmanlike method of dealing with this problem in the national interest is for the House Ways and Means Committee and the House to proceed promptly to dispose of the tax proposals. They can proceed on the basis of either the earlier pledges and commitments by the Administration to do its share in this area of joint responsibility or such further statements or provisions in the Report and in the law as will assure a reasonable combination of tax increase and expenditure control.

There have been many other statements on Capitol Hill that for reasons of equity and justice loopholes in our existing tax laws should be closed before, or coincident with, enactment of any tax increase.

It does not require a superior memory to recall the time—and tedious work—necessary to move a tax reform measure through the Congress.

My predecessor, former Treasury Secretary Douglas Dillon, emphasized this fact in recent testimony before the House Ways and Means Committee.

Mr. Dillon agreed, as do we, that further study and action in the area of tax reform are needed, but added:

"As a result of experience we had and the estimates we were able to develop at the Treasury it is very clear that any of these loophole closings that are at all possible and advisable—even adding them all together—have a very small effect, as far as overall revenues, on the economy. . . .

"We were developing in 1963 what came as the 1964 tax cut. We were trying to develop possible sources of revenue through loophole closings that would enable us to have as large as possible a reduction in the overall tax rates and we just were not able to find areas that would be tremendously significant.

"Some of these were enacted and . . . a number of them were not accepted for very good reasons by the Congress, and I think that this clearly holds. You might if you work very hard save a billion dollars . . . through very hard work, very difficult work, upsetting people . . . but it would have very little effect as compared to the $6 or $7 billion we are talking about here. . . .

"So loophole closing, while I think it is primarily a moral issue, and that doesn't mean it isn't important . . . does not have the economic impact and therefore can't be considered at all an economic substitute for the tax increase."

Our position, in terms of priorities, is simply to put the imperative needs of the Nation first.

Loophole closing at the best is a long process. The 1962 and the 1964 tax acts, which included reforms, required 15 to 17 months for Congressional approval.

We have stated, and we repeat, that tax reform proposals for permanent revision of the laws are under intensive preparation in the Treasury. The President has promised that tax reform proposals will be forwarded to the Congress at this session for the deliberate study, debate, and action they require during the session next year.

In conclusion, the alternatives to prompt and positive action to increase taxes in line with the President's proposals are clearly unacceptable.

Our role in world leadership and the solution of our pressing problems at home depend on a healthy economy, growing at a robust and sustainable rate, characterized by both reasonably full employment and relative price stability. The program of temporary fiscal restraint proposed by the President is necessary for the preservation of this healthy balanced economy.

The Congress of the United States, controlling the purse strings of government under Constitutional authority granted to it, has voted and appropriated for the expenditure of every dollar that enters into the 1968 Budget—whether it be for the discharge of our commitment in Southeast Asia, the treatment of some of the ills and inadequacies of our society at home, or the maintenance of Federal services in a growing and rapidly expanding population. Congress has the responsibility to see to it that the nation's bills, which it authorized, are paid from taxes collected or money borrowed in a mix and manner designed to keep the economy healthy and well balanced.

The consensus among the vast majority of knowledgeable and responsible leaders in economic and financial circles, public and private, is remarkably undivided in recommending prompt action in increasing taxes, combined with strict expenditure control, as indispensable steps in preserving that kind of an economy. Our economic course is clear. Only an act of political will remains.

I have every confidence that the Congress will discharge its responsibility by increasing taxes temporarily for the duration of the

conflict in Vietnam while it and the President strive, in the words of the President "to make every possible reduction, civilian and military, short of jeopardizing the nation's security and well-being."

PUBLIC OPINION POLL SHOWS PEOPLE STRONGLY AGAINST CESSATION OF BOMBING NORTH VIETNAM

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. ALBERT. Mr. Speaker, those persons in and out of Congress who are advocating that we immediately cease the bombing of North Vietnam may be interested in the outcome of a poll conducted by WFIL, Philadelphia. Eleven television stations in nine States, and in cities across the Nation, participated. Some 50,000 viewers responded. The vote was: Yes, 40 percent; no, 60 percent.

The manner in which the poll was conducted and the result in each city has been supplied to me by Mr. George A. Koehler, station manager, WFIL-TV. It is as follows:

ELEVEN-STATION PUBLIC OPINION POLL

Each station, on its early evening newscast, asked viewers the same question:

"Do you think we should immediately stop bombing North Vietnam?"

Viewers in each area were instructed to dial a stated telephone number if they wished to vote "Yes" and a different number to vote "No." Each station compiled results which were expressed in terms of percentages for "Yes" and "No" responses. Each local station then phoned its results to WFIL-TV which tabulated them to arrive at a national consensus.

The breakdown is as follows:

	Percent
KOB-TV, Albuquerque, N. Mex.:	
Yes	43
No	57
WMAR-TV, Baltimore, Md.:	
Yes	42
No	58
WZZM-TV, Grand Rapids, Mich.:	
Yes	33
No	67
WLBW-TV, Miami, Fla.:	
Yes	39
No	61
WVUE, New Orleans:	
Yes	41
No	59
WFTV-TV, Orlando, Fla.:	
Yes	19
No	81
WIIC-TV, Pittsburgh, Pa.:	
Yes	40
No	60
WFIL-TV, Philadelphia, Pa.:	
Yes	45
No	55
KCPX-TV, Salt Lake City, Utah:	
Yes	40
No	60
KSTP-TV, St. Paul, Minn.:	
Yes	38
No	62
WNDU-TV, South Bend, Ind.:	
Yes	31
No	69

The national results were relayed by WFIL-TV to the local stations which announced them on their late evening newscasts.

THANK YOU, RED SOX: THEY WILL "GO" AGAIN

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. BOLAND. Mr. Speaker, the Boston Red Sox American League pennant-winning team lost the world's series at home in Fenway Park with sportsmanship and dignity in the seventh and final game, but Manager Dick Williams and members of the team have won the gratitude and esteem of all in New England.

The St. Louis Cardinals are to be congratulated for winning the world series, but, as sports columnist Sam Pompei so aptly and correctly wrote in the Springfield, Mass., Daily News last Friday:

> The Red Sox will go into history as one of the most loved series losers.

Mr. Speaker, the newspapers throughout Massachusetts and New England have editorially commended the Boston Red Sox for their fine performance this year. I include two of these editorials from the Springfield, Mass., Union and the Boston Herald Traveler of October 13, and Sam Pompei's "On the Sports Beat" column from the Springfield Daily News, with my remarks at this point in the RECORD:

[From the Springfield (Mass.) Union, Oct. 13, 1967]

THE SOX WILL "GO" AGAIN

There's nothing so final, they say, as the third out in the ninth. Yesterday the finis was written even sooner. But it was still one of the great Series, considering the vast segment of fandom that doubted Boston would get into it in the first place and then doubted it would run anywhere near seven games.

The Sox didn't let us down. They gave New England the kind of thrill that hasn't been felt since the Boston Tea Party. This isn't the team of two decades ago—of Williams (Ted, not Dick) and Parnell and Kinder and Doerr and Dom DiMag. That team was supposed to win. This year's Sox had to hold themselves up; reputation wouldn't do it for them. For now, thanks for the fun and excitement. For the future, save those "Go, Red Sox" stickers. There'll be more use for them.

[From the Boston (Mass.) Herald Traveler, Oct. 13, 1967]

BITTERSWEET

From midsummer on it had the quality of a dream—indeed, the glittering, mythical, rags-to-riches American dream. Thursday at Fenway Park, under autumn's lowering skies, reality reasserted itself. The taste was bittersweet. One could wish for what-might-have-been—a final triumph against odds, one last come-from-behind against a worthy team, a one-year odyssey from ninth place to the world championship. Yet the outcome did not diminish the accomplishment of the 1967 Red Sox. Rather, it gave it perspective. We see now it was no dream but real, not destiny, not sheer luck, but a singular human achievement.

The emphasis is on human. What a human aggregation were the Red Sox of '67. Barely more than kids, from many backgrounds and scattered places, gathered in supposedly staid old Boston, in a modest ball park haunted by memories only occasionally pleasant, their names on the roster reading like an FDA-required label of contents on the American melting pot, fighting collectively and individually against odds and the human problems of youth's uncertainty, inexperience, the frustration of not being taken seriously—even, in one memorable case, against the very human problem of overweight. What resulted was a human relationship—a community and a team.

No one really gave them a chance at the start of the season, and when only a few days remained the chance was still conceded almost disbelievingly, though they had long since won respect—their own and others'. In the end, the pennant was theirs, and their transformation was complete, and so was Boston's. Victory in the World Series would have been an act of supererogation.

No computer could have coped with the Red Sox of '67. There, perhaps, is the secret. Manager Dick Williams disdained the computer approach. He was no slave of percentages, no worshipper of the record book, no believer that the tested way is necessarily the best way. Some said he managed by hunches. In truth, of course, he managed by intuition, recognizing instinctively that the immeasurable factors of challenge, inspiration, surprise, even anger can produce measurable human achievement.

The bittersweet taste will linger as autumn fades, winter comes, and then suddenly one day the sports reports are datelined "Winter Haven, Florida," and carry news of these young men and others, new ones, eager for human exploits. There can be value in the fact that not everything was gained in one year. Something remains to be sought, and therein lies the nucleus for a new dream that can be made real by human effort.

[From the Springfield (Mass.) Daily News, Oct. 13, 1967]

RED SOX: THANKS FOR GREAT SEASON

(By Sam Pompei)

Thank you Red Sox!

Thank you for making this the most exciting year in New England sports history.

You lost the seventh game of the World Series to the St. Louis Cardinals, but you'll go into history as one of the most loved series losers.

But, thank you, for all the great excitement you created for us. You kept us all talking, guessing, bragging and, oh yes, sometimes moaning and crying in our beer.

Thank you for not letting us down in the pennant race and beating Minnesota on the final day of the season to keep our dreams and hopes alive.

You gave a thrill a day, sometimes two, three and even four!

When we panned you and said the Red Sox were "dead," you started breathing again, breathing new hope for us skeptical souls, too.

You proved to the world that a baseball team need not be made up of super-stars, that nine determined players on the field at one time working together can conquer all.

Thank you for proving that a 100-1 shot can win a championship if it has the will, something no other team in history could accomplish.

Thank you for all the enjoyable days and evenings you gave us. When we couldn't come to Fenway to see you perform your miracles, we listened to you on the radio and watched you on television.

You had us so keyed up that you made us put our troubles away—until tomorrow.

Thank you for showing all the Little Leaguers and sandlotters across America that

the ordinary players—the Jerry Adairs, the Reggie Smiths, the Mike Andrews, and the Joe Foys can play championship baseball.

Thank you for producing one of the most exciting and most talented baseball players of our day in Carl Yastrzemski.

Thank you, too, for producing one of baseball's most astute geniuses in Manager Dick Williams, a man who knew what had to be done to turn out a championship and a man who had guts enough to go out and do it.

A man who was willing to take a ninth place collection of ballplayers and turn them in to a "team"—a championship team, at that.

The St. Louis Cardinals won the World Series and they are to be congratulated.

They go into the record book as the world's champions, but you, the Red Sox, will go into history as the team that did the most with the least.

Thank you Red Sox!

CONGRESSMAN SILVIO O. CONTE HONORED BY ITALIAN-AMERICAN CHARITABLE SOCIETY OF MASSACHUSETTS WITH 1967 COLUMBUS DAY GOLD MEDAL AWARD

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. BOLAND. Mr. Speaker, members and guests of the Italian-American Charitable Society of Massachusetts gathered in Boston on the eve of Columbus Day last week to pay tribute to our distinguished colleague from Massachusetts, Congressman SILVIO O. CONTE.

The Italian-American Charitable Society, founded many years ago, held their Columbus Day Eve Annual Gold Medal Award dinner in Boston's Statler Hilton Hotel. Each year the society honors an individual of Italian ancestry for his outstanding accomplishments in his field of endeavor. Congressman CONTE was awarded the coveted gold medal for his many accomplishments during his 17 years of public service.

Congressman CONTE was presented a Gold Medal and a citation which was inscribed with this message:

Presented to SILVIO O. CONTE—Legislator by the Italian-American Charitable Society, Inc.

To this man, whose efforts on behalf of the underprivileged and the less fortunate have merited the respect and esteem of his fellowman.

To this citizen whose concern for all men transcends consideration of national origin, race or color, and has made him the defender of minority groups.

To this legislator, inspired and courageous, whose interest in the welfare of our country has been demonstrated by his support of bills to improve education and liberalize archaic laws.

We Americans of his same racial strain, proud of his accomplishments and of his benefactions to man and country, affectionately awarded to him our Gold Medal in token of our esteem.

Mr. Speaker, more than 600 persons from throughout the Commonwealth of Massachusetts attended the dinner to pay tribute to Congressman CONTE, who received messages of good wishes and congratulations from many of his colleagues in the Congress, including yours, Mr. Speaker, and from House Minority Leader GERALD FORD of Michigan, Senator EDWARD M. KENNEDY of Massachusetts, Senator JOHN O. PASTORE of Rhode Island, and from me.

Most notable among the felicitations received by Congressman CONTE was the message from the President of the United States, Lyndon B. Johnson, which read as follows:

THE WHITE HOUSE,
Washington, D.C.

Hon. SILVIO O. CONTE,
Care Jack Ricciardi, Italian-American Charitable Society of Boston, Statler Grand Ballroom, Boston, Mass.:

I am delighted to join with the members of the Italian-American Charitable Society of Boston as they honor you tonight. They could not have chosen a more qualified candidate for their award. You represent the finest traditions of Italy in America, and your contributions to this country's legislative history have won you the gratitude and admiration of citizens of all nationalities. As your president, I respect your good judgment and I wholeheartedly welcome your constructive advice as we seek to build a better life for those whose trust we share.

LYNDON B. JOHNSON.

Mr. Speaker, as a neighbor of Congressman CONTE's who shares with him the honor of representing western Massachusetts here in the House of Representatives in Washington, I want to extend to him on behalf of all of his colleagues in the Congress our hearty congratulations on being selected for the 1967 Columbus Day Eve Annual Gold Medal Award by the Italian-American Charitable Society of Massachusetts. Also, I include with my remarks at this point in the RECORD the telegrams from Speaker MCCORMACK, Minority Leader FORD, Senators KENNEDY and PASTORE, and from me, and the text of Congressman CONTE's acceptance speech:

WASHINGTON, D.C.

Hon. SILVIO CONTE,
Italian-American Charitable Society Dinner, Boston, Mass.:

I regret my inability to be with you tonight to join with your many friends in honoring you as you receive the gold medal award from the Italian-American Charitable Society, I congratulate you on receiving this fine award, which you so richly deserve. America can well be proud of the many mixtures that make up the basis of America. Our citizens of Italian descent have contributed much to the history of our great country. Italo-Americans are prominent in every walk of life in American society and we are the richer for this. Your services in the Congress of the United States has been outstanding and you have always championed the cause of the people. Again, I congratulate you on the fine award that you are receiving this evening, and to all present my very best wishes.

JOHN W. MCCORMACK,
Speaker, U.S. House of Representatives.

WASHINGTON, D.C.

Hon. SILVIO O. CONTE,
Italian-American Charitable Society, Grand Ballroom Statler-Hilton Hotel, Boston:

Congratulations on receiving the Italian-American Charitable Society goldmedal award. This is well deserved tribute to you for the wonderful contribution you have made to the welfare of our Italian American citizens. Wish I could be present but since this is not possible may I also express my gratitude in this way for the grand job you are doing in the House of Representatives and the aid and assistance you have given me since becoming minority leader. Thanks again and very best wishes.

JERRY FORD,
Minority Leader, House of Representatives.

WASHINGTON, D.C.

JACK RICCIARDI,
President, Italian-American Charitable Society, Inc., Grand Ballroom, Statler-Hilton Hotel, Boston:

Please extend my warmest congratulations to my very good friend and colleague, Silvio, upon the presentation of the gold medal award by the Italian American Charitable Society. His outstanding contributions and dedication to our country make him more than deserving of this fine tribute from such a worthwhile organization. My very best wishes to you all.

EDWARD M. KENNEDY,
U.S. Senator.

Mr. JACK RICCIARDI,
President, Italian-American Charitable Society Dinner, Statler Hilton Hotel, Boston:

Your wonderful Society honors itself in its award to my good friend, the Honorable Silvio O. Conte, and I join in your tribute to this distinguished Congressman and ideal American.

JOHN O. PASTORE,
U.S. Senator.

OCTOBER 11, 1967.

Mr. JACK RICCIARDI,
Italian-American Charitable Society, Boston, Mass.:

My congratulations to my friend and colleague, Congressman Silvio Conte, on receiving the gold medal award of the Italian American Charitable Society.

The society could not have made a better choice. He is an outstanding public official. His whole public service has been dedicated to the good of his community, his state and his Nation. Italians can be proud of him and so can all Americans.

EDWARD P. BOLAND,
Member of Congress.

SPEECH OF HONORABLE SILVIO O. CONTE IN ACCEPTANCE OF GOLD MEDAL AWARD OF THE ITALIAN-AMERICAN CHARITABLE SOCIETY, BOSTON, MASS., OCTOBER 11, 1967

I would first like to express my deep appreciation for the wonderful honor that has been bestowed on me tonight. The magnificent charitable accomplishments and contributions of the Italian-American Charitable Society are well known to everyone and it was truly a thrill for me to be chosen as the recipient of your annual Gold Medal award.

In glancing over the list of previous holders of the Gold Medal, which include our own distinguished Governor John Volpe, I could not but feel proud as well as humble to be associated with such a group of outstanding men. And while it is always enjoyable to receive awards, tonight's honor has special significance for me.

I am, as we all are, an American citizen first and foremost. But I am also as proud of and indebted to my Italian heritage and background as any man in this room tonight. We are all products of our past and mine has been deeply influenced by the cultural and spiritual attributes which have been passed down through generations of our Italian ancestors.

To be singled out for recognition therefore, by a group of people with similar backgrounds and similar experiences, constitutes for me a confirmation. It is a confirmation that I have been at least partially successful in attempting to live up to the high stand-

ards and goals that have been established for us by those who have come before. It is for this reason that I am especially proud to be here tonight.

We who share the heritage of Christopher Columbus, whose birthday occasions this annual event honor not only a bold navigator of Italian ancestry, but a man who risked life and fortune to prove a conviction he held about the world—one that might and did benefit all mankind.

As we look back upon his 33-day voyage into uncharted waters some 475 years ago, we cannot help but wish our times could generate a similar spirit of courage and faith in the face of adversity, and a similar perserverance on behalf of just and worthwhile causes.

Our country has achieved unexcelled prosperity, and I think we can say unhesitatingly that our rise to power never rested on the subjugation of lesser nations or their exploitation for our material gain. Indeed, we have in the past quarter of a century freed from the tyrannical grip of dictators a large part of the world's population, including our own beloved ancestral land.

Like Columbus, our colonial forefathers set out on an uncertain course when they cut the ties that bound this land to England. But they were as confident as he that they were heading in the right direction when they established an independent, free nation based on the rule of law rather than of man.

Men like Philip Mazzei, the scholar and agriculturist, were among those who first gave this country the vital strength it needed to survive as a democracy. It is well documented that Mazzei, a close friend of Thomas Jefferson, inspired that leader to include the eloquent and stirring assertion that "All men are created equal" in our Declaration of Independence.

Yet, despite the development of the most successful form of government that has ever been created, despite the years of unparalleled progress that followed a devastating Civil War, and despite the world leadership that came with victory in two world wars, our country is beset today with problems scarcely less ominous than those that faced Columbus and the first Italian settlers in the New World.

What may be a case of too much prosperity has been inherited by a generation that seems at times not to understand the effort that went into creating it nor the manner in which to best utilize it.

We have seen this reflected in the tragic outbreaks of senseless destruction and violence which have exploded in our cities. We have seen it in the failure to adequately deal with the basic social needs of this country, such as poverty and lack of education. We have also seen it in the rapid rise in crime greatly out of proportion to the burgeoning population and, unfortunately, particularly rampant among our young people.

These difficulties require strong and resolute leadership for solution; yet we need look no farther than our own forefathers for the inspiration needed to meet the challenges. One of the distinguished previous recipients of your society's medal, the Honorable Michael Musmanno, has written a scholarly account of the men and women of Italian heritage who have enriched this land with their skills.

And I would like to note here that Judge Musmanno's book could not have come at a more opportune time. I am just plain sick and tired and as fed up as I could be over the completely false and unjustifiable association of our people with the world of crime. Certainly, there are men of Italian background who are criminals and live outside of society. But there are also men of Irish, German, French, English, Protestant, Jewish and every other background you can think of who do the same.

And for every Raymond Patriarca who detract from and endanger our society, there are thousands upon thousands upon thousands of honest, forthright and hardworking men and women of Italian descent making enormous contributions to this country and all that it stands for.

This is the story that should be told and I gratefully acknowledge Judge Musmanno's accomplishments in doing just that, in bringing the true and full story to the public's awareness.

As Judge Musmanno points out, many of the most enduring achievements of Italians on this continent were performed well before the great waves of immigration that reached a peak around the turn of this century.

The record shows that as early as 1622 an Italian glassmaker was settling in Virginia while ancestors of William Paca, one of the signers of the Declaration of Independence, owned land in Maryland as far back as 1651. Enrico Tonti, whose artificial right hand of iron became a legend, blazed trails throughout the Midwest in the 1670's and helped stake out the huge Louisiana Territory which later added 500,000 square miles of new land to the United States. He and his brother Alfonso established the first European settlements in Michigan, Illinois, and Arkansas.

William Paca himself, in addition to signing the Declaration of Independence and serving in the Continental Congress, became a judge and later Governor of the State of Maryland.

In 1804 an Italian navigator named Salvatore Catalano skillfully piloted the U.S. warship Intrepid which destroyed the batteries of a pirate stronghold in Tripoli after none of the European powers had been able to successfully challenge it.

It was during the Civil War, however, that the sons of Italy undeniably made their mark in American history. Among the Garibaldi Guard and other Italian regiments that fought to preserve the Union, three officers won our nation's highest military honor, the Congressional Medal of Honor.

In peacetime as well, men of Italian blood enriched their adopted land. In the most important building in the nation, the gifted Constantino Brumidi strove under six Presidents to glorify America in frescoes and portraits. The man who is often called the Michaelangelo of our nation's Capitol unfolded the history of America to future generations in bold colors under the circular dome and throughout the Capitol building.

Our pride in the achievements of Italians in America can call upon the names of thousands more of our people, but the first who set foot on this continent, Christopher Columbus still evokes our strongest affection. We could very well use his guidance today to lead us through the many obstacles we face in world affairs.

As we can learn from Columbus, the goals we seek today—the maintenance of world peace and the more widespread enjoyment of the prosperity we have created—cannot be attained by men of one background alone. When Columbus could not find in his native Genoa or among the other Italian states of his time a patron who would support his search for a new route to the East, he turned to the rulers of Spain for backing.

Yet, at the same time, it is only natural for us to feel a particular affection for those who share our own special and magnificent birthright.

I cannot help but think tonight of the indelible mark left in my own constituency in the Berkshires by such men as Guiseppe Faccioli. He was for many years the chief engineer of the Stanley Electric Company, better known to some of you today as the General Electric Company, and he designed and operated this country's first commercial alternating system.

My hometown, Pittsfield has more recently enjoyed the outstanding legal services of such eminent jurists as Francis Quirco and Charles Alberti while our general hospital was led under the able administration of Dr. Reo Marcotte.

I could go on and on naming these wonderful Italian friends in my Congressional District who have been so close to me throughout my political career and who have contributed so much to our community, often at the sacrifice of their own personal pleasures.

And in talking about contributions to community, I must again refer to our own Governor Volpe who has provided such inspirational leadership for the people of the Commonwealth and who has accomplished so much for the benefit of this great State.

You know, the feeling of brotherhood and the acceptance of an individual for what he does rather than what he is, is never stronger in our country than at this time of year. And strangely enough the means for accomplishing this is none other than the annual ritual of the World Series.

It is true that local pride as well as the competitiveness which accompanies all sporting endeavors, prevents us from having the same feelings about both teams. Yet during this one exciting week each year, a sense of family love and adoration engulfs our home town players making the big hit, the big pitch and the run-saving catch. Who in Boston, for example, would fail to brighten at the mention of a Carl Yastzremski, a Jim Lonberg, or a George Scott? And who in St. Louis would deny a Bob Gibson, a Lou Brock or a Roger Maris the keys to the city?

All too often the glow generated by these heroes exploits, disappears by the season's first snow. It takes a special kind of effort and a special kind of leadership to inspire men of different backgrounds to work together 365 days a year for a greater, a better and a more vibrant America.

We are fortunate to have among our people, and sitting here throughout this room tonight, men of just this caliber. Hopefully through our efforts we may someday enjoy a year round epidemic of world series fever and truly fulfill the destiny passed on to us by Christopher Columbus of Genoa.

WAR ON POVERTY IS EVERYBODY'S JOB

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. HELSTOSKI. Mr. Speaker, the war on poverty is not the job of any single agency, community, group, or individual. It is a job in which everybody must take a hand in order for it to be successful.

The U.S. Government has begun its job when, through Congress, it has been given authority to establish the agency which will combat poverty. Congress has appropriated funds to carry out this war and our communities have joined in this fight to eliminate poverty from its areas.

Realizing the importance of a united front, from other fields of battle, the Veterans of Foreign Wars has adopted a resolution which encourages each member of that civic-minded body to unite in the war on poverty.

Mr. Speaker, as part of my remarks on this topic, I would like to include the text of the resolution which the Veterans of Foreign Wars adopted at their 68th national convention, held in New Orleans, August 20 through August 25, 1967.

The resolution follows:

RESOLUTION 237: ASSIST IN WAR ON POVERTY

Whereas, the Veterans of Foreign Wars, through direct action and collective support, have always promoted increased opportunities for all Americans, that every individual, regardless of race, color, creed or ethnic background, might share in this nation's abundance; now, therefore

Be it resolved, by the 68th National Convention of the Veterans of Foreign Wars of the United States, that each individual member and Post be encouraged to participate to the fullest possible extent in local and national endeavors to eliminate poverty; and

Be it further resolved, that the Veterans of Foreign Wars advise the members of ways and means to help as a community service project those young men and women who have been trained at government expense to re-establish themselves in the areas where they have been sent for employment; to help these people find housing, learn the area so they can get to and from work, and other things that good Americans do for other good Americans.

KILMER JOB CORPS

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. PATTEN. Mr. Speaker, I have called the attention of my colleagues on several occasions to the outstanding progress against poverty being made at the Kilmer Job Corps Center in Edison, N.J. On October 9, an excellent article in the Elizabeth Daily Journal, entitled "Life at Kilmer (and before)" reaffirmed what I have been saying for a long time. This article focuses on the life of two young men, named Clarence Lammie and Ivy Butler, who have discovered that the Job Corps can open the doors to opportunity for even our most thoroughly disadvantaged young people.

Mr. Speaker, the article points out that of Kilmer's 2,735 graduates, 2,347 are known to have been placed in jobs—an amazing record of success, and one that is growing all the time as the program gains experience and increased community respect. I find it incredible, Mr. Speaker, that there are those who would actually do away with this fine program, and deliberately deny to our Nation the abundant, permanent benefits it is successfully providing.

In order that all those with open minds and open hearts may have the benefit of this latest testimony of Job Corps success, I insert the Daily Journal article at this point in the RECORD:

LIFE AT KILMER (AND BEFORE)

Clarence Lammie, 18, black and an inmate of a piece of hell called the South Bronx, sat nervously fingering a copy of a book which bore the title, "The Judeo-Christian Tradition."

"In my neighborhood," he said softly, "It's easier to buy a bag of dope than a bottle of whisky. You could buy that too even if you were 16. The man would sell it; he didn't care.

". . . Ninety per cent of the kids I went to school with are on dope."

Clarence Lammie, a high school drop-out isn't on dope. He is a member of the Camp Kilmer Job Corps attending the City College of New York nights. In February, he expects to be a full-time student.

Lammie isn't the prime model of a South Bronx youth. He avoided getting hooked on the "stuff" in an environment in which sweet dreams are about the only pleasant thing in life.

He joined the Job Corps and says he always had hoped to go to college.

The fact that he is there is a minor miracle which Lammie managed to pull off with the help of the Job Corps. Through that organization, he is getting a chance, not the second try of a failure, but the first chance we don't hand out to most kids in the South Bronx.

I asked him why he made the break. He spoke with an understandable wariness. His world is not mine.

Finally, Lammie mumbled "Something happened."

He said he didn't want to talk about it.

"In your family?"

He nodded. I said it must have been pretty rough.

"You wouldn't want to see it either," he said, his voice suddenly filling with volume.

I dropped the subject.

Lammie left school in the 11th grade. He got a part-time job in a store. Then he heard about the Job Corps.

"I decided I had to figure which way I was going to go," he said. "I signed up and my friends tried to talk me out of it. 'You don't want to go down there and get beat up,' they said."

Lammie didn't go the first time he enrolled in the corps.

"I had something going, a girl."

Lammie received a high school equivalency diploma and was accepted in a special program at City College. The Federal Electric Corp., which operates the Kilmer center, is paying the tuition, a gesture beyond the terms of the company's contract with the government.

In February, Lammie will begin working in the high school equivalency program at Kilmer. He will work as well as go to college.

Even with the help of the Job Corps, many youngsters like Lammie don't make it. There is a 30 per cent drop-out rate, mostly in the first few weeks of the program, which can run from six months to a mandated maximum of two years.

The gate always is open. Anyone can walk out at anytime.

Rules at the center are strict. Violations bring penalties ranging to dismissal.

An official to whom I spoke mentioned he could only stay for a limited time.

"A couple of boys brought back pot and were packing them up and sending them home," he explained.

Some youths, guilty of less serious infractions, get a second chance if they are willing to go to "32," a building that houses the intensive treatment unit.

Charles Utley, supervisor of "32," explained. "We put the kids in a ditch with a pick and shovel. They have to work their way up to better jobs.

"Everyday, we have a discussion group. The fellows who have been in '32' for a while work on the new ones. They attack them; break them down; make them admit their problems.

"'Go back, to your old neighborhood,' the boys say. 'Then think what you have to look forward to. Go back and be a bum.'

"It's a beautiful thing to watch. Kids begin to see what life is without purpose and direction. They know what they're going back to."

The treatment works far more often than it fails.

Ivy Butler, 17, a resident of Brooklyn's Bedford-Stuyvesant section, is finishing up his stay in "32." Utley called Butler one of intensive care's most difficult problems.

"When he came to us, he really hated rules," Utley said. "He would curse at anyone who told him to do anything. He'd been that way for a long time."

Butler's schooling ended in the ninth grade. He worked as a shortorder cook, then was unemployed. He hung around the house. Finally, his mother told him to join the Job Corps. Butler went without much intention of staying.

His pals told him: "You got to be mad to go that far from home." Within a short time, he was in "32."

"They really worked on me," Butler said. "I couldn't see any sense to any rules. They finally got to me."

Exactly how is something a psychiatrist could explain. What is important is that Butler now is back in the auto mechanics school at the Job Corps. He will finish the program.

I asked Butler if he tried to talk any of his friends into signing up.

"They just keep telling me the things I used to say," he explained. "It's not much use. I tried to get my cousin to join. He said: 'There must be a hook up it someplace.'"

Butler paused, then added: "If there is, I haven't found it yet."

Camp Kilmer has graduated 2,735 youths. Of these, 2,347 have been placed in jobs. The program provides for no follow-up so there is no information of how many of the graduates hold their jobs.

Private, volunteer groups now are beginning such a program.

Critics always point to the deficiencies, and there are plenty of critics. Maybe they do know a better program—or maybe they should talk to Clarence Lammie!

PARLIAMENTARY DELEGATION FROM PAKISTAN

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. GIBBONS. Mr. Speaker, during the last week of September Washington played host to a distinguished group of visitors from Pakistan. These men, members of a Parliamentary Delegation sponsored by the Department of State's international visitor program, are now completing a 30-day tour of the United States. Their visit will take them coast to coast in an effort to give them a better understanding of our country and its people. During their stay in the Capital, I had the opportunity to meet all of the delegates and found them to be an outstanding group. Their leader, Pakistan's Minister for Law and Parliamentary Affairs, Mr. S. M. Zafar, introduced me to his colleagues: Prince Miangul Aurangzeb, Shah Azizur Rahman, Mian Salahuddin, Sardar Khizer Hayat Khan,

Mohammad N. A. Lashkar, and Mr. Wahiduzzaman, who are members of Pakistan's National Assembly, and Mr. Muzafar Husain, Secretary of the National Assembly.

On the evening of September 26 I had an opportunity to meet and participate in an informal discussion with the distinguished leaders of Pakistan in the home of Ambassador Harriman. I was deeply impressed with the high quality, dedication, and sincerity of these visitors. There is no doubt in my mind that these leaders are highly dedicated to the cause of freedom and economic progress.

The visit of the Pakistani Parliamentarians is significant in that it is the first time such a high-ranking legislative group from Pakistan has visited the United States, and it marks yet another step in the continuous process of confirming and expanding the already close relations between our countries.

This relationship dates back to the founding of Pakistan on August 14, 1947, following the partition of British India. At that time Pakistan was faced with enormous difficulties—thousands of refugees, a disorganized defense establishment, an insignificant industrial capacity, and an outmoded agricultural system. Since 1947, however, Pakistan has made tremendous progress. It has absorbed the refugees and developed a modern defense force. Industrial growth has skyrocketed, and Pakistan hopes to become self-sufficient in food production by 1970. Much of this progress has been accomplished under the direction of its President, Field Marshal Mohammad Ayub Khan, who assumed the leadership of Pakistan in October 1958.

Over the past 18 years the United States has made available a small amount of economic and food aid to Pakistan. That this aid has been wisely used can be seen in the fact that Pakistan's economic record is one of the brightest in the developing world.

Mr. Speaker, the American Ambassador to Pakistan is the Honorable Benjamin H. Oehlert, Jr. Mr. Oehlert is a former resident of the State of Florida and is doing an outstanding job representing our country in Pakistan.

In closing, I would like to wish our distinguished guests from Pakistan an enjoyable and rewarding visit to the United States and a safe and happy return to Pakistan.

GREEK GOVERNMENT PLEDGES ELECTIONS FOR RETURN OF CONSTITUTIONAL GOVERNMENT

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, I am sure we all read with great comfort the assurance issued by the Government of Greece that it has prepared a specific and inalterable timetable for the return of constitutional government to Greece.

I was very pleased to learn that Ambassador Christian Palamas has issued a formal statement in which he has spelled out his Government's firm commitment to a representative election which will help restore representative government to Greece.

During my recent visit to Greece I was assured by the various military leaders who have had the responsibility of managing that country since the April 21 uprising that positive steps would be taken to restore parliamentary government to Greece.

I was assured even by the most bitter critics of the present regime that the Constitutional Revision Commission which has agreed to have its recommendations ready by December 15, 1967, is made up of members highly respected for their fairness and integrity.

It should be a source of great comfort to those who want to see constitutional government returned to Greece that a firm timetable has been established by that government.

I believe, Mr. Speaker, that the announcement by the Greek Ambassador should also dampen the constant attacks being made against those who are trying to restore order out of chaos in Greece.

I said recently in a speech on the floor of the House, that the United States must do everything it can to assist the present government to restore constitutional rule and also firm-up its commitment to NATO.

There are those in our Government who have withheld resuming the shipment of NATO arms to Greece and also have withheld urgently needed economic help for the Greek victims of the recent earthquakes.

It is my hope that the Government of the United States will now restore normal relations with the Government of Greece and do everything in its power to help that Government fulfill the timetable it has posted for the return of representative government in Greece.

I should like to include with my remarks today an article which appeared in this morning's Washington Post, describing the timetable announced by the Greek Ambassador.

I have no reason to doubt his integrity and the solemnity of his pledge that his government consider the timetable irrevocable.

In the light of this firm assurance, it is my hope that the United States will delay no longer the giving to Greece of assistance she needs.

I should also like to take this opportunity, Mr. Speaker, to include in my remarks today a recent statement made by General Van Fleet, the American general who wrote such a spectacular record of achievement during the Korean war.

General Van Fleet, after a recent visit to Greece, said that he is convinced that the Greek uprising by the military forces on April 21 saved that country from the Communists and avoided for America another Vietnam.

I should like to include all of General Van Fleet's remarks in the RECORD, at this point.

I should also like to point out that the Washington Post article about the schedule for elections follows immediately after General Van Fleet's remarks:

[From the Royal Greek Embassy Press and Information Service, Sept. 30, 1967]

GENERAL VAN FLEET ENDORSES GREEK REGIME

General Van Fleet, ranking U.S. adviser during the guerrilla war against the Communists in Greece, declared in an Athens press conference yesterday that the Greek military government saved the United States from having a new Vietnam, and he expressed his extreme satisfaction that the Greek Army moved in to save the country from the Communist threat.

General Van Fleet's statement runs as follows:

"The military government saved the United States from having a new Vietnam. I have been to Greece many times. This is my second home. Political turmoil made the Greek government prior to April 21st so weak, that it became a do nothing government. No decision could be made while certain political elements were catering to the old Communist bloc for support. This is my observation as an American. Whether it is accurate or not it is for the Greeks to decide.

"However, when it became apparent that the extreme left had a decisive influence and Greece might fall to a neutral position or withdraw from NATO, when demonstrations against the Americans and NATO were becoming intensive, I was extremely delighted to hear that the military had moved in and saved the country.

"The Greek people are a valiant, patriotic and proud people. They always fought on our side and are our most loyal allies. In the Greek struggle against internal communism in 1948–1950, Greece won without the loss of a single American life. The United States provided only material assistance and encouragement. And I was privileged and honored to head the American military advisory group at that time. I have met most of the present cabinet members then, many of whom were junior officers during the 1948–1950 fight, battalion commanders, staff officers and aides to General Papagos. They have been brought up in the tradition of duty, honor and country and I am delighted to know that such men are now at the principal posts in the government. Indeed they are well qualified and dedicated.

"I am convinced that they are achieving their announced plans as rapidly as possible and they will in due time restore parliamentary government. However, it takes time in order to prevent a return to former anarchy. It is inconceivable to me that we sent our precious American boys around the world to fight communism in Asia with great loss of life and money and here in Greece the United States remains quiet while a loyal military saves the country from communism without any assistance in men from America. I wish the United States would cheer this government for what they have done instead of remaining quiet and thus encouraging the enemy.

"The suspension of military aid is of little effect materially but has tremendous effect morally. Greece has always been with us and always will be. There exists a close friendship among us and America now should come forward and praise this great military government for what it has done to save Greece, NATO and America."

GREEKS PLEDGE RETURN TO DEMOCRACY

The Greek Embassy last night announced an "irrevocable" timetable for return to parliamentary democracy in Greece, with a constitutional referendum to be held in August.

Parliamentary elections would follow after the referendum, Greek Ambassador Christian X. Palamas said in a statement.

[A spokesman said Palamas' statement was

issued in reply to U.S. critics who say the military plans to remain in power indefinitely, United Press International reported. He said he hoped it would help convince Washington to resume arms shipments to Greece, which were suspended after the Greek army seized power April 21.]

The Ambassador said he was authorized to announce the following four-stage official timetable:

On Dec. 15 the constitutional revision committee would submit the draft of the new constitution to the government.

Preparation of the final draft, to be submitted to the electorate by the government, should not exceed a period of six months.

Technical preparation of the constitutional referendum would take approximately two months, after which the referendum would be held.

Parliamentary elections would follow according to the appropriate provisions of the new constitution.

"I am authorized to state categorically that the Greek government considers the above timetable as irrevocable," Palamas said.

Announcement in Athens earlier said a referendum would be held in 1968, but the spokesman said the month of August was now clearly the expected time.

[Asked for comment, a State Department spokesman said the government was encouraged. He noted that the United States has issued many in the past for a return to democratic government in Athens.]

TOO HEROIC TO DIE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Florida [Mr. PEPPER], is recognized for 10 minutes.

Mr. PEPPER. Mr. Speaker, most of the free world held its breath through the tense days of May and early June, when Israel, alone and without an ally stood resolutely against the vaunted might of the Arab nations poised on her borders, who were ready to annihilate the tiny enclave of democracy in the Middle East. Yes, without an ally; for Israel has no treaties, no alliances, no guarantees with any other nation to insure support in time of need. As events have since proven, Israel was well up to the task of meeting the Arab attack unassisted. The magnificent Israel defense forces defeated the combined armies of her Arab antagonists in a brief but telling war that ably demonstrated that this nation was not about to surrender her freedom because of the threats of a few hate-filled tyrants.

The distinguished novelist James A. Michener characterized Israel in an article in the August 8, 1967, issue of Look magazine as "A Nation Too Young To Die." In asking that this fine article be inserted in the RECORD, I would suggest also that Israel and her people have demonstrated themselves to be "too heroic to die" and determined to live and make the Holy Land flower once again:

ISRAEL: A NATION TOO YOUNG TO DIE

(By James A. Michener)

I remember when I first became aware of the unnatural tension under which the citizens of Israel have been obliged to live since the establishment of their nation in 1948. I had come to the seaport city of Haifa to do research on a book, and for well over a year, I stayed there, probing the various libraries at my disposal.

Almost every week, and often three or four times a week, my morning paper carried the news that one or another leading Arab politician, and not infrequently a head of state of one of the neighboring Arab countries, had announced his intention of leading an army that would "push the Jews of Israel into the sea," or that would "wipe them off the face of the earth," or perhaps, "strangle them forever." I suppose that the threats occurring during the time I worked in Israel totaled well over a hundred.

They came from more than a half-dozen different countries, some as far away as Algeria and Morocco, whose preoccupation with Israel I could not understand. They did not come, so far as I remember, from Lebanon or Jordan, which have common boundaries with Israel.

Especially appalling to me were the five different times when some Arab head of state announced that he was going to blow up the city in which I sat working. I took even those threats without panic, for I have seen a good deal of war and bombing and do not frighten easily, but I must admit that when the Arab leaders narrowed down their target to the hotel in which I was sitting, and when on two occasions they gave a specific timetable for dispatching their rockets, I felt shivers run up my spine.

I lived for more than a year under these constant threats. I neutralized them by saying, "I'm free to leave Israel when I like. I have no personal attachments and no responsibility." But what must have been the accumulated anxiety for the head of a growing family in Haifa who heard these threats each week, not for one year but for nineteen? What must have been his feelings if he knew that he could not leave the threatened country, that he had a responsibility both to his family and to his nation?

Israel's apprehension was not a paper one. In addition to the threats, there were constant incursions into Israel, constant shootings across the borders, constant intrusions by groups as large as squadrons or small companies. If I went to do some research on the old synagogue at Korazim, I was somewhat taken aback to find that one day later, a pitched battle had been fought there and two Israeli civilians had been killed. If I went on a picnic to the Sea of Galilee, I was a bit shaken when two days later, there was a bombardment of Israeli boats. If I visited the kibbutz at Dan and waded upstream to the cool spring that forms one of the headwaters of the River Jordan, I was frightened to learn that, shortly before, a man had been lost doing that. And when I moved to Jerusalem, to work in the libraries there, I was sorrowful when children told me I must not walk down this alley by the Persian synagogue; gunfire had been coming in from the rooftops only 50 feet away.

And wherever I went, whether to Haifa, or to Korazim, or the Galilee, or Beersheba, there was the constant dinning in my ears of the threat, reiterated week after week, "We are going to destroy you. We are going to push you into the sea." The history of Israel is the history of ordinary people living ordinary lives under the incessant repetition of that threat, backed up by just enough Arab military activity to prove that the threat might be put into action at any moment.

To understand the problem of Israel, the outsider must imagine himself living in Washington, D.C., and reading each morning that neighbors in Baltimore and Alexandria have again threatened to blow Washington off the face of the earth and to push all Washingtonians into the Potomac. The threat, mind you, does not come from across the Atlantic or Pacific. It comes from a few miles away. And to prove the reality of the threat, actual military adventures occur from time to time, taking the lives of random Washingtonians.

What chance would you say there was for the citizens of Washington to go on indefinitely ignoring such behavior? This article is an account of why the citizens of Israel had to react to such a situation.

I must point out at the beginning that I hold no special brief for either the Israelis or Jews in general. I have lived too long among them to retain any starry-eyed visions. They are ordinary people marred by ordinary weaknesses and bolstered by the courage that ordinary men of all nations and races can at times draw upon. I worked among Muslims for ten years before I ever set foot in Israel, and on at least 50 percent of the characteristics by which men and societies are judged, I like Muslims at least as well as I like the Jews.

Furthermore, I am a professional writer who has worked in many contrasting societies, and I have found none inherently superior to all others. There have been many single aspects of Japan, or Polynesia, or Spain, or India, or Afghanistan that I have preferred, and to me, Israel is merely one more country. It happens to have certain characteristics that elicit enormous respect, but so did each of the Muslim countries in which I worked.

What we are concerned with here is a problem of worldwide significance: How can nations that must live side by side do so with a decent regard one for the other? In trying to reach a solution to this problem, Israel has as many responsibilities as its neighbors. However, this particular inquiry relates primarily to certain adjustments the Arabs must make before any kind of stability can be achieved in a region where stability is much to be desired.

Exactly how vicious were the verbal threats? It will be instructive, I think, to follow the behavior of one Arab country over a short period of time so that the non-Middle Easterner can catch something of the quality of the attacks that were constantly being made. For this purpose, I have chosen Syria, which has a common frontier with Israel and an internal political problem that makes verbal attacks on Israel an attractive form of demagoguery.

For some years, Syria's politics have been unusually volatile. During my stay in the area, there were several revolutions, three complete changes of government and continued violence. At one time, observers had hoped that Syria's political union with Egypt might produce a substantial and stable bloc of Arab power that would carry with it a sense of responsibility. But that union did not last long, and with its dissolution, Syria plunged into contortions that carried it first in one direction, then another. Consequently, Syrian politicians found that the one thing that united them was a common call for violence against Israel. This is how they spoke:

March 13, 1966, the official newspaper, *Al Baath:* "It has become evident that our problem will only be solved by an armed struggle to expel the rapacious enemy, and put an end to the Zionist presence."

April 17, 1966, the chief of state of the country, Nuredden Al-Attassi, in a speech at a military parade: "A total popular war of liberation is the only way to liberate Palestine and foil the plan of imperialism and reaction. . . . We shall work for the mobilization of all efforts for the needs of the total popular war of liberation."

May 12, 1966, the Syrian commander in chief: "As for the statements of the so-called ministers and officials in Israel that they will punish states which support the commando forces . . . we tell them that we shall wage a liberation war against them as the Party has decided, and fear and alarm will fill every house in Israel."

May 19, 1966, Radio Damascus: "When our revolution declared that the way to liberate Palestine is through a popular war, it knew

beforehand that the meaning of this declaration is an open and decisive confrontation with Israel."

May 22, 1966, Chief of State Al-Attassi: "We raise the slogan of the people's liberation war. We want total war with no limits, a war that will destroy the Zionist base."

May 24, 1966, Syrian Defense Minister Hafez Assad: "We say: We shall never call for, nor accept peace. . . . We have resolved to drench this land with our blood, to oust you, aggressors, and throw you into the sea for good."

July 16, 1966, Premier Yousef Zouayen: "The popular liberation war which the Palestinian masses, backed by the Arab masses in the whole Arab homeland, have determined to wage, will foil the methods of Israel and those behind it. We say to Israel: 'Our reply will be harsh and it will pay dearly.' "

It must be remembered that the above quotations come from a period of relative stability along the Syrian-Israeli frontier. In the succeeding nine months, from September, 1966, through May, 1967, or just before the outbreak of armed hostilities, both the tempo and the inflammability increased. In those weeks when Syria was not threatening to destroy Israel, the heads of other Arab nations were. During my stay in Israel, I believe all the Arab states, excepting Jordan and Lebanon, made specific announcements that they were preparing a war that would drive Israel into the sea.

This constant incendiary barrage came to a climax in May of 1967, when war against Israel had pretty well been agreed upon, and perhaps that accounts for the exaggerated quality of these statements:

25 May 1967, Cairo radio, in a broadcast to all Arab countries: "The Arab people is firmly resolved to wipe Israel off the map."

26 May 1967, President Gamal Abdel Nasser of Egypt: "Our basic aim will be to destroy Israel."

26 May 1967, the leader of the Palestine Liberation Organization, Ahmed Shukairy: "D-day is approaching. The Arbas have waited 19 years for this and will not flinch from the war of liberation."

29 May 1967, the same Mr. Shukairy: "The struggle has begun at the Gulf of Aqaba and will end at the Bay of Acre."

30 May 1967, Cairo radio: "Faced by the blockade of the Gulf of Aqaba, Israel has two choices, both of which are drenched with Israel's blood: Either it will be strangled by the Arab military and economic siege or it will be killed by the bullets of the Arab armies surrounding it from the South, from the North and from the East."

1 June 1967, the commander of the Egyptian Air Force on Egyptian television: "The Egyptian forces spread from Rafah to Sharm el Sheik are ready for the order to begin the struggle to which we have looked forward for so long."

Now, I suppose that a logical man ought to reason: "If the leaders of the Arab states confine their threats to verbalisms, no matter how virulent, the citizens of Israel should adjust to the situation, for obviously the Arabs are using words in a way that need not be taken seriously." Speaking for myself after my initial weeks of shock, I began to dismiss the blasts against Israel as bombast.

I tried to quiet my inner fears and become adjusted to this incessant barrage of verbal treats, but my ability to live with them did not means that I was immune to them. Not at all. For whether I liked it or not, I was living under an act of aggression. That it was psychological rather than physical made it the more insidious. I began to find that, although in public I dismised the threats as evidences of temporary insanity on the part of those who made them, when I was alone, I had to worry about them. Against my will, I found myself concluding, "If Syria and Egypt and Iraq and the others keep on making such threats, they must in the end do something about them. And if Israelis continue to hear these threats week after week, they must in the end accept them as real, and they, too, will have to act upon them."

In this way, not only were the airwaves polluted, not only was all intercourse between nations contaminated and all chance of peaceful coexistence frustrated, but the psychological processes of both those who made the threats and those who received them were slowly and painfully corroded until both Arab and Jew knew that war was inevitable. On one visit to Jordan, which was one of the least psychotic areas, I talked with 16 young Arabs, and all said they longed for the day when they could march with the Arab armies into Israel and wipe it off the face of the earth. In Egypt, I found attitudes the same. And what was most regrettable, in Israel, where I knew thousands of persons who would speak frankly, a dull kind of resignation possessed them: "I suppose that one of these days we shall have to defend ourselves again."

It is because of the danger that thrives on verbal threats that English common law evolved the concept of assault and battery. Not many laymen appreciate that in law, the threat to do bodily damage is roughly the same as physically doing it. But society has learned that the continued psychological damage to the threatened victim is often graver than an actual punch in the nose might have been. The threat involves uncertainty and accumulating fear, whereas the physical release of an actual blow is over and done with in an instant. Thus, in strict legality, if I hold a gun and threaten, "I am going to shoot you," that is an assault. If I actually do the shooting, it is a battery. The important thing, however, is that the law holds the two things roughly equal, and a private citizen may be as quickly thrown in jail for one as for the other.

When assault is resorted to by nations, it is a violation of the United Nations Charter, Article 2, Principle number 4. Yet for 19 years, Israel lived under constant assaults.

In spite of my knowledge that a verbal assault is sometimes more destructive than a physical battery, in spite of my recognition of Arab behavior as aggression, and in spite of my experience with history that proves one aggression breeds another, I still clung to my hope that as long as the Syrians and the Egyptians confined themselves to wordy abuse, Israel could learn to live with it as one of the peculiarities of Arab politics. I even began to understand why nations as far away as Morocco, Algeria and Pakistan wanted to participate in the verbal campaign, for in this way, they kept their franchise as Muslim states. I was pleased to see that more mature Muslim sovereignties like Turkey, Iran and even Arab Tunisia wanted no part of this folly. Again and again, I told my Israeli friends and others who asked me, "As long as the Arabs confine themselves to verbal threats alone, no great damage will be done."

Unfortunately, the surrounding countries did not confine themselves to verbalisms. They also engaged in open acts of invasion, sabotage, terrorism and military action. I myself witnessed the aftermaths of three such actions.

One day in 1963, I visited the ancient black-basalt synagogue at Korazim because I wanted to see how Jews had worshiped in the time of Christ. It is believed that Jesus once lectured there, and I found ruins not often visited by tourists. It was a remote area, peaceful, indifferent, as old almost as the hills. But on the next day, Syrian armed units invaded this rural scene and killed two civilians. Hotheads in Syria boasted that this was part of a planned program of harassment that would continue until all Jews were driven into the sea.

Again in 1963, I visited the Kibbutz Ein Gev for one of its famous fish dinners and a lazy afternoon of watching boats drifting across the Sea of Galilee. I also climbed up into the hills in back of Ein Gev to see the incredible kibbutz perched on the last half inch of Israeli soil. As I sat in the dining room, whose windows were shielded by a massive concrete bunker, a young Israeli girl explained, "We have to have the wall to keep out the Syrian bullets, for they shoot at us whenever we sit down to eat." Two days after my visit, a Syrian gun emplacement in the hills lobbed shells into the lake, sank a fishing boat and injured five fishermen. Once more, Syria publicly announced that this was part of a continuing campaign.

My most moving experience came when I visited the beautiful Catholic monastery marking the supposed site of Christ's Sermon on the Mount. It rests on the hills west of Capernaum, where Jesus sometimes argued with scholars, and while I was staying there, I learned that shortly before, in Israeli fields to the east, a Syrian patrol had planted land mines and one had exploded, killing Israeli farmers.

I could go on through the years 1964, 1965, 1966 and 1967, citing incident after incident in which acts of actual warfare were perpetrated in this region. From the high hills that Syria occupied to the east, gun positions pumped in random shots at workers on the Israeli farms. From protected emplacements along the shore of the Sea of Galilee, Syrian guns fired point-blank at Israeli fishermen. And night after night, marauding parties crept over the border to mine, to murder and destroy.

Now, no man in his right mind would claim that Israel in the meantime was sitting idly by in childish innocence, or that it accepted these invasions of its sovereignty without striking back. In self-respect, there had to be retaliations, and there were. These warlike Arab acts, backing up verbal threats, would have been suicidal for the Israeli Government to ignore. Arab leaders now began massing enormous armies with much first-rate equipment, and these gave every evidence of being able to crush Israel. What was most provocative of all, the leaders of this might openly announced that they planned to launch a full-scale war. If ever a nation was forewarned by word and act and specific promise of annihilation, it was Israel.

What were the odds against Israel? A quick glance at the figures—46 million in the surrounding Arab countries, 97 million in all, as against 2.6 million Israelis—might lead one to believe that the Arab states would have little trouble in overwhelming Israel, except that twice before, in 1948 and 1956, they had tried to do so and failed. Arab leaders grew adept in explaining away the somber fact that twice a handful of Jews had resisted efforts to throw them into the sea. "In 1948," explained the leaders, "we were betrayed by Great Britain, and in 1956, it was the French and English armies that defeated us through their invasion of the Suez." By June, 1967, a persuasive legend had grown up, largely masking the truth that the Arab states had ever tested arms with the Israelis, and completely ignoring that in each war, the Israelis had been victorious. In a magic flood of words, history was repealed.

The Arab leaders created an enticing world of fantasy; one demagogue lived on the pronouncements of the other, and in time, all came to believe that facts were other than they had been. When the Arab armies were able to import huge supplies of modern weapons from their East European supporters, they really believed that their peasant levies, with little stake in their society to fight for, would stand up against Israelis who had good homes, better universities and a deep moral commitment to their nation.

I have had two opportunities to witness the impact of this fantasy world upon rational Arabs. In one of my books, I described

in some detail the manner in which, in 1948, Jewish youths captured the north Israel city of Safad against overwhelming numbers of Arab soldiers. At no point in my description did I deride the Arabs or cast aspersions upon them. Some dozen correspondents in the different Arab nations commented upon this favorably when they wrote to me complaining about the passage. What they objected to were the facts I presented. Some claimed that the Jews must have numbered 20 or 30 times their known strength. Others argued that Arab units that we know to have been in the city were not really there. Several explained that the loss was due to British perfidy in turning over to the Jews the best military sites, whereas the truth was just the opposite. And all expressed the opinion that I had been tricked by a legend that had not really happened. I had the strange feeling that my correspondents trusted that one morning, they would waken to find that Safad had never really been lost at all, that it was still in Arab hands and that maps and stories to the contrary had been mere propaganda.

Of course, in the preceding paragraph, I am generalizing from a dozen letters, none of whose authors did I see personally, and it may be that I am reading into their letters a greater evidence of fantasy than the writers showed. About my second experience, I cannot make such an error, for it I witnessed in person.

In the summer of 1964, I was vacationing in the lovely city of Alexandria, made famous by the writers of antiquity and by Charles Kingsley and Lawrence Durrell, and one day at sunset, as I was strolling along that unequaled boulevard that runs beside the Mediterranean, I came to a park where in the evenings, a concert of folk music was offered. Now, I am very partial to this form of entertainment, for one learns much from uncontaminated folk songs. So I bought a ticket for the performance.

At the concert, I found a large number of Egyptian families with their children. It was a splendid night, filled with stars and coolness, and we sat back to watch a first-class performance of folk song and dance. The choruses were strong, the dancers agile, and the evening compared with others I had enjoyed in Kyoto, Djakarta, Manila and Mexico City.

A rather larger cast performed, and this made me wonder where the money to pay them came from, for the audience was not unusually big, and the prices we had paid were only nominal. I shrugged my shoulders and concluded that this was somoene else's problem, but when the regular performance had ended, with a false note that I could detect, the bugles started blowing, excitement gripped the children in the audience, and the curtains parted to show a scene in the year A.D. 2000. In a park much like the one in which we were sitting, a group of children played about the statue of an Egyptian soldier while an old man watched. One of the children asked who the statue was, and by means of a dance, the old fellow explained. Years dropped from his shoulders. His cane became a gun. His ragged clothes fell away to reveal a military uniform, and as more bugles blew, ghosts of his former companions in arms appeared onstage, and in wonderfully choreographed pantomime, the Egyptian Army demonstrated how it had won the great war of 1956.

The scene was at Suez, where a handful of heroic Egyptians held off and finally defeated not an Israeli army but invaders storming ashore from French and English battleships. For each Egyptian soldier, scores of Frenchmen and Englishmen rushed onstage, only to be overwhelmed by sheer courage. In the end, the invaders had to retreat, whereupon the Egyptian defenders fell into a tableau of victory as fine as any I had ever seen. The great powers had been driven off, and Egyptian honor was once more secure.

I looked about me at the audience, and it was apparent that the adults, many of whom must have participated in the events thus portrayed, had begun to accept this version as history. Their eyes glowed, and a real patriotism suffused their faces. As we left the park, I saw one young boy of nine or ten lunging out with an imaginary bayonet to hold off imaginary Frenchmen and Englishmen. When I made inquiries about the performance, I found that it was paid for by the government and was repeated throughout the year.

The whole thing was fantasy, of course, and certainly no worse than similar versions of English history offered in London or French history in Paris. I am sure that parallel perversions could be found in American folklore, and I doubt that much harm is done to children by this patriotic nonsense. But in the case of Egypt and the other Arab lands, there was an additional danger because adults, too, were accepting such fables: college professors, university students, newspaper editors, businessmen believed that Egypt had won a great victory in 1956. I could find no evidence that anyone in public life was willing to admit that in Egypt's military adventure against a handful of Jews, the latter had easily won.

All nations engage in fantasy, but few indulge themselves with so virulent a dream as the twofold Arab dream that Israel does not exist and that the Jews who presently occupy the land of Israel can easily be pushed into the Mediterranean . . . whenever the Arabs finally decide to do so.

Sometime in the spring of 1967, the Arab leaders decided that the time was ripe. Under incessant pressure from Ahmed Shukairy, leader of the Palestine Liberation Organization, who stood to win himself the satrapy of Palestine if he could goad Egypt, Syria, Iraq, Lebanon, Jordan and Saudi Arabia into declaring war on Israel, and with the full connivance of Gamal Abdel Nasser, who stood to win himself an emperorship if the war was successful, the Arab nations reached an understanding. These men who had lived so long on fantasy now conceived the supreme fantasy that they could quickly destroy the nation that had twice defeated them and had in the interim grown stronger socially, psychologically and morally, even though its airplanes and tanks had not kept pace in numbers with those of the Arabs.

On May 16, 1967, President Nasser initiated the two final moves. On that day, he elbowed the United Nations Emergency Force out of its peacekeeping positions along the Egyptian-Israeli border in the Sinai Peninsula and forced it ignominiously to retire from the area, thus depriving Israel of the one slim assurance it had that a surprise attack would not be launched from the desert. The fire engine that was supposed to protect the community scuttled out of town at the first smell of smoke. In its place, President Nasser moved up his own divisions, and the stage was set for war.

On May 22, 1967, he made his second crucial move. With the retreat of the United Nations troops, he found himself in sole control of Sharm el Sheik, the fortress commanding the strait leading into the Gulf of Aqaba. It was a simple matter for him to announce that henceforth, the Gulf would be closed to Israeli ships and even to ships of other nations carrying strategic materials bound for Israel. None would be permitted to enter and none to leave. This was a hostile act and had to be construed as a declaration of war. That President Nasser was aware of the gravity of his act, he took no pains to hide: "Sharm el Sheik and the blockade mean real confrontation with Israel. Taking such a step means that we should be ready to enter full-scale war with Israel. It is not an isolated operation."

The Gulf has been recognized as an international waterway because four sovereign nations line its coasts: on the east, Saudi Arabia; on the west, Egypt; on the north, Israel; and on the northeast, Jordan. But it is more important economically to Israel than to any of the other three, since Elath is a major port for handling oil and other heavy cargoes. If the Gulf of Aqaba were to be closed to all shipping, whether to Jordan or Israel, the blockade would damage Jordan, but it would prostrate Israel. However, ships intended for Jordan were allowed to pass and during the exercise of the blockade, several did proceed unmolested to Jordan. This underlined the fact that the blockade was meant to be an act of war, and lest any misunderstand the intention, President Nasser proclaimed on May 26:

"The Arab people want to fight. . . .

"We have been waiting for the suitable day when we shall be completely ready, since if we enter a battle with Israel we should be confident of victory and should take strong measures. We do not speak idly.

"We have lately felt that our strength is sufficient, and that if we enter the battle with Israel we shall, with God's help, be victorious. Therefore, we have now decided that I take real steps.

"The battle will be a full-scale one, and our basic aim will be to destroy Israel."

Obviously, the major maritime nations of the world, having anticipated that such a blockade might one day be attempted, in which case their ships would be powerless to enter the narrow strait, had long been on record regarding two points: (1) the Gulf of Aqaba was an international waterway, and (2) as such, it must be kept open for all nations to use equally without let or hindrance.

By flouting international law and blockading the Gulf of Aqaba to Israeli shipping, President Nasser had effectively and somewhat cleverly cut Israel's lifeline to the south. If the blockade were allowed to continue unchallenged, Israel would experience what its Arab neighbors had been threatening for so long—its strangulation. This was war, but still only an indirect version, in the economic field. One could reasonably hope that from it, President Nasser might back away, but such hopes were dashed on May 28, when he announced over the radio: "We intend to open a general assault against Israel. This will be total war. Our basic aim is the destruction of Israel."

As the Arabs prepared for what they assured themselves was to be the final conquest of Israel, their morale was at high pitch. And because of what they had been told so continuously over the previous eight years regarding their victory over the British and French in 1956, they believed in all honesty that this time they were going to crush Israel, and fairly easily.

President Nasser encouraged this belief by his belligerent speeches. From Syria, Chief of State Al-Attassi thundered that his army was impatient to begin marching.

The foot soldiers, the aviators, the tank commanders and even the generals prepared to launch what they were convinced would be an easy, victorious sortie. In the fantasy world in which they had lived for so long, and to which they had contributed, words took the place of accomplishment, wishes took the place of military discipline, and inflated dreams of revenge superseded facts.

If the Arabs with their verbal assaults had made life difficult for Israel, they had perpetrated a worse crime against themselves; for they had come to believe their own inflated nonsense.

At the hour of attack, the Voice of the Arabs radio station in Cairo issued this stirring call to its soldiers. It is the usual heartening battle cry that all nations use at a time of crisis and in general purpose is not much different from what Englishmen or Russians or Americans would shout to their

soldiers; but in the cry for avenging 1948, one hears a unique and ominous overtone:

"Destroy, ruin, liberate. Woe to Israel, your hour has arrived. The Arab nation is on its way to render its account. O Israel, this is your end.

"Every Arab must take revenge for 1948, must cross the Armistice lines from all directions and head for Tel Aviv. We shall drive out of existence the shame of Zionism. Rescue the looted Palestine. Hit everywhere till the end.

"There is no room for Israel in Palestine. This is your responsibility, O Arab soldiers! Israel, taste death!"

It required less than 72 hours in June to deflate this bombast.

What can be done to awaken the Arab masses to the reality that Israel stands where it does and will presumably remain there for some centuries? In the aftermath of 1948, the rest of the world permitted and perhaps encouraged the Arabs to follow a policy of blandly refusing to admit that Israel existed. The armistice commissions, which should have worked out regional policies, were not permitted to operate effectively. Decisions upon which peace depended could not be made because the Arabs refused to acknowledge that history had produced an old-new nation that would prove most viable—that was too young to die. The normal intercourse between nations, such as is conducted between Russia and Germany, which were certainly as bitter enemies as Egypt and Israel, was forbidden, and the region fumbled its way to the war of 1956.

When Israel won handily, the refusal to admit realities persisted, and the same errors were allowed to continue. International commissions did not function, and normal intercourse between nations did not mature, even though the Arab portion of the region and the Iraeli form a marvelous, interlocking whole—a unit whose various segments could well profit from economic, medical, educational, developmental and planning cooperation. The blindness and the arrogant folly that produced this stalemate also produced the speeches cited in this article. And they in turn produced the hysteria that led to a third war in less than 20 years.

If the world, in 1948, had insisted that the nations of this area sit down in honest consultation, 1956 might have been avoided. If the world, following the disaster of 1956, had insisted that the Arab nations at least awaken to the existence of Israel, the tremendous folly of 1967 could have been avoided. Now, the world has a third chance, and if some right decisions are made in the months ahead, the even greater tragedy of 1977 may be avoided. What is necessary is a reasonable revision of boundary lines; a sensible settlement of the Palestinian refugee problem; a cessation of verbal assault and physical battery; and a union of talents and interests, of resources and abilities, so that the region can move forward to a creative society in which all members live infinitely better than anyone there now does.

Am I hopeful that the world will now sensibly tackle its problems when it refused to do so in the aftermath of 1948 and 1956? I am not. President Gamal Abdel Nasser pulled out of the hat one of the cleverest tricks of his career when, in the first hours of defeat, he invented the enticing theory that once again it was not Israelis who were crushing his armed might from every direction but English and American aviators. His explanation captivated the imagination of all Arabs, and within a few days was adopted as official dogma. In 1970, when I revisit the lovely waterfront of Alexandria, I expect to see a tableau explaining how, in a moment of travail in the spring of 1967, the Egyptians and their Arab allies stood bravely against the combined might of Great Britain and the United States and repulsed it. That Israel was involved will not be mentioned.

At the moment when Egyptian armies were suffering their worst defeats, Egypt's undefeated radio was broadcasting the following careful analysis of the situation:

"The United States is the enemy. Its fighters and bombers gathered in large groups to provide for Israel an air umbrella that prevents the Arabs from bombing Israel's towns and villages, while it is moving fast all along the occupied frontiers of the Arabs. The United States, therefore, is the aggressor.

"The United States saw Israel about to collapse under the blow of death. The Chicago gangs moved; the state of gangsterism and bloodshed moved; it moved in order to protect its aggressive base in the Middle East. How vile and treacherous the United States has been in its collusion with the Zionists! It refrained from coming out openly to fight us. It refrained from facing the Arabs with an open and daring hostility. No, Arabs. The United States is too vile and too base to have the ethics of cavalier. The United States threw, from all its airports and aircraft carriers in the Mediterranean, huge and continuous massings of its fighters and bombers in order to provide that air umbrella that protected Israel from the revenge of the Arabs, from the massings of the Arabs, and from the victory of the Arabs.

"The battle is continuing, United States. . . . It is going on until you become, as Britain became after the 1956 collusion, third-rate state. Here we shall bury the American international gangsterism. Here, Arabs, dig graves everywhere; dig them for every U.S. existence; dig them, Arabs. Dig all the homeland a grave for U.S. existence. Dig it, Arabs. Dig it, Arabs. Dig it, Arabs.

"The curse of all the Arabs from the ocean to the gulf and from every corner of the globe, is on you, America, and on your lackey, Israel; together with the curse of all free peoples, the curse of free men everywhere."

On the night when the defeat of the Arab armies was known to the world as one of the most crushing in history, I discussed matters on an all-night radio show with Dr. M. T. Mehdi, secretary-general of the Action Committee on American-Arab Relations, and he made these points: "Nothing has changed. Israel is worse than Nazi Germany, and the Arabs will have to drive her from the region. The war will continue precisely as it has been going for the past 19 years. And what the Americans and the English took away from the Arabs by their intervention, the Arabs will recover at the conference table. Peace talks, of course, will have to be conducted through third parties at the United Nations, because no Arab leader will ever agree to sit down and talk with an outlaw nation like Israel. You'll see. The United Nations will force Israel back to her 1948 boundaries, after which all Arab nations will unite in a war to exterminate her, because this is going to be just like the Crusades. For two hundred years, the Arabs will continue their fight and in the end they'll do exactly what they've said. Push Israel into the sea."

Nasser will probably gain more from the Arab world in defeat than he would have gained in victory. The war made him a tragic hero around whom the emotional Arabs can rally. Soon, his new crop of generals will be making the old speeches of 1948, 1956 and 1967. His people will believe them, for fantasy is impossible to eradicate if one's whole society is structured on the perpetuation of the Arabian Nights.

Yet we must dispel that fantasy. To do so is the job to which we are all committed . . . unless we are content to watch this pathetic farce of Arab self-delusion repeated in 1977, 1988 and 1999.

MINIMUM STANDARDS OF VESTING, FUNDING, TRANSPORTABILITY, AND REINSURANCE FOR PENSION AND EMPLOYEE BENEFIT PLANS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. McCarthy] is recognized for 5 minutes.

Mr. McCARTHY. Mr. Speaker, many occurrences including automation, business closings, personal illness, and personal financial problems deprive many of our privately employed citizens of a pension, into which they put not only their money but also their confidence in the future.

Mr. Speaker, I believe the time has come for the Congress to aid these people.

I am, therefore, today introducing a comprehensive bill to establish minimum standards of vesting, funding, transportability, and reinsurance for pension and employee benefit plans as well as an agency which could effectively see to their execution.

My bill includes the following points:

First. Minimum vesting standards to assure broad eligibility in these plans.

Second. Minimum funding standards to assure a solvent basis to these plans, and to assure the worker that he will reap the promised benefits.

Third. Pension plan reinsurance so that the worker will be guaranteed against termination of the plan and the accompanying loss of benefits because of cessation of the employer's business.

Fourth. A central portability fund, operating on a voluntary basis, which would greatly facilitate the transfer of benefits from one employer to another.

Fifth. Minimum ethical standards of conduct and restrictions on conflict of interest to be followed in the administration of such employee benefit plans.

Sixth. A U.S. Pension and Employee Benefit Plan Commission to administer and enforce the provisions of this bill.

Seventh. The consolidation in the Commission of most existing Federal regulatory standards relating to pension and welfare plans. Under this stipulation, a qualification certificate from the Pension Commission will be sufficient to satisfy most, if not all, Federal regulatory statutes governing employee benefit plans.

This bill was introduced in the other body by the distinguished senior Senator from New York [Mr. Javits], and I urge strong and prompt action on this vital matter which affects so many of our citizens in private employ.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Mathias of California (at the request of Mr. Gerald R. Ford), for tomorrow, on account of official business.

Mr. Button (at the request of Mr. Gerald R. Ford), for today, on account of official business.

Mr. Gude (at the request of Mr. Gerald R. Ford), for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HALPERN (at the request of Mr. ESCH), for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. LAIRD (at the request of Mr. ESCH), for 20 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. HALPERN (at the request of Mr. ESCH), for 5 minutes, tomorrow, October 18; and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. MATSUNAGA) to revise and extend their remarks and to include extraneous matter:)

Mr. PEPPER, for 10 minutes, today.

Mr. MCCARTHY, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. BOLAND to revise and extend his remarks in the House today and to include extraneous matter and tables.

Mr. REINECKE and to include charts and tables during general debate on H.R. 159.

(The following Members (at the request of Mr. ESCH) and to include extraneous matter:)

Mr. SCHADEBERG.

Mr. MCCLURE.

Mr. TAFT.

Mr. BLACKBURN.

(The following Members (at the request of Mr. MATSUNAGA) and to include extraneous matter:)

Mr. MORRIS of New Mexico.

Mr. EILBERG.

Mr. GILBERT in two instances.

Mr. NIX.

Mr. TENZER in two instances.

Mr. WILLIAM D. FORD.

Mr. HAWKINS.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1572. An act for the relief of Mercedes De Toffoli;

H.R. 1653. An act for the relief of Omer Penner;

H.R. 1674. An act for the relief of Frank I. Mellin, Jr.;

H.R. 2477. An act for the relief of John J. McGrath;

H.R. 6189. An act for the relief of Fred W. Kolb, Jr.;

H.R. 6663. An act for the relief of Jesse W. Stutts, Jr.;

H.R. 6666. An act for the relief of Mrs. Marilyn Shorette;

H.R. 7324. An act for the relief of Dr. Alfredo F. Mendez, M.D.;

H.R. 8254. An act for the relief of Jan Drobot; and

H.J. Res. 516. Joint resolution to amend the joint resolution of March 25, 1953, to increase the number of electric typewriters which may be furnished to Members by the Clerk of the House.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2121. An act to extend the provisions of the act of October 23, 1962, relating to relief for occupants of certain unpatented mining claims.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H.R. 1572. An act for the relief of Mercedes De Toffoli;

H.R. 1653. An act for the relief of Omer Penner;

H.R. 1674. An act for the relief of Frank I. Mellin, Jr.;

H.R. 2477. An act for the relief of John J. McGrath;

H.R. 6189. An act for the relief of Fred W. Kolb, Jr.;

H.R. 6663. An act for the relief of Jesse W. Stutts, Jr.;

H.R. 6666. An Act for the relief of Mrs. Marilyn Shorette;

H.R. 7324. An act for the relief of Dr. Alfredo F. Mendez;

H.R. 8254. An act for the relief of Jan Drobot; and

H.J. Res. 516. Joint resolution to amend the joint resolution of March 25, 1953, to increase the number of electric typewriters which may be furnished to Members by the Clerk of the House.

ADJOURNMENT

Mr. MATSUNAGA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 49 minutes p.m.), the House adjourned until tomorrow, Wednesday, October 18, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1164. A letter from the Director, Office of Emergency Planning, Executive Office of the President, transmitting the report on borrowing authority for the period ending June 30, 1967, pursuant to the provisions of section 304(b) of the Defense Production Act of 1950, as amended; to the Committee on Banking and Currency.

1165. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal, pursuant to the provisions of 63 Stat. 377; to the Committee on House Administration.

1166. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved, according certain beneficiaries third preference and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RIVERS: Committee on Armed Services. H.R. 13510. A bill to increase the basic pay for members of the uniformed services, and for other purposes; with amendment (Rept. No. 787). Referred to the Committee of the Whole House on the State of the Union.

Mr. SISK: Committee on Rules, House Resolution 947. Resolution for consideration of H.R. 10442, a bill to facilitate exchanges of land under the act of March 20, 1922 (42 Stat. 465), for use for public schools, and for other purposes (Rept. No. 788). Referred to the House Calendar.

Mr. ANDERSON of Tennessee: Committee on Rules. House Resolution 948. Resolution for consideration of H.R. 11627, a bill to amend the act of June 16, 1948, to authorize the State of Maryland, by and through its State roads commission or the successors of said commission, to construct, maintain, and operate certain additional bridges and tunnels in the State of Maryland (Rept. No. 789). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 949. Resolution for consideration of House Joint Resolution 888, joint resolution making continuing appropriations for the fiscal year 1968, and for other purposes (Rept. No. 790). Referred to the House Calendar.

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 241. Resolution amending the rules of the House in order to transfer jurisdiction over military and national cemeteries from the Committee on Interior and Insular Affairs to the Committee on Veterans' Affairs; with amendment (Rept. No. 791). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CEDERBERG:

H.R. 13521. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 13522. A bill to amend the Communications Act of 1934 in order to impose certain safeguards on editorializing by radio and television broadcasting station licensees; to the Committee on Interstate and Foreign Commerce.

By Mr. DINGELL (by request):

H.R. 13523. A bill to provide for the adjustment of the legislative jurisdiction exercised by the United States over lands within the Crab Orchard National Wildlife Refuge in Illinois; to the Committee on Merchant Marine and Fisheries.

By Mr. EILBERG:

H.R. 13524. A bill to extend to volunteer fire companies and volunteer ambulance and rescue companies the rates of postage on second class and third class bulk mailings applicable to certain nonprofit organizations;

to the Committee on Post Office and Civil Service.

By Mr. ESHLEMAN:

H.R. 13525. A bill to amend the Fair Labor Standards Act of 1938 to exempt students employed by institutions of higher education from the minimum wage and overtime provisions of that act; to the Committee on Education and Labor.

By Mrs. GRIFFITHS:

H.R. 13526. A bill to amend the Internal Revenue Code of 1954 with respect to returns and deposits of the excise taxes on gasoline and lubricating oil; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 13527. A bill to designate the Tuesday next after the first Monday in November in every even numbered year as Election Day and to make it a legal public holiday; to the Committee on the Judiciary.

By Mr. LANGEN:

H.R. 13528. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. McDADE:

H.R. 13529. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PUCINSKI:

H.R. 13530. A bill to facilitate the entry into the United States of aliens who are brothers or sisters of U.S. citizens, and for other purposes; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 13531. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. TAFT (for himself, Mr. CLANCY, and Mr. ZION):

H.R. 13532. A bill to amend section 509 of the Merchant Marine Act, 1936, relating to construction aid for certain vessels to be operated on the inland rivers and canals; to the Committee on Merchant Marine and Fisheries.

By Mr. TEAGUE of Texas (by request):

H.R. 13533. A bill to authorize the Administrator of Veterans' Affairs to provide forms and amounts of remuneration to doctors, dentists, and nurses commensurate with competitive pay practices, when he finds such action is necessary to provide medical care and treatment of veterans; to the Committee on Veterans' Affairs.

By Mr. WYMAN:

H.R. 13534. A bill to exempt receipts, tickets, and other acknowledgments of any State or the District of Columbia in connection with any sweepstakes operated by such State or the District of Columbia from the provisions of section 1953 of title 18, United States Code; to the Committee on the Judiciary.

By Mr. ANDERSON of Tennessee:

H.R. 13535. A bill to amend section 509 of the Merchant Marine Act of 1936, to provide for construction aid for certain vessels operating on the inland rivers and waterways; to the Committee on Merchant Marine and Fisheries.

By Mr. HALPERN:

H.R. 13536. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WILLIAMS of Pennsylvania:

H.R. 13537. A bill to amend title 46, section 1159, to provide for construction aid for certain vessels operating on the inland rivers and waterways; to the Committee on Merchant Marine and Fisheries.

By Mr. GETTYS:

H.R. 13538. A bill to amend the act of July 18, 1958, to provide for the expansion of Cowpens National Battleground Site; to the Committee on Interior and Insular Affairs.

By Mr. HAGAN:

H.R. 13539. A bill to provide a comprehensive program for the control of drunkenness and the prevention and treatment of alcoholism in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. REES:

H.R. 13540. A bill to amend section 408 of the National Housing Act, as amended, to provide for the regulation of savings and loan holding companies and subsidiary companies; to the Committee on Banking and Currency.

By Mr. POAGE:

H.R. 13541. A bill to prohibit unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. BRASCO:

H.R. 13542. A bill to amend section 8336(c) of title 5, United States Code, to include the position of customs inspector in the category of hazardous occupations; to the Committee on Post Office and Civil Service.

By Mr. DENT:

H.R. 13543. A bill to provide for orderly trade in iron and steel mill products; to the Committee on Ways and Means.

By Mr. McCARTHY:

H.R. 13544. A bill to provide additional protection for the rights of participants in employee pension and profit-sharing retirement plans, to establish minimum standards for pension and profit-sharing retirement plan vesting and funding, to establish a pension plan reinsurance program, to provide for portability of pension credits, to provide for regulation of the administration of pension and other employee benefit plans, to establish a U.S. Pension and Employee Benefit Plan Commission, and for other purposes; to the Committee on Ways and Means.

By Mr. MONAGAN:

H.R. 13545. A bill declaring October 12 to be a legal holiday, to be known as Columbus Day; to the Committee on the Judiciary.

By Mr. McDADE:

H.J. Res. 892. Joint resolution creating a Federal Committee on Nuclear Development to review and reevaluate the existing nuclear program of the United States; to the Joint Committee on Atomic Energy.

By Mr. SCHNEEBELI:

H.J. Res. 893. Joint resolution creating a Federal Committee on Nuclear Development to review and reevaluate the existing civilian nuclear program of the United States; to the Joint Committee on Atomic Energy.

By Mr. CAHILL:

H.J. Res. 894. Joint resolution to authorize the President to proclaim the third day of June of each year as Dr. Charles Richard Drew Day; to the Committee on the Judiciary.

By Mr. DULSKI:

H. Con. Res. 535. Concurrent resolution expressing the sense of the Congress with respect to the elimination of the Castro Communist regime of Cuba; to the Committee on Foreign Affairs.

By Mr. WYMAN:

H. Res. 946. Resolution to authorize the Committee on Science and Astronautics to conduct an investigation and study of unidentified flying objects; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ADDABBO:

H.R. 13546. A bill for the relief of Riccardo Bazzoli; to the Committee on the Judiciary.

H.R. 13547. A bill for the relief of Mario Bernardi; to the Committtee on the Judiciary.

H.R. 13548. A bill for the relief of Salvatore Lo Monaco; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 13549. A bill for the relief of Panagiotis George Coutsioucos; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 13550. A bill for the relief of Rocco Pocetti; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 13551. A bill for the relief of Ralph A. Passidomo; to the Committee on the Judiciary.

By Mr. HANLEY:

H.R. 13552. A bill for the relief of Vincenzo Grispino; to the Committee on the Judiciary.

By Mr. IRWIN:

H.R. 13553. A bill for the relief of Gino Pepoli; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 13554. A bill for the relief of Lourdes P. Manalota; to the Committee on the Judiciary.

By Mr. McDADE:

H.R. 13555. A bill for the relief of Mr. and Mrs. Joseph Campbell; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 13556. A bill for the relief of Battista Sorrentino; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 13557. A bill for the relief of Federica Viloria; to the Committee on the Judiciary.

By Mr. SANDMAN:

H.R. 13558. A bill for the relief of Ioannis Stoubos; to the Committee on the Judiciary.

SENATE

TUESDAY, OCTOBER 17, 1967

The Senate met at 12 noon, and was called to order by the President pro tempore.

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

O God our Father, our spirits are restless until they find the rest of Thy presence; our hearts are empty, our lives barren, our plans futile, until Thou dost possess our very souls.

We would open to Thee the secret places of our own lives.

At this high altar in the temple of public service, maintain, we beseech Thee, in those who here represent the people, the fidelity of those to whom much has been given and from whom much will be required.

We pray for Thy guidance in this solemn day of responsibility and opportunity, that as a nation we may use the vast power committed to our fallible hands in such manner as may cause all the peoples of the earth to rise up and call us blessed.

We pray in the spirit of our Lord and Master, Redeemer of the world. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of

the Journal of the proceedings of Monday, October 16, 1967, be dispensed with.

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

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Post Office and Civil Service.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bill and joint resolution of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 889. An act to designate the San Rafael Wilderness, Los Padres National Forest, in the State of California; and

S.J. Res. 112. Joint resolution extending the time for filing report of Commission on Urban Problems.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1499. An act to provide for the striking of medals in commemoration of the 300th anniversary of the explorations of Father Jacques Marquette in what is now the United States of America;

H.R. 5910. An act to declare that the United States holds certain lands in trust for the Pawnee Indian Tribe of Oklahoma;

H.R. 10105. An act to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the State of Mississippi;

H.R. 10160. An act to provide for the striking of medals in commemoration of the 50th anniversary of the founding of the American Legion;

H.R. 13048. An act to make certain technical amendments to the Library Services and Construction Act; and

H.R. 13212. An act to provide for the striking of medals in commemoration of the 200th anniversary of the founding of San Diego.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 2121. An act to extend the provisions of the act of October 23, 1962, relating to relief for occupants of certain unpatented mining claims;

H.R. 1572. An act for the relief of Mercedes De Toffoli;

H.R. 1653. An act for the relief of Omer Penner;

H.R. 1674. An act for the relief of Frank I. Mellin, Jr.;

H.R. 2477. An act for the relief of John J. McGrath;

H.R. 6189. An act for the relief of Fred W. Kolb, Jr.;

H.R. 6663. An act for the relief of Jesse W. Stutts, Jr.;

H.R. 6666. An act for the relief of Mrs. Marilyn Shorette;

H.R. 7324. An act for the relief of Dr. Alfredo F. Mendez;

H.R. 8254. An act for the relief of Jan Drobot; and

H.J. Res. 516. Joint resolution to amend the joint resolution of March 25, 1953, to increase the number of electric typewriters which may be furnished to Members by the Clerk of the House.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 1499. An act to provide for the striking of medals in commemoration of the 300th anniversary of the explorations of Father Jacques Marquette in what is now the United States of America;

H.R. 10105. An act to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the State of Mississippi;

H.R. 10160. An act to provide for the striking of medals in commemoration of the 50th anniversary of the founding of the American Legion; and

H.R. 13212. An act to provide for the striking of medals in commemoration of the 200th anniversary of the founding of San Diego; to the Committee on Banking and Currency.

H.R. 5910. An act to declare that the United States holds certain lands in trust for the Pawnee Indian Tribe of Oklahoma; to the Committee on Interior and Insular Affairs.

H.R. 13048. An act to make certain technical amendments to the Library Services and Construction Act; to the Committee on Labor and Public Welfare.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

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

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 noon tomorrow.

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

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

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 625.

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

THE 66TH ANNIVERSARY OF ARRIVAL OF THOMASITE TEACHERS IN THE PHILIPPINES

The resolution (S. Res. 160) to extend greetings to the Congress of the Philippines on the 66th anniversary of the arrival of the Thomasite teachers in the Philippines was considered and agreed to, as follows:

Resolved, That the Congress of the United States extend its greetings and felicitations to the Congress of the Philippines on the sixty-sixth anniversary of the arrival of the Thomasite teachers in the Philippines.

SEC. 2. A copy of this resolution shall be transmitted to the Speaker of the Philippines House of Representatives.

The preamble was agreed to.

Mr. BYRD of West Virginia subsequently said: Mr. President, I ask unanimous consent that the Senate reconsider its action on Senate Resolution 160, agreed to earlier today, and that Senate Resolution 160 be considered and modified, on line 1, page 2, so as to change the word "Congress" to "Senate."

Mr. President, this change is necessary because the resolution is a Senate resolution, applying to the Senate only.

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

The resolution as amended was agreed to; and the preamble was agreed to.

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON BORROWING AUTHORITY

A letter from the Director, Office of Emergency Planning, Executive Office of the President, transmitting, pursuant to law, a report on borrowing authority, for the period ended June 30, 1967 (with an accompanying report); to the Committee on Banking and Currency.

PROPOSED LEGISLATION RELATING TO THE DISTRICT OF COLUMBIA

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to provide for the recovery from tortiously liable third persons of the cost of medical and hospital care and treatment, funeral expenses, and salary payments furnished or paid by the District of Columbia to officers and members of the Metropolitan Police force and of the District of Columbia Fire Department (with an accompanying paper); to the Committee on the District of Columbia.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting

action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. MONRONEY and Mr. CARLSON members of the committee on the part of the Senate.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. McCLELLAN, from the Committee on Government Operations, with an amendment:

S. 878. A bill to amend section 201(c) of the Federal Property and Administrative Services Act of 1949 to permit further Federal use and donation of exchange sale property (Rept. No. 642).

ADDITIONAL FUNDS TO STUDY AND EVALUATE THE EFFECTS OF LAWS PERTAINING TO PROPOSED REORGANIZATIONS IN THE EXECUTIVE BRANCH—REPORT OF A COMMITTEE

Mr. RIBICOFF, from the Committee on Government Operations, reported the following original resolution (S. Res. 178); which, under the rule, was referred to the Committee on Rules and Administration:

Resolved, That Senate Resolution 59, Ninetieth Congress, agreed to February 17, 1967 (authorizing a study of the effects of laws pertaining to proposed reorganizations in the executive branch of the Government), is hereby amended on page 2, line 21, by striking out "$110,000" and inserting in lieu thereof "$115,000".

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. SPARKMAN, from the Committee on Foreign Relations:

George J. Feldman, of New York, to be Ambassador Extraordinary and Plenipotentiary to Luxembourg;

Roger W. Tubby, of New York, to be the representative of the United States of America to the European Office of the United Nations, with the rank of Ambassador;

Harrison M. Symmes, of North Carolina, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Hashemite Kingdom of Jordan;

Hugh H. Smythe, of New York, to be Ambassador Extraordinary and Plenipotentiary to Malta; and

L. Dean Brown, of Maryland, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Republic of Senegal, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary to the Gambia.

Mr. MAGNUSON. Mr. President, from the Committee on Commerce, I report favorably sundry nominations in the U.S. Coast Guard. Since these names have previously appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

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

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

William W. Peterman, and sundry other officers, to be permanent commissioned officers of the Coast Guard.

BILLS INTRODUCED

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

By Mr. YARBOROUGH:

S. 2542. A bill for the relief of Dr. Takashi Sawa; to the Committee on the Judiciary.

By Mr. TOWER:

S. 2543. A bill for the relief of Ernesto Beltran; to the Committee on the Judiciary.

By Mr. TOWER:

S. 2544. A bill to establish within the Department of Justice the office of Deputy Attorney General for law enforcement; to the Committee on the Judiciary.

S. 2545. A bill to assure small business concerns of the opportunity of obtaining insurance against property losses resulting from crimes and civil disorders; to the Committee on Banking and Currency.

(See the remarks of Mr. TOWER when he introduced the above bills, which appears under separate headings.)

By Mr. WILLIAMS of New Jersey:

S. 2546. A bill for the relief of Tino Cattabiani, Caterina Cattabiani (nee Papurello), and Pier Maria Cattabiani; and

S. 2547. A bill for the relief of Juan Antonio Lopez; to the Committee on the Judiciary.

RESOLUTION

ADDITIONAL FUNDS TO STUDY AND EVALUATE THE EFFECTS OF LAWS PERTAINING TO PROPOSED REORGANIZATION IN THE EXECUTIVE BRANCH

Mr. RIBICOFF, from the Committee on Government Operation, reported an original resolution (S. Res. 178) to provide additional funds to study and evaluate the effects of laws pertaining to proposed reorganizations in the executive branch of the Government, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. RIBICOFF, which appears under the heading "Reports of Committees.")

A DEPUTY ATTORNEY GENERAL FOR LAW ENFORCEMENT

Mr. TOWER. Mr. President, at this time I introduce a bill to establish within the Department of Justice the Office of Deputy Attorney General for law enforcement.

Last March, in his third major message to Congress on the subject of crime since he took office, President Johnson said that "public order is the first business of government." Since then, in August, we have again been informed by the FBI of the new records in crime increase set during the preceding year. The risk of becoming a victim of serious crime increased 10 percent in 1966 over 1965, with almost two victims per 100 inhabitants. During 1966, six serious crimes were committed every minute. Someone in this country was the victim of a murder, forcible rape, or aggravated assault every 2 minutes. Someone was robbed every 3½ minutes, someone was burglarized every 23 seconds, and someone's car was stolen every 57 seconds. The preliminary FBI figures for the first 6 months of this year show a 17-percent increase over the same 6-month period in 1966. Crimes of violence are up 18 percent with a startling 20-percent increase in the number of murders.

Crime has increased during the 7-year period 1960–66 at a rate almost seven times greater than the rate of population growth. And, unless substantial changes are made, all indications are that crime will continue to increase at least at this rate. Crime is associated, first of all, with the young, and our country's population is getting younger all the time. The National Crime Commission reported that 15-year-olds have the highest arrest rate in the United States, with 16-year-olds close behind. The report stated:

> The problem in the years ahead is dramatically foretold by the fact that 23 per cent of the population is 10 or under.

The current trends toward urbanization and toward increased mobility are also associated with high crime rates. The number of crimes per capita tends to be highest in the large population centers and in those areas with the fastest growing populations. This is a country on the move, and for the most part it is moving to the big cities and their suburbs.

Public order is, indeed, the first business of government. The crime situation facing this country today requires more than rhetoric. The fact that major changes must be made in our approaches to crime prevention and control has been both graphically indicated by the crime statistics during the past few years, and carefully documented by the National Crime Commission and the nine supporting task force reports. In the words of the Commission report:

> If this report has not conveyed the message that sweeping and costly changes in criminal administration must be made throughout the country in order to effect a significant reduction in crime, then it has not expressed what the Commission strongly believes.

To date, Federal assistance in the area of crime control has been minimal. Our lack of involvement in this field is, of course, not entirely accidental. Law enforcement and criminal justice are primarily the responsibility of State and local governments and should and must remain so. However, the fact is that State and local governments are, with very few exceptions, so heavily burdened with other expenses that, far from being in a position to develop computer technology and send their policemen to college, they have not been able to pay the salaries necessary to keep their police forces up to recommended staff quotas. The Crime Commission reported the need for 50,000 more men to fill positions authorized for 1967 alone.

The Crime Commission also reported that the median annual salary for a big city patrolman is $5,300, which is of

course far too low to attract and maintain good and adequate personnel. The local communities and the States then have no alternative; they must come forward with new plans, new programs, and difficult as it may be, more money. Also, it has been generally accepted, and I would certainly agree, that additional Federal programs to aid State and local governments in law enforcement and the administration of criminal justice is in order.

The National Crime Commission outlined an extensive eight-point program broken down as follows:

First. Increased State and local planning.

Second. Education and training of criminal justice personnel.

Third. Surveys and advisory services concerning organization and operation of criminal justice agencies.

Fourth. Development of coordinated national information systems.

Fifth. Development of a limited number of demonstration programs in agencies of justice.

Sixth. Scientific and technological research and development.

The implementation of this recommended program can only be accomplished through increased local, State, and Federal cooperation. Hopefully, such increased cooperation can be forthcoming.

Mr. President, whatever the final outcome with regard to crime legislation being acted on this year, it would seem clear that our involvement in the crime field is just beginning. The Law Enforcement Assistance Act of 1965 was of course a pioneer venture into a new and extremely important area of Federal legislation. The 90th Congress will not solve the problem of crime, nor will it exhaust the potential areas of fruitful and legitimate Federal assistance with regard to crime.

In essence, then, the crime crisis facing this Nation today is of immense proportions, and it is imperative that something be done about it immediately and by all levels of government. It is in view of these facts that I am introducing this bill to establish within the Department of Justice the office of Deputy Attorney General for Law Enforcement.

The House version of this year's anticrime bill, H.R. 5037, would establish the position of an Assistant Attorney General to assist the Attorney General in administering title I, planning grants, and title II, grants for law enforcement and criminal justice purposes. I believe that this is appropriate and in no way a duplication of the purpose of my bill.

The major functions of the Deputy Attorney General for Law Enforcement, which I am calling for, would be the overall supervision, direction, and coordination of the various bureaus, departments, and offices within the Department of Justice relating to law enforcement. This deputy would also be the chief liaison officer of the Department with regard to matters relating to law enforcement with both the Congress and other governmental departments and agencies. This liaison function would be of major importance. A study made recently by a number of my colleagues in the House revealed the existence of more than 20 law enforcement or investigative agencies of the Federal Government, ranging, as they put it, "from the Federal Bureau of Investigation to the Fish and Wildlife Service." Let me quote briefly from their report which was inserted in the CONGRESSIONAL RECORD by Congressman JOSEPH McDADE on March 21, and is entitled "Are We Organized To Fight Crime?"

> There appears to be little system, little method, little order in the Federal Government's approach to crime. It is a crazy-quilt of departments, bureaus and agencies with competing responsibilities, duplicating staffing, poor communications, and self-defeating jealousies . . .
>
> To combat crime we do not need a new Department, but we badly need a reorganization of the existing structure—to pull together in an orderly way the existing Federal agencies concerned—and to provide a logical framework for giving attention to aspects which today are largely ignored.

I would agree, certainly, that we do not need a new department. The logical place for such a program is the Justice Department, and the program is clearly of such scope and magnitude as to require the supervision of a full-time Deputy Attorney General.

In closing, I want to underscore the fact that for too long our tendency in this area of crime has been to drift along, relying either on the utopian reforms promised by social legislation, or on an unbased optimistic belief that tomorrow will be better.

There were 3¼ million serious crimes reported to the police in 1966, and the National Crime Commission estimates that the actual amount of crime in this country is at least twice that reflected by police statistics. The Senate Committee on Government Operations Permanent Subcommittee on Investigations has estimated that 137 cities in this country experienced riots and civil disorders in recent years. In the past 3 years, 70 cities were subjected to major incidents.

Crime and civil disorder in this country demand immediate, major, and effective action on the part of the Federal Government. I urge that this bill which I am introducing be passed as an important and necessary step in that direction.

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

The bill (S. 2544) to establish within the Department of Justice the Office of Deputy Attorney General for Law Enforcement, introduced by Mr. TOWER, was received, read twice by its title, and referred to the Committee on the Judiciary.

SMALL BUSINESS CRIME AND CIVIL DISORDER INSURANCE PROTECTION ACT

Mr. TOWER. Mr. President, first I wish to state my support for a measure introduced by Senator SMATHERS, S. 1484, a bill designed to protect small businesses against criminal activity. S. 1484 furnishes Government-assisted insurance in areas where criminal activity has made it difficult, and in most cases impossible, to obtain insurance from private companies.

I am introducing a bill which I believe to be complementary to S. 1484, by providing special Government-assisted insurance which would cover all small businesses suffering losses due to civil disorders and place them in the same category with those directly identified with criminal activity.

At the present time, the Small Business Administration is using, by Presidential decree, money from the SBA disaster fund for small business rebuilding loans in the Detroit area—and, I believe, rightfully so. But, since a question might be raised as to the type of disaster for which the SBA fund was established, this proposal will spell out "civil disorders" as being eligible disasters by congressional intent.

As of June 30, 1967, the disaster fund contained a balance of $218 million, which is believed more than sufficient to meet the needs prescribed by President Johnson. In addition it is believed $250 million more can be made available within a short time through the sale of additional participations.

It will undoubtedly be necessary for the Congress to appropriate even more money for the SBA fund, due to the recent Hurricane Beulah.

The bill I am proposing would stipulate that among the insurance corporation employees provided in S. 1484 there be a force of investigators which could be assigned to study the pattern of insurance claims made under the insuring sections of S. 1484.

These investigators, operating in the same manner as private insurance company investigators, could advise the Board of the Small Business Crime Protection Insurance Corporation as to the possibility of concentration by criminals against small businesses protected against crime activity by Federal Government insurance.

Also, the bill I am introducing would expand the language in S. 1484 to cover civil disorders rather than the somewhat limited language of "criminal activity" now in the bill. It is quite possible that losses could occur to small businesses, due indirectly to criminal activity.

For example, in the Cambridge, Md., civil disorder, the basic criminal activity was an act of arson against a school. Due to the fact, however, that firemen could not get into the area because of possible acts of violence against them, adjacent small businesses were destroyed by the spreading fire.

I am sure many similar losses developed in Detroit where it appeared the fire department was hampered greatly in its work, thus reducing the efficiency of the department to contain the fires to original sources of actual criminal activity.

Testimony on S. 1484, recently heard by the Small Business Subcommittee of the Senate Banking and Currency Committee indicated the Small Business Administration prefers delaying action on this problem in order to obtain additional information on the subject.

I hesitate to believe the people who have been hurt financially and physically by the crimes and disorders which have prompted these efforts to provide assistance would look with favor on an extended delay of action.

There is precedence for such Federal insurance assistance in cases of unusual and extreme hardship which provides all the legislative experience necessary to get a program underway at once. Additional information, as in other assistance programs in the past, can be used from time to time to broaden and improve the existing program.

Mr. President, the people who are in danger of being victimized by the ever-spreading and increasing crime and disorder activities should have at least some form of protection thrown up around them.

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

The bill (S. 2545) to assure small business concerns of the opportunity of obtaining insurance against property losses resulting from crimes and civil disorders, introduced by Mr. TOWER, was received, read twice by its title, and referred to the Committee on Banking and Currency.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, October 17, 1967, he presented to the President of the United States the enrolled bill (S. 2121) to extend the provisions of the act of October 23, 1962, relating to relief for occupants of certain unpatented mining claims.

SENATOR BROOKE ADDRESSES SPRINGFIELD, MASS., ADULT EDUCATION FORUM

Mr. AIKEN. Mr. President, on October 11, the junior Senator from Massachusetts [Mr. BROOKE] delivered an address at the Springfield, Mass., Adult Education Forum. This address attracted a great deal of comment and attention, and apparently is worthy of further circulation. Therefore, I ask unanimous consent to have it printed in the RECORD.

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

PHILLIPS LECTURE ADDRESS

(By Senator EDWARD W. BROOKE)

I have been looking forward for the past several months to the honor of delivering the Phillips lecture which inaugurates the Springfield Public Forum season.

When Dr. Robinson extended the kind invitation, pride said accept quickly, humility said accept hesitatingly, commonsense said decline with regrets. I accepted quickly.

To Dr. Robinson, I convey my profound thanks for the honor you do me by extending this invitation to address the members and guests of the Springfield Adult Education Council.

To Mrs. Morner, the Council's able Executive Secretary, I express my appreciation for the arrangements so meticulously made and for being so understanding of the problems that confront a harried Senator's schedule.

To Dr. Deady, I want also to say how complimented I am that your Phillips Lecture Committee has seen fit to include me among all the distinguished individuals who have preceded me on this rostrum.

And to all the officers, members, and friends of the Springfield Adult Education Council, I express my pleasure that I have this opportunity of sharing some thoughts and ideas with you this evening. The Council enjoys an enviable and well-deserved reputation for the consistently high caliber of its forums. I feel sure that the late Alexander Phillips would take pride and satisfaction in knowing how zealously his generous testamentary instructions have been followed in the Phillips Lecture Series. The fidelity with which you have executed the trust that Mr. Phillips placed in your hands is indeed to be commended and saluted.

I want also to congratulate the Council for the high purpose of its objectives, for the outstanding service it has given the community by providing these accessible forums for free discussion and debate, and for the Council's consistent dedication to the highest standards of excellence.

I want you all to know that I really mean it when I say that I am honored to be here tonight.

America's often cited solidarity in wartime is, to some extent, a fiction. The principle that politics must stop at the water's edge has been honored as often in the breach as in the practice. Popular dissent has been a frequent part of every crisis we have faced. We need only look at the division of opinions over the issue of war with Great Britain in the Revolutionary period, or at the unpopularity of the War of 1812 and the Mexican war. The Civil War literally and tragically divided this nation, and led to the bloodiest fighting the world had ever seen. The Spanish-American war had its dissenters, who became even more vocal in the imperialistic era which followed. Anti-war parades were held in New York City in 1917, and American youths refused to be drafted even then. Some dissent from national policy appeared even in World War II, though the attack on Pearl Harbor clearly and dramatically defined our position. In the 1950's, despite a clear cut case of invasion, disagreement over our involvment in Korea was widespread. Freedom to dissent from national policy has always been a part of our national heritage.

Today we have committed 500,000 of our young men to a conflict in Southeast Asia. Our planes fly daily bombing runs over enemy territory. Our Marines are digging into embattled positions on the DMZ. Our soldiers are tracking down elusive guerrillas in the Central Highlands. We are at war in Vietnam!

But this war is different from other wars. For one thing, it is an undeclared war. It began as an attempt to help the government of the southern half of a temporarily divided nation to protect itself from an indigenous guerrilla force, supplemented and supplied by the government in the North.

We had no idea, when we first became involved in Vietnam, of the extent which our commitment would reach.

Over a two-year period, we have increased our commitment in South Vietnam from 29,100 men in March of 1965 to 500,000 at the present time. We have suffered over 100,000 casualities and nearly 17,000 American lives have been lost. The war is presently costing over $2.5 billion per month.

The cost to the nation is really much greater. For because of the war, the needs of our cities have been left untended. Conservation projects and educational programs have been postponed. The resources to effectively wage our war on poverty have been decreased. All these and more are the casualties of the Vietnam war.

More than at any other time in our nation's history, debate rages over our objectives and our means of achieving those objectives.

But dissent should not be condemned. It should be welcomed. The dialogue in which this nation has been embroiled during the last two years has in the main been informative and useful. Many aspects of our involvement in Vietnam need to be reexamined. Many shortcomings need to be brought to light and to be corrected. And out of it all, there is always the possibility that discussion will lead to discovery—that a solution will be found.

There are three basic alternatives which have been suggested as a means to end the war.

The first of these is massive escalation. There are those who see this as a military war. They say that we are engaged in a struggle against Communist aggression, and that the only way to win is to make that aggression too costly to be sustained by the enemy. They want an all-out effort that would include stepped-up bombing and the invasion of North Vietnam.

The advocates of this approach in 1965 believed that more troops would defeat the enemy in the South. Instead, more troops and supplies were brought in from the North, and the fighting became more intense.

Then it was suggested that we could stop infiltration by bombing the supply lines from the North. With the enemy thus cut off from its source of arms and equipment, victory would be assured. Instead, the North Vietnamese developed new supply lines and more elusive methods of infiltration. The amount of assistance from the Soviet Union and Communist China increased. And the enemy was able to wage a more sophisticated and effective war than before.

Now that these measures have not achieved their objective, those who favor a military solution urge that we remove all limitations. "Bomb them back to the Stone Age if necessary" is a position frequently expressed. "Mine and bomb the port of Haiphong and cut the rail and highway connections with China and the Soviet Union" is their admonition. They believe that our Allies should cease trading with North Vietnam, and that Communist nations should do so at their own risk. In this way North Vietnam will be forced to concede, and the war will be brought to an end.

But let us examine this line of reasoning. For one thing, does it not ignore the fact that each escalation on our part has brought a corresponding escalation from the North? Does it not ignore the risk of involvement in a larger, more devastating and more costly war? Can we bomb or mine the harbor of Haiphong without creating the very real possibility of direct intervention on the part of Communist China and the Soviet Union?

And perhaps most important of all, do not the advocates of a military solution ignore the fact that the real answer lies in the South, that we can literally decimate the economy and the war-making potential of the North without destroying the guerrilla infrastructure in the South?

Another alternative which has been widely recommended is withdrawal. There are those who say we should not be in Vietnam at all. They believe we were wrong to aid the French. They say we compounded the error when we refused to accept the Geneva Agreements. And they further believe we have made a bad situation progressively worse by supporting one military dictatorship after another with increasing American manpower.

The advocates of withdrawal contend that no amount of additional military pressure can defeat the Viet Cong. They regard the Viet Cong as a popular, indigenous force, supplied and assisted by the North, and operating with the support of the majority of the people in the South. They are convinced that such forces cannot—and what is more should not—be defeated. They therefore call upon the United States to admit its error and withdraw its forces as quickly and gracefully as possible.

We have stated that our purpose in Vietnam is to prevent the spread of Communist

regimes by force and by terror, and in the larger context, to show that wars of national liberation can not succeed against the combined military force of the United States and the national dedication of the threatened country. Our stated intent is to draw the line in Southeast Asia, and to provide a military shield behind which not only South Vietnam, but the other free nations of Asia as well, can devote their resources to economic and social progress.

Is not refusal to withdraw, under the circumstances, a matter of credibility rather than a matter of national pride? Is it not a question of a believable commitment, to ourselves and to our Allies—and even to our enemies? Is it enough to be the most powerful nation in the world if that power cannot be relied upon? Is not trust the essence of all human relationships which applies to nations as well as men? Would we not stand to lose far more than we might gain by simply withdrawing from the war?

The only remaining alternative, if we are not to continue the contained war indefinitely, is a negotiated peace. But what, of all the possibilities which have been suggested, is the step most likely to lead to a negotiated peace?

Great hopes were harbored that the recent South Vietnamese elections would be such a step; that freely conducted popular elections would result in the election of a government which would be understood, accepted, and supported by the majority of the South Vietnamese people; that the elections would lead to reforms, to a sense of national unity and dedication to a common cause.

But have the elections fulfilled these expectations? Is there not still censorship of the press despite Government statements to the contrary? Is not the government arresting its political factions with which it is in disagreement? Is not reform still desperately needed in the Army and the provinces?

There are those who contend that this government cannot function because it is a plurality government. But is a plurality government unique in the history of the world? Were not four American presidents chosen by plurality vote? Have not Britain, France and Germany all had plurality governments in recent decades and have they not functioned well? Is it not possible that a plurality government may prove to be the most representative form of government possible in South Vietnam? Does not the South Vietnamese government have an opportunity to form a broad coalition with a variety of political factions? Cannot the factions in South Vietnam be forged into a new national unity which can help the South to win the war and to deal with the Viet Cong or with Hanoi as at least an equal? Is this, then, not one step toward a negotiated settlement—a stable, popular and viable government in South Vietnam?

But the measure which has received the most widespread attention as leading in the direction of the alternative of a negotiated peace is a cessation of American bombing in the North.

The declared purpose of our bombing of North Vietnam is three-fold:

(a) To reduce the flow of external assistance being provided to North Vietnam;

(b) To destroy those military and industrial resources that contribute most to the support of aggression; and

(c) To harass, disrupt and impede the movement of men and material into South Vietnam.

But how effective have we been in achieving these objectives? According to the best military intelligence available, we have destroyed or disrupted half of North Vietnam's war-supporting industry, including electric power, chemical and rubber plants, and iron and steel and cement factories. Strikes on roads, railroads and water routes reportedly have taken a heavy toll.

It is estimated that 500,000 to 600,000 North Vietnamese have had to be diverted to repair these facilities. The military claim that our bombing policy has reduced infiltration from 8,000 men per month a year ago to about 6,000 men per month today. According to Admiral U. S. G. Sharp, Commander in Chief of Pacific Operations, "The ports (of North Vietnam) are congested by an almost four-fold expansion of sea imports necessitated by disruption or destruction of domestic sources. . . . (And) ship unloading time is believed to have tripled since March."

To support their contention that the bombing is essential and reduces military losses, advocates of this strategy point to the Tet, or Vietnamese New Year's truce last spring, when in four days of no bombings the North Vietnamese were reported to have brought 25,000 tons of supplies south, including the heavy artillery now in place just north of the DMZ. It is estimated that this same movement would have taken them 38 days under sustained bombing conditions.

The military is virtually unanimous in agreeing that the worst thing we could do is to halt the bombing of North Vietnam. They claim that it would be a great boost to the morale of the North Vietnamese, that it would permit the enemy to operate from a sanctuary, to repair their roads and factories, and to move anything they wanted into North Vietnam from China and the Soviet Union. According to Admiral Sharp, "We would be . . . extending the war indefinitely."

Those who support a cessation of bombing view the situation differently. They place much less emphasis on military pressure as a path to negotiations, and believe that, like us, Hanoi would like to see an end to the war as soon as possible. They contend that 25 percent of the North Vietnamese army is now fighting in South Vietnam, and that the war has been costly to North Vietnam in lives and material. They argue that an estimated three divisions are now massed just north of the DMZ, and that it must be assumed that a major reason for not moving them south has been fear of an invasion of the north. They further contend that prior to 1965, North Vietnam was moving from an agrarian to an industrially developing economy, and had a favorable balance of trade; that today most of its industrial capacity has been destroyed.

These advocates of a cessation of bombing in the North point out that while the loss to North Vietnam has been heavy, the bombing has proved to be more costly to us than to them. And most important of all, they say the bombing has not achieved its intended objectives. They cite the continuous movement of men and supplies to the South despite constant and deadly harassment by American air power. They claim that the will of the North Vietnamese to continue to fight has been strengthened by the bombing. They say that our attempts to hit the rail line with China, and the dock facilities in Haiphong, have only led the North Vietnamese and their allies to discover new methods of supplying their fighting forces.

In addition, they point to the fact that the North Vietnamese have stubbornly persisted in regarding the United States as the aggressor, and refused even to consider the possibility of negotiations until we unilaterally and unconditionally cease bombing their country.

Thus the arguments rage. We seem to have reached an impasse. The United States refuses to halt the bombing without some assurance that talks will follow. The North Vietnamese refuse to offer assurance that they will negotiate upon cessation of bombing in the North.

If there are negotiations, obviously, if successful, they could lead to peace. But what are the disadvantages and the advantages which would accrue to the United States if it assumes the risk of cessation of bombing in the North and Hanoi refuses to negotiate?

During this period of course, with only cessation of bombing of the North, the war would go on as usual and both sides would conduct combat and reconnaissance missions. Artillery pieces would still be fired. Our air force would continue to bomb military targets in the South and give close air support to our troops.

The disadvantages could be that North Vietnam would use the period of cessation for the purpose of inflicting heavy casualties on our troops and strengthening their forces. In addition, Hanoi could very well use this time to transport essential supplies both to the troops in the DMZ and to the South. They could also repair the damage to military and industrial installations in the North during the period of cessation.

What, then, are the advantages to be derived if our cessation of bombing in the North failed to produce negotiations?

It could give credence to our government's desire for peace.

It would indicate our willingness to do everything within reason and honor to bring about a negotiated peace.

It could bring more support from the American people for our position in Vietnam and thus help to unite the nation.

It could improve our position in the eyes of the world, because we will have acted consistently with the call of the nations of the world to cease bombing the North.

It could even have the result of our allies committing troops to fight with us in Vietnam.

It could place the Hanoi government in the position of defending to the world its failure to negotiate.

It could conversely remove our government from the position of defending to the world its failure to cease bombing in order to bring about negotiations.

It could unite the South Vietnamese, and at the same time create division within North Vietnam and the National Liberation Front.

It could have the effect of putting the Soviet Union in a position of proving its assertion that negotiations would take place if the bombing were stopped.

It could encourage Secretary-General U Thant and the United Nations to take up consideration of the war if Hanoi refuses or fails to negotiate after our cessation of bombing.

The debate on this issue has gone so far that personal and national pride may have become major barriers to a willingness on both sides to take the necessary steps to bring about a negotiated peace. If personal or national pride is the controlling factor in Hanoi's refusal to give assurances that it will negotiate upon cessation of the bombing in the North, that same pride must not be a factor in our government's decision as to whether we should stop the bombing. Thus the question to be resolved is what harm will accrue to American troops and to the South Vietnamese if our government assumes the risk and responsibility of a cessation of the bombing in North Vietnam.

The American people do not know how great the risk would really be. The Congress does not know. Even the military does not know.

Under our system of government, only the President of the United States has all of the facts—the vast knowledge afforded by military and civil intelligence. His is the awesome responsibility to constantly consider all of the alternatives and to make the decision as to whether the advantages of cessation of the bombing in the North outweigh the disadvantages. If there are valid reasons why we should not cease bombing of the North, then the President should make those

reasons crystal clear to the American people and to the world.

When I went to Vietnam last March, I looked for evidence to support a conclusion that Hanoi would negotiate upon our cessation of bombing in the North. But I found no such evidence. To the contrary, all the evidence that I did find supported the conclusion that Hanoi would settle for nothing less than unilateral withdrawal.

Therefore, I reluctantly concluded that our conduct of the war at that time was the only logical course that we could follow.

This conclusion was also based upon my finding that the bombing was having a salutary effect upon the morale of our troops, and was impairing the enemy's capacity to wage war.

Of course there have been bombing pauses in the past. The President has directed the cessation of bombing numerous times in the past. And it has been suggested that since negotiations did not take place during these pauses further cessation would be futile. But the situation is fluid in Vietnam. The situation has changed, both militarily and politically. And the fact that prior cessations have not brought about negotiations does not mean that cessation at this time will not be productive.

And thus we must conclude that the time has come for a reassessment, and for a new decision. So much hangs in the balance. That reassessment and decision must be made without delay.

ORDER OF BUSINESS

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

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

ADDRESS BY SENATOR PEARSON ON REVITALIZING RURAL AMERICA

Mr. YOUNG of Ohio. Mr. President, on September 16, the distinguished junior Senator from Kansas [Mr. PEARSON] spoke before the Southeastern Ohio Public Officials Conference at Ohio University at Athens, Ohio, on the subject of "Revitalizing Rural America." He had an outstanding and tremendously large audience in Athens, Ohio, and in the audience there were many students from Ohio University, which is one of the great universities in my State. In his magnificent address Senator PEARSON pointed to the growing national interest and concern over the need to stimulate the economic and social development of our rural communities and outlined some of the pending proposals in Congress which have been made in this area.

He noted that the growing national commitment to the economic rebirth of rural America stems not only from the conviction that the expansion of economic opportunities in our smaller towns and farm communities would be a worthwhile accomplishment itself, but that it would also contribute significantly to the alleviation of many of the problems that now plague our cities, for it is the uncontrolled migration of people and economic resources from rural areas to the metropolitan areas which has generated many of the problems now constituting the crisis of the cities. Senator PEARSON concluded that we are at the commencement stages of a growing national debate centering around what constitutes a proper rural-urban balance and he expressed the view that from this debate will come a series of national policy decisions which will have a major influence on the development of our society for several decades to come.

Mr. President, because of the importance and significance of our distinguished colleague's remarks I ask unanimous consent that they be printed in the RECORD at this point.

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

STATEMENT BY SENATOR JAMES B. PEARSON AT SOUTHEASTERN OHIO PUBLIC OFFICIALS CONFERENCE, OHIO UNIVERSITY, ATHENS, OHIO, SEPTEMBER 16, 1967

REVITALIZING RURAL AMERICA

It is indeed a pleasure to appear before this Conference. I always welcome the opportunity to speak on the general subject of rural economic development, and it is particularly gratifying to speak on this subject on the campus of this University which, through its various programs, has shown such initiative and capable leadership in the area of regional economic development.

My comments today will be directed to five points. First, I want to comment on some of the evidence which indicates that there is a growing national commitment to a new effort to encourage the social and economic development of rural communities. By the way, at this point let me just say that I use the term "rural area" in a rather broad sense to include not only the open countryside, but also smaller towns and cities, even those with populations of up to 25,000 or 50,000 provided they are not a part of a large metropolitan complex.

Second, I want to point to some of the reasons why we are now experiencing a national debate on this question of rural development.

Third, I want to review some of the recent legislative proposals which have already been made and fourth, to suggest some guidelines that should be kept in mind as this national debate expands in the future and as we develop additional rural oriented programs.

Fifth, I will make some observations about the role that universities can play in this effort and also discuss some of the problems and opportunities that local public officials, such as yourselves, will encounter in this growing effort.

I

In pointing to some of the factors which suggest a growing national consensus on the need to stimulate the social and economic development of rural areas and, at the same time, to slow down and better control the migration of people from rural communities to the large cities, I hope you will excuse me if I first call attention to the Rural Job Development bill which I introduced on July 21. This bill was cosponsored by Senator Fred Harris of Oklahoma and 28 of our colleagues. The support for the bill in the Senate has been completely bipartisan and has been warmly endorsed by such Senator leaders as Mike Mansfield and George Aiken.

Senator Harris and I have been particularly pleased with the very favorable public reaction to the proposal. For example, in my own case, I have received letters from all parts of the country and from all types of individuals and groups indicating their support for the bill and expressing hope that it will be enacted. Newspaper editorial support has also been extremely favorable and the lists of editorial endorsements have by no means been limited to small town or rural oriented newspapers. I find this most encouraging.

As a result of this demonstration of solid and broad based support for the proposal I am most hopeful that we will be able to get Committee hearings started on the bill sometime yet this year.

As you may know, of course, other public figures and groups, particularly in the last year, have been stressing the need to obtain more favorable balance between rural and urban communities. Secretary of Agriculture Orville Freeman has shown considerable leadership in this area. I also was encouraged recently when the Republican Coordinating Committee published a comprehensive report outlining the problems facing rural areas and suggesting approaches that could be taken to broaden the base of economic and social opportunities in those areas. The recent statements by Secretary Freeman and the Republican Coordinating Committee's report on, "Revitalizing our Rural Areas" have also been reviewed very favorably in the editorial columns of many of our large metropolitan newspapers. I also note that last week several of the persons testifying before the President's Commission on Urban Problems argued for the need to expand opportunities in rural areas in an effort to slow down the rural migration, thereby reducing some of the population pressures being experienced by our already overcrowded cities.

Thus the developments of the past few months make it quite clear, I believe, that a new national debate has begun. It is a debate and a discussion that is likely to continue for several years.

II

While the existence of growing public discussion is evident, it is a little more difficult to explain why it has developed at this particular time. But I would offer these suggestions. First, despite the fact that we have been a highly urbanized and industrial nation for a good number of years, we have always maintained an identification with, or a certain fondness if you like, for our rural areas. This nation was born on the farm and in the small towns and it was not really until the beginning of this century that the economic and social center of the nation shifted to the metropolitan areas. Thus, as we have become aware of the fact that poverty is not limited to the slum ghettos of the large cities, the nation has responded with considerable sympathy to proposals aimed at improving the economic lot of rural residents.

The rural areas have been in trouble for a good many years, but ironically it is the great trouble in the cities which have finally caused us to see and understand the difficulties of the countryside and small towns.

The headlines of the past two or three years have made all of us painfully aware of the gigantic social and economic problems of urban America. And the term, "crisis of the cities," has come into common usage—a crisis described in terms of festering slums, rising crime rates, disintegrating families, chronic unemployment, racial tension, congested streets, polluted air and contaminated water.

We have now begun to recognize that many of these problems can be traced to the overcrowding of people and the excessive concentration of industry with the consequent problems of air and water pollution and what have you. We are now beginning to realize that one of the most sensible and effective approaches to dealing with the crisis of the cities is to devise programs which will have the effect, hopefully, of slowing down or at least better controlling

the great rural to urban migration which has for several decades continued to depopulate the countryside and small towns and to swell the population of our already overcrowded cities.

The long, hot urban summer of 1967 has proven to be something of a catalyst, and we have begun to accept the idea that as we attempt to deal with the crisis of the cities the challenge is not simply to make the cities more efficient and more livable for more and more people, but how to keep more and more people from crowding into them.

III

Now, let me review some of the proposals that have been advanced to accomplish this goal. And here I will not attempt to review the programs that are already operating, but limit my comments to those that have been proposed in the past few months.

Again, let me first mention the Pearson-Harris Rural Job Development Act. This proposal attempts to encourage growth of new job-creating industries in rural areas by offering a series of tax incentives to the industries which would locate in these areas. The Investment Tax Credit Act of 1962 has had, and continues to have, a stimulating effect on the growth of our overall economy. The Rural Job Development bill would apply the same principle, with some additional techniques, to encourage similar growth in the rural sector of our economy.

I am confident that, if enacted, these tax incentives would serve to stimulate new industries in rural areas not simply because businessmen would find the tax benefits advantageous, but also because their mere existence would necessarily force businessmen to take a second look at our rural communities. And once they do this, I am confident they will discover a whole series of reasons why it would be in their advantage to locate there. Businessmen, like the rest of us, form notions that are hard to break. The notion that rural areas are poor locations for new industries is one that clearly needs to be broken.

A proposal of a different type is that which is being advanced by Senator Proxmire of Wisconsin and Senator Mundt of South Dakota. Their bills aim at inaugurating broad based studies by the Congress and by a special commission to analyze and evaluate all the various economic and social factors which affect the distribution and movement of people and industry. Certainly this type of study will be extremely useful in providing us with data and new insight into this basic problem which we are attempting to deal with.

There is another set of proposals which relate to this area, at least in an indirect way, and these assert the proposition that in the allotment of research and development grants and in its other procurement programs the Federal Government has the responsibility and indeed the obligation to achieve a more equitable geographic distribution of these funds, that is, wherever possible, without loss of efficiency to the Government, to channel more of these funds into smaller communities and smaller colleges and universities. Proposals along this line have been advanced by half a dozen Senators, including myself. Senator Fred Harris, Chairman of the Senate Subcommittee on Government Research has been holding hearings on these proposals for over a year and while the prospects for enactment of any of the bills are not particularly good at this time the general debate in the Senate has already caused several agencies within the Executive Branch to take a fresh look at their existing practices, particularly in the area of awarding research and development grants.

There have been a number of other proposals and I hope to introduce at least two more yet this year myself; one dealing with rural housing, the other with vocational education, both necessary supplements, I believe, to my rural job proposal.

The President's Commission on Rural Poverty has also completed its study and will be reporting its findings and making recommendations in the very near future.

IV

Despite this considerable flurry of activity within the past 12 months I repeat that I think we are only at the beginning stages of a great national debate which will continue for several years. I would now like to suggest a few guidelines for this expanding national debate. First, we must be willing to question many of our old attitudes and traditional dogmas and to take a fresh and open-minded look at the forces which have shaped our present social and economic structure.

So far, there has been a general demonstration of acceptance of the idea that the historical rural to urban shift is getting out of hand and, as a result, both the rural and urban areas are suffering. But we have got to do much more. We have got to probe deeper.

We are going to have to be willing to discard several of the long held and fundamental propositions. For example, although there has always been a certain uneasiness about the continuing concentration of people and economic resources into relatively few highly urbanized areas, we have, on the other hand, assumed that the social and economic forces which underlie this concentration are not only inevitable but basically desirable over the long run. We know that we have become a great and powerful nation precisely because industry has long since replaced agriculture as the major source of economic wealth. We also have assumed that the concentration of economic resources into a relatively few geographical areas was a necessary feature of the industrial growth.

In short, we have been something of two minds on this subject. Our doubts at any given moment about the undesirable effects of massive urbanization have been counterbalanced by a general expression of faith that this overall movement toward a highly concentrated urbanized society represented economic and social progress.

It is quite clear that we are not going to discard the belief which is at the foundation of Western thought and culture that economic growth represents progress. What we must do, however, if this national debate is going to do anything more than pay lip service to the idea of achieving greater rural-urban balance, is to rethink many of our present notions about how economic growth and development occurs and what constitutes the meaning of economic efficiency.

In other words, we don't have to reject the notion of economic progress, but we do have to rethink why economic development occurs. And, above all, we have to discard the notion that the economic forces which resulted in the present rural-urban distribution are somehow inevitable and uncontrollable. We don't want to destroy these forces, but we must do a better job of controlling them for the benefit of all.

For far too long we have watched the poor migrate from the country to the city, blandly assuming that this represented the first step up the ladder of economic advancement. But in far too many instances the individual has not gained, and, consequently, society has lost.

For far too long we have sat back and watched a basic industry like coal mining in Appalachia dry up, leaving the residents of the area without a source of livelihood and said, "this is unfortunate, but inevitable and the people of the area must move to new areas to find new jobs." But we have too often ignored the fact that jobs in other areas weren't available. And we failed to realize that it is often more economically efficient *and* civilized to bring jobs to people rather than forcing people to migrate in an uncertain search for jobs.

Another example: The development of the megalopolis has generally been regarded as a product of unavoidable economic forces which inexorably demand greater and greater centralization of our productive capacities, a process deemed desirable, in part, because of supposed advantages of economies-in-scale associated with large centralized productive centers.

But it is now becoming increasingly apparent that numerous economic inefficiencies associated with this type of concentration may counteract this advantage. For example, it may well be that the overhead costs of air and water pollution, garbage treatment and disposal and other public services more than offset the productive efficiencies that are realized through concentration of resources.

Economic wastes are also associated with the movement of people to and from work. Moreover, the costs of improving commuter transportation systems are staggering. For example, it costs approximately $20,000 to develop the additional facilities needed to bring in just one more car per day during commuter hours into cities like New York and Chicago.

Moving from the general to a more specific suggested guideline, I have urged that as we propose programs to stimulate rural economic development we not limit the application of these programs only to rural poverty areas. Certainly our objective is to reduce, and to eventually eliminate, the worse pockets of rural poverty. But the goal seems to me to be much broader than this. It is an effort to stimulate the economic development of *all* rural areas, even those that, in comparison to many parts of Appalachia and the cut over areas of the Great Lakes States, are relatively well off economically. For what we are seeking here is not simply to raise the income levels of rural persons per se, but to fundamentally affect the overall national distribution of population and economic resources.

V

Now let me turn to the fifth point that I want to consider today, that being the role of universities and the local communities in the commitment to rural economic development. In regard to the universities, they can and should participate at at least two levels. First, the university faculties should take a vital and vigorous part in the national debate on rural-urban balance. We need the expertise and special knowledge of the academic community not only in regard to such technical questions as the processes of economic development and distribution of population and productive resources, but also the contributions it can make to the fundamental questions of social values which are inevitably involved in any discussion about what should our national policy be on rural-urban balance.

Secondly, the universities, I believe, have a responsibility to take a direct and active part in efforts to stimulate economic and social development of the immediately surrounding community.

We all recognize the relationship between a geographic region's system of higher education and its capacity for economic development and growth. Thus, it is quite proper, I think, that colleges and universities should attempt to gear a considerable portion of their research efforts and other activities to those endeavors which might serve to stimulate community and regional economic growth.

This activity is an important and legitimate function of institutions of higher learning, but there is, of course, an ever present danger of too great an emphasis on this type of service orientation. The college or university must avoid being caught up in a climate of parochialism, for whether it is a small community junior college or a large university its ultimate goal is always the education of minds in the broadest and best

sense of the word. And in this sense the institution's community is mankind as a whole of which the local geographic community is only a fraction.

In short, there are hazards and problems but they can be overcome if properly handled. And the universities can learn how to handle them only by trial and error, by getting their feet wet so to speak. And in this respect, I am sure Ohio University has learned a great deal.

Now a few comments concerning activities of the local communities themselves. I think the first principle that needs to be emphasized here is that if the local community wants to broaden its economic base by developing new types of industry and new types of employment it has got to work for it. Federal and state governments can act to create the proper climate and mechanisms for economic development, but that development is not going to occur to any significant degree in any community unless the community itself is committed to accomplishing that goal.

There are several reasons for this. First of all, the rural community can overcome some of the disadvantages it has in competing for new industry only if it is able to convince the owners of the prospective new enterprise that the governments and the citizens of the area are united in their desire to broaden their economic base. This is not because businessmen feel they have to be loved, but because they have learned from past experience that their enterprise would be successful over the long run in what might otherwise be considered a marginal area only if this sense of unity of commitment is prevalent in the community.

Second, despite the fact that the Federal Government goes to considerable effort to inform people of the types of programs that might be beneficial to the community, in the final analysis it is the community itself which must take the first step. Let me cite an example. We have had urban renewal programs operating in this country for several years. But it is only very recently that many of the smaller towns and cities have begun to take advantage of this program. One of the very simple and basic reasons for this is that these communities have been simply unaware that the program might be available to them. In addition, it has often been the case even though there was a general awareness of the urban renewal program, the local government simply didn't know how to go about applying for a renewal grant.

This problem of the local community either not being aware of the availability of Federal programs or not knowing how to apply for them continues to get worse as each year we enact new legislation in Congress. And in this respect I must say that one of our faults in the Congress is that we have not paid enough attention to the necessity of designing programs that are easily understood and easily administered and also we have too often added new programs with no serious attempt to coordinate them with programs already in operation.

Thus, one of the advantages that large cities have over smaller communities, to put it quite frankly, is that they simply know how to do a better job of taking advantage of Federal programs that are available. They are more likely to have expert staff officials who can devote their time to keeping informed about current programs and who have the skill and the know-how for applying and securing Federal grants and aid of various types.

Thus, I think very serious thought should be given to efforts to encourage local governments in a given region to get together in some type of cooperative association which would make it possible for them to employ the services of the administrative staff capable of advising and coordinating the efforts of the region to maximize its programs for economic development.

In conclusion, let me express again the belief that we are at the beginning stages of a great national debate centering around what constitutes a proper rural-urban balance. What this means basically is that we are to have an opportunity to discuss, from a new perspective, the characteristics of our present society and to raise fundamental questions about what type of society we want to build in the future. There will be no precise blueprint for the future emerging from this national debate. The American political system simply doesn't work that way and properly so because it is, of course, only under totalitarian political regimes that such a national blueprint can be made and adhered to. But gradually out of this discussion certain old attitudes and beliefs will be discarded; new ones will take their place. Out of this period will come a whole series of national policy decisions which will have a major influence on the development of our society for several decades to come. It is an exciting period and I am happy to be a part of it.

LOOPHOLE IN TAX STRUCTURE DENIED BY TREASURY DEPARTMENT

Mr. WILLIAMS of Delaware. Mr. President, in the August issue of the Esquire magazine there appeared an advertisement which proclaimed that savings deposited in the Bahamas by U.S. citizens could earn a 6-percent tax-free income.

Recognizing that if this were true it represented a substantial loophole in our tax structure, I called this advertisement to the attention of the Treasury Department and under date of September 28, 1967, received a reply stating that the advertisement was in error, that this interest income would not be tax exempt as claimed, and that the Esquire magazine was being notified accordingly of the erroneous advertisement. To avoid any American citizen being misled by this erroneous advertising I would suggest that Esquire owes it to its readers to give prominent display to the Treasury Department's letter.

I ask unanimous consent that the advertisement which appeared in the August issue of Esquire, my letter to the Treasury Department under date of August 31, 1967, and the reply thereto, dated September 27, signed by Mr. Stanley S. Surrey, assistant secretary, be printed in the RECORD at this point.

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

[From Esquire magazine, August 1967]

SAVINGS EARN 6-PERCENT TAX-FREE AT COMMONWEALTH TRUST (BAHAMAS) LIMITED BANKERS

Interest credited quarterly.

7% on 3-year Term Deposits.

Valuable premiums on Savings accounts and Term Deposits.

Deposits accepted in U.S. and Canadian dollars and sterling (repayable in same currency); other currencies after approval.

All banking and trust services.

Confidential accounts.

COMMONWEALTH TRUST (BAHAMAS) LIMITED
French Building, E 2/67
Marlborough & George St.,
P.O. Box 4093, Nassau, Bahamas

Please provide details on the following type of tax-free account:

Savings account
Term Deposit

Name _____
Address _____

U.S. SENATE,
Washington, D.C., August 31, 1967.

Mr. STANLEY S. SURREY,
Assistant Secretary of Treasury,
Washington, D.C.

DEAR MR. SURREY: Enclosed is an advertisement which appeared in the August 1967 Esquire concerning six per cent tax-free savings on deposits in the Bahamas.

Is it possible for an American citizen to deposit money in the Bahamas and the interest received therefrom to be tax exempt?

If so does this not constitute quite a loophole in our tax laws, and what suggestions do you or the Department have for correction?

Yours sincerely,

JOHN J. WILLIAMS.

TREASURY DEPARTMENT,
Washington, D.C., September 27, 1967.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: This is in reply to your letter of August 31, 1967 regarding the advertisement which appeared in the August 1967 edition of Esquire magazine stating that "Savings earn 6% tax-free at Commonwealth Trust (Bahamas) Limited". As you suggest, if a United States citizen or resident or a domestic corporation could earn such interest free of United States income tax it would indeed constitute a significant loophole in our tax laws. However, a United States citizen or resident or a domestic corporation is subject to United States income tax on all income (with certain limited exceptions) from whatever source derived. Therefore, United States income tax would be due on interest received from the Commonwealth Trust (Bahamas) Limited by a United States citizen, resident or domestic corporation.

It is noted that in addition to income tax liability, a term deposit for one year or more would subject the citizen resident or corporation to the interest equalization tax.

We have referred the advertisement to the Internal Revenue Service and they have informed us that they would inform Esquire magazine of the tax liabilities of an American depositing funds in the Commonwealth Trust (Bahamas) Limited.

Sincerely yours,

STANLEY S. SURREY.

OVER APPRAISAL OF ART CREATES TAX ABUSE

Mr. WILLIAMS of Delaware. Mr. President, in the Washington Daily News of July 20, 1967, there appeared an editorial entitled "Art for Tax Sake." This editorial calls attention to what at first appeared to be a glaring loophole in our tax structure.

I ask unanimous consent that this editorial appear at this point in the RECORD.

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

ART FOR TAX SAKE

You are in the 70 per cent income tax bracket. You buy a painting for $1000, give it to a museum at a valuation of $5000 and take the $5000 off your tax as a charitable donation. Original cost, $1000; tax saving, $3500; net profit, $2500.

There is the case of an artist who donated three of his own paintings and claimed a $75,000 deduction. It developed he actually had been trying to sell his paintings for less than $200 each, with no takers.

This business of phony art appraisals to dodge taxes is one of the "loopholes" in the system which the Internal Revenue Service is trying to close. It is setting up a panel of art experts to review suspicious appraisals

and fix fair market value. It's a good idea and we hope it works.

Mr. WILLIAMS of Delaware. Mr. President, under date of July 21 I wrote the Treasury Department asking for a report as to whether or not this loophole did exist and if so what recommendations it had for legislative correction.

Under date of August 18, 1967, I received a letter from Mr. Sheldon S. Cohen, Commissioner of Internal Revenue, in which he stated that while certain taxpayers may be attempting to evade taxes in the manner described, nevertheless under the existing law they do have adequate authority to cope with this problem.

I ask unanimous consent that both my letter of July 21 and the Department's reply of August 18, 1967, be printed at this point in the RECORD.

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

U.S. SENATE,
Washington, D.C., July 21, 1967.

Hon. HENRY H. FOWLER,
Secretary of the Treasury,
Washington, D.C.

MY DEAR MR. SECRETARY: In yesterday's issue of the Washington Daily News there appeared an editorial (a copy of which is enclosed) entitled "Art for Tax Sake." This editorial comments upon an abuse of our tax laws whereby taxpayers are granted an overappraisal of the art being donated and thereby actually making money by contributing.

It was and still is my understanding that under our existing law such excessive allowances are specifically prohibited under penalties; however, will you please examine this situation and advise whether or not the law is adequate and the fault lies in loose enforcement.

If there is a loophole in the law then please forward your legislative recommendations for correction.

Yours sincerely,

JOHN J. WILLIAMS.

U.S. TREASURY DEPARTMENT,
COMMISSIONER OF INTERNAL REVENUE,
Washington, D.C., August 18, 1967.

Hon. JOHN J. WILLIAMS,
U.S. Senate, Washington, D.C.

DEAR SENATOR WILLIAMS: Secretary Fowler has asked me to reply to your letter of July 21, 1967, enclosing a recent editorial from the Washington Daily News on the subject of tax deductions for contributions of art and similar items to certain charitable and educational organizations.

Existing law allows taxpayers to deduct the fair market value of non-cash property contributed to museums and other charitable or educational organizations. The establishment of this value is, as you can well imagine, a more difficult problem for paintings and other types of art objects than for the more conventional types of non-cash property. In many cases art experts themselves cannot agree on the value of specific art objects.

An excellent example of the potential for abuse in this area is the case of *Hilla Rebay v. Commissioner*, which was tried in the Tax Court in 1963 (22 TCM 181). Over a five-year period the taxpayer, who was an amateur artist, claimed deductions of $169,000 for donation of her own works to various charitable organizations. The Internal Revenue Service considered the valuation excessive by over $162,000 and determined tax deficiencies of nearly $120,000. The Tax Court determined that the claimed deductions were excessive by nearly $160,000 and adjusted the tax deficiency accordingly. That determination was not appealed by the taxpayer.

In recognition of the difficulties inherent in the valuation of art objects the Service has taken appropriate steps to fairly determine the fair market value of contributions in kind. For example, the individual income tax return for the year 1965 and subsequent years has been revised to provide the Internal Revenue Service with detailed information regarding non-cash property in order to permit more efficient review of tax deductions claimed for this type of item. The method utilized in determining the fair market value of the property must be shown on the return, and if the value is established by appraisal, a signed copy of the appraiser's report is required. This modification of the income tax return was made in accordance with recent revisions to section 1.170–1(a) of the Income Tax Regulations dealing with Charitable Contributions and Gifts. These revisions to the regulations require that detailed information be submitted with the income tax return.

In addition, the Service has taken other steps to encourage voluntary compliance and tighten enforcement, including the recent publication of Revenue Procedure 66–49 which provides information and guidance for taxpayers in this area. I am enclosing a copy of this publication for your information.

Finally, the Association of Art Museum Directors has recently offered to aid the Service by giving us the benefit of their knowledge and that of their staff people, on the valuation of art objects, in the form of an advisory group. This suggestion is being explored by the Service and may prove of considerable help in the direct enforcement activities of the Service and in encouraging voluntary compliance.

In summary, I acknowledge that the problem of inflated art appraisals is a difficult one from the standpoint of efficient tax administration, but I believe that the Service's enforcement efforts are effective to prevent avoidance of existing law. Undoubtedly, certain changes in existing law would simplify the enforcement problems in this area but this, I think, is a much broader problem. You may wish to discuss this aspect directly with Assistant Secretary Surrey.

Sincerely,

SHELDON S. COHEN,
Commissioner.

ONE-THOUSAND-DOLLAR-A-COUPLE CONTRIBUTIONS TO THE PRESIDENT'S FUNDRAISING CAMPAIGN

Mr. WILLIAMS of Delaware. Mr. President, on October 7, the President spoke at a $1,000 a couple ticket political fundraising dinner in Washington.

According to the press a series of cocktail parties were given prior to this dinner by certain Cabinet officers and department officials, at which time the lobbyists who represented industries coming under the jurisdiction of their particular department were asked to buy tickets to the dinner.

For example, it is said that the Transportation Secretary, Alan S. Boyd, attended one of these meetings and gave a pep talk to the lobbyists of the transportation industry as to just how bad the Nation needs a Democratic administration.

Similar functions were held by other cabinet officers with the same purpose in mind; namely, get the lobbyists together and impress upon them the importance of their $1,000 a couple contributions to the President's fundraising campaign.

At a time when so much is being said by this administration about its interest in divorcing presidential campaigns from the evil of private contributions, these pressure tactics are hard to understand. In this connection there appeared in the Wall Street Journal of October 2 an appropriate editorial entitled "Makes You Wonder."

I ask unanimous consent that the editorial be printed in the RECORD, followed by an article commenting on the same subject which appeared in the St. Louis Post-Dispatch of September 24, 1967.

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

MAKES YOU WONDER

The campaign subsidy bill the Administration is backing, you may remember, is intended to protect public officials from the sordid lure of lobbyists.

Everyone knows how the lobbyists work. Just when the bedraggled candidate's last dollar is gone and the TV network is about to pull the plug on its cameras, the lobbyist arrives with his Mephistophelian offer. "I'll pay the rent," he proclaims, but only with the tacit understanding that he will also call the votes. Trapped between evil forces, the poor candidate weeps as he trudges off to perpetual captivity.

To prevent such awful tragedies, the Administration has proposed to have the public pay the rent, at least for 60 days before and 30 days after elections. The candidate would be freed from the crushing necessity to accept the lobbyists' tainted money, except maybe for a few little early expenses like winning the nomination, and except maybe to pay off loans coming due after the 30-day limit and except maybe for some independent committees working for but not "authorized by" the candidate.

Admittedly, the Administration hasn't got around to doing anything to let the TV networks provide a lot of free rent, which they would be glad to do if somebody repealed the stupid law making them give frivolous candidates equal time with real ones. But then you have to stade somewhere, so why not with tax money? And who can object to the trifling sum of, say, $50 million for the ironclad protection the bill provides?

While the bill is pending, high Administration officials are circumspectly protecting themselves from lobbyists. Why, according to a recent report in the New York Times, Transportation Secretary Alan S. Boyd only had one drink at a meeting of lobbyists in a Georgetown club the other day. And he left right after he gave a little pep talk about how badly the nation needs President Johnson.

Secretary Boyd didn't have anything to do with rounding up a lot of lobbyists from the industry he helps regulate to attend the meeting with him; someone from the Democratic Party had to do that. And of course, Secretary Boyd didn't mention the tainted subject of money. It was after he was gone that somebody suggested that everyone buy $1,000-a-couple tickets to the President's Ball, intended to raise money for the forthcoming campaign and other things.

Now, we know people who think that the Administration's fear of lobbyists isn't the real reason it suggests campaign subsidies. These people think the Administration mostly wants more money for politicking and sees the public purse as an easy mark. These people even think that if the bill passes, the public will pay but relations between lobbyists and politicians will go on like always.

But maybe that isn't so. Maybe if the subsidy bill is passed President Johnson will announce that he and his party will not accept any money raised at the ball, that it will all be given to the Red Cross and the United Fund.

He'd almost have to do something like that. Otherwise, it'd make you wonder, wouldn't it?

DEMOCRATS SEEK TREATY FUNDS FROM U.S.-REGULATED FIRMS

(By John Herbers)

WASHINGTON, September 23.—A number of lobbyists for Government-regulated transportation industries was invited by the Democratic National Committee to attend an informal reception for the Secretary of Transportation, Alan S. Boyd, last Monday evening in a private club in Georgetown.

Boyd urged them to support President Lyndon B. Johnson for another term in office. Then, after the Secretary left, they were asked by a committee officer to buy $1000-a-couple tickets to a party fund-raising dinner and dance here Oct. 7.

The dinner, to be held in the Washington Hilton Hotel, has been billed as a President's ball in honor of Mr. Johnson and his wife. It is to be attended by contributors to the Democratic party from throughout the country.

FUNDS FOR CAMPAIGN

The Georgetown reception was part of the drive that party leaders are conducting quietly to assure a good turnout for the ball. At least part of the proceeds will go into next year's presidential campaign.

Invitations to the Georgetown reception were sent out under the signature of John Criswell, acting treasurer of the committee. They said: "Secretary Boyd will discuss matters of interest to you and to this Administration at this small, informal gathering."

The reception was made known by someone in attendance who asked that his name be withheld. He said it was his belief that the party improperly used the office of the Transportation Secretary to seek political support for the president from a Government regulated industry.

The source said the list of guests was weighted by representatives of shippers, truckers and airlines, most of whom lobby for their interests in Congress.

Both Boyd and Criswell said in interviews that there was nothing improper in the reception. Criswell said the reception was not arranged for representatives of the transportation industry but for a "cross section" of people who had contributed to the party in the past, both Democrats and Republicans.

The source declined to provide a list of those attending, saying he did not want to embarrass them.

BOYD SPEAKER

The reception was held in the Georgetown Club. The facilities of the club were made available by one of the club's members. About 40 persons attended.

Boyd, who arrived after a cocktail party was under way, gave a brief talk, describing how well off the country was under Mr. Johnson and saying that the country needed the President four more years.

Boyd left after the talk, almost abruptly, the source thought.

Criswell spoke next, reciting the party's past financial troubles. He said that the financial picture was looking up, but that he was convinced that contributors might get the idea that there were no money problems remaining.

Criswell then suggested that those present buy tickets to the dinner. The President would not only be at the dinner, the audience was told, he would stay and dance.

No attempt was made to sell tickets at the meeting. The informant said that most of those attending could not afford to buy tickets themselves and presumably were expected to pass the word to their corporate officers. Under the Corrupt Practices Act, corporations are forbidden to make political contributions, but it is common practice for businesses to do so through individuals.

SOLICITATIONS REPORTED

At least two of those attending the reception, it was learned, agreed to buy tickets. Later it was learned that Jack J. Valenti had solicited others in their companies in New York to buy tickets. Valenti, a former special assistant to the President, is president of the Motion Picture Association of America.

Boyd was appointed the first Secretary of the Department of Transportation last Nov. 6. Economic regulatory functions are exercised outside the Transportation Department by independent agencies such as the Civil Aeronautics Board. Members of these agencies, however, are appointed by the President and the Administration has some advisory influence over rates and routes.

A former member and chairman of the CAB, Boyd has a reputation as an official who cannot be swayed by political pressures. When he was informed that word of his appearance at the Georgetown reception was to be published, Boyd invited a reporter to his office and said he would be glad to answer any questions.

"I am glad to do anything I can honestly and ethically to help Lyndon Johnson," he said. "I knew this speech was indorsed and encouraged by the Democratic National Committee. I was asked to talk about our programs and urge support for the President."

He stressed that no plea for funds was made in his presence and that he expected never to know who at the meeting made a party contribution and who did not.

The invitation to appear came to him through an assistant who had been contacted by the committee, Boyd said.

Had the White House suggested that he make such appearances?

"Absolutely not," Boyd replied. "I bet Lyndon Johnson never had any idea that the meeting was being held."

Mr. BYRD of West Virginia. 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. 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.

Is there further morning business?

Mr. PROXMIRE. Mr. President, I ask unanimous consent to be able to speak for 5 minutes during the morning hour.

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

SEPTEMBER DROP IN INDUSTRIAL PRODUCTION WEAKENS THE CASE FOR TAX INCREASE

Mr. PROXMIRE. Mr. President, the argument that this country is suffering a runaway, demand-pressured inflation was dealt another blow yesterday when the Federal Reserve Board disclosed that industrial production fell in September. I repeat—fell, dropped—in September by 1.5 points.

Mr. President, this is not the kind of performance that occurs in an economy in which the pressure of demand is excessive. September was the third month in fiscal year 1968, a year in which the big deficit is supposed to be so inflationary; yet we are producing less, production in September was not only lower than in August, it was actually below the level of 1 year ago.

Mr. President, keep in mind the fact that American manpower is expanding at the rate of one and a half million workers per year. Recognize that the productivity of all this Nation's workers is increasing at the rate of more than 3 percent per year, so that even if the work force were stationary, not expanding—and it is expanding—they could produce 3 percent more or at the present level of the industrial production index, about 4.5 points more each year. Recognize, Mr. President that our plant and facilities are expanding their potential at the rate of 6 percent or 7 percent per year—on the basis of present investment in plant and equipment—and we can appreciate that this latest statistic showing a drop in industrial production last month and a lower figure for production this year than 1 year ago, shows the economy to be suffering from too much slack, not too much demand.

I am sure that, in the coming months—very possibly this month—there will be an increase in industrial production. I invite the attention of the Senate to the fact that we are producing less than we produced a year ago, with our expanding economy, with our expanding plants, with our expanding work force, and with our rising productivity, so that we can afford to increase demand substantially without getting into anything like demand inflation.

Furthermore, in the last few days, we have also been informed that the level of unemployment increased last month, the sharpest climb in 5 years, to a level of 4.1 percent. Is this evidence of an exuberant economy? Does the unemployment increase show a need to slow down the economy?

It is clear that the argument for a tax increase cannot be based on current economic conditions. None of this is to argue, Mr. President, that we do not have a serious inflationary problem. We do indeed. Prices have been going up, and going up at an unacceptable and growing rate. But it is the result of increasing cost and the pressure of that cost on prices, not the result of a demand that outpaces the economy's capacity to produce enough to meet that demand.

None of this is to argue that we do not have a serious Federal deficit. We do, indeed, face this problem too.

But a tax increase may not help us solve either the inflation problem or the deficit problem. Taxes are costs. The tax increase will add to costs. The corporate tax increase will add to business costs and to the prices that business must charge. The personal income tax increase will add to consumer costs and to the cost of living for most consumers, because taxes must be paid just as surely as food must be bought.

The tax increase will not restrain inflation. Yes, it will diminish demand; but demand is already inadequate. A further reduction in demand with less industrial production, with more idle plant facilities, with additional unemployment is hardly the sensible way to bring down prices.

Mr. President, the tax increase may not reduce the deficit very much, if at all. Economists almost unanimously agree that the 1964 tax cut actually increased rather than reduced Federal revenues, by increasing incomes and profits

sufficiently so that even at the lower rates revenues were higher.

That is, we reduced taxes in 1964 and Federal revenues increased sharply in 1965 and 1966. They argue that this happened because it raised income and made more profits, so that even with the lower rate, revenues increased.

It is clear that if this can work to increase revenue when there is a tax cut, it can also work—although not inevitably—but it can also work so that if we increase taxes, we may reduce revenues. It can very possibly have that effect, especially in view of the drop in industrial production and the increase in unemployment, even without the tax increase.

Similarly a tax increase now could very possibly depress income so that even at higher rates the net revenues would be lower than without the tax increase.

At any rate, Mr. President, there is no economic case for a tax increase now.

I ask unanimous consent that the National Summary of Business Conditions compiled by the Federal Reserve Board, dated October 16, 1967, be printed in the RECORD; together with a single page of tables from this release of the Federal Reserve Board, and an excellent editorial from this morning's Washington Post putting the present economic situation in perspective.

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

FEDERAL RESERVE BOARD NATIONAL SUMMARY OF BUSINESS CONDITIONS, OCTOBER 16, 1967

Industrial production and factory employment declined in September partly as a result of work stoppages. The value of retail sales rose slightly further and prices of industrial products generally showed advances. Bank credit, time deposits, and the money supply showed less increase than earlier in the quarter. Yields on public and corporate securities generally rose further by mid-October.

INDUSTRIAL PRODUCTION

The index of industrial production was 156.3 per cent of the 1957–59 average in September, influenced by the direct and indirect effects of work stoppages in the auto, copper, and steel transportation industries. The September total was 1.5 points below the downward revised August rate of output. Output of ordnance and other defense equipment continued to expand in September. Appliances and TV set production showed little further change following a sharp recovery earlier from work stoppages and inventory liquidation.

Auto assemblies, which reached a seasonally adjusted annual rate of 8.4 million units in August, were curtailed to 6.8 million units in September. Reflecting partly the lowered rate of capacity utilization, output of industrial equipment has fallen off somewhat further since June and total business equipment has shown little change.

Output of steel and some other industrial materials was reduced in September by work stoppages. As a result of the improved Mid-East supply, the curtailment of domestic crude oil output continued in the first week of October.

EMPLOYMENT

Employment in nonfarm establishments declined by 115,000 in September as work stoppages contributed to a net reduction in manufacturing employment of 180,000. This decline was only partially offset in the total by a net rise of 65,000 in non-manufacturing activities. The average factory workweek continued to change little but was about 2 per cent shorter than a year earlier. Employment gains continued in private service industries and were resumed in retail trade, but strikes of teachers in some cities temporarily reduced local government employment. The unemployment rate rose to 4.1 per cent from 3.8 per cent in August, reflecting a sharp rise in the number of women entering the labor force.

DISTRIBUTION

The value of retail sales edged up further in September and remained 4 per cent above a year earlier, according to advance Census estimates. The September increase reflected mainly a 2 per cent rise in sales at durable goods stores as a result partly of the earlier introduction of new model autos and at higher prices. The level of retail sales at nondurable goods stores was about unchanged.

COMMODITY PRICES

There were widespread increases in prices of intermediate products and various consumer items including new autos and appliances in September and in early October. Prices of speculative commodities meanwhile generally continued to change little, and lumber and plywood reversed part of their earlier run-up as supplies improved. Prices of farm products declined somewhat further reflecting mainly decreases in feed grains and hogs.

BANK CREDIT, DEPOSITS, AND RESERVES

Commercial bank credit expanded $2.2 billion in September—much less rapidly than over the preceding two months but close to the strong average rate of the first half year. In contrast to the large security acquisitions in July and August, banks reduced slightly their holdings of Treasury issues in September and added only modestly to portfolios of other securities. Total loans rose $2 billion over the month—only slightly below the average July-August increase—with business loan growth continuing modest for the second consecutive month.

The money supply showed little further rise in September, resulting in a third-quarter annual rate of increase of 7.0 per cent, about the same as that over the first half of the year. Time and savings deposits rose $1.7 billion, about one-third less than the unusually large increase in August. U.S. Government deposits continued to rise on balance.

Total and required reserves increased somewhat further. Net free reserves dropped slightly to an average of about $250 million over the four statement weeks ending September 27, as a small decline in excess reserves exceeded that in borrowings.

SECURITY MARKETS

Over the past month yields have risen in all maturity areas of the U.S. Government securities market. At mid-October, yields were about 4.60 per cent on 3-month Treasury bills, 5.50 per cent on some intermediate-term issues, and 5.25 per cent on long-term bonds. Recent issues of short- and intermediate-term Federal Agency obligations have been marketed at yields ranging from 5.50 per cent to 5.88 per cent.

Yields on corporate and municipal bonds have advanced fairly steadily since mid-September; new issue yields have advanced especially sharply, and are currently at levels clearly above those reached last year. In heavy trading volume, common stock prices also moved up to all-time highs near the end of September, but since then have fluctuated within a narrow range.

Series	Seasonally adjusted				Not seasonally adjusted			
	1967			1966	1967			1966
	September [1]	August	July	September	September [1]	August	July	September
Industrial production, total	156.0	158.0	157.0	158.0	160.0	158.0	151.0	161.0
Market groupings:								
Final products	157.0	158.0	157.0	156.0	162.0	[2] 157.0	[2] 151.0	161.0
Consumer goods	146.0	148.0	147.0	147.0	154.0	148.0	140.0	154.0
Business equipment	180.0	[2] 181.0	[2] 181.0	177.0	182.0	[2] 178.0	[2] 177.0	178.0
Materials	156.0	[2] 157.0	156.0	159.0	157.0	158.0	[2] 150.0	161.0
Industry groupings:								
Manufacturing	158.0	159.0	158.0	160.0	161.0	158.0	151.0	164.0
Durable goods	161.0	164.0	[2] 162.0	167.0	163.0	159.0	155.0	170.0
Nondurable goods	154.0	[2] 154.0	152.0	151.0	159.0	157.0	[2] 145.0	156.0
Mining	125.0	[2] 128.0	128.0	121.0	127.0	[2] 129.0	125.0	123.0
Utilities	182.0	[2] 182.0	[2] 182.0	177.0	--------	--------	--------	--------
Employment and payrolls:								
Nonagricultural, total	125.8	126.1	[2] 125.5	122.6	127.0	[2] 126.5	125.9	123.8
Manufacturing, production workers:								
Employment	111.4	112.9	111.6	114.0	113.7	[2] 113.5	111.1	116.4
Payrolls [3]	154.0	[2] 155.5	[2] 151.4	154.6	157.1	[2] 155.0	150.5	157.7
Freight carloadings	90.2	89.7	85.2	95.0	94.0	93.9	82.4	99.2

[1] Preliminary. [2] Revised. [3] Value data.

EXPANSION AND CONFUSION

The Administration continues to insist that a tax increase is the only alternative to economic ruin, but people are more likely to be confused than persuaded by that argument. Consider two items in last week's news. On Wednesday it was announced that unemployment in September rose from 3.8 to 4.1 per cent of the civilian labor force, the highest level since late 1965. That announcement brought no audible sounds of concern from exalted places. Yet on Friday, with the news that the gross national product advanced at the annual rate of $15 billion during the third quarter, a "high administration official" declared "that the economy is going forward too quickly, at an unsustainable rate" and added the familiar bit about the "compelling logic for a tax increase." But how is a perilously rapid growth of total demand reconciled with rising unemployment? When that puzzle is solved the case for higher taxes collapses.

The point at which to begin is the fallacious characterization of the third quarter advance in GNP. As a result of prior monetary restraint, the growth of the GNP was halted in the first quarter of this year and slowed in the second. But now that the economy is again undergoing a pervasive expansion, the GNP is growing rapidly as it does in every recovery from a recession or slowdown.

If the current rate of GNP growth were sustained, if over the next 12 months $60 billion were added to the total demand for goods and services, few of the nightmares conjured up by Administration economists would materialize. A $60 billion advance from the second quarter of 1967 implies a 7.75 per cent growth rate in current prices and a "real" growth rate (measured in constant price) of less than 5 per cent. Nothing in recent experience suggests that such a pace is fraught with danger.

But although a $60 billion advance is sustainable, it is not likely to be realized over the next year for the following reasons. Consumer expenditures, especially for goods,

continue to be sluggish, and so long as they are, businesses are not likely to make large additions to a total stock of inventories that is already high in relation to sales. Fixed investment—residences, industrial structures and capital equipment—has increased modestly. But with disappointing profits in manufacturing industries and high mortgage rates, the upsurge of investment outlays necessary to sustain a rapid growth of GNP is nowhere in sight. A stimulus from defense outlays, which increased by less than $2 billion in the third quarter, seems unlikely at the moment.

When the rise in the unemployment rate—which is accounted for by adult females—is viewed in the context of a pervasive but far from spectacular recovery, the underlying cause is apparent. The entry and exit of married women from the labor force hinges on the employment opportunities. Having dropped out of the labor force in large numbers during the mini-cession, women are again seeking jobs but are not finding them as quickly as they did in the 1965–66 period. The sharp rise in female unemployment, which may in part be due to a definitional change, suggests that talk about an overheated economy with tight labor markets is somewhat premature.

Mr. PROXMIRE. The gross national product is now estimated to be $15 billion which, with the Ford strike, is something that should concern us.

In a memorandum some time ago entitled "Proposed Tax Surcharges," the staff of the Joint Economic Committee estimated that the third quarter gross national product rise was likely to be $16 billion higher and for the fourth quarter another increase of $20 billion is estimated. Preliminary third quarter data, the staff of the Joint Economic Committee informs me, confirms that estimate and a $20 billion fourth quarter is still very likely.

As I say, this increase in gross national product is something to be concerned about, but if we simply take the billion dollar increase, without any analysis, we are going to deceive ourselves, because a great deal of that increase is the result of the fact that prices have risen, and risen quite sharply, in the third quarter, and they are going to increase again in the fourth quarter. Much of this increase is not an increase in additional goods and services, but simply an increase in prices.

It is possible to have a substantial increase in the gross national product without an increase in business activity. This is the nature of a significant part of the increase in the gross national product.

At any rate, as the fine Washington Post editorial which I just placed in the RECORD stated, we could have a growth of 5 percent in real terms in the coming year, in view of the slack in our economy, without significant inflationary pressures.

At the same time, I would agree with the staff of the Joint Economic Committee, which has informed me that the rate of monetary expansion is excessive and inflationary. It is above that which was recommended unanimously by the Joint Economic Committee in its economic report. The rate of increase in the money supply by the Federal Reserve Board is almost as high as it has ever been. The last time the Federal Reserve Board had this kind of increase in the monetary supply, we ended up with the beginning of the credit crisis in 1966.

I would hope the Federal Reserve Board would slow down its rate of monetary increase. I realize that the Federal Reserve Board has great problems, but if it can slow down the rate of monetary increase it can help us have economic stability and remove the necessity for a tax increase.

There are some cynics who say that the reason why the Federal Reserve Board is doing what it is is to give ammunition to those who want a tax increase, but I am sure that the Federal Reserve Board consists of men of integrity and that the Board is proceeding in this case, as it has in the past, based on what the Board thinks is the best prescription for our economy.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PROXMIRE. I ask unanimous consent that I may have 2 additional minutes.

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

Mr. PROXMIRE. At any rate, I would hope the increase in the monetary supply, which has contributed to the increase in prices, could be slowed down.

I yield the floor.

THE PRESIDENT'S STATEMENT ON THE SMALL BUSINESS ACT AMENDMENTS OF 1967

Mr. McINTYRE. Mr. President, when President Johnson signed the Small Business Act Amendments of 1967 into law last week, he placed his signature to a written expression of the confidence which the Federal Government has in small business investment companies as mechanisms for supplying the equity needs of small business.

As the President pointed out in his statement of the time of the signing, 95 percent of the businesses in the United States are small. These businesses are, and always have been, the mainstay of our system of free enterprise. They deserve the full support of the Congress and the administration, for they represent the very foundation of our economy.

The Congress still has more work to do to help the small businesses of America. As chairman of the Subcommittee on Small Business of the Committee on Banking and Currency, I shall do what I can to give the Senate the opportunity to vote, during the present Congress, on legislation to help small businessmen who are subject to loss from crime, or riots in our cities. I hope that companion measures to S. 1862, dealing with necessary tax incentive for small business investment companies, will soon be before us.

Mr. President, I ask unanimous consent that President Johnson's remarks on the signing of S. 1862 be printed at this point in the RECORD.

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

PRESIDENTIAL STATEMENT ON S. 1862, SMALL BUSINESS ACT AMENDMENTS OF 1967

America itself began as a small business. The first Virginia settlers came to these shores as a joint stock company.

As the Nation grew, so did the shops and factories that gave it commercial life. The earliest American dream—of being one's own boss in a land of unbounded opportunity—has remained a pillar of our economic strength.

Today, 95% of the businesses in the United States are small. They employ 4 out of every 10 of our wage earners. They provide a family income for more than 75 million Americans.

Through the Small Business Administration, your Government helps small businesses to grow and prosper. The neighborhood furniture store, the machine shop downtown, the new manufacturing plant in a depressed rural area—these and thousands of other small businesses have been given life through loans generated by the SBA.

Such loans have also helped many disadvantaged citizens take a productive role in our national life. Over 5000 men and women with the will and talents and energy for business—but blocked by poverty—have started the road to success with SBA help.

Businesses ravaged by flood or disaster have been restored.

All this has meant better products for the consumer. It has brought jobs and broader opportunities.

The bill I sign today—S. 1862—shows this Nation's faith in the future of small business.

It continues and expands the many worthwhile programs administered by SBA.

It allows SBA to make more loans from its own funds, up $650 million to a new high of $2.65 billion. No increase in appropriations is involved.

It extends from 10 to 15 years the repayment time for construction and renovation loans.

It improves the Small Business Investment Companies which provide a vital flow of private capital to small businesses.

It enlists the services of more retired businessmen, so that their still valuable skills and knowledge can be made available to greater numbers of small concerns.

It will help to bring more businesses and more jobs into the ghettos, through lease guarantees. This is a vital part of our new program to engage private industry in special job training programs for the hard-core unemployed.

It launches a comprehensive study of ways to protect the small businessman against criminal acts which endanger his business and often his life.

This bill, in short, strengthens the helping hand America extends to the Nation's small businessmen.

But I must point out that it becomes law at a time when the business community is imperiled by the threat of tight money.

To the businessman, a soaring interest rate is Public Enemy No. 1.

It affects all commerce, but its harshest impact falls on the little man who runs a small business. He feels it. He feels it hardest. He feels it longest.

The tax surcharge proposal now pending before the Congress can work to remove this threat.

No businessman welcomes a tax increase. No President enjoys proposing one.

But I believe that most businessmen would rather pay a little more in taxes than expose themselves to the uncertain and uneven effects of tight money and spiraling interest rates.

The tax measure I proposed last August will provide the restraint our economy needs in a fair and equitable way. It will permit businesses large and small to get the credit they need to continue to grow and prosper.

I remind the Congress and the country that the greatest service the Congress can now perform for American business, in my judgment, is to enact that legislation promptly before it is too late.

When that is done, the full potential of the bill I sign today will be unlocked.

Ours is a land where individual enterprise is highly honored. And the bill recognizes that no investment pays greater dividends to the taxpayer than this—to give a man the tools with which he can shape his own success.

WOODROW WILSON GUTHRIE

Mr. BAYH. Mr. President, when a great American dies, each of us shares in the sorrow of his passing. But in recalling him and his work, we also solidify for ourselves and our children a part of our heritage and tradition.

So it is with the death on Tuesday, October 3, 1967, of Woodrow Wilson Guthrie, one of the foremost folk singers and composers of this or any age.

Although he was not from my State of Indiana, I share a sense of loss in his death. For one thing, he was from my wife's native State of Oklahoma. But, more important, his life—as exemplified in his music and his deeds—transcended state boundaries and reached to the soul of our Nation.

Woody Guthrie was a personification of America—of the trials and challenges of the poor, the weary, the neglected.

He wandered across the length and breadth of this great land, jabbing the conscience of the complacent, portraying the pathos of poverty, urging his fellow man to new hope through utilization of the great opportunity that America held out to him.

While he sang of the cruel desert dust storms, and the pain and deprivation of the great depression, and the lonely burdens of the poor farmer, and the travail of the city's sweatshops, he never lost sight of the blessings of America—blessings which he knew instinctively would be shared eventually by the vast majority of his countrymen.

So while he characterized the blemishes on the face of America, he did so with love—and he also sang of her beauty:

This land is your land, this land is my land,
From California to the New York Island,
From the redwood forest to the Gulf-stream waters,
This land was made for you and me.

When the sun come shining, then I was strolling,
And the wheat fields waving, and the dust clouds rolling,
A voice was chanting as the fog was lifting,
This land was made for you and me.

Woody Guthrie sought to improve America, not to condemn her. When her freedom was imperiled in World War II, he joined the merchant marine, participated in three invasions and twice sailed on ships that were torpedoed by the enemy. And he wrote songs of the gallant men who gave their lives to defend this land.

Woody Guthrie will be remembered as long as there are men to sing songs and as long as there are men who believe in America and strive to make it an even better place in which to live and work.

THE COPPER STRIKE

Mr. FANNIN. Mr. President, as you know, a nationwide copper strike is crippling a vital segment of our economy. In my State of Arizona, where more than 50 percent of all domestically produced copper originates, many communities have been severely hit.

On August 28, a number of Senators from States affected by this strike filed before this body, Senate Resolution 161, pleading with the President of the United States to invoke the emergency provisions of the Taft-Hartley Act in order to at least temporarily halt this strike.

Just yesterday, I received a letter from an Arizonan which I feel spells out far better than I am able exactly how hard pressed many of our people are becoming as a result of this protracted strike. I ask unanimous consent that this letter be printed in the RECORD.

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

ROAD MACHINERY CO.,
Phoenix, Ariz., October 13, 1967.

U.S. Senator PAUL FANNIN,
Senate Building,
Washington, D.C.

DEAR PAUL: Last week our small company had 60 employees. This week our staff has been reduced to 50 because of what effect the copper strike is having in our industry as a machinery supplier. Practically all of the other 14 machinery firms in Arizona have had to make similar reductions in personnel.

In addition to letting 10 faithful and good people go, we had to reduce the salaries of the remaining 50 people from 5% to as high as 25% in an attempt to keep our costs within our income.

I fully appreciate that you, individually, can do little about this situation, but it is illustrative of what private enterprise must do to keep alive.

After taking action like this, which necessitates dealing in peoples lives, I think about what our Government is doing in having a 29 billion dollar deficit and yet little is ever done to reduce expenses. In the past year, it appears that something approaching 230,000 people have been added to the Governmental payroll—and now consideration is being given to adding Television production to the cost of government—consideration is being given to spend tax money to pay for election campaign costs—and it appears our Government is attempting to be all things to all people.

Then we read about the necessity of increasing taxes with no action taken to reduce expenditures.

Our "gang" here at our company discuss our government and the direction we see it taking quite often and everyone I know is quite disturbed over the fact that it is spend, spend—tax and tax but nothing ever done about reducing expenditures.

It seems that all of us agree it is hopeless to expect Congress to do anything about this and the result is anger which is expressed at the local level which, unfortunately, results in school bond issues, public works bond issues and hospital bond issues being defeated at the ballot box.

Many of these bond issues are deserving of full support of all citizens but since this seems to be the only effective voice of protest anyone can make, it results in defeat for these bond issues.

No one I know would complain about additional taxes IF it was needed to properly support our men in Viet Nam. Our young men over there are deserving of the best that this nation can provide for them, as long as they are being subjected to losing their lives or being seriously wounded. Many of us are confused as to whether or not our nation should be involved in Viet Nam but as long as our young men are there, we MUST fully support them in all of their needs—and if taxes must be increased to do this, then we must increase taxes.

A tax increase without a reduction in non-defense spending would be a most serious blow to the morale of our nation which is already at a rather low level.

President Johnson recently was quoted as saying he was not of the opinion the morale of the citizens of our nation had lessened. If he would contact the "people" and ignore the advice of those who will tell him only what they know in advance he wants to hear, I feel quite positive he will find there is considerable unrest in our nation, especially as it applies to our government trying to be all things to all people and thus end up spending more money than what is collected.

This, I grant you, is only one man's opinion but I can assure you there are many, many people who believe as I do. Only recently I returned to Phoenix from a two week business trip to Philadelphia, St. Louis, Minneapolis and San Francisco where I found many, many responsible people expressing similar thoughts as I have written in this letter.

May I hope that somehow, someway Congress will take the necessary steps to stop adding non-defense expenditures to our nation's budget and reduce the non-defense expenditures already appropriated.

Yours very truly,

HAROLD R. BONE,
President.

A VISIT TO THE SYLVANIA TRACT

Mr. NELSON. Mr. President, recently I received from a constituent of mine, Mrs. Ruth Stolle, a column by Mr. Cedric Vig called Wisconsin Woodsmoke. In this column Mr. Vig describes his first trip into the beautiful Sylvania tract in the Upper Peninsula of Michigan.

The trip is reported not only through Mr. Vig's eyes but also through the eyes of some friends who accompanied him on the trip. All of these men are experienced outdoorsmen who know and appreciate the great out of doors. I think that their reflections on the trip clearly show that the Sylvania tract represents one of the most significant natural resource acquisitions in recent years.

Careful and tasteful development of this spectacular area by the Forest Service will insure its preservation for generations to come. I ask unanimous consent that the text of Mr. Vig's column be printed in the RECORD.

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

WISCONSIN WOODSMOKE

(By C. A. Vig)

Tonight our fireplace is kicking up a big fuss—crackling and sputtering—banging and spitting. We're burning a couple of chunks of cedar from Sylvania.

"Sylvania!" Ever since we heard this word we've wanted to go there. "Untouched, unspoiled, a wilderness of pristine beauty." That's how they described it.

The news stories, a talk at Rotary, and an article on Sylvania in the July-August issue of "Better Camping" written by J. L. O'Sullivan sparked our interest. We wanted to dip our paddles in those unpolluted waters; carry our canoes over the portages; watch the eagles soar in Michigan's blue skies.

Last Saturday we went!

SYLVANIA

According to our speedometer, it's a 60-mile jaunt from Rhinelander to this 18,870 acre tract west of Watersmeet, Michigan.

As we drove into the area, we realized that we had seen a similar landscape and forest cover in the Phillips-Park Falls area. Yellow

birch, maple and hemlock were the predominate trees.

At the information center an attendant helped us map out a canoe route—the summer's most popular water trail—a five-hour jaunt encompassing six lakes and several portages.

Since this Federal park boasts a number of lakes and ponds, it would be easy to spend a few days canoeing, portaging and camping. This is not practical this summer since there is a ban on overnight camping.

Next year camping will be allowed in certain designated areas. However, if one expects to get back into the heart of this wilderness retreat, one will have to expend some energy in the form of hiking or paddling since motorized vehicles will not be permissible on the trails and lakes.

CROOKED LAKE

Nice lake—clear water—surrounded by conifers, principally leaning cedars—something like the Upper Brule.

The overflow from this lake gives rise to the middle branch of the Ontonagon—the stream with the North Country's prettiest waterfalls—Bond and Agate.

As we paddled across Crooked Lake, we realized that here was a land of trees and water. It has been estimated that the timber is valued at somewhere between four and five million dollars—that one-fifth of the area is covered with water.

To us the lakes were similar to those in northern Wisconsin. The forest was similar to Nicolet, Flambeau and the Porkies. However, the big difference was that there was an area that was relatively untouched by man and his axe, plow and bulldozer. There has been a minimum of man-made activity in the forest since the white pine was removed back in the 1880's.

During our push across Crooked lake we saw wildlife that is typical of a wilderness area. A pair of loons were spotted out fishing. Across our path a pileated woodpecker was seen. Above us a pair of bald eagles were soaring and screaming in the September skies. A flight of mallards rose from the wild rice beds—leaving in perfect flight formation. Other visitors have seen bear, coyotes and timber wolves.

MANSIONS

Included in the purchase price ($5,740,000) were several large mansions of the former owners. They were huge and hotel-like—symbols of the wealth and affluence of their builders.

The largest lodge was more than 200 feet in length—so large that it boasted an indoor gymnasium. The cedar logs for this lodge were shipped in from the West coast and put together by Finnish carpenters whose skill for matching and fitting logs approached perfection.

Scattered throughout the area, especially on the portages between lakes, were smaller and more livable cabins used by the guards whose job it was to keep the poachers out of this private estate.

OVER THE GROAN TRAILS

A day of lake paddling can be a monotonous affair. It takes a portage every now and then to add a bit of zest to the adventure—to take the kinks out of those canoe-cramped legs.

Our little safari took us from Crooked lake to East Bear, West Bear, Kerr, High and back to Crooked. The portages were short and easy—13-96-40-97-38-22 rods each. On the longest portages the U.S. Forest Service has erected "resting platforms" where one can perch his canoe while taking a "five."

Up in the Canadian bush a portage is frequently measured in chains. A chain is 66 feet long. There are 80 chains in a mile. Know what a quarter chain is? A rod!

On some of the old maps we've noticed that portages were measured in "carries." From what we have read about the endurance of the Indians and Voyageurs, chances are that a carry might involve a long distance—many chains.

EVALUATION

This evening as we sit before our cedar fire we have a good opportunity to evaluate our Saturday in Sylvania.

Harlan, who whetted his canoeing appetite on the Brule a few weeks ago, prefers shooting rapids to lake canoeing.

Leigh Steinman, the most ardent fisherman of the group, would like to go back and throw some hardware in some of the lakes in the area—lakes where it is said one can catch a bass with every cast—or those deep clear lakes that abound in lake trout. (High lake was the prize of the trip.)

Don thinks it a wonderful place to bring his canoeing-camping club members for their first lesson in paddling and portaging.

The rest of us would like to pay another visit to the area when the forest is covered with yellow and red leaf paint and hike the many excellent trails that are available to the visitors.

P.S.—It was a good day—one that you would have enjoyed!

IT IS TIME TO CHANGE OUR PROCEDURES IN EVALUATING PUBLIC WORKS PROJECTS

Mr. PROXMIRE. Mr. President, within the past weeks, demands have increased for improved Government budgeting priorities. Business Week magazine, the Washington Post, and the Wall Street Journal—to name just a few leading publications—have pointed out the current need for Congress to insist that spending proposals reflect optimal resource allocations.

Present long-range cost-benefit evaluations are based on a 1962 document written under the auspices of the Water Resources Council set up by President Kennedy. This report, known generally as Senate Document No. 97, is entitled "Policies, Standards, and Procedures in the Formulation, Evaluation, and Review of Plans for Use and Development of Water and Related Land Resources," and establishes practices to be followed in analyzing public works projects.

Four executive agencies cooperated in drawing up the policies of Senate Document No. 97; these four agencies—the Department of the Army, the Department of Agriculture, the Department of the Interior, and the Department of Health, Education, and Welfare—along with the Bureau of the Budget, hold the principal statutory responsibilities for Federal activities concerned with water and land resources conservation.

In Senate Document No. 97, discount rate policies for cost-benefit studies were stated in this manner:

2. *Discount rate.*—The interest rate to be used in plan formulation and evaluation for discounting future benefits and computing costs, or otherwise converting benefits and costs to a common time basis shall be based upon the average rate of interest payable by the Treasury on interest-bearing marketable securities of the United States outstanding at the end of the fiscal year preceding such computation which, upon original issue, had terms to maturity of 15 years or more. Where the average rate so calculated is not a multiple of one-eighth of 1 percent, the rate of interest shall be the multiple of one-eighth of 1 percent next lower than such average rate.

This procedure shall be subject to adjustment when and if this is found desirable as a result of continuing analysis of all factors pertinent to selection of a discount rate for these purposes.

Mr. President, witnesses during the recent Joint Economic Committee hearings on planning, programing, budgeting systems—PPBS—stressed that these policies established in Senate Document No. 97 are wrong. According to their testimony, use of the coupon rate at the date of issue of long-term Government securities leads to overestimating project benefits. Were a more realistic discount rate employed—the witnesses proposed that the expected rate of return to funds in the private sector, which is at least 10 percent instead of the 3¼-percent rate presently used—it would be possible to see which long-range spending projects actually contribute to the economy and which projects represent significant drains on the economy.

I call attention to the second paragraph of the Senate Document No. 97 discount rate policy. It says:

This procedure shall be subject to adjustment when and if this is found desirable as a result of continuing analysis of all factors pertinent to selection of a discount rate for these purposes.

There is need today for such analysis; there is need today for adjustment of the discount rate procedure spelled out in Senate Document No. 97. The possibility of a tax increase and of lower economic growth, certainly make such adjustment desirable. A few agencies already have made studies, which I have requested, utilizing alternative discount rates on public work projects. Such evaluations must be continued and encouraged by Congress. Indeed, if we agree with the testimony in the PPBS hearings, there is a clear need to revamp completely the whole policy structure established in Senate Document No. 97.

DEVELOPMENT OF WATER RESOURCES IN OKLAHOMA

Mr. HARRIS. Mr. President, Oklahoma has long been in the forefront in the development of water resources. A large number of multipurpose projects are under construction or completed in Oklahoma. These projects provide flood control, irrigation, hydroelectric power, municipal and industrial water supplies, and recreational benefits. We also are a leader in the upstream dam program which has been so effective in stopping soil erosion. The Arkansas River navigation program, which is vital to Oklahoma's continuing economic development, is proceeding on schedule and barges are due to come up the Arkansas to eastern Oklahoma by 1970.

I am proud of the progress Oklahoma has made in development of its water resources. Since my election to the Senate in 1964, I have worked closely with my distinguished colleague, the senior Sena-

tor from Oklahoma [Mr. MONRONEY], Congressman CARL ALBERT, the majority leader, TOM STEED, ED EDMONDSON, JOHN JARMAN, and other members of the State delegation in carrying this water development program forward. Much credit for Oklahoma's outstanding record in water development goes to the late Senator Robert S. Kerr, who envisaged 20 years ago the tremendous benefits which would come from making the Arkansas River navigable. Unfortunately, Senator Kerr did not live to see all his dream become reality.

Much of the water development work in Oklahoma is being done by the U.S. Corps of Engineers. During this fiscal year the Corps of Engineers will spend about $91.6 million on public works projects in Oklahoma. The Tulsa district engineer's office is one of the busiest in the Nation and, I might add, one of the best.

The Tulsa district engineer recently gave me fiscal information on civil works projects in Oklahoma, and I ask unanimous consent that this data be placed in the RECORD.

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

FISCAL INFORMATION ON CIVIL WORKS PROJECTS IN OKLAHOMA

SUMMARY SHEET

[In thousands of dollars]

Category	Expenditures prior to fiscal year 1961	Expenditures, fiscal year 1961 to fiscal year 1967	Expenditures projected for fiscal year 1968	Total
Construction, general	226,777	359,965	85,639	672,381
Operation and maintenance, general	15,941	22,947	5,503	44,391
General investigations	2,448	4,203	505	7,156
Total	245,166	387,115	91,647	723,928

CONSTRUCTION, GENERAL

[In thousands of dollars]

Project	Status	Expenditures prior to fiscal year 1961	Expenditures, fiscal year 1961 through fiscal year 1967	Expenditures projected for fiscal year 1968	Total	Fiscal year of first expenditure if subsequent to fiscal year 1961
Arkansas River and tributaries, general studies	Complete	454	52		506	1957
Bank stabilization (Sequoyah and Le Flore Counties)	Under construction	6,230	5,676	534	12,440	1952
Broken Bow Reservoir (McCurtain County)	do	306	28,975	5,361	34,642	1959
Optima Reservoir (Texas County)	do	212	2,720	1,464	4,396	1945
Lukfata Reservoir (McCurtain County)	Planning	20	285	129	434	1960
Pine Creek Reservoir (McCurtain County)	Under construction	52	9,445	5,629	15,126	1960
Crutcho Creek (LP) (Oklahoma County)	Planning	15	26	74	115	1957
Oologah Reservoir (Rogers and Nowata Counties)	Under construction	27,080	9,731	1,774	38,585	1939
Keystone Reservoir (Tulsa, Osage, Creek, Pawnee, and Payne Counties).	do	18,797	98,966	4,669	122,432	1939
Canton Reservoir (Blaine and Dewey Counties)	In operation	10,432	698	40	11,170	1939
Fort Supply Reservoir (Woodward County)	do	7,413	147	30	7,590	1938
Hulah Reservoir (Osage County)	do	10,972	422	42	11,436	1938
Tenkiller Reservoir (Sequoyah and Cherokee Counties)	do	22,264	1,155	75	23,494	1939
Eufaula Reservoir (Haskell, McIntosh, Pittsburg, Okmulgee, and Muskogee Counties).	do	18,842	102,270	278	121,390	1948
Denison Reservoir (Johnston, Marshall, Bryan, and Love Counties.)	do	61,416	2,100	310	63,826	1939
Fort Gibson Reservoir (Wagoner, Cherokee, and Mayes Counties.)	do	41,485	698	101	42,284	1942
Robert S. Kerr L. & D. (Sequoyah, Le Flore, Haskell, and Muskogee Counties.)	Under construction		50,107	15,570	65,677	
Navigational locks and dams (Wagoner and Rogers Counties)	Under construction		13,971	28,211	42,182	
Markham Ferry Reservoir (Mayes County)	Complete	504	6,405		6,909	1942
Birch Reservoir (Osage County)	Planning		303	2	305	
Kaw Reservoir (Kay and Osage Counties)	Under construction		2,573	4,822	7,395	
Webbers Falls L. & D. (Muskogee County)	do		18,828	13,544	32,372	
Copan Reservoir (Washington County)	Planning		610	32	642	
Hugo Reservoir (Choctaw and Pushmataha Counties)	Under construction		791	1,789	2,580	
Skiatook Reservoir (Osage County)	Planning		543	57	600	
Waurika Reservoir (Jefferson, Stephens, and Cotton Counties)	do		238	212	450	
Maintenance and repair fleet and terminal (Sequoyah County)	Under construction		74	376	450	
Shidler Reservoir (Osage County)	Planning		23	127	150	
Heyburn Reservoir (Creek County)	In operation	30	43	20	93	1948
Enid, Okla. (LP) (Garfield County)	Complete	251	493		744	1956
Washita River, Ardmore, Okla	do		29		29	
Ponca City, Okla	do		47		47	
Pond Creek, Okla. (Pottowatomie County)	do		14		14	
Salt Fork Red River, Altus, Okla	do		6		6	
Blackwell, Okla	do		49		49	
Coyle, Okla	do		16		16	
Cherry and Red Fork Creeks, Tulsa, Okla	Continuing	2	40	114	156	1960
Cottonwood Creek (Logan County)	Complete		2		2	
Bull Creek, Vinita, Okla	do		1		1	
Turkey Creek, Bartlesville, Okla	Continuing		65	138	203	
Flat Rock Creek, Tulsa, Okla	do		23	5	28	
Arkansas-Red salinity control	Complete		300		300	
Bird Creek, Skiatook, Okla	Continuing		40	4	44	
East Cache Creek, Lawton, Okla	do		47	10	57	
Fourche Maline Creek, Wilburton, Okla	Complete		1		1	
Joe Creek, Tulsa, Okla	Continuing		123	13	136	
Mountain Creek, Wister, Okla	Complete		22		22	
Black Bear Creek, Pawnee, Okla	do		2		2	
Stillwater Creek and tributaries, Stillwater, Okla	Continuing		56	11	67	
Tiger Creek, Drumright, Okla	Complete		4		4	
Turtle Creek, Yukon, Okla	Continuing		31	12	43	
Cottonwood Canyon Creek, Cherokee, Okla	do		13	21	34	
Dog Creek, Waynoka, Okla	do		6	19	25	
Mud Creek, Idabel, Okla	do		3	20	23	
Nowata, Okla	Complete		1		1	
Deer Creek, Shawnee, Okla	do		38		38	
Civil defense shelter program	do		168		168	
Total, construction general		226,777	359,965	85,639	672,381	

OPERATION AND MAINTENANCE, GENERAL

[In thousands of dollars]

Project	Status	Expenditures prior to fiscal year 1961	Expenditures, fiscal year 1961 through fiscal year 1967	Expenditures projected for fiscal year 1968	Total	Fiscal year of first expenditure if subsequent to fiscal year 1961
Flood control rescue operations	Continuing	30	410	119	559	
Inspection of completed work (LP)	do	13	39	23	75	
National emergency activities	Complete		9		9	
General regulatory functions			12		12	
Emergency bank stabilization, Arkansas River and tributaries	Continuing	424	1,423	305	2,152	
Advance preparation of flood emergencies		13	55		68	
Flood emergency operations		75	112		187	
Great Salt Plains Reservoir (Alfalfa County)	do	857	480	67	1,404	1941
Fort Supply Reservoir (Woodward County)	do	887	802	129	1,818	1941
Canton Reservoir (Blaine and Dewey Counties)	do	1,066	1,230	183	2,479	1948
Hulah Reservoir (Osage County)	do	617	910	174	1,701	1950
Wister Reservoir (Le Flore County)	do	838	823	188	1,849	1949
Oologah Reservoir (Rogers and Nowata Counties)	do	32	977	254	1,263	
Heyburn Reservoir (Creek County)	do	352	527	142	1,021	1950
Tenkiller Reservoir (Sequoyah and Cherokee Counties)	do	1,390	2,463	534	4,387	1953
Fort Gibson Reservoir (Wagoner, Cherokee, and Mayes Counties)	do	2,580	3,469	738	6,787	1953
Pensacola Reservoir (Mayes, Delaware, and Ottowa Counties)	do	43	61	14	118	1940
Denison Reservoir (Johnston, Marshall, Bryan and Love Counties)	do	6,639	5,409	940	12,988	1944
Eufaula Reservoir (Haskell, McIntosh, Pittsburg, Okmulgee and Muskogee Counties).	do		2,152	966	3,118	
Keystone Reservoir (Tulsa, Osage, Creek, Pawnee, and Payne Counties).	do		1,205	711	1,916	
Repair and Restoration of levees		85	197		282	
Arkansas River and tributaries, Arkansas and Oklahoma			180		180	
Arkansas-Red salinity control			2	16	18	
Total operation and maintenance, general		15,941	22,947	5,503	44,391	

GENERAL INVESTIGATIONS, CIVIL

Hydrologic studies	Continuing	2,103	68	17	2,188	1939
Arkansas River to Oklahoma City	Complete	49	144		193	1958
Verdigris River, Kans. and Okla	do	54	64		118	1957
Boswell Reservoir	do	18	61		79	1958
Shidler Reservoir	do	9	31		40	1959
Hugo Reservoir	do	88	3		91	1957
Kaw Reservoir	do	22	51		73	1959
Oklahoma City floodway (extension)	do	4	25		29	1960
Coordination w/other agencies (SCS)	Continuing	1	58	10	69	1960
Red River below Denison	do		736	84	820	
Chewey Reservoir	Complete		2		2	
Sallisaw Creek	do		1		1	
Sans Bois Creek (Tamaha)	do		1		1	
Pryor Creek	do		1		1	
Civil works investigation No. 154	do	58	15		73	1957
Arkansas-Red River pollution	do	42	1,127		1,169	1960
Coordination with Bureau of Reclamation	Continuing		29	5	34	
Arkansas River (Eufaula)	Complete		7		7	
Squirrel and Crutcho Creeks	do		33		33	
Cimarron River	Continuing		320	51	371	
Poteau River	Complete		222		222	
Red River Power (Broken Bow)	do		2		2	
Grand Neosho River	do		20		20	
Verdigris River	do		21		21	
Central Oklahoma project	do		807		807	
Head of navigation, Arkansas River	do		1		1	
Arkansas River, Wybark and Choska	do		15		15	
Sherwood Reservoir	do		75		75	
Waurika Reservoir	do		26		26	
Eufaula and Keystone Reservoir, Arkansas River Basin water supply, McAlester and Yale	do		2		2	
Grand Neosho River Basin	Continuing		1	50	51	
Verdigris River Basin, including navigation	do		2	70	72	
Arkansas River and tributaries, Great Bend to Tulsa	do		225	100	325	
Flood plain management	do		7	40	47	
Flood plain technical services	do			10	10	
Brush Creek flood plain	do			11	11	
Stillwater Creek flood plain	do			22	22	
Arkansas River, Keystone to Webbers Falls	do			15	15	
Tenkiller Reservoir	do			20	20	
Total, general investigations		2,448	4,203	505	7,156	

NOMINATION OF CLIFFORD L. ALEXANDER TO BE CHAIRMAN OF EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Mr. KENNEDY of New York. Mr. President, President Johnson recently nominated an outstanding New Yorker, Mr. Clifford L. Alexander, Jr., as Chairman of the Equal Employment Opportunity Commission. Business Week for July 15 tells of Mr. Alexander's career and possible plans for that agency. I ask unanimous consent that the text of the article be printed in the RECORD.

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

A BROADER EFFORT ON JOB BIAS

Clifford L. Alexander, Jr., a tall, handsome, 33-year-old Negro who grew up in Harlem and moved smoothly through an Ivy League education into a staff job in the White House, may have lots to say about company hiring practices in the next few years.

Alexander has been picked by President Johnson to fill a five-year term as chairman of the Equal Employment Opportunity Commission, and will take over EEOC at a turning point in the agency's dealings with business.

For two years, EEOC has been hard put to keep ahead of an avalanche of job discrimination complaints. Now officials expect to have their caseload under control by fall, and the commission is planning to put greater emphasis on technical assistance programs to get more workers from minority groups into better jobs.

Broader scope technical assistance programs encompass a wide variety of efforts to encourage employers and unions to go beyond the letter of the law in upgrading the employment status of Negroes.

In the future, the commission will do more than investigate complaints from rejected job applicants. It will also instigate its own programs designed to get companies to change basic hiring and promotion policies that may lead to unintentional discrimination.

Companies willing to help in hiring minority workers will come under such programs voluntarily. In other cases, EEOC is expected to employ the full panoply of publicity to spotlight industries that are lagging behind in an effort to get key companies to cooperate.

In some instances, EEOC has already con-

ducted such operations, including a program to help companies building new plants to find and hire minority workers. Another example is a forum it set up in South Carolina where state, city, local, and company officials met to talk about upgrading Negro jobs in the textile industry.

But these programs have fallen behind while the agency struggled with a deluge of complaints.

Scrutiny. EEOC will begin singling out new areas for technical assistance later this summer when it finishes a computer analysis of employment patterns in individual industries. The analysis will show an industry's percentage of minority workers as compared with the population of such workers in the surrounding area. For example, one such analysis already released by the commission shows that Negro employment in petroleum refining was only about 1.5% in the San Francisco-Oakland area even though Negroes accounted for 14% and 31% of the population in the two cities, respectively.

At the same time, the National Urban League is making a study for EEOC which it will use as a basis for recommending priority areas on which the agency should focus. One of Alexander's own ideas is to create close ties between EEOC and federal job training programs. Then, if a particular company is unable to find qualified Negroes to employ, the commission could help link the company with a federal training program.

Alexander, whose parents were Harlem community leaders, was president of the student council in his Harvard undergraduate days where he received his B.A. (cum laude) in 1955, and president of the Phi Delta Phi international legal fraternity at Yale (LL.B., 1958). The fact that he is a Negro puts him one up with civil rights leaders who have been critical of EEOC in the days when it was helplessly overburdened.

Big move. His Harvard contact with McGeorge Bundy brought Alexander to Washington in 1963. He was a struggling lawyer on New York's West 55th Street when Bundy asked him to join the staff of the National Security Council. "I almost didn't accept," he recalls. He had been practicing just long enough to be gypped on a fee by a client in a criminal case, but he still saw a promising future as a lawyer. Once in the White House, he gradually phased out of Southeast Asian affairs and into such domestic problems as civil rights.

In his first test as an administrator, Alexander will be able to lean on another long-time Bundy aide and Harvard honors grad, Gordon Chase, 34, who is the agency's staff director.

Friends who work with Alexander at the White House do not think he will fall down as an administrator. "He's even-handed and well balanced," says Lee C. White, who moved from the White House himself to become chairman of the Federal Power Commission. "Cliff has the easy-going type of personality it takes to get members of a commission moving together without friction."

Focus on data. Alexander says he does not plan to go around "branding Company X a bigot." Instead, he will rely on factual information—such as EEOC's computer survey—to speak for itself.

Alexander's predecessor, Stephen N. Shulman, gets much of the credit for readying EEOC for a move into new programs. Aside from being bogged down in a backlog of cases during its first year of operation, the agency was also inexperienced, understaffed, and under financed. Moreover, the agency's first chairman, Franklin D. Roosevelt, Jr., quit before his term expired to run for governor of New York.

Shulman, who succeeded Roosevelt, quickly whipped EEOC into businesslike trim. A tough, hard-working former McNamara "Whiz Kid," he applied the lessons of cost-effectiveness, computerization, and efficiency he had learned at the Pentagon. The number of job discrimination complaints conciliated by EEOC jumped fourfold, and before he left the job this month, Shulman predicted that the commission would be operating on schedule by fall.

Power of persuasion. EEOC, which has no legal power to force employers to change discriminatory employment and promotion policies, must rely on conciliation and persuasion. In doing so, it takes four steps:

Analyzes complaints, approximately 17,000 in its first two years of operation.

Investigates those falling within its jurisdiction.

Decides, in written opinions by the five commission members, which cases are worthy of action.

Negotiates with employers, unions, and employees to correct discriminatory situations, which may range from segregated facilities to segregated seniority lines.

Shulman claims "great changes" in streamlining each step. He saved eight days by eliminating double analysis procedures in which complaints were reviewed both in the field and in Washington. He conducted time and motion studies of investigations and came up with a model format for investigators. This has already chopped 10% to 15% off the time needed for investigations, he says, and he predicts the agency's productivity will double by late fall.

Breaking the jam. Today, EEOC has a backlog of 400 to 500 cases awaiting decisions, and this bottleneck threatens to worsen as the speed of investigations picks up. Before leaving, Shulman hired 25 students about to enter their final year of law school to help write decisions and thus to help eliminate the backlog. Shulman also set into motion the training of investigators in conciliation techniques, and increased the conciliation staff from five to 31 men. He also asked Congress for 110 additional people (the House has authorized 75), which, it is hoped, will prevent a recurrence of the backlog.

Meanwhile, EEOC, in a contract with the University of Pittsburgh, is putting its decisions, conciliation agreements, and general counsel opinions on magnetic tape for storage. At a push of a button, this information will be retrieved by EEOC headquarters in Washington and by its 11 regional headquarters. This will not only speed up decision-making but enable regional directors to make their own decisions if the commission members decide to delegate this responsibility.

Shulman believes that putting EEOC on a business-like basis will open the way for more dramatic moves into new technical assistance programs.

Obstacles. Still, despite Shulman's reforms, Alexander will face obstacles. EEOC will need more money as the number of complaints continues to mount, and Congressional conservatives may prove reluctant to give it more.

In addition, the lack of power to issue cease-and-desist orders has been a thorn in the agency's side. EEOC has settled only 43% of its conciliation efforts successfully to date. This means that nearly six out of every 10 complainants do not get the justice in jobs to which the commission believes they are entitled.

A bill to give EEOC cease-and-desist powers faces difficulty in the relatively conservative 90th Congress. Alexander is sure to keep pressing for this legislation, however, and he has the necessary access to the President to be assured of White House support.

EEOC officials say that there is a compelling reason for cease-and-desist powers. Their argument is that such powers would improve the conciliation process since businessmen, union leaders, and employment agencies will be more willing to bargain when they know the government carries a big stick.

NEMDA LABOR STUDY PROMOTES INDUSTRIAL GROWTH IN NORTHEASTERN MINNESOTA

Mr. MONDALE. Mr. President, in an effort to create jobs, attract industry, and promote a more diversified economy, a broadly based, privately financed $1 million industrial development corporation was formed in northeastern Minnesota 3 years ago. Named the Northeastern Minnesota Development Corporation—NEMDA—this organization is based on a concept of local cooperation involving the six counties and 50 communities which make up northeastern Minnesota and every major element in the region's economy—mining, utilities, news media, labor unions, transportation, banks, manufacturing, forest products, and retail and service firms.

As a part of the effort to attract and assist industries which might be interested in locating in northeastern Minnesota, NEMDA recently completed a systematic survey of regional labor resources. This survey points up the availability of thousands of skilled Minnesotans within the six-county region and details their experience, education, age, and willingness to undergo retraining and commute various distances for new employment. As the Duluth News-Tribune noted in a recent editorial, the NEMDA labor survey provides businesses and industries interested in northeastern Minnesota with "a completeness and abundance of detail which few, if any, comparable organizations could approach."

I commend NEMDA for its fine work and ask unanimous consent that the editorial, entitled "Workers Industry Needs," be printed in the RECORD.

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

[From the Duluth News-Tribune, Sept. 26, 1967]

WORKERS INDUSTRY NEEDS

Officials of industries, impressed with other resources of our region, naturally ask about the available labor supply. Thanks to a detailed and elaborate study, unique in some ways, NEMDA—the Northeastern Minnesota Development Association—can answer those questions. It can do so with a completeness and an abundance of detail which few, if any, comparable organizations could approach.

The six-county region has 3,933 men and 2,937 women who would be interested in the employment a new industry could offer. Some are unemployed, many have work now but would be interested in new jobs. Many are willing to train for this new employment.

Using the resources of ultra-modern computers, the survey includes a wealth of tabulations. Experience, education, age and willingness to commute various distances to and from work are among the points covered.

The survey is an integral part of one of NEMDA's chief purposes—more jobs, and good ones, for the people of this six-county region. We have many men and women who want to stay in this part of the country, but who would like to be working, or to be making greater use of their energies and abilities than they now find possible. The NEMDA survey of labor availability is the

equivalent of a massive application for employment.

The alert, prompt and intelligent response by those sending in the questionnaires is impressive evidence of the quality of employables that we have here.

With this new abundance of information about the workers to be found here, NEMDA can answer all the questions usually asked by executives planning a new plant, a move or an expansion. Skilled researchers can gather much of that information—and have done so—by dealing with key people in industries and government. Transportation, taxes, utility rates, availability of land and buildings are information vital to industrial planners. Much of this information NEMDA already can supply.

But knowing all that, concerns can still ask, "What kind of job applicants and trainees can we expect? How many? Where do they live? What background do they have?" Now NEMDA has those answers, too. They make up an exceedingly strong appeal, and one which will be presented with skill and persistence and intimate knowledge of this immense and constantly changing subject—one which any region outside a few highly congested areas must master to get its share of the industrial growth and dispersal which is one of the amazing aspects of American industry today.

THE ARROGANCE OF POWER

Mr. McCARTHY. Mr. President, the literary supplement of the London Times carried on October 5 a review of Senator FULBRIGHT's book, "The Arrogance of Power." The article is of interest and value not only as a perceptive review of Senator FULBRIGHT's ideas on Senate reponsibility for formation of foreign policy but also as a reflection on the constitutional issue by an "outside" observer from a nation which is a trusted and friendly ally. I ask unanimous consent that the review be printed in the RECORD.

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

[From the London Times, literary supplement, Oct. 5, 1967]

WORLD AFFAIRS: FIGHTING FOR THE HILL

J. WILLIAM FULBRIGHT: *The Arrogance of Power*, 264 pp. Cape. 30s.

Senator Fulbright's latest book, *The Arrogance of Power*, has a double importance. It is another shot in his campaign against the foreign policy of the Johnson Administration and he has long passed the time of ranging shots, near misses, and the rest. He is now on target. His book suffers a little, it is possible to argue, from the fact that the Senator has so many disciples, and there is an obvious similarity in *The Arrogance of Power* and Ronald Steel's *Pax Americana*. The Senator, as befits one in his position, is slightly less savage and slightly less contemptuous of the accepted wisdom of the White House and the State Department. But the politeness of his manner does not conceal the depth of his dislike and even contempt for American foreign policy and a degree of disillusionment with the leadership of his own party.

But equally important—perhaps more important and more novel to an English reader—is the revelation of the clash of powers in the American constitutional system. Senator Fulbright holds the very important and, to us, rather mysterious office of Chairman of the Senate Committee on Foreign Relations. It is an office that many eminent men have held. It is an office that has been held by men who perhaps did not, in the long run, increase their prestige with the office: for example, Charles Sumner, Henry Cabot Lodge I, and William A. Borah. It has, of course, been held by nonentities. It has been almost totally eclipsed by forceful Presidents like Woodrow Wilson and F. D. Roosevelt. But the office remains—and the residuum of power.

But Senator Fulbright is not content with the residuum of power left to him and his committee. He wants to redress the imbalance of power which has grown up in Washington. From the beginning, there has been a clash between the White House and "the Hill". Senator Fulbright makes a lot of the failure of President Johnson to notice the duty of the Senate to "advise and consent" to the projects of the Executive. But this breakdown in the formal organization of American foreign policy dates back to President Washington. There have been oscillations between the power of the Executive and the power of the Senate. In a famous passage in *The Education of Henry Adams*, John Hay, a flashy if not very successful Secretary of State, complained bitterly of the way he was treated by the Senate of his time. His sympathetic and uncritical friend Adams noted:

"The fathers had intended to neutralize the energy of government and had succeeded, but their machine was never meant to do the work of a twenty-million horsepower society in the twentieth century, where much work needed to be quickly and efficiently done."

It was a one-sided view, and very soon, by their ingenuity and disregard of the letter and perhaps the spirit of the Constitution, Theodore Roosevelt and Woodrow Wilson transferred power from the Hill to the White House. There were oscillations after that. The Senate got its revenge on Wilson. It sometimes thwarted Franklin Delano Roosevelt. But the whole trend in this century has been towards the uncontrolled exercise of presidential power. In this dangerous age some transfer of power was inevitable. Senator Fulbright recognizes this:

"The cause of the change is crisis. The President has the authority and resources to make decisions and take actions in an emergency; the Congress does not. Nor, in my opinion, should it; the proper responsibilities of the Congress are those spelled out by Mill—to reflect and review, to advise and criticize, to grant or withhold consent. . . . This situation is not fundamentally the fault of individuals. It is primarily the result of events, and the problem is not one of apportioning blame but of finding a way to restore the constitutional balance, of finding ways by which the Senate can discharge its *duty* of advice and consent in an era of permanent crisis."

Although Senator Fulbright was a distinguished academic and perhaps has hankered, from time to time, after British solutions to the problem (did not President Truman once declare that Senator Fulbright had been brainwashed as a Rhodes scholar at Oxford?), this is a far from academic book. It is a call to action and to immediate action. For as Senator Fulbright sees the situation, the United States has been led deeper and deeper into the Serbonian bog and led not only by the bad judgment and possibly the usurpations of President Johnson, but by the illusions, if not by the bad faith, of the President and of his Secretary of State, Dean Rusk (he too a Rhodes scholar).

Senator Fulbright goes back, historically, to various examples of the failure of the Executive to be candid or competent in its dealings with the Senate. We learn that President Kennedy consulted (of course among others) Senator Fulbright on the Bay of Pigs, but that the consultation was more or less accidental, and he was the only Senator consulted. He gave good advice which was not listened to; but President Kennedy did not avenge himself on the Senator for being proved right when the Persident had been so disastrously wrong. It may be suspected that Senator Fulbright wishes to underline the contrast of attitude between President Kennedy and his successor.

Senator Fulbright also tells us that, in the second Cuban crisis of 1962, he advised the invasion of Cuba, advice which most people will agree was fortunately not taken, and Senator Fulbright himself seems to think that had he known as much then as he does now, he would have accepted the superior wisdom of the President. So far Senator Fulbright is not recounting any breakdown of a vital character in the relationship between the President and a body which contains one main group, at any rate, of his constitutional advisers.

But with the coming of the Johnson Administration things changed. Like many other people in America and even outside it, the Senator was more shocked in 1965 by the intervention in the Dominican Republic, and by the nonsensical reasons given for it, than he was by the stepping up of American intervention in South Vietnam. The Dominican intervention did a great deal of harm, but not as much harm as the Senator had feared. And the situation in the Dominician Republic (not, as the British press almost unanimously has insisted on calling it, Dominica, thus slandering an innocent British colony) has not been totally disastrous.

It is very different when we turn to Vietnam. Here the Senator reproaches the President. For Senator Fulbright supported the famous Gulf of Tonkin resolution in which many senators see the *fons et origo mali* of the present situation. Based on insufficient knowledge, perhaps on deliberately misleading information, the senators, apart from Senator Morse and Senator Gruening, gave, whether they meant it or not, a blank cheque to President Johnson. Since then, the United States has been drawn further and further into a war which it was warned against both by General MacArthur and by his successor General Matthew Ridgway, a war which no one wants and which, starting as a version of the Mexican expedition of Napoleon III, is getting more like the Spanish ulcer of Napoleon I.

It is this situation which endangers the peace of the world, and endangers and perhaps destroys the international position of the United States. Senator Fulbright, with great wisdom, suggests a policy by which the United States could defuse the increasingly dangerous time-bomb which is still ticking away and possibly ticking louder than ever. The Senator insists that the main business is to reduce tension, and that dealing with specific problems like German unification is to be approached as a means of reducing the tensions rather than as an end in itself. For the isolating of certain problems and even their solution might, in fact, increase tensions.

In order to reduce tensions, the United States must shed "the arrogance of power". It is in his analysis of that arrogance, and of the dangers or even crimes it has led the United States into that the Senator preaches the most effective sermon. He asks, and he is asking a great deal of the Johnson Administration and the American people, that they should develop empathy with the people of Vietnam, with the Chinese, with the Russians, one is tempted to say, with the human race. He wants the United States to offer to the Soviet Union many kinds of political cooperation (and not to waste resources in a moon race). He wants foreign aid to be channelled through international organs and the United States to be content to do without effusive gratitude. He asks his countrymen to consider how they would like to have their affairs managed, possibly even improved in management, by superior out-

siders obviously taking them over, no doubt for their own good, but certainly with very little consideration for their feelings.

One of the examples he gives of a possible American reaction to having an institution taken over and remodelled for the general good is a possible proposal to get German experts to take over and run the New Haven Railroad. How completely this goes to the heart of the question only Americans or, indeed, only customers of the New Haven can fully understand!

Senator Fulbright answers very convincingly the charge that what he is preaching is a "new isolationism". It is not that, but it is a refusal to believe that all the world's problems can or should be solved by the United States. There are many things that the United States can do which perhaps it should not do, and there are many things it simply cannot do. Nor is he impressed with the argument that the United States must not lose face in Vietnam. He even dares to suggest that the United States should take the advice of General de Gaulle (who ranks at the moment as almost as much of a fabulous monster as Chairman Mao or Ho Chi-minh in the American demonology). He can be blandly ironical in contemplating some of the most belligerent publicists in the United States. He notes that the famous hearings of his committee that he called in 1966 to discuss policy in Thailand produced a violent attack from Mr. Joseph Alsop "in an obviously over-excited condition because, no doubt, of the war".

Senator Fulbright is not totally devoid of hope for his country and for the world. He notes that the United States has now a very large population of young people who do not share the fears, or possibly the overweening ambitions, of their elders. He takes over from Professor Galbraith the theory of three generations, and the least hopeful of these generations is the middle generation, the realists of the 1950s, the hard-boiled nuclear theorists, who can calculate "'acceptable' levels of 'megadeaths'". For what Georges Bernanos called in another connexion *ces petits mufles realistes*, even for their eminent professors, even a professor at Harvard, Senator Fulbright has no use. He puts his hope in the nearly sixty million people born in the United States since the end of the Second World War, an increase of population greater than the total population of France or Britain. Domestic problems of the United States are overwhelmingly important and may indeed overwhelm the United States, if many more resources are diverted to building a dyke in South-east Asia against a Chinese power that may itself be crumbling. The United States in Latin America, for instance, is very largely defending social structures that are morally indefensible, and probably in the not very long run, practically indefensible (the parallel with South Arabia may strike some British readers). Addressed mainly to his countrymen, and addressed to them less as lectures given in the John Hopkins University than as the kind of instruction about the realities of power that he feels that the Senate should give to the White House as well as to the American people, this book is a brilliant tract for the times. But it is also a tract for our times as long as we are the most trusted ally of the United States or, at any rate, of the Johnson Administration.

This is a tract for the times in more than that it is an attack on the foreign policy of the United States. It is especially timely for us since it recalls to the forgetful British public the realities of the American constitutional system. It is perfectly true that power has been sliding down an inclined plane from the Hill to the White House for a very long time. It is probably true that Senator Fulbright does not think he can do more than delay this transfer of power and do more than restore the function of the Senate as a place in which the policies of the United States are at least debated and explained with less of a credibility gap than is involved in White House press conferences. It is easy, contemplating presidential power, to murmur "No Winter shall abate this Spring's increase".

In a sense, this is true. For the reasons given by Senator Fulbright, the presidential initiative and power of sudden decision cannot and, indeed, should not be taken away. But it is educational for the President to have to justify, even if after the event, his decisions. It is also educational for the American people. And it is one of the paradoxes of the present situation that President Johnson owed his whole political career and fame to his legendary skill as a Senate manager and "undertaker" and yet has become so singularly unsuccessful in this role. (It is now not only a matter of managing the Senate, for the House Foreign Affairs Committee is far more important than it was in the days of Sol Bloom.) Senator Fulbright is not—and does not try to be—an autocrat like Henry Cabot Lodge I packing the Senate Committee. He has far more support in the Senate than has yet been publicly disclosed; and it is largely due to him that the role of a loyal opposition has fallen so much to members of the President's own party, and that the President can rely far more on Senator Dirksen, the Republican leader, than on Senators Fulbright, Mansfield, Clark and the rest. And since it is most important that we should understand the reality of the American political system, this book has a double value for today and tomorrow.

EUGENE V. DEBS AND NEGRO RIGHTS

Mr. BAYH. Mr. President, on Saturday, September 23, I had the pleasure of participating in the dedication of the Eugene V. Debs Home in Terre Haute, Ind., as a national historic landmark. The Honorable Stewart L. Udall, Secretary of the Interior, gave the principal address on this momentous occasion, and many other notables, including the senior Senator from Indiana [Mr. HARTKE] the Governor of the State, Rober Branigin, and the mayor of Terre Haute, Ralph Tucker, took part.

In the evening of the same day an Eugene V. Debs Awards dinner was held in honor of A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters, AFL–CIO. At this event one of the speakers was Dr. Bernard J. Brommel, a member of the history committee of the Debs Foundation and of the department of speech at the University of North Dakota. Professor Brommel presented a very fine but brief comment on the strong belief of Eugene V. Debs in civil rights, his opposition to discrimination and segregation, and his insistence that labor unions should admit persons to membership regardless of race.

Professor Brommel has for some years been engaged in research for and writing a biography of Eugene V. Debs. In his remarks he vividly portrayed the equalitarian philosophy of this great American labor leader and quoted several revealing excerpts from speeches and writings which well illustrate his compassion for his fellow man. Mr. President, in order to counteract any misconception or myths that may exist about his views, I ask unanimous consent that this short essay entitled, "Debs and Negro Rights" be printed in full in the CONGRESSIONAL RECORD.

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

DEBS AND NEGRO RIGHTS

(By Bernard J. Brommel)

Early in his career Eugene V. Debs recognized the problems that Negroes faced in America. As a young Democratic legislator in the Indiana General Assembly, Debs objected to the manner in which many of his colleagues campaigned for Negro votes in 1885. He discovered that they considered a thousand Negro votes worth one job on the police force or post office, and five hundred votes worth a "spittoon cleaning job" at the court house. At the first convention of the American Railway Union in 1893, Debs asked the delegates to admit Negro workers. He failed, but thereafter he never missed an opportunity in his union-organizing career to plead for equality in the unions.

After the failure of the Pullman Strike in 1894, Debs often told audiences that one of the reasons the A.R.U. failed was because they refused to accept Negroes, and thus encouraged the railroad owners to hire Negroes as strikebreakers. He repeated the same arguments to the mining union organizers and cited numerous examples of strikes in Illinois, West Virginia, and other states in which mine owners deliberately hired Negro workers for brief periods of time to end strikes. In a 1903 article in the *American Labor Journal*, Debs recounted his efforts on behalf of Negroes. ". . . All my life I have opposed discrimination," he stated. "The first requisite in elevating the Negro is to get off his back."[1] In another the Negro should not be satisfied with equality with reservations. "Why should he be?" he question. "Suppose you change places with the Negro just a year, then let us hear from you." He concluded by wisely stating that he knew that race prejudice in the North was often as intense as in the South. "Any man," he declared, "who advised the white wage worker to look down upon the black wage worker was the enemy of both."[2]

Although Debs' manuscripts contained many references to his work for the Negro, his speech. "An Appeal to Negro Workers," delivered at Commonwealth Casino in New York City on October 30, 1923, best summarized his attitude and efforts on their behalf. Debs' address followed preliminary speeches by James O'Neal, Lucille Randolph, Frank R. Crosswaith, and A. Phillip Randolph, then editor of *The Messenger*, a publication Debs read and praised. In this speech Debs demonstrated his considerable knowledge of Negro history. "I do not speak to my colored friends in any patronizing sense; I meet them upon a common basis of equality; they are my brothers and sisters, and I want nothing that is denied them, and if there is any one of them who will shine my shoes, and I am not willing to shine his, he is my moral superior," Debs announced to the large crowd. Prophetically Debs outlined a course of action for the Negro to gain his rights. ". . . There is nothing that you cannot do for yourselves," he advised. "You can compel the respect of others only when you respect yourselves." "As long as you are unorganized; as long as you are indifferent; as long as you are satisfied to remain ignorant; you will invite contempt and receive it," he continued. "Everything depends upon education".[3]

Fundamentally Debs believed that if you provided the Negro the same chance, the same opportunity that you gave a white man,

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[1] "The Negro Question," July 9, 1903, p. 7.

[2] "The Negro and His Nemesis," *International Socialist Review*, February 1904, p. 391.

[3] "Appeal to Negro Workers" Debs Ms., Tamiment Library, New York City.

"he would register as high upon the mental and moral thermometer of civilization."[4] Debs refused to speak in the cities in the South that enforced segregation in auditoriums. He preferred to speak in a park to prevent this disgraceful practice. Debs admonished the Negroes not to accept charity. "Charity is degrading," he declared. "What the Negro wants is individual freedom and then he will attend to his own needs."[5] Late in life, Debs made this comment, "I know no race, no color, and no creed. At the roots we are all alike, depending upon the circumstances in which we find ourselves placed." Through the practice of this philosophy Debs made a contribution to mankind.

TAX CREDITS AND THE NEED TO REVITALIZE STATE AND LOCAL GOVERNMENTS

Mr. PEARSON. Mr. President, the costs of government are growing rapidly. This is particularly true of our State and local administrations which are struggling to cope with a host of 20th-century challenges on 19th-century budgets. Significant help must be provided if they are not to be innundated by the problems of urban America.

Thus, it is with great pleasure that I note former North Carolina Governor Terry Sanford's call for a major effort to improve the revenue bases of these vital units of government. Governor Sanford, who has been conducting a 2-year, $280,000 study at Duke University on the problems of State administration, has urged that the Federal Government grant a substantial credit for State income taxes against Federal income tax payments.

On May 10, I introduced a bill—S. 1743—the Tax Credit Act of 1967, which would provide a 50-percent credit against Federal income tax payment for all income levies imposed by State and local governments.

Governor Sanford's endorsement of this approach to governmental reform is heartening recognition by a noted State administrator of the value of a creative Federal stimulus to supplement, if not supplant, an expansion of the Federal grant-in-aid system. I wholeheartedly agree that further uncontrolled growth of these programs could only add to the confusion already besetting the States.

As Mr. Sanford said:

> Federal programs are uncoordinated, leading to overlapping, duplication, triplication, conflicting goals, cross-purposes, lack of consistency and loss of direction.

Mr. President, State and local governments know their own problems best. By giving them the option of raising more of their own revenue through the increased tax base made available by a partial Federal credit, they can experiment with new techniques and expand creative programs as they prove their effectiveness.

I also concur with Mr. Sanford's view that the much talked about proposal for Federal revenue sharing with the States is an extremely interesting approach and one which might prove of great value in the future. Unfortunately, as he observes, the high costs of the Vietnam war make it impossible to enact such a large-scale effort now.

While the tax credit program may only be a part of a long-term effort to spur State and local government, one of its greatest assets is that we need not wait to begin. For the cost of such a system will not be prohibitive and will certainly generate far more money for State and local programs than the present conglomeration of Federal grants. The Federal Government already sustains a tax loss under the current system of permitting taxpayers to deduct their State and local taxes. In fact, it is estimated that every dollar of income tax currently collected by State and local governments results in about a 24-cent reduction of Federal income tax liability. Thus, the initial cost of a partial Federal credit would be far less than is sometimes presumed.

Mr. President, I ask unanimous consent that a recent article from the New York Times discussing Mr. Sanford's suggestion be printed at this point in the RECORD.

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

[From the New York Times, Oct. 16, 1967]

REPORT DEMANDS BIG EFFORT TO REVITALIZE STATES—SANFORD WARNS OF POSSIBLE ABUSES OF CENTRAL POWER—TAX SHARING AND GUIDANCE TO URBAN AREAS PROPOSED

(By Peter Kihss)

A major effort to revitalize the states was called for yesterday on the eve of the National Governors Conference. The object of the plan is to defend the nation's Federal system against "possible abuses of centralized power" and to meet the staggering "challenge of the urban areas."

An outline for reform was made public by Terry Sanford, former Governor of North Carolina, as the result of a two-year, $280,000 study he conducted at Duke University with grants from the Ford Foundation and the Carnegie Corporation of New York. He gave copies of his report, published as a McGraw-Hill Book Company book, "Storm Over the States," to conference members at the Waldorf-Astoria Hotel yesterday.

One four-point proposal dealt with how to pay for the project. This suggested, first that the states "get their tax houses in order." Mr. Sanford said 13 states still had no individual income tax, 11 had no corporate income tax and seven had no broad-based sales tax.

SUBSTANTIAL TAX CREDIT

The proposal also called for a "substantial" credit for state income taxes that would be allowed against the Federal income tax.

It further proposed a relaxation of Federal regulations on grant programs.

Only thereafter would Congress be asked to let the states share in perhaps 1 or 2 per cent of Federal income tax revenues for general funds as proposed by Walter W. Heller while he was chairman of the President's Council on Economic Advisers.

Mr. Sanford said that the cost of the Vietnam war in any event would delay Federal tax-sharing. However, he told a news conference that he would consider it "very great progress" if the Heller plan was being seriously debated "five years from now."

Only the use of state powers can "bring order to urban growth" and "avoid the unordered piling up of problems upon problems," Mr. Sanford wrote in his report. He added:

ADVICE FOR NEW YORK

"New York City, like a fat man, needs to change to a more healthful diet and take off weight under the doctor's orders and supervision. It doesn't need more industry. It needs less. It doesn't need to gain population in the next decade. It needs to lose population."

"One of the first things the states can do is help and guide the cities to stop, look around and start over," he went on.

Each state, he proposed, should set up its own department for urban affairs. The states, he said, should use their powers of taxing, annexation, eminent domain and zoning and their over-all view to encourage proper land use, halt "overrunning of open land by urban sprawl," promote mass transit and encourage better housing and "separated city clusters of the future."

Like other cities, New York, Mr. Sanford said to newsmen, has "urban problems" going beyond city borders. Now, he said, every major city is competing for new industry to "get everything it can on the tax books," whereas he held that, "ideally, parts of a metropolitan area should be kept open or used for single-family dwellings."

Mr. Sanford, who was the Democratic Governor of North Carolina from 1961 to 1965, is now a lawyer in Raleigh, N.C.

The new report, he said, was the third and last phase of his two-year study. The first helped start an Education Commission of the States, with offices in Denver, and the second led to an Institute on State Programming for the Seventies, directed by former Governor Jack M. Campbell of New Mexico.

In the new report, Mr. Sanford wrote:

"Federal programs are uncoordinated, leading to overlapping, duplication, triplication, conflicting goals, cross-purposes, lack of consistency and loss of direction."

The states, he said, have traditionally been experimenters and innovators. Currently, he said, California is exploring space-age techniques for problems of transportation, waste disposal, crime and correction and information collection and control, while New York State is pioneering against water pollution.

In his recommendations to states, he proposed that they act as coordinators for local governments in their relationships with the Federal Government, free localities from undue restraints, act against "local fiscal crisis" and strengthen their Governors.

With regard to the Federal Government, he proposed a new White House office on intergovernmental affairs, and consultation with state and local executives before grant programs are made.

TV POLL SHOWS STRONG SUPPORT FOR U.S. POSITION ON BOMBING OF TARGETS IN NORTH VIETNAM

Mr. SMATHERS. Mr. President, on the evening of October 9, television stations in 11 major cities conducted a poll, asking their viewers to vote "Yes" or "No" on the following question: "Do you think we should immediately stop bombing North Vietnam?"

More than 40,000 people responded in these cities, and 60 percent voted "No" while 40 percent voted "Yes."

This is a clear majority approval of the administration's policies in Vietnam which demonstrates that the American public understands there can be no unilateral deescalation of the war and that cessation of the bombing must be accompanied by a similar deescalation by Hanoi.

That is my position and that is the administration's position. As I have said many times, the suggestion that the

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[4] *Ibid.*

[5] "Behind Prison Walls," *The Century Magazine*, July 1922, p. 367. Copy on Debs Ms. collection, Indiana State University Library, Terre Haute, Indiana. (Debs disapproved of Booker T. Washington because charity supported his Institute.)

bombing be halted without seeking any commitments from Hanoi is a totally unrealistic one; it is a proposal which would mean the loss of more American lives.

For, as we have seen on past occasions, the Communist forces would use the bombing pause to rush in more troops and more supplies.

I think a majority of Americans recognize this fact, as indicated by the poll. I note, too, that three of the cities in which the poll took place were Florida communities—and in each one, the sentiment was overwhelmingly opposed to an immediate bombing halt.

At this point, I ask unanimous consent to insert in the body of the RECORD following my remarks, the results of the poll.

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

OCTOBER 9, 1967.

Results: First multi-city public opinion inquiry by participating Television Stations:

Question: "Do you think we should immediately stop bombing North Viet Nam?"

[In percent]

	Yes	No
WMAR-TV, Baltimore, Md	42	58
WFIL-TV, Philadelphia	45	55
KSTP-TV, St. Paul-Minneapolis	38	62
WZZM-TV, Grand Rapids, Mich	33	67
WFTV-TV, Orlando, Fla	19	81
WVUE-TV, New Orleans, La	41	59
WIIC-TV, Pittsburgh	40	60
WLBW-TV, Miami, Fla	39	61
KOB-TV, Albuquerque	43	57
WNDU-TV, South Bend, Ind	31	69
KCPX-TV, Salt Lake City	40	60
Consensus above cities	40	60

Also: two cities had asked the same question within the past two weeks, and chose not to repeat it so quickly. However, their results are similar:

[In percent]

	Yes	No
WLWI-TV, Indianapolis	27	73
WFLA-TV, Tampa	31	69
Including these two cities, total percentage is	38	62

VIETNAM—A BOMBING PAUSE

Mr. COOPER. Mr. President, the editorial in the October 20 edition of Life magazine entitled "The Case for Bombing Pause No. 7" is a reasoned plea to the administration to take this initiative toward negotiations for an honorable peace in Vietnam. In many respects the proposal made by the editors of Life that the United States should unconditionally cease the bombing of North Vietnam is similar to the proposals I have made in speeches on the Senate floor for over a year.

Pointing out that there are risks, the editors of Life argue:

There is a remote possibility that a pause now could be the first step toward an acceptable diplomatic settlement of the war. There is a strong probability that a bombing pause would improve the posture of the U.S. in Vietnam, in the eyes of many other nations and indeed of many Americans, and thus ultimately improve our chances of achieving our purposes in Vietnam.

. . . the Administration very soon must act—and speak—to recapture domestic political and intellectual respect for its Vietnam policy and to rally more diplomatic and moral support abroad. We believe the initiation of a bombing pause is a gesture of forbearance and conciliation which might accomplish that. America has the strength to do it.

I have argued that the chief reason for taking this initiative is to determine if negotiations, a cease fire, and a just settlement can be obtained. This is, I believe, the objective we seek.

I hope the administration will heed the growing consensus both here at home as well as abroad to take an initiative that might lead to peace.

Mr. President, I ask unanimous consent that this article be printed in the RECORD at this point.

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

THE CASE FOR BOMBING PAUSE NO. 7

Six times in 32 months of bombing North Vietnam, the U.S. has held its fire. Three times it was for a brief holiday respite. The three other bombing pauses were ordered to allow Hanoi to signal a willingness to talk peace. No clear signal came. Then, three weeks ago, President Johnson announced the U.S.'s willingness "to stop all aerial and naval bombardment of North Vietnam when this will lead promptly to productive discussion." Hanoi came back with its standard reply: the U.S. must stop bombing "unconditionally," and North Vietnam will promise nothing in return.

Notwithstanding, we believe it would be worthwhile for the U.S. to take the initiative in another bombing pause. We think the U.S. should declare a respite in the attack against the areas north of the battle zones, confining bombing to the Ho Chi Minh Trail complex in Laos and to the southern provinces of North Vietnam, the immediate rear of the enemy forces pressing against the DMZ. There should be no publicly announced "conditions" that carry the whiff of an ultimatum. But this should not be a commitment to stop the bombing indefinitely. In taking this diplomatic and political initiative, the U.S. administration would have clearly in mind the kind of North Vietnamese response we would consider constructive, and how long we were willing to wait for it.

In advocating a bombing pause, with no advance promise of any reciprocal move by North Vietnam, we must acknowledge that almost all U.S. military opinion opposes such a course. The U.S. would be reducing pressure on the enemy, and that is not ordinarily the way to win a war. This, of course, is not an ordinary war. U.S. bombing is in a sense a reprisal against the North for the destruction and terrorism the Vietcong work in South Vietnam. Bombing damage and strain is an important price the North is forced to pay for continuing its support of Communist aggression in the South. The more direct military benefit for the U.S. and our allies is, of course, the interference with the flow of men and matériel from the North. There is much argument as to exactly how effective the bombing is, but in stopping most of it, we would unquestionably be giving up a weapon of some value.

Life believes, however, that the benefits of a bombing pause at this time outweigh the short-term military cost:

There is a remote possibility that a pause now could be the first step toward an acceptable diplomatic settlement of the war.

There is a strong probability that a bombing pause would improve the posture of the U.S. in Vietnam, in the eyes of many other nations and indeed of many Americans, and thus ultimately improve our chances of achieving our purposes in Vietnam.

As to the possibility of a pause leading to meaningful negotiations, Secretary Rusk tirelessly points out, "I have yet to hear anyone tell us that if we did stop the bombing they could definitely deliver Hanoi to the conference table. I have asked a number of governments, 'All right, if we stop the bombing, what can you deliver?' I get no response."

Hanoi itself has denounced past bombing pauses as U.S. "hoaxes." There is a danger that they would take a new bombing pause as a sign that the U.S. is caving in. There is considerable precedent in Communist diplomacy for *raising* your terms when the other side offers any concession.

Yet there do come times in wars when belligerents change policies and positions, sometimes shortly after swearing they never would. The fact that Hanoi will not promise anything in advance, in return for a bombing pause that hasn't happened yet, does not necessarily foreshadow their actual reaction to a pause that had gone on, say, for several weeks. Such a pause could stir up hopes all over the world, including the East European branches of Communism, and could put considerable diplomatic pressure on Hanoi. Probably Hanoi would say No again, to everybody—Canada, India, Denmark, U Thant, etc. But it is worth finding out.

The more weighty reason for a bombing pause is to recapture support for the U.S. presence and commitment in Vietnam. The bombing has isolated the U.S. from most of its friends and allies throughout the world (there are a few stout exceptions in Asia), and in this country the bombing is the focus and catalyst of most of the opposition to the war. There is the "bully" image—the most powerful nation on earth pouring World War II-scale bomb loads onto a primitive little country. The U.S. has never been bombed; countries that have been tend to identify with the targets rather than with the bomber crews.

The fear that the bombing might bring China into the war, even bring on nuclear war, naturally increases as the U.S. goes after North Vietnamese targets which are only 60 seconds' jet-time from the China border. It may be foolish of so many Japanese, Indians, Indonesians, etc., to worry about this. But they do.

In the U.N., over 30 non-Communist nations, among them several of our NATO allies, have now advocated stopping the bombing (with many variations of formula as to "conditions" or no-conditions). Perhaps the most thoughtful proposal was the Canadian suggestion of a bombing halt followed by restoration of the DMZ's neutralized status under international inspection. In later phases of the plan would come freezing of military "capabilities" throughout Vietnam and an eventual cease-fire.

Naively or not, many millions of ordinary citizens, and not a few ambassadors, foreign ministers and U.S. senators, think a bombing halt *could* lead to peace in Vietnam, and they are increasingly critical of the U.S. for not trying it again. If we did try it for a reasonable time, accompanied it with an energetic diplomatic probing, and then nothing came of it, the air would have been cleared. Support for a resumption of bombing, even for an escalation, would be stronger than for our present policy. But much would depend on what the Administration said about the new policy, and how it said it, not just to Hanoi but to the U.S. and the world.

Life believes that the U.S. is in Vietnam for honorable and sensible reasons. What the U.S. has undertaken there is obviously harder, longer, more complicated than the U.S. leadership foresaw. And in 1967 we are having another hard, complicated year out there. There is the encouraging fact of the Vietnamese elections, small blemishes and all; there is straight military progress; but there is the maddeningly slow work of translating these advances into pacification at the "rice-roots level." We are trying to defend not a fully born nation but a situation and

a people from which an independent nation might emerge. We are also trying to maintain a highly important—but in the last analysis not absolutely imperative—strategic interest of the U.S. and the free world. This is a tough combination to ask young Americans to die for.

Home-front support for the war is eroding. One may discount some maneuvering among U.S. politicians as 1968 politics, but even the most patently partisan of these noises represents somebody's rather professional judgment of how the voters are feeling.

Life has more than once expressed its admiration for the Johnson administration's coolness and courage in its Vietnam policy. In action the President himself has shown a remarkable blend of resolution and restraint. But in articulation of the policy—which in the end is inseparable from policy itself—the President and his administration have become more and more glaringly unsuccessful.

The President is said to be subdued these days, inclined to "hunker down" and let the Vietnam criticism beat over him. Dean Rusk is infinitely patient and courteous in explaining to critics and questioners "Your quarrel is really with Hanoi." A confusing circumstance is that the other most influential Cabinet officer, Robert McNamara, clearly is less convinced of the efficacy of bombing the North than are the Joint Chiefs of Staff, or Rusk. Nothing inspiring or eloquent and not much that is simply informative is being said from Washington.

We believe the Administration very soon must act—and speak—to recapture domestic, political and intellectual respect for its Vietnam policy and to rally more diplomatic and moral support abroad. We believe the initiation of a bombing pause is a gesture of forbearance and conciliation which might accomplish that. America has the strength to do it.

PHARMACEUTICAL AND NUTRITIONAL RESEARCH AT MEAD JOHNSON & CO.

Mr. BAYH. Mr. President, tremendous gains have been made in the fields of pharmaceutical and nutritional research in the last two or three decades. The health and welfare of untold millions of people have been improved and countless lives of future generations have been extended through basic research, clinical studies, and the development of new products by the drug industry.

One of the leading pioneers in this remarkable advancement in human knowledge and betterment is Mead Johnson & Co., a firm which has been located in Evansville, Ind., for more than 50 years. In the September 22 issue of Medical World News, an article reported in some depth on the outstanding discoveries and achievements which have resulted from the investigations conducted by this Hoosier company. To the ordinary layman the scope and methods pursued by those engaged in pharmaceutical and nutritional research are not only fascinating but also somewhat awesome.

Mr. President, as a tribute to those dedicated scientists who spend their lives in laboratories seeking new and better ways to combat disease and to improve health, I ask unanimous consent that this impressive article, entitled "Creating Drugs To Guard All Ages of Man," be printed in full at the conclusion of my remarks.

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

CREATING DRUGS TO GUARD ALL AGES OF MAN

As U.S. Highway 41 approaches Evansville, Ind., it cuts over to the Ohio River and runs through miles of cornfields. Just outside the city, a freshly painted Chamber of Commerce welcome booth sits alongside the road. The motorist who stops receives a pleasant Hoosier greeting, some maps, a couple of pamphlets on the history and customs of the region, and a can of *Metrecal*.

Metrecal is a fairly recent addition to Mead Johnson & Company's products, but the cornfields and the river have figured in the firm's history since 1915. That was the year the company moved to the Midwest from New Jersey to be nearer the source of a principal ingredient in its major product, *Dextri-Maltose*, a carbohydrate infant-formula modifier obtained by the enzymatic hydrolysis of cornstarch. Before the days of air freight, the river furnished a fast and easy transportation route for the cans of powder designed to bolster the formulas of full-term and premature babies.

The company had begun to concentrate on *Dextri-Maltose* shortly after the firm was founded by E. Mead Johnson, Sr. He was one of three brothers who had previously established the surgical supply firm of Johnson & Johnson in New Brunswick, N.J., in 1893. In an amicable parting. E. Mead left the business of bandages, plasters, and surgical dressings to his brothers and struck out on his own. He established Mead Johnson & Company in 1905 in Jersey City.

Six years later, Mead Johnson's first detail man learned of a German product called *Nährzucker* from a New York City pediatrician who had been studying in Europe. The detailer promptly told E. Mead Johnson about it. Trademarked *Dextri-Maltose* in this country, the 42% dextrin and 56% maltose mixture was the mainstay of the young company for many years. The latest annual report calls it "The Mother Product" and notes it is still an important item.

The *Dextri-Maltose* experience shaped the policy of the company for the next half century. From the beginning, the product was promoted only to pediatricians or GPs who treated babies. The company has followed this practice with other nutritional products—including *Pablum*—unless demand dictates otherwise.

Dextri-Maltose is the subject of over 400 references in the medical literature, and they show that over the years, the art of nutrition has become a science, drawing on latest advances in biochemistry, physiology, and medicine. These papers reflect the growing sophistication of nutritional research since the relatively simple early studies comparing various formulas for premature infants. Recent studies, for example, evaluate specific functions of added carbohydrates in milk and water mixtures, touching upon such subjects as the reduction of renal solute load and nitrogen retention.

SOME VITAMIN FIRSTS

"Over the years, well babies have flourished on our products. This has given us the resources to aid sick babies," says Dr. Warren M. Cox Jr., vice president for nutritional sciences. "Our nutritional experience, for example, gives us the research background for special foods like *Nutramigen*, a hypoallergenic formula for children sensitive to intact milk proteins, and *Lonalac*, a low-fat, low-salt formulation for children and adults with hypertension and kidney problems."

A native Mississippian, Dr. Cox came to Evansville in 1928 after a stint as a chemistry professor in China. "Vitamin D was the big subject then," he recalls. "Mead Johnson had introduced the first standardized cod liver oil. We took on a new project—trying to figure out how to get ergosterol out of yeast and how to make it into vitamin D. In a year, we had developed *Acterol*, the first semisynthetic vitamin D preparation."

At Mead Johnson in the 1920s and 1930s, "there were only a couple of PhDs in the Lab," Dr. Cox recalls. "The tenor of our early research effort was to develop therapeutic foods. We did not think of them as drugs."

But a laboratory flight of fancy by Dr. Rudolph Ellingson in 1940 resulted in the synthesis of sulfapyrazine, an antibacterial. "It was as good as sulfadiazine, and we had a lot of favorable comments and many publications on it," Dr. Cox says. "But the company never sold the drug, probably because it was in an area in which we had little experience. Sulfapyrazine was carried in the AMA's *New and Nonofficial Drugs* for 20 years, but was never available commercially."

Another early cautious exploration led to far-ranging results. "In the early 1940s, we started searching for an intravenous food for sick babies. Our first thought was to purify amino acids and put them back together, to avoid the possibility of anaphylactic shock that might result from injecting proteins. After a year's work, we knew that for us, this was practically impossible, economically speaking. We wound up with an enzymatic hydrolysate of casein, using pancreatic enzymes. It turned out to be *Amigen*, a very effective parenteral food.

"Mead Johnson subsequently sold its parenteral division but still manufactures bulk casein hydrolysate for use by other companies."

In 1952, the company's experience in nutrition served as one of the rocks on which to build a full-fledged pharmaceutical research program. "We wanted to expand our interest to include the whole family, not only the babies," says D. Mead Johnson, grandson of the founder and current president and chief executive officer. "We wanted to follow the baby through his whole life cycle. We thought of it as research for life.

"Fifteen years ago, we saw research as part of our self-renewal program. We were certain decay would result from standing still. We have found that research is expensive, time-consuming, and unpredictable. The rate of failure exceeds the rate of success. Research is a genuine business risk, but a risk we must continuously undertake within the framework of prudent financial management. Since 1952, we have spent about $10 million on projects that were finally canceled. Another $26 million has been spent on projects from which products may—or may not—be developed.

"But we have also found that productive research is today the hard core of our business and the basis for our economic survival. Our research and development in the last 15 years has cost $51 million, and it has yielded products accounting for 83% of last year's sales. The 1966 research budget was $6 million, the highest in our history, and it will be topped by this year's."

Mead Johnson will continue to be both a nutritional and pharmaceutical house, its president says. "Nutrition is primarily concerned with the maintenance and preservation of health. Pharmaceuticals are generally concerned with the return to health after illness. Both are concerned with life.

"In the next five years, we expect to invest $30 million worldwide to speed our growth. Of this, $20 million will be for new research, manufacturing, and administrative facilities in Evansville."

One of the early important compounds synthesized in the new program evolved from the company's background in nutrition and enzyme work. The project had its beginnings in a way that has become common in Evansville. Company scientists had been mulling over a problem that pediatricians were writing and calling about—excessive mucus accumulation in the respiratory tracts of infants. For an adult, this is a minor annoyance. For an infant, this can be fatal.

Dr. Ben King Harned, then vice president for research, approved the idea of seeking a

compound that could dissolve mucus. From its earliest phases, the project was a team effort, drawing upon the talents of scientists from various disciplines.

Dr. A. Leonard Sheffner's biochemistry group and Dr. Walter Zygmunt's microbiology group designed a program seeking microbial enzymes that digest mucus. But there was a small hitch in the timetable. The scientists found that the microbial enzymes would not be available for a while. In the meantime, they began investigating the mucus-digesting properties of common enzymes like trypsin, papain, hyaluronidase, lysozyme, and bromelain. The enzymes that liquefy mucus were also irritating to the respiratory tract.

As a first step, the scientists isolated from porcine gastric mucin a fraction rich in mucoprotein. This material was used as a substrate because it had certain basic similarities to sputum. Next, to catalogue the exact effect of each agent in the experiment, Dr. Sheffner studied the sulfhydryl-containing amino acid, L-cysteine, used as an activator for the enzyme bromelain.

SIX-YEAR PROJECT SUCCEEDS

Using only this simple compound on the porcine mucin fraction, he found it could reduce the viscosity of the substance without any help from an enzyme. Then Dr. Sheffner realized that previous investigators had not seen the significance of an important point. They had noted that L-cysteine could dissolve viscous intestinal juice, but dismissed this by assuming that the compound activated some intestinal enzyme which was responsible for the actual dissolving.

Because the Mead Johnson work had proceeded along careful, classic scientific lines, there was proof that a seemingly innocuous compound such as L-cysteine could luiquify mucus. The enzyme project was abandoned. Instead, researchers began an intensive study of the mucolytic action of various sulfhydryl compounds. The work of these various teams finally resulted in *Mucomyst* (acetylcysteine). From start to finish, the project had taken nearly six years.

Mucomyst is in wide use today to help remove excessive secretions in chronic and acute pulmonary disease, the pulmonary complications of cystic fibrosis, or those asociated wtih tracheostomy, surgery, anesthesia, and diagnostic bronchial studies. A recent *JAMA* news report suggests that acetylcysteine might also increase serum sulfhydryl content in patients wtih rheumatoid disease, and this might result in clinical improvement.

Today, the company's worldwide scientific work is guided by the Mead Johnson Research Center, housed in a three-story, sprawling red-brick building that faces on the Ohio River. From a staff of ten PhDs and 27 other professionals in 1952, it has grown to 61 PhDs and about 380 other scientists and auxiliary personnel.

The company has research agreements with laboratories in various countries and owns a 35% interest in BDH Group Limited, of London, formerly the British Drug Houses Limited. Today, BDH is one of the family. Scientists from Evansville are frequently in London, and the BDH counterparts are often to be seen at the Evansville Research Center.

The BDH alliance accounts for dimethisterone, the progestational agent in *Oracon*, the first sequential contraceptive. *Oracon* received FDA approval two years ago and beat the Lilly pill to the market by a full month. The *Oracon* regimen consists of 16 ethinyl estradiol tablets followed by five dimethisterone and ethinyl estardiol tablets.

Clinical studies on *Oracon* are entering their sixth year in this country, reports Dr. W. Thomas Spain, associate director of clinical research. "We constantly seek to improve our steroids and their methods of administration for efficacy, safety, and simplicity. Our five-year study of progestational steroids in the treatment of a typical and adenomatous endometrail hyperplasia has been gratifying. We are encouraged by similar studies in the palliative management of recurrent endometrial adenocarcinoma."

A clinical study of another promising compound is going on in Europe, and preliminary reports are beginning to appear in the Belgian medical literature, Dr. Spain notes. "Our BHD colleagues have synthesized a progestational compound that may be used to treat benign prostatic hypertrophy, a condition that affects about 20% of men over 50 years of age. In studies of 30 males followed for at least two years, there was demonstrable reduction of gland size with no objective or subjective signs of feminization or change in libido."

Thus, steriods will figure large in Mead Johnsons future, says Dr. James M. Tuholski, group executive vice president. "BDH has been a steroid research leader for years. It holds basic patents on the steroid nucleus with substituents in the C_6 position. That is, the six-methyl group can be put on any class of steroid and seems to make the action of a drug longer lasting. The group doesn't appreciably influence the quality of the progestogen, estrogen, or whatever.

"At the research level, we work with BDH in the way we work with the people down the hall. They are also doing considerable biological studies along with their chemical work. BDH has a steroid team comparable to the good ones in the U.S."

ANTICANCER AGENT IMPROVED

Mead Johnson does not have a male steroid contraceptive anywhere near clinical trials, but the company is thinking along these lines, Dr. Tuholski says. "We're looking for a new method of blocking the maturation of the sperm, which takes about 30 to 60 days in the body. We're trying to block the enzymines that trigger sperm maturation. But this may not be possible without blocking other enzymes, and without producing toxicity. That's where we are at the moment."

Another product to come out of European agreements is *Cytoxan* (cyclophosphamide), an alykylating agent used to treat a wide variety of cancers, including some leukemias, lymphomas, myelomas, carcinomas, and sarcomas. The compound, brought to the company's attention by Dr. Kenneth N. Campbell, was acquired in 1958 from Asta-Werke in Germany, but much of the work to improve its breadth of usefulness and minimize its side effects was done in Evansville.

Evansville research frequently enlarges the scope of a compound. This is particularly true of compounds that act on the adrenergic receptors of the autonomic nervous system, one of the earliest subjects tackled by the new research center, *Vasodilan* (isoxuprine hydrochloride) was obtained from the Dutch company Philips-Duphar in 1956 and marketed in 1959 as a vasodilator. Although the functions of the beta- and alpha-adrenergic receptors are still under intensive investigation all over the world, it is generally agreed that adrenergic vasodilation is controlled by the beta receptors and vasoconstriction by the alpha receptors. This does not necessarily mean that all excitory functions in the various organs are controlled by either of the receptors. The response to activation of the receptor varies from organ to organ and depends partly upon the density of occurrence of the alpha or beta receptors.

A team of Evansville pharmacologists under the direction of Dr. Paul M. Lish went to work on the mechanism of action of the compound. They were not satisfied with the relatively weak action and hoped to improve it. The pharmacologists soon discovered that isoxsuprine not only stimulated the beta receptors but also blocked the alpha receptors and had even a third component of action that relaxed smooth muscles. It was this third component which attracted the attention of chemist, pharmacologist, and clinician alike. Clinicians tested *Vasodilan* as a uterine relaxant during labor. It worked well.

Chemists studied several classes of compounds in this area. An exciting new chemical train of thought eventually crossed the lines of the growing pharmacologic and clinical knowledge, opening up an entire new area of adrenergic research.

One chemist began with the observation that epinephrine and norepinephrine both contain phenolic hydroxyl groups. Removal or masking of the acidic nature of these groups results in a marked lowering or alteration of their physiologic action. Therefore, these groups must play some role in the drug-receptor interactions. Since phenolic groups are weak acids, the chemist wondered, "How about replacing one or more of them with a methanesulfonamide moiety, which is chemically and structurally similar to the phenolic hydroxyl group?"

"It started out with my very simple question," says Dr. Aubrey A. Larsen, chemical research director. "This was purely a chemical speculation, applied to a biological environment. And it worked. We turned out a whole new class of compounds which are now in various stages of becoming clinical drugs. The class includes bronchodilators, cardiac accelerators, beta-blockers, vasodilators for vein disorders, and uterine relaxants."

CYNICS AND SKEPTICS

Dr. Larsen encourages the same type of speculation today. Our job is to beat the odds. Statistically speaking, the average PhD who does reasonably sophisticated work for a pharmaceutical company needs five or six lifetimes to get a marketable product. The odds are all against us, because we must work with thousands of compounds before we find one with real therapeutic advantage."

The entire pharmaceutical industry will find it increasingly harder to beat the odds, Dr. Larsen predicts. "Chemists and biologists in the industry must get down to the molecular level. Some day, all biological activity will be explained in chemical terms. Even now it's not enough for a chemist to come up with new compounds. He's got to go further. He's got to know why they are active, how they are detoxified, what enxymes they interact with."

Another chemical group being explored for answers to these questions are the pyrrolidines. Synthesized by senior research fellows Yao-Hua M. Wu and Rolland F. Feldkamp, the group includes a nucleus of small-ring compounds that fit into larger, more complex molecules. The pyrrolidines generally show antispasmodic and non-narcotic analgesic activity. Some of the substances stimulate the central nervous system. Others depress smooth muscles selectively in the bronchioles, uterus, gut, coronary system, and peripheral vascular system.

The pyrrolidines and the methane-sulfonamides comprise the two largest single chemical projects in Evansville, Dr. Larsen says. "They are not the biggest portion of our work, but they are two big productive areas. We are working with other compounds that act on the central nervous system, including tranquilizers and antidepressants. We are also doing cardiovascular work, including screening for diuretics, that does not relate to the adrenergic project."

Dr. Larsen notes that so far the Evansville researchers have been pretty lucky in the active-compound sweepstakes. "To beat the odds, you have to be a cynic and a skeptic. You have to be a rebel. Once people get established in a certain area, inertia tends to defend the status quo." Then he grins. "But I'm happy to report there's no inertia in Evansville."

Still another area of research is being explored by Dr. Homer Eaton Stavely, director of biological chemistry, whose background includes a decade at the Squibb Institute

for Medical Research. He has been experimenting with two small polypeptide hormones, oxytocin and vasopressin. Both are formed by the neuronal cells of the hypothalamic nuclei and stored in the posterior lobe of the hypophysis. Oxytocin stimulates the contraction of the muscular tissue of the capillaries and arterioles, raising blood pressure.

"We've been building up analogues of these two hormones, hoping to attack the job differently from other workers," says Dr. Stavely. "Other researchers are taking a natural hormone and replacing one peptide at a time and seeing what the properties of the analogues might be. Our idea was to build the simplest possible analogues while maintaining the general shape of the molecule. In this approach, we would use as many glycine units as possible because glycine is the simplest amino acid. We haven't gotten too far along. Hopefully, compounds of this kind would be inhibitors of hormones. If we do get a peptide that is an inhibitor of oxytocin, we might be able to stop threatened abortion. An inhibitor of vasopressin might be able to do something for hypertension."

METABOLIC DEFECTS PROJECT

As the range and depth of the pharmaceutical research activities have expanded over the years, nutritional studies have also become more basic, delving deep into biochemistry, physiology, and medicine. "When I first came to the company about 15 years ago, I started work on a new research project on nutritional factors involved in metabolic defects," says Dr. Herbert P. Sarett, nutritional research director. "We knew it would never make much money. Only a small part of the popultion is afflicted with these biochemical defects which make it impossible for them to properly metabolize substances like galactose, phenylalanine, cystine, or other important nutrients. These generally lead to physical and mental defects. The company wanted to do this research as a service to the medical profession. We wanted to give the doctor something to help fight this waste of human resources."

In the early 1950s, some preliminary studies showed that removing excess phenylalanine from the diet, leaving only a minimal amount essential for growth, might help prevent mental damage in patients with phenylketonuria (PKU). "We began work on a special diet which would contain a little phenylalanine to start the child with," says Dr. Sarett. "We already had a product called *Amigen*, an enzymatic hydrolysate of casein, and we had to find out how to remove most of the phenylalanine while leaving the rest of the essential amino acids.

"At that time, we estimated that this would take the time of two men working for six months, or about 2,000 hours. Well, this produced the low-phenylalanine formula *Lofenalac* and opened a program that's lasted roughly 15 years and isn't finished yet. We've learned a lot about these diets, and whenever a pediatrician anywhere in this country or in Canada runs into an enzyme deficiency, he often calls us for help."

Despite present knowledge on how to prevent brain damage to PKU children, some misconceptions have crept into the medical literature, Dr. Sarett notes. "The important point about treating PKU is not to remove all of he phenylalanine from the diet. The important point is to give each infant as *much of this* amino acid as he can handle without getting into trouble. The diets are sometimes misused. You don't send a child with PKU home with a prescription for a low-phenylalanine diet and forget about him.

"Each child must be monitored every day. You've got to keep adding foods which he can tolerate and analyze his blood and urine frequently. The most critical period is during the first six months of life, when the infant grows rapidly. Phenylalanine requirements may increase rapidly during this period, and they must be met. Too little phenylalanine may bring stunted growth, anemia, and bone changes. Too much may result in damage to the brain and central nervous system. However, a growing number of reputable, responsible investigators report normal growth and normal development of PKU children when properly controlled.

HOMOCYSTINURIA RESEARCH

"Many infants have high plasma tyrosine levels, but in most cases, the levels soon return to normal. A few have a defect in metabolism of tyrosine. The doctor must keep a close watch and decide which child needs a special diet and which one doesn't."

Currently, another Mead Johnson nutritional research product is being used on a very limited scale to manage a newly discovered metabolic defect called homocystinuria. This condition involves an enzymatic block in the metabolism of the essential amino acid methionine. "We've developed a prototype product moderately low in methionine, but we're really not satisfied with it," Dr. Sarett says. "We still haven't developed one ideally low enough in this amino acid. We are nowhere near ready to supply physicians, even for trial purposes."

Nutritional research is done largely on rats, chicks, and pigs, Dr. Sarett reports. "Rats have their shortcomings. You usually can't feed rats until they're 21 days old, which corresponds to a fairly old infant. They have a lot of hair, which babies don't have. This means their amino acid requirements are not completely comparable to man's. Besides, they're rats."

Monkeys and dogs are also difficult to feed until sometimes after birth. Pigs are closer to human beings, particularly in their cardiovascular system. A newborn pig can be artifically fed right away, just as a baby can.

Mead Johnson scientists work in aseptic quarters with a breed of specially developed, pathogen-free pigs taken by cesarean section before their scheduled delivery. "We find that 20 pigs in a study comprise a meaningful experiment, giving us good, solid data related to infant feeding, cholesterol synthesis, or atherosclerosis."

As the firm's nutritional research has grown in sophistication over the years, it has also expanded to include other age groups, Dr. Sarett points out. "After five years of work, we are now marketing *Portagen*, a food that contains medium-chain triglycerides for adults and children who have difficulty in absorbing conventional fats. These medium-chain triglycerides are absorbed rapidly through the portal venous system instead of through the lymphatic system as other fats are."

Another product of these studies is *Questran* (cholestyramine), a prescription pharmaceutical for the relief of pruritus associated with partial biliary obstruction. The compound is a basic anion exchange resin with a strong affinity for bile acids. It sequesters bile acids in the intestinal tract, preventing their reabsorption and ensuring their excretion. In clinical trials, some physicians noted that the drug also markedly reduced serum cholesterol levels. This fact seems to expand Mead Johnson's interest into still another age group—those in their middle years, whose arteries are perhaps less resilient than earlier.

RESEARCH NEEDS SOPHISTICATION

"We have something needed by every age," says vice president Tuholski. "Be it a dietary product or a pharmaceutical, we have it. And we also have a broad and encompassing outlook on just about everything that affects health." The company's future is practically unlimited in both nutritionals and pharmaceuticals, Dr. Tuholski says. "There's a real need for disposable feeding units for hospital nurseries at one end of the age scale, and for prepackaged meals for nursing homes at the other end. There's a continuing need for drugs with new mechanisms of action. Take diuretics, for instance. After the first important discoveries, many people thought there would be nothing further. Then chlorothiazide came along and proved differently. This might happen again.

"It will probably also happen with steroids. We've just scratched the surface when it comes to their anti-inflammatory and antidepressant actions. These important contributions will come about because the entire pharmaceutical industry realizes you can't succeed—you can't even stay afloat—without a high degree of sophistication in your research program. Check this by looking through the annual reports of almost any drug company. Research costs are disproportionate to the cost of doing business. Why? Because management realizes that research builds a solid base for the future."

This solid base in Evansville, adds Dr Richard T. Arnold, chairman of the company's scientific advisory board, may be surrounded by the cornfields of Indiana, but its influence will be felt all over the world. "Sure we see *Metrecal* and *Dextri-Maltose* in our future. We also see antifungal and antibacterial agents, a new antibiotic effective against staph, and the beginnings of an antiviral program. We also realize that even with the latest streamlined computers, there are still some things about research that will be totally unexpected. As new methods of testing evolve, we may find that we've got compounds sitting on our shelves totally ineffective in animals, but magnificantly helpful to human beings."

Increasingly, foreign countries will be impressed with a Food and Drug Administration approval, notes Dr. D. J. Buddrus, vice president for biomedical sciences. "An FDA approval right now is the best selling point a drug can have in just about any foreign country. They look upon our FDA as a standard-bearer. They will probably be modeling their regultory bodies along U.S. lines in the future."

And a bench chemist, given to flights of creative fancy, sees the future from still another angle. "What we'll be able to do someday with a computer and some yeast, only God knows."

THE DOMESTIC FISHING INDUSTRY

Mr. TOWER. Mr. President, I have received a resolution from the National Maritime Union in the Port of Galveston concerning the state of the fishing industry in the United States. I certainly share their concern in this regard, as evidenced by my remarks on this subject of September 27, 1967. I ask unanimous consent that this resolution be entered at this point in the RECORD so that all may take notice of it.

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

RESOLUTION

Whereas the Soviet Union has made sensational progress in using the wealth of the seas to make hay among the hungry peoples of the world; and

Whereas our domestic fishing industry continues to decline and suffer as the fishing fleet diminishes; and

Whereas this means a loss of jobs and a loss of tax revenues to seaport cities such as Galveston; and

Whereas the rise in fishing imports and the expansion of Russian, Norwegian, and Japanese fishing fleets poses a financial threat to Gulf Coast fishing;

Now, therefore, be it resolved: That the Johnson Administration be called upon to grant long-range, "low interest" loans to do-

mestic fishermen so that they can build larger fleets and compete more equally with other nations; and

Be it further resolved: That the approximate sixty (60) percent import of our fish consumption be made a maximum and the quota be adjusted downward annually as United States fish production is increased; and

Be it also further resolved: That there be a development of new shipyards specializing in fishing vessel construction, one each on the East and West Coast and a development of ocean fish farms in eleven (11) areas of all coasts of the mainland of the U.S., Alaska, Hawaii, and Puerto Rico.

We, the undersigned, ask the Congressional leaders to hold prompt hearings to develop a program such as the above resolution for the fishing industry.

Adopted by the membership of the National Maritime Union in the Port of Galveston on the 28th day of August, 1967.

JOHN T. KELLY,
Agent.

SECRETARY RUSK'S STATEMENT ON VIETNAM

Mr. MUSKIE. Mr. President, last week Secretary of State Rusk stated clearly and concisely the reasons why our Nation is engaged in Vietnam.

Mr. Rusk did not attempt to minimize the problems Vietnam has caused the United States. He pointed out that Americans are an impatient people, and that it is not easy for our people to wage a struggle by limited means for limited objectives. He said that the present impatience about Vietnam is thoroughly understandable.

As the debate over Vietnam continues in our country, it appears that the issue centers on variation of a single theme. I am persuaded that this is the case. That theme is a central position resting upon the following considerations:

First. The pursuit of our limited objectives by limited means.

Second. The need to meet our commitments and defend our vital national interests.

Third. Our earnest desire to bring this conflict to a peaceful conclusion as soon as possible.

Our enemies should not misunderstand the character of this debate. Secretary Rusk made this point very clear. But it is a point which will be valid for as long as debate over Vietnam continues. Our system of government not only tolerates debate, but encourages it. Our conflicting views will continue to receive widespread attention throughout the world. Friends and enemies alike in other countries may be encouraged to equate dissent in the United States with a lack of resolve. This could lead to miscalculations which in turn could lead to actions or responses of tragic proportions.

As the Secretary said, there is no significant body of American opinion which would have us withdraw from Vietnam and abandon Southeast Asia to the dictates of Asian communism. I also share his view that there is no significant opinion among us which wishes to transform this struggle into a general war. This is a message of vital importance to world peace.

COUNTY POVERTY PROGRAMS

Mr. MUSKIE. Mr. President, recently I received a letter from Mr. Dominic Gacetta, program director for the Knox County Community Action Committee in Rockland, Maine, in which he reports on developments in the county poverty programs.

I think my colleagues will be interested in learning of these highly successful programs which are enriching the lives of many families in the county.

I ask unanimous consent that Mr. Gacetta's letter be inserted in the RECORD at this point.

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

KNOX COUNTY COMMUNITY ACTION COMMITTEE,
Rockland, Maine, October 6, 1967.

Hon. EDMUND S. MUSKIE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MUSKIE: The Knox County Community Action Committee, after evaluating the progress of our current poverty programs, is pleased with the developments and want to share them with you to keep you better informed on these programs in our area.

Our Neighborhood Youth Corps Program is funded for 20 out-of-school placements. Of this group, four have returned to school to continue their education. Three returned to local public high schools and one is enrolled in a leading prep school after receiving a $500.00 scholarship on the basis of his aptitude tests.

Eight youths on the program have left Neighborhood Youth Corps for permanent employment. Two of this group left for training related employment and six entered employment outside the training related area.

Two girls with dependent children on ADC left the program after referral to Work Experience for further training. One is being trained in printing and the other as a baker.

One boy training as a Landscape Aide has been offered seasonal employment at the Rockland Country Club. He will continue his training during the off season with the Soil and Conservation Service locally.

As enrollees of this program return to school or leave for various reasons, we are always recruiting in an attempt to keep our 20 placements occupied.

Our Homemaker Service Program consists of a Director and six Homemakers in Knox County. Although this program has only been in operation since June of this year, we have received many favorable comments for the variety of service provided. Over eighty families have received benefit of Homemakers and they are currently serving over 60 families with regularity. Their services include meal planning, budgeting, food preparation, cleanliness of the home and person and other necessary duties of this type. Homemakers will soon be demonstrating the use of surplus foods to mothers who will meet in groups for this purpose.

We completed a successful Summer Head Start Program, with 163 children in 11 classrooms throughout the County. These children, in addition to the training habits they received and experiences provided them, also received Dental and Medical Services which will prove beneficial to all of them throughout their lives. In addition, parents through participation in this program also experienced new ideas and knowledge which will help them in their parent-child relationship.

Our Work Study Program provided summer jobs for 5 needy college students and paid them a total of $3,140.00 which will be helpful in the coming school year.

Funds from the Older Americans Act have made it possible to provide stereo, television, and other furniture and equipment in the West Room of the Rockland Community Center for the relaxation and enjoyment of the Senior Citizens in this area. They also have recently enjoyed 3 excursions which accommodated 65 to 75 people on each trip. In March a large group of Senior Citizens enjoyed a trip to the Ice Follies in Boston. This trip was followed up in April with an excursion to the Flower Show in Boston. In August an excursion to Cabbage Island was enjoyed by all. A foliage trip to the Rangley Lakes Region is planned for Wednesday, October 11, and a large turn out is expected for this trip also.

Sincerely yours,

DOMINIC J. GACETTA,
Program Director.

THE IMPORTANCE OF BLACK-OWNED FINANCIAL INSTITUTIONS

Mr. PERCY. Mr. President, among the crucial needs of the Negro community in America is the rapid expansion of black-owned financial institutions and the development of black administrative and entrepreneurial talent to manage them.

The current role of black-owned financial institutions in promoting urban rehabilitation has recently been surveyed and assessed by Andrew F. Brimmer, member of the Board of Governors of the Federal Reserve System. In a little noticed but very important address to the National Bankers Association in Kansas City on September 22, Dr. Brimmer made a number of cogent observations, based on a wealth of factual matter. Among them are the following, in paraphrase:

First. Rising income in the Negro community in attracting national businesses into a market hitherto the primary preserve of Negro businessmen; as a result "Negro business and professional men in traditional fields are declining relative to the population."

Second. This new influx of national business into the Negro community "may be resulting in a net drain on the savings of the urban ghetto."

Third. Although the Negro middleclass is expanding rapidly, the new jobs are most likely to be in salaried occupations which are not promising sources of community leadership.

Mr. Brimmer's conclusion, based on these and related observations, is that large white-owned national institutions, such as life insurance companies, must develop new avenues of cooperations with community-based, black-owned institutions and companies "to build not simply physical structures but human bridges as well in the ghetto."

As an example, Dr. Brimmer points to the recent announcement that the life insurance industry will invest $1 billion in housing for slum areas.

It is my impression—

He says—

based on considerable checking with industry officials, that so far no major life insurance company has designated any of the Negro mortgage bankers as correspondents.

He advocates a conscious effort by the life insurance companies to strengthen Negro-owned financial institutions by

cooperating with them in the origination and servicing of mortgage loans under this new program. And at the same time, he points out, the experience of Negro businessmen familiar with conditions in central city slum areas can be of invaluable assistance to investors entering those areas for the first time.

Mr. President, the theme of Dr. Brimmer's remarks is reflected in a bill which I have joined 39 other Senators in sponsoring. The National Home Ownership Foundation Act (S. 1592) would charter a private nonprofit foundation to make or participate in mortgage loans in credit-short areas to encourage home ownership for lower income families. The bill would require the Foundation to retain 3 percent of the proceeds from the sale of its bonds as a reserve. Ordinarily, as a matter of normal banking practice, such reserves would be invested in U.S. Treasury obligations or other high grade securities. But in section 109(f) of S. 1592 we included a highly important provision. It says:

In managing such reserve account, the Foundation shall give preference to making deposits in those financial institutions actively engaged in making loans or otherwise carrying on activities in furtherance of the purposes of this Act.

What this means, Mr. President, is that up to $60 million of the foundation's reserve capital would be deposited in lending institutions actively making loans in urban slums. The consequence of this provision, I am sure, would be a new source of capital for black-owned financial institutions, which would enable them to expand their lending activities in their own communities. The amount—$60 million—is certainly not sufficient to the needs. But I think it does establish an important principle, in line with Dr. Brimmer's recommendation to the National Bankers Association.

There are those who say that forthcoming amendments to Federal Housing Administration laws, coupled with a new willingness among capital investors as exemplified by the insurance companies, will produce a sharp upturn in mortgage lending and home ownership in the ghettos. I hope they are right. One crucial factor is the determination of the FHA to move boldly forward to insure mortgages in these areas in which, in many cases, no FHA underwriter has set foot for years. Another crucial factor is the need for public and private agencies to prepare lower income families to become owners of their own homes or apartments. Near the end of his remarks Dr. Brimmer touches on these important points in describing the experience of four Philadelphia savings banks, which, because of FHA reluctance and insufficient homeowner preparation, have been able to commit only $1½ million out of an allocated $20 million in mortgage loans over an 18-month period.

Mr. President, I ask unanimous consent that Dr. Brimmer's excellent address, "Financial Institutions and Urban Rehabilitation" be included at this point in the RECORD.

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

FINANCIAL INSTITUTIONS AND URBAN REHABILITATION

(Remarks by Andrew F. Brimmer, member, Board of Governors of the Federal Reserve System, before the annual convention of the National Bankers Association, Hotel Continental, Kansas City, Mo., September 22, 1967)

The recent announcement by the nation's leading life insurance companies that they plan to invest $1 billion in urban rehabilitation has thrown into sharp focus a number of questions relating to the role of financial institutions in the core areas of our cities. This meeting of bankers who devote their energies almost entirely to meeting some of the financial needs of the citizens of these areas provides a good forum for the discussion of several of these issues.

The principal points in the remarks which follow can be summarized briefly:

With the steady (though mixed) improvement in employment opportunities, the income of the Negro community is rising more rapidly than for the nation as a whole.

This rising income is attracting more and more national businesses (including life insurance companies and other financial institutions) to a market which was previously the primary preserve of Negro businessmen.

The results are not unexpected: with the decline in the protective tariff of segregation, Negro business and professional men in traditional fields are declining relative to the population.

Negro-owned financial institutions, with the exception of a few recently chartered banks, are making only limited progress in the face of growing competition from the larger institutions active in the general market.

The results are also disturbing: although the Negro middle class is expanding at a rapid pace, the new job opportunities are concentrated in the middle grade technical and professional occupations. While these are clearly improvements over the low-skill and low-paid traditionally held by the average Negro, they ordinarily are not a promising source of community leadership.

The vigorous competition of the major institutions (especially the competition from the life insurance companies) for business in the Negro community—combined with their investment patterns—may be resulting in a net drain on the savings of the urban ghetto.

These trends suggest strongly that the nation's leading financial institutions should re-examine carefully their techniques of doing business in the ghetto. For example, the move by the insurance companies to invest $1 billion in urban areas could be supplemented through a more direct involvement with financial institutions already operating in the ghetto.

As far as I can determine from personal conversations in the industry, no leading life insurance company has designated a Negro mortgage banker as a local correspondent. Since a major share of the mortgage origination and servicing business is done through such correspondence, the establishment of such links would facilitate the flow of investment into the ghetto.

The Negro-owned banks can also play an expanded role in the creation of new job opportunities in urban areas through joint ventures with white-owned banks and other financial institutions. An actual project now under active consideration will illustrate clearly how this can be done.

TRENDS IN PERSONAL INCOME

Before examining more closely the expanded opportunities for financial institutions in the ghetto, let us review recent developments in the income and employment patterns for nonwhites. In the last few years, the personal income of the nonwhite community (of which Negroes make up well over 90 percent) has risen substantially in absolute terms and in comparison with that for the white community. The actual figures showing the median income of families are:

Year	Total	White	Nonwhite	Nonwhite as percent of white
1960	$5,620	$5,835	$3,233	0.55
1961	5,737	5,981	3,191	.53
1962	5,956	6,237	3,330	.53
1963	6,249	6,548	3,465	.53
1964	6,569	6,858	3,839	.56
1965	6,882	7,170	3,971	.55
1966	7,436	7,722	4,628	.60

Several conclusions can be drawn from these figures. During the first three years of the 1960's, the gap between the median income of white and nonwhite families actually widened; the ratio of nonwhite to white income fell from .55 in 1960 to .53 in 1963. This deterioration was a direct reflection of the slow pace of the economy following the 1960–61 recession. Between 1960 and 1963, the median income of white families rose by $713, or by 12 per cent. The corresponding changes for nonwhites were $232 or 7 per cent. However, following the general tax reduction of 1964, the national economy expanded much more vigorously and was further stimulated by the acceleration of the military effort in Vietnam. One result was a sharp climb in personal income. For white families, the gain amounted to $1,174 (or 18 per cent) between 1963 and 1966. In this same period, however, the gain in the median income of nonwhite families was almost as large in absolute terms—an increase of $1,163—and represented a rise of 34 per cent, or nearly double that recorded for white families. In these most recent years, nonwhites made substantial gains in employment, and again the gap between white and nonwhite income was narrowed.

These improvements in the income of nonwhite families obviously have meant a further substantial rise in the aggregate purchasing power of the Negro community. In 1963, total money income of families and unrelated individuals amounted to $371.1 billion, of which $347.5 billion was earned by whites and $23.6 billion by nonwhites. Thus nonwhites accounted for 6.4 per cent of the total. By 1965, the total had climbed to $419.1 billion; the income of whites amounted to $391.7 billion and that of nonwhites to $27.4 billion. So, the nonwhites' share had risen to 6.6 per cent. With the large relative gains in family income registered last year, the total purchasing power of the nonwhite community has undoubtedly expanded further. Thus, the Negro market offers an even stronger inducement for merchants selling to the general community.

TRENDS IN MIDDLE CLASS EMPLOYMENT AMONG NONWHITES

The pattern of income changes described above has been the result of significant progress in the upgrading of nonwhite employment opportunities. Between 1963 and 1966, employment of nonwhite workers increased by 10.1 per cent—from a monthly average of 7,234 thousand to 7,968 thousand. For white workers, the corresponding gain was 7.3 per cent—from 61,575 thousand to 66,097 thousand. Thus, Negroes obtained about 14 per cent of the net increase in employment, although they represented just over 10 per cent of the total labor force. The unemployment rate for nonwhites fell by one-third between 1963 and 1966—from 10.8 per cent to

7.3 per cent of the labor force. White workers experienced the identical relative decline in their unemployment rate—from 5.0 per cent to 3.3 per cent.

But, as also mentioned above, there was a noticeable change in the pattern of employment growth among nonwhites. Between 1963 and 1966, total nonwhite employment rose by 734 thousand. About one-half of this gain centered in white collar jobs, although only 18 per cent of employed nonwhites were holding such jobs in 1963. Among white collar occupations, the gains were particularly striking for clerical and professional and technical workers.

In contrast, the increases registered for managers, officials and proprietors were quite modest. Those receiving salaries rose by 22 thousand, but there was a decrease of 6 thousand among those who were self-employed—all of which was concentrated in the retail trade sector. Thus, nonwhite businessmen in areas other than retail trade apparently about held their own. If this pattern of employment changes can be believed, it is of some significance. It could mean that the apparent downtrend in self employment among nonwhites observed since about 1950 may be moderating. While the tendency for the number of nonwhite owner-operators in the retail sector to decline as public accommodations become generally open to Negroes may continue, other business opportunities may grow more rapidly.

But the adverse changes in white collar employment have not been restricted to businessmen. The number of Negro lawyers is growing slowly, while the number of Negro physicians and dentists is actually declining in relation to total Negro employment. Even the number of school teachers is declining relative to the Negro labor force. In contrast, as observed above, the number of Negro clerical, sales and non-professional technical workers has shown remarkable expansion in recent years. By 1966, nonwhites (who constituted 10.8 per cent of total employment) represented 5.0 per cent of all white collar workers and 6.3 per cent of all clerical workers. On the other hand, they represented only 4.3 per cent of the professional and technical workers, aside from those employed in teaching and the health professions. Other examples could be cited, but the basic point still holds: white collar employment among Negroes is becoming increasingly concentrated in the middle grade salary categories, especially in nursing, retail sales, data processing, clerical and similar activities.

These trends are disturbing. *While these occupations are obviously improvements over the traditional low-paying jobs as operatives, laborers and service workers, they are not particularly promising sources of community leadership.* For instance, although a computer programmer may earn as much (or more) than a high school principal, he clearly has less weight in the community's affairs. A Negro reservations clerk in a leading downtown hotel is in the same business as the former Negro hotel owner, but here, also, his community role is less significant. In my opinion, the expansion of opportunities for Negroes in the truly professional and managerial occupations should be a prime goal of the Negro business community.

TRENDS AMONG NEGRO-OWNED FINANCIAL INSTITUTIONS

At this point, let us return to the promising role which financial institutions can play in the reconstruction of our urban centers. As I stressed above, the Negro-owned financial institutions, with the exception of the newly-chartered banks, have been falling behind relative to the growth of the income of the Negro community at large.

This can be seen clearly in the following summary table:

COMPOUNDED ANNUAL AVERAGE RATES OF CHANGE

[In percent]

Personal income	1961–65	1961–63	1963–65
Total	5.4	4.6	6.3
White	5.3	4.5	6.2
Nonwhite	7.1	6.5	7.7
Life insurance companies	**1961–66**	**1961–63**	**1963–66**
Insurance in force:			
All companies	9.4	7.7	10.5
Negro-owned companies	2.9	2.1	3.4
Total assets:			
All companies	5.7	5.5	5.8
Negro-owned companies	2.6	2.6	2.6
Insured commercial banks [1]	**1957–66**	**1957–63**	**1963–66**
All banks	5.0	3.2	8.9
Federal Reserve members with total deposits between $5,000,000 and $10,000,000	2.2	1.4	3.9
Negro-owned banks	11.4	9.0	16.6
Excluding newly chartered banks	-------	-------	5.8

[1] Total assets.

The first thing to note is that, as shown earlier, the personal income of the nonwhite community has grown about one-quarter to one-third faster than that of the nation as a whole since the beginning of the 1960's. On the other hand, the Negro-owned life insurance companies have grown only about one-third to one-half as fast as the life insurance industry as a whole. The experience of the Negro-owned banks has been mixed.

Those institutions which were in business prior to 1963 have grown much more slowly than all insured commercial banks. However, their growth rate has exceeded that for the small member banks of the Federal Reserve System. The four or five newly chartered Negro-owned banks (mainly national banks) have expanded rapidly, and one of them is now the third or fourth largest among the group of 17 Negro-owned institutions.

What factors underlie these trends? How does one account for the extremely modest progress of the Negro-owned life insurance companies? Why have the Negro-owned banks registered such a diverse pattern of growth?

First, let us look at the life insurance companies. For much of the last decade, the large national institutions have been making a special effort to tap the expanding market for insurance among middle class Negroes. Many of them have adopted special promotional programs directed at this market: They have bid successfully for some of the most promising officials of Negro insurance companies, and a fairly large number have established district offices in the heart of the urban areas populated primarily by Negroes. For example, it is reported that one such office of a national company was recently located in Chicago's Southside, with the expectation of building up to a force of 22 salesmen and underwritings of about $30 million in a few years. But, let me repeat, this type of competition with the Negro-owned companies has been underway for almost a decade. The result is that many Negroes active in the industry believe that any one of the largest five or six life insurance companies in the country is now carrying on its own books more coverage on the lives of Negro citizens than is carried by all of the Negro-owned companies combined. This assertion is not difficult to believe when we note that the 48 Negro-owned companies had $2.2 billion of insurance in force and total assets of $390 million at the end of 1966.

This new interest in the Negro market represents a significant change in itself. Until a few years ago, virtually all of the national companies avoided entirely or were highly selective in the issuance of policies on Negro lives, a practice which they felt was necessitated by excessively high mortality rates in the Negro community. As we know, this practice on the part of the national companies was the main reason that Negro-owned life companies found such promising markets for so many years. With the change in practice, the nation-wide companies are now concentrating on expanding coverage in the Negro community—especially among the members of the growing middle class. While the average Negro policy is undoubtedly smaller than the average for white policyholders, in the aggregate the volume of net premiums (and the net savings component) collected in the Negro community is sizable and growing. The over-all result has been a marked slow-down in the progress of the Negro-owned companies. But, more fundamentally, these developments also have a number of serious implications for the availability of funds for investment in the ghetto. I shall return to this point before closing these remarks.

Turning to Negro-owned banks, the first thing to observe is that—taken as a group—they are not appreciably different from other banks of comparable size. At the end of 1966, the 17 Negro-owned institutions had total assets of $122 million and held total deposits of $108 million. Thus, they represented 0.033 per cent of the total assets of insured commercial banks in the country. But even this small figure reflected modest but steady improvement, because in 1963 their share of such assets was 0.021 per cent, and in 1957 it was 0.018 per cent. As mentioned above, a large proportion of the relative gain recorded by the Negro-owned banks can be traced to the four or five recently chartered national banks, which were able to get underway mainly because of more liberal policies followed by the Comptroller of the Currency during the early 1960's. More recently, a few States have also chartered Negro-owned institutions which will operate in the ghettos of several of our large cities.

Further insight into the characteristics of the Negro-owned banks can be seen by comparing a few key ratios for the banks in 1966 as shown below (per cent):

Ratios	Negro-owned banks	Federal Reserve members with assets of $5,000,000 to $10,000,000	All insured commercial banks
Cash and U.S. Government/total assets	35.9	36.0	28.1
Cash/total assets	11.8	14.2	15.1
U.S. Government/total assets	24.1	21.8	13.1
Loans/total deposits	58.2	53.8	64.7
Time deposits/total deposits	51.3	49.2	52.8
Capital/risk assets	14.7	13.4	11.0

The Negro-owned banks are compared with all insured commercial banks as well as with Federal Reserve member banks of approximately the same size as the Negro-owned institutions. (The mean asset holding of the Negro-owned banks was $7.2 million against $29.8 million for all insured commercial banks). In relation to total assets, the Negro banks tend to hold a smaller proportion of cash and loans and a larger proportion of U.S. Government securities than do other banks—except that their loan-deposit ratio is higher than for smaller member banks of the Federal Reserve System. They also seem to rely on time deposits as a source of funds to about the same extent as do other banks.

However, as a group, the Negro-owned banks seem to be somewhat more heavily capitalized.

But this global review does not tell us very much of what we need to know about the performance of the Negro-owned institutions. During the last few months, with the assistance of a number of people in several of the Federal Reserve Banks, I have spent a considerable amount of time studying the experiences of the Negro-owned banks. Without going into details concerning particular banks, the findings can be summarized briefly in the following observations on asset quality and the problems faced by their managements.

Over-all the asset quality of the banks seems to be fair. However, the banks chartered prior to 1960 appear to follow somewhat less venturesome policies than do the newly-chartered institutions, and this shows up in a number of differences among them. For example, among these older institutions, there is a heavy reliance on savings accounts of individuals and less reliance on demand deposits—especially of partnerships and corporations. They rarely make unsecured loans, with the bulk of their lending activity centering in loans secured by real estate. Their loan loss record is good. The ratio of loans to deposits in these banks is somewhat low, averaging 53 per cent, compared with an average of 58 per cent and a range of 42 per cent to 75 per cent for all Negro-owned institutions. This lower average ratio probably reflects primarily the policy of making basically only secured loans. As a group, the asset quality of these older banks was generally satisfactory.

Among the banks chartered since 1960, the asset quality is generally not quite as satisfactory as that found in the older institutions—even of comparable size. These newer banks have gone readily into areas of unsecured loans and discounting of consumer installment contracts, principally dealer generated automobile paper. Because these fields were generally unexplored by the banks, some of them have encountered a number of difficulties. Some of the newer banks have not been able to press their collection policies as vigorously as they would have liked, and past due loans have averaged somewhat higher than for other banks. This may be due in part to the fact that the newer banks have moved—sometimes aggressively—to extend loans to lower income groups which find it very difficult to make up payments on amortized loans once they become delinquent.

Probably the most serious problem faced by all of the Negro-owned banks is that of obtaining, training—and retraining personnel. This seems to be true of clerical personnel as well as of senior management and younger individuals with management potential. The older, well established banks have managements which are generally rated satisfactory, and most of them have provided adequately for management succession. However, they do seem to encounter considerable difficulty in maintaining experienced operating staffs. Since these banks (like those newly-chartered) are serving primarily a low-income community, they are faced with a heavy volume of lobby traffic and an equally heavy volume of paper work. Such conditions are one of the causes of a high turnover rate of clerical staff which compounds the training problem. Of course, this situation—and its effect—is common to all banks where it exists.

For some of the newly chartered institutions, the task of obtaining and keeping a senior management cadre has been difficult. To some extent, this may have reflected the pressure of competition for bank management personnel faced by all institutions—especially by the smaller ones. Some of the banks have attempted to meet their difficulties by employing white persons (particularly retirees) with bank management experience. Others have brought in officers from the established Negro-owned banks. Nevertheless, some of these new banks are still facing an uphill struggle.

But, taken as a whole—and despite the problems which some of them face—the Negro-owned banks are filling a vital need in their respective communities. With few exceptions, each of these banks is located in a part of an urban area which the large, white-owned banks have not sought aggressively to serve—even when State branch banking laws would have permitted them to do so. In fact, it seems that several of the newly-chartered national banks were able to obtain charters primarily because they proposed to concentrate on the needs of communities where the number of banking offices per capita was particularly low. A few of the State bank charters recently obtained by Negroes seem to have been granted for similar reasons. Although the community support for some of the new institutions may not have developed as rapidly as had been anticipated, the Negro-owned banks as a group do seem to be meeting a definite need which has gone unmet for many years.

On the other hand, as mentioned above, the tasks of mobilizing the financial resources necessary to rehabilitate the urban ghetto will place a gigantic burden on all of our institutions. This clearly calls for a genuinely cooperative effort in which Negro-owned institutions can—and should—share.

AVENUES OF COOPERATION

Let us look, then, at some of the specific ways in which this needed cooperation can be facilitated. Initially, let us return to the life insurance companies' plan to invest $1 billion in the urban ghetto. At the outset, I want to make certain that everyone understands my own attitude toward this proposal: I applaud it because it is a major step—not simply in the right direction but also because it represents a sizable amount which could increase substantially the availability of funds for urban housing. In saying this, I am not unmindful of the magnitude of the tasks we face. Nor am I unaware of the enormous volume of resources under the command of the life insurance companies. At the end of 1966, total assets of these institutions amounted to $167 billion, having increased by $8 billion during the year. But during 1966, they acquired a total of about $37 billion in new investments, an amount more than four times as large as the net gain in total assets—a fact reflecting the reinvestment of loan repayments, exchanges, replacements and short-term security purchases.

I, personally, do not interpret these large flows of life insurance company funds to mean that the diversion of $1 billion of investments to the urban ghetto (perhaps over a period of several years) is of only minor importance. To the contrary. In the first place, insurance companies are pinched for funds. The cash flow in a typical life insurance corporation is about as fully committed as it has ever been. In my judgment, these corporations would have absolutely no trouble putting the money into investments elsewhere with a higher rate of interest. Of course, insurance companies already have heavy commitments in the city—investments in housing and in industrial and commercial facilities. Therefore, I can see that they would want to share in underwriting the efforts of urban reconstruction.

I think this decision of the life insurance companies is significant in another way. It is my impression, based on a number of conversations with officials of Negro-owned life insurance companies, that the large, nation-wide institutions are collecting substantially more in net premiums in the Negro community than they are re-investing in that community. Of course, one cannot document this statistically, but the indirect evidence seems to support the conclusion. As mentioned above, they have written a considerable amount of coverage on Negro lines, and the total is growing rapidly. At the same time, because of the high risk inherent in investing in ghetto properties, the flow of investments to the Negro community, in the judgment of Negro insurance officials, probably falls considerably short of the outflow.

In reporting these observations, let me say immediately that I am not advocating that there should be a one-to-one ratio between the flow of life insurance savings and the re-investment of funds in a particular locality or community. If such a rule were applied across the board, the efficiency of our machinery for mobilizing and channeling funds would be greatly damaged if not essentially destroyed. On the other hand, if extra risk in the urban ghetto has induced life insurance companies, on balance, to steer investments to other areas, there is much to be said in support of a conscious effort on their part to divert funds into the ghetto.

So, in my judgement, this is a good decision. But, how can Negro-owned financial institutions help to translate these plans into effective action. The possibility of joining in local financing of low-cost housing developments (perhaps through limited dividend cooperation) is an obvious step. Apparently, projects involving properties backed by FHA and built to rent on the basis of Federally-subsidized rents, will be among those initially undertaken by the participating insurance companies.

OPPORTUNITIES FOR MORTGAGE BANKERS

But, at some stage presumably, the companies would plan to branch out into expanded financing of other projects in the ghetto—particularly single-family homes, small apartment buildings, and commercial properties. Here, then, one can see even more promising opportunities for the large national institutions to build not simply physical structures but human bridges as well in the ghetto.

It is my impression, based on considerable checking with industry officials, that so far no major life insurance company has designated any of the Negro mortgage bankers as correspondents. Of course, many of the companies have made a considerable number of loans against Negro homes and business properties in urban areas. However, these were effected primarily through white mortgage bankers, through Negro mortgage brokers, or by the companies directly. Moreover, most insurance companies have long-established relationships with one or two mortgage bankers in their principal lending areas. Nevertheless, there appear to be positive advantages which would probably result from the development of correspondence relationships with some of the Negro mortgage bankers—who could not only originate loans but service them as well.

I am told that there are presently some 1,300 mortgage bankers in the country. Eight of these are Negroes who have met the requirements of FHA approval—e.g., that applicant:

Must be a responsible person.

Must have net worth of $100,000 for office in one State, plus another $50,000 for office in noncontiguous States, and $250,000 for offices in several States.

Must have commercial bank lines of credit against warehousing of mortgages.

Must have outlets with institutional investors (such as life insurance companies and mutual savings banks) other than FNMA.

The typical mortgage banker has a net worth of something over $100,000 and services about $50 million of loans a year, although the largest may do a volume of business in excess of $1 billion. The largest of the Negro mortgage bankers has a net worth of $100,000 and originates and services roughly $12 mil-

lion of loans in a year. One-third to two-fifths of this total amount is on behalf of FNMA rather than for private lenders. The other Negro mortgage bankers are said to have a volume of business in the neighborhood of $2–$4 million.

In conversations with a number of officials in Negro-owned institutions (particularly banks and insurance companies) a great deal of stress was put on the need for Negro mortgage bankers to obtain secure correspondent relationships with leading life insurance companies. They believe that such channels would greatly enhance the flow of funds to the ghetto by making available to these lenders a degree of knowledge about local conditions which they cannot otherwise tap. While no one would want to suggest that a particular company should employ a particular person as a correspondent, it does appear—at least at a distance—that there may be merit in some company's pursuing the idea further.

The continuous access to local people with expertise in ghetto housing problems does seem to be a necessary condition of a successful program of the type which the life insurance companies have undertaken. This seems to be one of the over-riding conclusions which has emerged from the experience of the Philadelphia savings banks which launched a similar program in that city about 18 months ago. Four of these institutions pledged to invest $20 million in private homes to be insured by FHA and purchased by residents of the ghetto. The amount was to be distributed among the participating banks on a pro-rata basis according to their assets, and they made it clear that additional funds could be provided. So far they have been able to disburse or firmly commit about $1½ million, although they originally expected to be much farther along toward their goal by the time 18 months had passed. They have encountered a number of obstacles which are only gradually being overcome. It took quite a bit of time to work out procedures with the regional office of FHA, and it took even more time to devise a system for appraising ghetto homes and establishing criteria of eligibility without compromising on income standards. But above all, it took time to make contact with ghetto residents and to instruct many of the potential buyers about the process—and responsibility—of becoming homeowners. While they worked through a local information center and even employed a young lawyer full-time to help expedite the program, they relied mainly on their own personnel supplemented by local mortgage brokers and others active in real estate.

From the experience of the Philadelphia institutions, it seems clear that Negro bankers, insurance company officials, and others with a specialized knowledge acquired through lending funds against ghetto properties could make a major contribution in helping to translate the recently announced $1 billion life insurance company program into a significant effort of urban reconstruction.

OPPORTUNITIES IN JOB-CREATING ENTERPRISES

Beyond the housing field, opportunities will probably also exist to join in the establishment of job-creating enterprises in the ghetto—although only limited planning in this direction has been undertaken by the life insurance companies so far. One concrete example of how this might be done was called to my attention only a few days ago: Just outside the boundary of one of our large midwest cities is an all-Negro community with a population of about 10,000 and a labor force of roughly 5,000—of whom 20 per cent to 25 per cent are unemployed. The reasons for the high unemployment rates are the usual ones, of which a lack of skills is the most important.

The municipal officials have drawn up a development plan and are actively trying to attract industry. A moderate-size machinery manufacturing firm has responded with an offer to establish a plant in the community which would have approximately 300 employees when it reached full strength in about two years. The capital outlay would be about $300 thousand, and the company is prepared to supply $150 thousand. It has asked the city to find the remaining $150 thousand. It appears that about $300 thousand would be required to underwrite the on-the-job training program necessary to fit most of the local potential employees for the semi-skilled assignments which the plant would provide. It also appears that training funds may be available through existing Federal Government programs. Thus, the net requirement is for $150 thousand for plant facilities. Here, then, is a natural opportunity for Negro businessmen and bankers in that midwest community to join with a life insurance company participating in the newly-announced investment program to translate a plan into a going enterprise offering jobs to ghetto residents. I am confident that simliar opportunities exist in every one of our major cities.

I urge the National Bankers Association to share in the identification and development of these opportunities. Our citizens in the ghetto—and particularly their children—will be eternally grateful to all of you.

OFFICE OF ECONOMIC OPPORTUNITY

Mr. TOWER. Mr. President, in the past few months there has been much controversy concerning the Office of Economic Opportunity. During all of the controversy the supporters of OEO have maintained that this organization, while it has some shortcomings, has striven valiantly to do a very difficult task. Truly, in some areas the OEO has expended a lot of energy and has achieved some results. Project Headstart is one example of this.

However, in all too many instances, this simply has not been the case. In fact, it often has been virtually impossible for Members of Congress to find out what is going on even in the OEO Washington headquarters. Once I wrote personally to the Director of the OEO concerning a most urgent matter; some 5 weeks later, I had still not received a reply. In the most recent case, which prompts my brief remarks today, I received a letter from a constituent asking some questions about OEO operations. So that he may have their explanation of the matter, I forwarded this letter to the OEO on July 25 for comment.

I received a reply to this inquiry on October 12, some 11 weeks later. I can only conclude that OEO's bureaucratic confusion is so massive that it takes 80 to 90 days even for the most routine letter to be answered.

This fact points out one of the most outstanding problems that not only Congress, but citizens as well, face in trying to deal with the OEO.

Again I suggest that with a little more efficiency in that office, perhaps some of their programs could be better consummated, waste identified, and problems solved.

NATIONAL SECURITY

Mr. PASTORE. Mr. President, on October 11, 1967, the junior Senator from Washington [Mr. JACKSON] delivered a most interesting address entitled "National Security: Basic Tasks." This address was to the Hoover Institution on War, Revolution, and Peace Conference on 50 Years of Communism in Russia. I highly recommend this to the Senate and ask unanimous consent that a copy of this address be inserted in the RECORD.

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

NATIONAL SECURITY: BASIC TASKS

(Address to the Hoover Institution on War, Revolution, and Peace Conference on 50 Years of Communism in Russia, by Senator HENRY M. JACKSON, Stanford University Memorial Auditorium, October 11, 1967)

I am delighted to be with you this evening. I am honored to share in this truly significant conference. It is also very good to be back at Stanford University.

I guess you would classify me as a Stanford drop-out. I attended school here during the summer of 1931 and took two courses under Dr. Graham Stuart, one on the League of Nations and the other on international relations. On his advice, due to the deepening depression and the manpower ceiling in the Department of State, I undertook the study of law rather than my previous plan to prepare for the Foreign Service. Your Dr. Stuart was and is a great inspiration to me.

I

Unlike Paul Bunyan's Flu-flu bird—that didn't care where it was going, it only wanted to see where it had been—we are looking at the past in these meetings in order to find clues to the future. By gaining a better understanding of the last half-century we hope to be able to use our wits and wisdom to help shape events of the next half-century.

That comment reveals, I suppose, a political perspective. Some of you write history; the politician reads history to discover its operational significance to him in his work. What does it tell him that will help him to distinguish the wise from the less wise choices he faces from day to day?

II

In 1967, as throughout the postwar period, the conflict of purposes and policies between the United States and the Soviet Union is the conflict that must be successfully managed if our children are to inherit a nation and a world whose future possibilities have not been foreclosed.

There is a belief in some quarters that the cold war storms are abating and that the worst of our problems with the Soviet Union are behind us. The relative tempering of behavior since Stalin has encouraged many people to believe that the Kremlin, if not yet content with the *status quo*, is not acutely dissatisfied with it. Other people assure us that Moscow will not attempt to adjust by force existing spheres of influence. Some people even see Communist China as the one source of disturbance and danger in today's world—and tomorrow's—and the Sino-Soviet rift as the doorway through which the Soviet Union may step to rejoin Western society.

Experience *has* produced some leavening of world revolutionary dogmatism. The shaping forces of the modern world have not bypassed the Soviet Union. Moscow, like Washington, now is aware of the risks of nuclear war to Soviet society, and Soviet leaders seem to have some understanding of the need to prevent the accidents, miscalculations, or failures of communication that could lead to catastrophe. The vigorous development and application of science and technology have not only multiplied the capacity to wage war but also the capacity to

produce consumer goods and services. The demand by Soviet citizens for improvements in living standards have thus been encouraged. These same advances in science and technology have brought about a somewhat wider diffusion of power internally. A restoration of Stalinism would today be difficult, if not impossible. The worldwide appeal of democratic ideas has touched Soviet society also—and where lip-service is paid to these ideas, in time mere lip-service may not be enough. The events of the century reveal no weakening of the political force of nationalism, as the Kremlin has learned in its relations with many communist regimes, and particularly with China.

Although everyone now says "polycentric" where some used to say "monolithic," it does not follow that Moscow is about to make common cause with the West. There is a hopeful side to the picture, but it is not the only side.

I do not know how to assess Soviet foreign policy in recent years except as an effort to extend the frontiers of Soviet influence whenever the risks seemed to be acceptable. How else should we read the several Berlin crises or the Cuban missile crisis? Khrushchev has not been criticized in Kremlin circles, by the way, for what he was trying to accomplish by installing missiles in Cuba, but for failing—by biting off more than he could chew.

Moscow's heavy responsibility for the situation in Vietnam also illustrates my point: it has given Hanoi steady and substantial military and diplomatic support. Moscow has helped to train and equip Hanoi's forces and is now the North's principal source of supply. Hanoi is one of the two or three best-defended cities in the world, thanks to Soviet anti-aircraft installations. Late-model Soviet rockets are being used against our bases and our forces on land and sea. In light of the evidence one must ask whether the Soviet Union desires a compromise settlement. Its behavior suggests that it would welcome our humiliation but that it will be careful to keep itself insulated against excessive risks.

On the other side of the world, Moscow is deeply involved in a political campaign, backed by all the elements of Soviet power, to reduce the influence of the United States in Western Europe to the point where NATO will disintegrate. Just this year, at the Karlovy Vary Conference of Communist and Workers Parties of Europe, Brezhnev took the lead in issuing a call to European communist parties and to West European socialist and social democratic parties to try to disrupt the NATO Alliance by 1969, in the expectation that Moscow could deal thereafter with a fragmented Europe of small and medium-sized states, with obvious implications for the ability of these states, including the German Federal Republic, to pursue policies not meeting with Soviet approval.

Moscow's large political, economic, and military investments in the Middle East underlie the events of last May and June, and dramatically support my point, even though, in the Kremlin's view, its efforts miscarried. It was not until events threatened to embroil the Soviet Union in an excessively hazardous enterprise that the Kremlin opted for a policy of caution.

My own reading of events, therefore, suggests that where we find the Kremlin acting with circumspection, it is because, to use their phrase, "objective conditions" impose this requirement. Where the "objective conditions" are propitious, however, the Kremlin is encouraged to act boldly to expand the frontiers of its influence. The circumstances are thus created for the most dangerous confrontation—a showdown between nuclear powers.

It is difficult, if not impossible, for anyone on the outside to know whether the Soviet leadership, at any given moment, is in a cautious or risk-taking mood. Nothing is more guarded than the discussions that take place within the Kremlin. Perhaps Kosygin, Brezhnev and company will avoid daring adventures—at least in Europe; I would be less sure, about, say, the Middle East. For even a sense of caution about a direct US-USSR confrontation still leaves open a large arena for so-called "wars of national liberation" and political conflicts waged through proxies and mercenaries needled into action by Moscow. The constant danger is that any one such lesser war or conflict-by-proxy may lead to a nuclear showdown.

And how long will the present Soviet leaders lead? Few, if any, students of Soviet affairs anticipated Khrushchev's ouster, and few are likely to anticipate the next shift, or the policy changes it may precipitate.

In any event, as I look back upon our experience, I find a strong correlation between Soviet prudence and restraint and the firmness and capabilities of the West.

Also, as the record shows, Soviet leaders can be reasonable in one field and unreasonable in another—blunt and ready to do business on some issues, crafty and unpredictable on others. Indeed, on any given matter they can twist and turn, thaw and freeze, agree and disagree, and, with no embarrassment whatsoever, trot out on alternate days a black-hatted Fedorenko and a white-hatted Dobrynin.

We should have learned by now that the way to encourage a reasonable response from Moscow is not through weakness but through strength. The way to negotiate successfully with Soviet leaders is to maintain the strength to make negotiated agreements more attractive to them than continued disagreements—as in the case of the Austrian Peace Treaty and the limited nuclear test-ban treaty.

III

In relations with the Soviet Union the free world must pursue two consonant courses of action: to work with them where interests converge, and at the same time to maintain the strength and the resolve to discourage peace-upsetting moves by them.

It was with this point of view on East-West relations that I voted for the limited nuclear test-ban treaty—and also worked to obtain the Administration's pledges to continue actively with the nuclear testing permitted under the treaty and to maintain in a state of readiness a program for atmospheric tests in the event of abrogation of the treaty or other circumstances placing the supreme interests of the nation in jeopardy.

It is with this point of view that I have favored efforts to limit the spread of nuclear weapons—and at the same time have opposed major concessions in the treaty negotiations without any compensating changes of policy on the Soviet side.

For similar reasons I have favored discussions with Moscow about freezing the development of strategic defensive weapons—and at the same time voted to appropriate funds to begin the production and deployment of a "thin" ABM system, and argued against indefinitely delaying such a deployment. I have sought a high priority for a research and development program to develop, if we can, the tools for an effective defense against the kind of missile attack that, as of today, only the Soviet Union could launch.

For similar reasons I have supported West German efforts to move toward normal relations with Eastern Europe and the Soviet Union, including expanded cultural, scientific, trade, and diplomatic contact. At the same time, I have opposed substantial unilateral reductions of American forces in Western Europe and I have argued the still fresh and compelling need for the Atlantic Alliance and its international commands.

It is with this point of view that I have urged the importance of frequent and frank discussions between the United States and the Soviet Union, in order that each side might gain a clearer understanding of the range and limits of the other's intentions and actions and that we and they might work toward an identification of areas of common or parallel interest, in Vietnam and elsewhere. At the same time, I have tried to counteract the siren song that goes: "if we trust the communists, they will trust us." A favorite quotation of mine is one from Reinhold Niebuhr:

"If the democratic nations fail, their failure must be partly attributed to the faulty strategy of idealists who have too many illusions when they face realists who have too little conscience."

IV

Frankly, I am deeply concerned at a tendency I discern in some current thinking about American military policy. Some scientists and civilian officials have a mirror image interpretation of Moscow's decisions relating to its military establishment, seeing them as reflex actions—a tit-for-tat, action-reaction view of the Soviet arms buildup. Implicit (and sometimes explicit) in this view is the belief that if the U.S. did not act the Soviet Union would not act. Sometimes the argument is taken even farther: if the U.S. acted to reduce its military programs, the Soviet Union would reciprocate, in what could be called *a policy of minus-tit for minus-tat.*

That is one possible model of Soviet behavior, but the policy-maker cannot rely on it until and unless it is supported by convincing evidence that the model describes not how the Soviet Union *might* act, but how it *does* act. There is, of course, a relationship between the U.S. strategic posture and that of the Soviet Union. I am sure the Russians have a real fear of our awesome military might. Yet as I read the evidence, the Russian aspiration to possess a first-rate military establishment stems from other factors as well, from a perspective that goes beyond the theories of deterrence that have gained popularity over the last twenty years.

One factor is the long-implanted belief that Russia is threatened at various points along its tremendously long land borders. The Soviets have lost tens of millions in the wars of this century and it is not surprising that they display a passionate, at times paranoid, concern for the security of their frontiers. Another factor is the propensity of Soviet leaders, given their interpretation of history, to impute to the "capitalist-imperialist" West, the worst of intentions. Over and beyond this, of course, the thinking of Soviet leaders is conditioned by their own conception of the Soviet Union's historic role, which is still defined in the familiar vocabulary of world revolution.

We cannot ignore the fact that it was the Soviet Union which acted first to develop long-range intercontinental surface to surface missiles, and the U.S. which followed. It is the Soviet Union which has acted first to deploy an ABM set-up, and the U.S. is following.

Some American scientists and civilian officials have done the nation a poor service by propagandizing a notion contrary to all the evidence namely, the idea that military technology has arrived at a "plateau," that the "scientific military revolution" has been "stabilized," and that no new technological upsets which could affect military relationships are likely. Ordinary economic technology is always finding better ways to do things and there is no reason to suppose that military technology will cease in this effort. Missile technology, for example, is advancing in almost all fields of offense and defense—payload, accuracy, guidance, maneuverability, and multiple warheads.

What is the evidence that if we unilaterally reduce our own military programs, the Soviet Union will reciprocate? We do have

some experience to go on. It may not be conclusive, but we should face up to it.

Some time ago our government announced a top limit on the number of our strategic missiles for deployment—both land and sea based. But Moscow, according to its own statements, has been working hard to narrow the missile gap that limited its range of options in the Cuban crisis of 1962. Moscow has just increased by 50 percent in one year the number of its operational intercontinental ballistic missiles. A year ago the ratio of American to Russian ICBMs and submarine-launched ballistic missiles was 3 to 1; the present ratio is less than that.

The argument is made that this declining ratio in offensive strategic capability can be offset by the U.S. move to multiple warheads. If past experience in the development of critical weapons is any guide, however, we must assume that the Soviets are also on the multiple warhead course. We need to remember that the larger missile payload the Soviets can mount on their bigger missiles gives them the capability to deploy more nuclear warheads per missile than we can.

Sometime ago our government phased out our land-based intermediate-range ballistic missiles and we have reason to believe the Soviet Union understood that we were trying to eliminate a possible source of misunderstanding about our intentions. Yet the Russians have maintained 700 to 800 medium-range and intermediate-range ballistic missile launchers, most of which are targeted on Western Europe.

Consider also our experience with the anti-ballistic missile. Our government put off a decision to start deploying a "thin" ABM system in the hope that the Soviet Union would see the mutual advantages in mutually foregoing further developments in defenses against missiles, thus releasing Soviet and American resources for urgent and constructive purposes in the world.

Moscow, however, is going about *its* business, not *ours*. An ABM system in Soviet hands lends itself superbly to the bluffing and blackmail that have all too often been hallmarks of Soviet policy. Would a U.S. without ABMs maintain its firm resolve if a USSR with ABMs began a series of step-by-step moves against Berlin? As Soviet planners "cold-war game" with the forces of the 1970s, they are surely asking themselves questions of this kind. So should we.

Obviously the Soviet rulers do not accept the notion that military technology stands on a "plateau." Perhaps no single breakthrough would be as significant as the developments leading to the H-bomb or the ICBM, although I would not want to bet on that. In any case an accumulation of less dramatic inventions could have major significance, and could critically affect the present balance of forces.

V

I must also say, I am profoundly concerned at another tendency I note in the current discussion of American military policy. Top Defense officials are telling us that "nuclear superiority has only limited relevance today" and that "today, in the nuclear age, nuclear superiority is of limited significance." What do statements like that mean? While continuing to describe our policy as one of maintaining nuclear superiority over the Soviet Union, are we in fact embarked on a different course? Have top Defense officials accepted the hypothesis that nuclear superiority constitutes a provocation to the other side to build up its strength? Is nuclear parity now our goal? Have top Defense officials come to think that missile defense against the Soviets is a destabilizing influence in world affairs, and that an effective missile defense should not be one of our objectives?

These are not rhetorical questions. I do not know the answers. I do suggest that if such assumptions are entering into the making of American military policy, they should be ventilated and debated thoroughly—and not quietly substituted for the assumptions on which we have been acting. The questions involve what would be a radical change in American policy. I believe it could be the road to catastrophe.

If, for example, the Soviet Union comes out ahead in the search for an effective anti-missile system, the relationship on which our defense planners have counted to maintain political stability by discouraging a diplomacy of blackmail will be reversed. The consequences for the West could be calamitous.

As I see things, international peace and security depend not on a parity of power but on a preponderance of power in the peace-keepers over the peace-upsetters.

Our aim is not, of course, an unlimited accumulation of weapons. Our policy has been—and I believe it should continue to be—to create and maintain, in cooperation with our allies, a relationship of forces favorable to the deterrence of adventurism and aggression. The road to disaster would be to permit an unfavorable relationship of forces to arise.

VI

In all this the productive power of the American economy is a factor of great importance. Last year our gross national product exceeded $740 billion. By the end of this year it will approach an $800 billion rate. Total current output of our NATO allies is more than $500 billion, so that together the fifteen allies have a productive capacity well over $1 trillion. Although GNP comparisons must be used with care and do not necessarily indicate what societies can or will allocate to military purposes, it is worth noting that Soviet productive capacity is estimated at less than $350 billion, and that the figure for all communist countries combined is estimated at less than $600 billion.

The USSR with a large command economy can afford to build a fairly complete arsenal of sophisticated weapons. But in terms of outlays of money, materials, and manpower for military and foreign programs, there is no doubt that the Soviet Union is operating under more severe economic constraints than the West. We have the economic power to help build a healthier world economy and to give prudent support to the efforts of developing countries to raise their productivity. The superior industrial and agricultural power of the West might yet be a trump card in the long effort to arrive at mutually advantageous arrangements and agreements on the control and limitations of arms and in other fields. If this card is to remain in our hand, however, the Executive Branch and Congress must be ready to make the hard decisions needed to assure continued, steady, non-inflationary growth.

We want to walk the road of cooperation with any who will accompany us. We want a world in which reconciliation and peace prevail. It is a noble cause. But a cause must have its champions, and we may take pride in being counted among them.

DISCONTINUANCE OF RAILROAD POST OFFICES

Mr. HANSEN. Mr. President, when the Post Office Department began discontinuing railroad post offices throughout our Nation, I cosponsored, with a number of other Senators, Senate Concurrent Resolution 25. This resolution proposed a moratorium upon all future discontinuances at least until a complete and comprehensive study could be made of RPO's by the Department of Transportation. It was advanced in hopes of determining the most economically advantageous program for the long as well as the short run.

Yet, despite the pleas of a number of Senators from both sides of the aisle, despite the protestations of several State Governors, the Post Office Department continued its policy of abolishing RPO's. This policy was undertaken without adequate planning, without adequate investigation, and without a long-range look at the needs that had to be met. The effects of this shortsighted policy are now coming to the fore.

One such effect has been the slowing down of mail deliveries. At this point, I ask unanimous consent that two letters from Mr. Quentin Ackels, a resident of Cheyenne, Wyo., be inserted in the RECORD, along with my remarks to reveal the inefficiency which seems to have become Post Office Department policy since the abolition of RPO's.

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

CHEYENNE, WYO.,
September 29, 1967.

Senator CLIFFORD HANSEN,
Washington, D.C.

DEAR SENATOR HANSEN: I suppose you are sick and tired of hearing about the Post Office Department but if their policies prevail over the objections of thousands of railmen, business leaders and labor unions my 31 years seniority is going down the drain and unlike the RPO clerks, when I'm out, the UP isn't going to transfer me or retire me.

My comments follow—

The Postal Department is shipping mail in freight service that was previously handled on our Streamliners and Mail and Express trains 5 and 6 between Omaha and the West Coast and on UP trains 27 and 28 which operated only between Omaha and Cheyenne. I understand its 20% cheaper rates handled in freight service. The loss of these cars on train 27–28 has allowed the UP to consolidate these trains with trains 105–106. This move alone cut off 3 engineers, 3 firemen, 2 brakemen, 1 conductor, 5 baggagemen and 3 mail pilers.

Now, trains 5 and 6 are headed for the same fate that has overtaken trains 27–28. Train 5 is down to about 6 cars from its usual 35 to 40 and there is strong talk of it being cut off entirely because they are handling 5's mail cars on freight trains. If this set of trains are abolished it will result in the loss of at least 200 rail jobs thru the area the trains serve. (Omaha to Los Angeles with part of the train splitting at Ogden, Utah, for San Francisco.)

The Post Office has started shipping all the Wyoming mail captured at Omaha for Laramie, Rawlins, Rock Springs, Green River and Evanston into Cheyenne in freight service and then they give it to a truck for delivery from here. All this mail was previously handled on train 5 and was put off this train by a team of 4 mail pilers who reside in Cheyenne. They expect to be laid off in October.

The first Wyoming mail received at Cheyenne under this new freight service arrived Sunday, September 24, about midnite. I went out on train 103 the 25th at 10:45 AM. I noticed they had about 200 sacks of Wyoming shorts on the trucks and told the boys what car I wanted it loaded into and they laughed and said the Postal Service wouldn't let them load it on a train, that a truck was to come at midnite, September 25th, to pick up and deliver.

I just learned from friends today that this mail was picked up about 1 AM, September 26, and was taken as far as Laramie by truck. For some unknown reason this mail was taken to the Laramie depot and loaded back on our passenger trains on September

26. Again, mail received here in freight service the morning of September 28, was allowed to stand on the platform trucks while three crack streamliners passed it up so it could be dispatched on a truck about 1 AM the 29th. The bulk of this shipment was taken only as far as Laramie. I was at the depot today (29) when the Agent called and alerted the baggagemen on our streamliners to be prepared to pick up 135 sacks left there by this truck.

Now, if you study my letter closely you will note it takes days to get this mail from Omaha to Laramie. Isn't this a dirty shame when all of Southern Wyoming can get one day service from Omaha on our trains?

The railroad grapevine has it that trains 17–18 Kansas City to Portland are to be abolished. People tend to scoff at these rumors but in my 30 years with the railroad most of the big rumors have materialized.

In closing, thank you for your time and consideration.

Yours truly,

QUENTIN ACKELS.

P.S.—We want and need this mail back to the trains. I forgot to mention the loss of this local mail will cost in addition to the mail pilers, at least one man at each station across Wyoming.

CHEYENNE, WYO.,
October 2, 1967.

Senator CLIFFORD HANSEN,
Washington, D.C.

DEAR SENATOR HANSEN: I don't want to make a nuisance of myself but if you don't object, I'd like to keep you informed of instances where the mail is being mishandled by the trucks.

The boys at Cheyenne advise me they unloaded an undetermined amount of South Dakota mail from train 6, at 7 a.m. September 29, and sent it to the Post Office to be trucked to destination. Apparently, it was too big a load and fifty seven pieces of this mail was returned to our trains the evening of 9–29–67 for handling thru to Omaha.

The exorbitant delay is at once apparent.

To continue the thoughts I've presented you in my first letter. This continued expansion of the truck service plus changing the storage mails from our mail trains to freight trains can't help but kill our passenger trains. The average person doesn't realize that every one of our fast passenger trains have mail and baggage cars and they have to have something in them for the UP to meet expenses.

Can't the Post Office figure out some way to keep everyone alive, railroads and trucks alike, without forcing a bunch of us old fellows into the Job Corps.

Respectfully,

QUENTIN ACKELS.

IT'S TIME FOR DISSENT AGAINST THE DISSENTERS

Mr. MUNDT. Mr. President, on Wednesday evening, October 11, 1967, Joseph A. Scerra, of Gardner, Mass., commander in chief of the Veterans of Foreign Wars of the United States, spoke in Redfield, S. Dak., at a great testimonial program for the new junior vice commander in chief, Ray Gallagher, of Redfield. It was a thrilling and memorable occasion for the overflow audience assembling in Redfield from all over South Dakota and from our neighboring States. Joe Scerra's address was enthusiastically received.

Ray Gallagher, able attorney and community leader, is a typical South Dakota product. Born in Sioux Falls, S. Dak., on July 29, 1921, Ray graduated from the University of South Dakota with his LL.B. degree awarded by our nationally recognized College of Law, which is a proud part of our university complex.

I know from my personal talks with Ray that he abundantly shares the points of view expressed by the commander in chief of the VFW in his South Dakota address which was accorded National news coverage.

Mr. President, before concluding this presentation, I want to pay my personal tribute to Ray Gallagher and his charming wife, Trixie, and to join in the congratulations so amply due him for his achievements to date and for the new VFW office to which he was recently elected in which I am sure he will perform effectively, impartially, and with customary candor and courage.

Mr. President, I ask unanimous consent to have printed in the RECORD the address delivered by Joe Scerra, and also a complete biographical sketch of Ray Gallagher, of whom the Nation is destined to hear much more in years to come.

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

IT'S TIME TO DISSENT AGAINST THE DISSENTERS

(Remarks by Joseph A. Scerra, Gardner, Mass., commander in chief of the Veterans of Foreign Wars of the United States, at Redfield, S. Dak., October 11, 1967)

It is high time some of the amateur diplomats, professional politicians, armchair generals and would-be Presidents in our nation be reminded that their continuing harsh and distorted criticism of America's continuing stand against aggression in Vietnam is harmful to the success of our mission and to the security of our nation.

It may not be their intention, but these self-appointed experts of international military and political strategy are providing false hope and misleading comfort to the enemy. They—no less, and perhaps even more, than the so-called anti-war demonstrators—are actually helping to prolong the war rather than to shorten it, as they so zealously claim is their objective. Their expressions of dissent and protest provide the North Vietnamese with a reason to believe they can achieve the victory our men in uniform are denying them on the battlefront through a split in our ranks on the home front.

The devisive antics of the peaceniks, beatniks and draft card burners can perhaps be blamed on ignorance or immaturity. It is difficult, however, to find any excuse for the increasing tendency of certain members of Congress and other elected officials to assume they somehow have acquired a special insight and wisdom which qualifies them to render better judgments on policies and actions than the Secretary of Defense, the Secretary of State or the Commander-in-Chief.

Never in the history of our nation has there been a greater need for national unity and support of our constituted leaders. The withholding of traditional bi-partisan Congressional support from the President in the conduct of foreign policy can only serve to undercut his bargaining strength with our enemies and diminish his stature among our friends.

Our military leaders report that our military position in Vietnam has improved considerably in recent months. We have gained the offensive and the enemy has sustained crippling losses in men and materials that have destroyed his ability to effectively continue his course of aggression. However, although the North Vietnamese can find little comfort in the trend of the war itself, they have only to read the statements of some of our Senators and Representatives to find reason to believe they can outlast our will even if they cannot outgun our fighting men. Almost daily, a Member of Congress furnishes the enemy with fresh signs of what he can easily misinterpret as a weakening of our staying power.

It is difficult for our enemies to understand that America's freedom to debate and dissent does not mean a lack of resolve to honor our commitments. We Americans respect the right of the individual to dissent. But too often the enemy quotes the words of our debaters and dissenters in their newspapers and on their broadcasts as a means of bolstering the sagging morale of their own fighting men.

It is indeed unfortunate that the pressure that our guns and bombs bring to bear on the enemy in an effort to lead him to the negotiating table in response to the President's repeated requests for peace talks is continually negated by the words of the dissenters in the U.S. Congress.

Some of the dissenters say we should halt our bombing of North Vietnam. Yet they do not ask that the enemy provide any assurances that he will respond with a comparable deescalation in military activity, or that he will not use the occasion to build up his weaponry and manpower so that he can launch new offensives and kill more of our American troops.

Some of the dissenters want to restrict our military activities to the defense of isolated enclaves. Yet they do not explain how this will help the South Vietnamese achieve freedom for the people outside these limited areas or how this will help resolve the conflict.

Some of the dissenters even call for a complete withdrawal of our troops. Yet they do not say how we can explain this abrogation of our commitment to the other small nations of the free world who look to us as a bulwark against Communist aggression.

The dissenters do not have a monopoly on a desire for peace.

What the dissenters in Congress and elsewhere seem to forget is that the Administration has tried halting the bombing of North Vietnam a number of times, but they have all gone unheeded by Hanoi.

The Administration has repeatedly offered to hold unconditional negotiations with the North Vietnamese and the Viet Cong but all overtures have been rejected.

The Administration has honored cease fire agreements during certain holiday observances, but the enemy has used them to infiltrate our lines and reinforce his positions.

The Administration has conferred with every interested nation and used every available channel, including the United Nations, in its efforts to find some method for bringing about a meaningful cessation of hostilities.

Peace, unfortunately, can not be achieved merely by making speeches on the floors of Congress or by holding demonstrations in the streets of our cities. And peace cannot be brought about by one side alone.

The enemy must be made to realize that he cannot achieve his goals of expansion and domination by military aggression. He must understand that this nation is committed to the defense of freedom in South Vietnam and that this nation honors its commitments. He must not be permitted the luxury of drawing succor, no matter how unjustified, from the misleading statements of the dissenters within our midst.

We do not need another pause in the bombing of North Vietnam to convince Hanoi of our desire for peace. We tried that, and it didn't work.

What we need to try now is a pause in irresponsible dissent to demonstrate our strength of purpose and unity of spirit.

President Kennedy said "The cost of freedom is always high but Americans have always paid it. And one path we shall never choose, and that is the path of surrender or submission."

The path to a just peace is the one where we present a united front to the enemy, so that he will not fail to recognize the futility of his aggressive course of action.

I, therefore, personally call upon our Senators and Representatives to support the Administration in fulfilling its pledge to support our fighting men in Vietnam and to work for a just and honorable peace in Vietnam.

At the same time, I urge every member of the V.F.W. and every American citizen to embark on the most massive letter writing campaign in the history of this nation. I urge that he write his own Senators and Congressman to adhere to our traditional Constitutional procedures for the conduct of war and foreign affairs and to support—not hamper—our Secretaries of State and Defense and the President of the United States in the conduct of their awesome tasks. You should also send copies of your letters to the White House, so that our President will know his countrymen stand behind him in this hour of trial.

I have never asked the members of the V.F.W. to write their Congressmen for any specific purpose before, but I do so now because I feel the need is critical. Let your Senators and Congressman know how the veterans of this nation feel about our commitment in Vietnam.

If he supports the Administration's stand in Vietnam, let him know how much you appreciate it. But if he has been among the dissenters, let him know that now is time for our nation to stand together in its defense of freedom and its quest for peace.

RAYMOND A. GALLAGHER, JUNIOR VICE COMMANDER IN CHIEF, VETERANS OF FOREIGN WARS OF THE UNITED STATES

Raymond A. Gallagher, Redfield, South Dakota where he is a Life Member of V.F.W. Post 2755, was elected Junior Vice Commander-in-Chief of the Veterans of Foreign Wars of the United States at the organization's 68th Annual National Convention August 25, 1967 in New Orleans, Louisiana. On August 26, 1966 he was elected Judge Advocate General at the 67th Annual National Convention held in New York City. At that time he was a member of the National Council of Administration, representing the Departments of North Dakota, South Dakota and Nebraska.

Born in Sioux Falls, South Dakota, July 29, 1921, he attended Millsaps College, Jackson, Miss. and the University of South Dakota, where he received his LLB Degree. He presently practices law in Redfield with the firm of Gallagher and Battey.

From September 1942 to May 1946 the Junior Vice Commander-in-Chief served with the U.S. Navy, as an enlisted man. After training at Asbury Park, New Jersey and at Midshipmen School, Cornell University, Ithaca, New York, he served on LST duty in the Asiatic-Pacific theatre. His decorations include the Philippine Liberation Medal.

In 1946 Gallagher joined V.F.W. Post 4674 at Winner, South Dakota, later transferring to Post 2755 at Redfield, where he served through the various posts to Post Commander. He went on to become District Commander in 1962. On a Department level he progressed to Commander during 1964–65. While serving as Department membership chairman, he produced the highest percentage of increase in membership in the history of the Department of South Dakota. Among innovations adopted during his year as Commander of the Department was the annual Legislative Conference which has been adopted as a permanent program.

Gallagher has served as President of the Redfield Chamber of Commerce, as Chairman of the Redfield Community Fund (which he founded), past president of the Spink County Mental Health Division and as Chairman of the Sioux Falls Diocesan Aid Program. He is a former member of the South Dakota Veterans Commission and is a member of the American Legion, the Disabled American Veterans, Military Order of Cooties, Redfield Baseball Board, Knights of Columbus, Elks, the State Bar Association of South Dakota and the American Bar Association.

He is married to the former Theresa Meyers. The Gallaghers have four children—Patrick, Thomas, Mary Ann and Edward.

CONCLUSION OF THE WORLD SERIES

Mr. BROOKE. Mr. President, although I do this with a somewhat heavy heart, nevertheless I warmly and sincerely congratulate the distinguished Senators from Missouri [Mr. SYMINGTON and Mr. LONG] upon the great victory the St. Louis Cardinals achieved last Thursday in Boston's Fenway Park.

It is certainly never a disgrace to lose to real champions, and there can be no doubt that Manager Red Schoendienst's extraordinary team deserves the title of World Champions. They have lived up to their reputation as skillful competitors and fine sportsmen. I wish them success in next year's pennant race and look forward to a return series next October in Fenway Park and Busch Memorial Stadium.

But, Mr. President, once again I want to salute the Boston Red Sox and to commend Manager Dick Williams, owner Tom Yawkey, and each and every member of our stout-hearted team. Massachusetts is proud of them. Coming into the World Series after their electrifying capture of the American League pennant, the fine showing by the Red Sox throughout the seven-game series has given people all over the world the thrill of a lifetime and has filled us all with nothing but respect and admiration.

I fear that this is an instance when I cannot truthfully say that it just "wasn't in the cards." For anybody watching the final game will have to concede that it was "in the Cards!"

Mr. President, I had hoped not to revert to this subject again, but alas, I am compelled to say, "Wait 'til next year!"

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there any further morning business? If not, morning business is concluded.

AMENDMENT OF THE SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

Mr. BYRD of West Virginia. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 498, S. 2171.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2171) to amend the Subversive Activities Control Act of 1950, so as to accord with certain decisions of the courts.

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 resumed the consideration of 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 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 OFFICE. Without objection, it is so ordered.

DESIGNATION OF SAN RAFAEL WILDERNESS, LOS PADRES NATIONAL FOREST IN THE STATE OF CALIFORNIA

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Washington [Mr. JACKSON], I ask the Chair to lay before the Senate the amendment of the House of Representatives to S. 889.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 889) to designate the San Rafael Wilderness, Los Padres National Forest, in the State of California which was, to strike out all after the enacting clause and insert:

That, in accordance with section 3, subsection (b), of the Wilderness Act (78 Stat. 891), the area shown on the map entitled "Los Padres National Forest, San Rafael Wilderness, proposed", revised July 1967, is hereby designated the San Rafael Wilderness. Said map is and shall continue to be kept on file and available for public inspection in the office of the Chief of the Forest Service, Department of Agriculture, and the area thereon shown, comprising approximately one hundred and forty-five thousand acres, is within and shall continue to be a part of Los Padres National Forest.

SEC. 2. As soon as practicable after this Act takes effect, the Secretary of Agriculture shall file a map and a legal description of the San Rafael Wilderness with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives and such description shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal description and map may be made.

SEC. 3. The San Rafael Wilderness shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

Mr. BYRD of West Virginia. Mr. President, I move that the Senate disagree to the amendment of the House of Representatives, 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 Officer appointed Mr. JACKSON, Mr. ANDERSON, Mr. CHURCH, Mr. KUCHEL, and Mr. ALLOTT conferees on the part of the Senate.

Mr. BYRD of West Virginia. 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. 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.

AUTHORIZATION OF FEASIBILITY INVESTIGATIONS FOR WATER RESOURCE DEVELOPMENT

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Washington [Mr. JACKSON] I ask the Chair to lay before the Senate a message from the House of Representatives on the bill S. 1788, with the amendments of the House of Representatives thereto.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1788) to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments, which were, to strike out all after the enacting clause and insert:

That the Secretary of the Interior is hereby authorized to engage in feasibility studies of the following proposals:

1. Missouri River Basin project, Garrison division, Garrison diversion unit, Minot extension, in the vicinity of Minot, North Dakota.

2. Mogollon Mesa project, Winslow-Holbrook division in the Little Colorado River Basin in the vicinity of Winslow and Holbrook, Arizona.

3. Mountain Park project in the vicinity of Altus, Oklahoma.

4. Retrop project on the North Fork of the Red River in the vicinity of the W. C. Austin project, Oklahoma.

5. Washita River Basin project, Foss Dam and Reservoir water quality investigation, on the Washita River near Clinton, Oklahoma.

6. Rogue River Basin project, Evans Valley division, on Evans Creek, a tributary of the Rogue River, in southwestern Oregon.

SEC. 2. The Secretary of the Interior is authorized to undertake investigations and prepare a reconnaissance report on the California coastal diversion project, consisting of subsurface offshore conveyance of water from the Eel-Klamath River areas to an appropriate terminal point in Southern California.

And to amend the title so as to read: "An act to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments, and for other purposes."

Mr. BYRD of West Virginia. Mr. President, the Senator from Washington [Mr. JACKSON] who is necessarily absent, has prepared a statement which he has asked me to read for him.

STATEMENT BY SENATOR JACKSON—READ BY SENATOR BYRD OF WEST VIRGINIA

Mr. JACKSON. Mr. President, section 8 of the Federal Water Project Recreation Act—Public Law 89-72, 79 Stat. 213—requires that the preparation of any feasibility report on water resource developments under reclamation law must be specifically authorized by law. The purpose of S. 1788 is to authorize the Secretary of the Interior to undertake investigations and prepare feasibility reports on specified water resource development proposals.

The House of Representatives amended section 1 of S. 1788 to authorize feasibility investigations of two additional projects: the Foss Dam and Reservoir water quality investigation and the Evans Valley division of the Rogue River project. I propose that the Senate accept these amendments.

Section 2 of the House-passed bill, however, purports to authorize the Secretary of the Interior to undertake investigations and to prepare a "reconnaissance report" on a specific water development proposal. The House Interior Committee's report—Report No. 635—states that this amendment was adopted "to indicate the committee's desire that this particular reconnaissance study be made at the earliest possible date."

Under existing law the Secretary does not need specific legislative authority to undertake and prepare reconnaissance reports. The Secretary has authority to request funds for reconnaissance investigations and, as a result, this section of the bill is not necessary.

The views of the Department on section 2 were requested and are stated in their letter of September 25, 1967. In brief, the Department's views are that, first, the Department has adequate authority to engage in reconnaissance studies; second, they are currently engaged in feasibility studies in the area proposed for study by section 2; third, until water supply studies of this area are completed a reconnaissance study would be premature. I ask unanimous consent that this letter be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. JACKSON. The Senate Interior Committee made a policy determination during the 89th Congress that feasibility authorization bills should not include either directives or authorizations to undertake reconnaissance investigations—see committee report on S. 3034, 89th Congress, report No. 1368, pages 8, 9. During the executive session on June 28, 1966, when this matter was considered, it was determined that projects upon which reconnaissance studies have not yet been made "should be listed in the report with a request by the committee that the Bureau of Reclamation should undertake reconnaissance studies"—see minutes, June 28, 1966, page 4. This policy was followed in the Senate and projects upon which the committee wished to have reconnaissance studies made were listed in the committee's report on the bill—see pages 8, 9, and 10 of report No. 1368.

I do not believe that an exception should be made to this policy of the Senate Interior Committee in the absence of a compelling reason to do so. To make exceptions is to create a situation where every Senator and Congressman will wish to have proposed reconnaissance investigations in his State authorized in the periodic feasibility authorization bills. This is impractical and may have the effect of advancing studies on economically unsound project studies ahead of sound project studies.

Mr. President, the amendment to strike section 2 of S. 1788 as amended by the House, does not represent a negative judgment on the merits of the proposed reconnaissance study. The Interior Department should give expeditious consideration to this proposal. The proposed study may have considerable merit but it should be initiated in the same manner in which other reconnaissance studies are undertaken.

EXHIBIT 1

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., September 25, 1967.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your oral request for our views on section 2 of S. 1788 (a bill, "To authorize the Secretary of the Interior To Engage in Feasibility Investigations of Certain Water Resources Developments), as passed by the House of Representatives on September 18. Section 2 of S. 1788, as amended, reads as follows:

"SEC. 2. The Secretary of the Interior is authorized to undertake investigations and prepare a reconnaissance report on the California Coastal Diversion Project, consisting of subsurface offshore conveyance of water from the Eel-Klamath River areas to an appropriate terminal point in Southern California."

As authorized by the Act of September 7, 1966 (P.L. 89-561, 80 Stat. 707), we presently have authority to engage in feasibility investigations of the water and related land resources on the potential North Coast Project in California. This study area includes those streams, including the Eel and Klamath Rivers, entering the Pacific Ocean between San Francisco Bay and the California-Oregon boundary. The purpose of the investigation is to develop plans for the conservation and use of the water that now flows unused into the Pacific Ocean for the diversion into other California areas.

The investigation of several units and divisions of this project is under way by the Bureau of Reclamation in cooperation with the California Department of Water Resources and the Corps of Engineers. As soon as sufficient progress has been made in the water supply studies for the potential project to indicate the extent of availability of surplus waters in those coastal streams, consideration logically will be given to the alternative means for conveyance of such surpluses to water-deficient areas in California. One of the means which will warrant study will be the subsurface offshore conveyance such as contemplated by the amendment of the House of Representatives of section 2 of S. 1788.

With respect to the above-quoted section 2, we presently have general authority to engage in reconnaissance investigations. Although the subsurface offshore conveyance proposal appears to have sufficient merit to warrant further consideration, to our knowledge very little work is being done in this field by Federal agencies at the present time. Before considering the application of this technique to specific projects, a substantial research effort to develop and test materials suitable for that purpose, and to develop methods of manufacturing, installing and maintaining underwater conduits of the size being contemplated, should be conducted.

Sincerely yours,

KENNETH HOLUM,
Assistant Secretary of the Interior.

Mr. BYRD of West Virginia. Mr. President, I move that the Senate concur in the amendments of the House of Representatives, with an amendment, as follows:

Strike all of section 2.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

Mr. BYRD of West Virginia. 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. 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.

HAROLD P. FABIAN APPRECIATION DAY

Mr. MOSS. Mr. President, on the 6th of October, the Governor of the State of Utah declared a Harold P. Fabian Appreciation Day, and Mr. Fabian was honored at a dinner held in Salt Lake City, Utah, which was attended by the Governor, officials of the State of Utah, the National Parks Advisory Board, the Director of the National Park Service, several of the superintendents of the national parks, high officials of the Forest Service, Department of Agriculture, and leading citizens of the State of Utah. It was a very impressive affair, and one that I shall long remember. In the course of the dinner, much was said about the work that has been done by Mr. Fabian, who is noted throughout the West, and in fact throughout the Nation, as one of the architects of national parks, restoration of historic sites, development of outdoor recreational facilities for all of the people. Mr. Fabian richly deserves every accolade which has been paid to him.

The Deseret News, published in Salt Lake City, wrote an editorial at the time of the Fabian dinner. I ask unanimous consent that this editorial be included in the RECORD.

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

MISTER STATE PARKS

If there is a man in Utah who can be called Mr. State Parks, he is certainly Harold P. Fabian, honored this day by the citizens of Utah.

An attorney by profession, Mr. Fabian has spent much of his life promoting the conservation of choice areas of both the state and the nation for recreation purposes. Certainly no one in Utah has worked harder to set aside a part of the state's scenic and geological wonders that they might become a heritage for our posterity.

Mr. Fabian was the father of the Utah Park and Recreation Commission, serving as its chairman on two different occasions. Under his guidance, the basic policies of the state's developing state park system were set, and many fine areas have been incorporated into the system—Wasatch State Park, Dixie State Park, Stage Coach Inn, and Monument State Park, to name just a few.

Mr. Fabian is a man who loves the beauties of the out-of-doors. He is one who wants to share that love with all Americans. For this, Utah owes him a large appreciative vote. The tribute today—Harold Fabian Day, so proclaimed by the governor—to be climaxed tonight with a special dinner in his honor at Hotel Utah, is a well-deserved tribute to this fine gentleman.

THE GROWING PROBLEM OF ALCOHOLISM

Mr. MOSS. Mr. President, earlier this year I joined with many colleagues in introducing a bill (S. 1508) which would provide a strong public health approach to the growing problem of alcoholism. Alcoholism is now identified as the Nation's third most serious health problem.

As a result of the efforts of many individuals and organizations operating in both private and official circles, there is greater public awareness of the serious health and economic aspects of alcoholism.

Recent court decisions, notably the Easter and Driver decisions, have illustrated the need for greater involvement by Government at all levels in programs to combat and treat alcoholism. The court cases have reaffirmed what many of us have said for years, that alcoholism is a disease and not a crime. No longer, in some jurisdictions, can a person be arrested merely because he is drunk in public. But, where does this individual go if he is not sent to jail? The answer should be that he goes to publicly supported detoxification and rehabilitation centers. These centers, however, are not available. The demand for them, however, will mushroom as the court decisions spread to States and communities which are totally unprepared to handle alcoholics as ill persons.

Greater public awareness was recently given a boost by the publication of a book by Thomas F. A. Plaut on alcohol problems. I ask unanimous consent that a review of the book by Donald Newlove which appeared in Sunday's Washington Post be printed at this point in the RECORD.

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

THE PICKLED SKELETON IN OUR CLOSET

(By Donald Newlove)

The purpose of this important book is nothing less than a total revolution in the way Americans think, feel and act about alcohol. In sober, judicious words the book manages to shock by bringing Giant Staggerjuice out into the open, naked and shameless, just like those once embarrassing but now tired subjects called sex education and birth control. Old Staggerjuice is actually everywhere—but no one sees him. Young Pot (or marijuana) is much less ubiquitous—but everyone sees him even where he isn't. As for cigarette smoking—we are all quite willing to admit that it may be harmful to health; that in fact a lot of people may die of lung cancer (though it won't happen to us, of course). But the dangers of alcohol—even greater than those of smoking—are stubbornly masked by lies and jokes.

The fact is that the American Medical Association now rates alcoholism as our third greatest health problem, led only by heart disease and mental illness. And this year, for the first time, alcoholism knocked cancer into fourth place. In reality, drink may well be the most serious of all our illnesses, for when a middle-class alcoholic dies the death certificate is often falsified by the insertion of such euphemisms as hepatitis, gastric bleeding, pneumonia, tuberculosis, diabetes, over-enlarged heart, heart disease, mental disease (28 per cent of all male mental patients are alcoholics) and auto fatality. Drunkard though the deceased may have been, no family wants it in writing.

America's guilty attitudes about alcohol consistently lead the drinker to minimize and disguise his illness and to exaggerate his will power. The problem drinker is supersonically alert to any sanction that will allow him to keep his bottle. A brief encounter with psychoanalysis may bring insight and freedom from guilt—but these new clarities rarely shut off the intake. As for will power, by the time he wants to make use of it, the alcoholic discovers that it is too late: he is the permanent victim of a progressive disease, one that bears as little relation to will power as malaria. Neither guilt nor will power nor insight can help him.

To come to grips with these unpleasant realities, the Cooperative Commission on the Study of Alcoholism was founded in 1961 under a grant from the National Institute of Mental Health. A score of eminent authorities including psychiatrists, anthropologists, biochemists and administrative experts, with headquarters at Stanford University, make up the Commission. Their findings, published here as the first part of a continuing study, culminate in a controversial proposal for a federally sponsored "total alcohol program." It will require an open-mindedness on the part of the nation no less heroic than that needed to implement welfare and civil-rights legislation.

The Commission specifically urges the creation of a Committee for National Alcohol Policy which would operate under the Department of Health, Education and Welfare. Neither pro- nor anti-alcohol, such a committee would create objectives and co-ordinate programs for the national attack on the disease. At the pyramid's base would be an army of "alcohol workers" analogous to social workers. The army would be divided into teachers, group leaders, medical aides, welfare helpers. Eventually, the policy committee would create a network within the already existing government bureaus that deal with agriculture, finance, liquor control, penology, education, highways, public health and public welfare. It would also work closely with the Department of Defense, for the armed services are plagued with problem drinkers—as is the U.S. Senate, if one is to believe a recent Drew Pearson column. But such cross-stitching of one group throughout the entire fabric of the government has never before been attempted, nor is it likely to happen without an uproar. No similar proposals in the range of "personal freedom," not even the 18th Amendment, have had the range or the authority of those set forth in this report.

Educating the public and the legislators is the core of the campaign, for the problem is one of inbred attitudes or, just as pertinently, the lack of them. Our unsureness about alcohol is due to the absence of a set of standards. Legislation makes alcohol mysterious and exciting by placing age restrictions upon it. Advertising represents drinking as a masculine pursuit; indeed, at many levels getting drunk is regarded as proof of virility. Most important, as yet, "no satisfactory means have been developed for influencing the ways in which youngsters are introduced to drinking. For some, their first drinking experience is an act of rebellion; it may occur outside the family circle and is likely to be associated with guilt and hostility." Since "drinking patterns (and associated attitudes) can influence problem drinking in a cultural group," it is the *introduction* to alcohol that determines later responses. Among many American cultural groups, drinking "is not usually associated with another activity; rather its specific purpose is often 'having fun' or 'escape.' Far from being positively

connected with deep-seated cultural and moral values, it is associated with the residual uneasiness about the enjoyment of pleasure, an attitude still widespread in America."

Thus the Dean Martin syndrome and much of the basis of our national humor. As *Alcohol Problems* observes, "expressions such as 'sneak a quick one' or 'have a blast' reveal uncertainty and mild guilty feelings which rarely accompany socially approved behavior." So the problem is covered up by nervous laughter and, as a result, little is done to alleviate it.

No drunk could have hallucinated the crazy-quilt of prejudice about the use of beverage alcohol that now prevails. Perhaps as a reaction to the years of Prohibition and Repeal few people, even non-alcoholic sociologists, recognize the effect of alcohol on life in America. "Heart disease, cancer, schizophrenia and delinquency are not completely understood either," the Commission says, "yet a community which responded to these conditions as it responds to problem drinking would be considered medieval and a national disgrace."

Part of the enormity of the problem is illustrated by the fact that the most frequently imposed sentence of the entire criminal code is the one for public drunkenness. As this book points out, of the total reported arrests for all offenses in the United States during 1965, about one-third or 1,535,000 were for public intoxication. "However several hundred thousand additional arrests listed in police records as disorderly conduct, disturbing the peace, vagrancy, and other charges are commonly known to refer largely and sometimes almost entirely, to public drunkenness." One man may be rearrested for public intoxication more than a hundred times a year. (Significantly, the incidence of rearrest is lowest in St. Louis, the city with the best rehabilitation program.) But police records can give no more than an indication of the adverse influences of alcohol; the number of problem drinkers and alcoholics who will never come under police scrutiny is staggering even by the most conservative estimates.

The report sweeps aside much that even old hands in the field accept as gospel. For example, the Commission found no real difference between heavy drinkers and alcoholics. What keeps a heavy drinker from acquiring the disease of alcoholism is probably a greater supply of social and psychological independence, more mobility, more active responsibilities and the metabolism of an ox. But even the heavy drinker probably has a bolo of difficulties, and for that reason many government agencies will have to be involved if the drinking problem is to be dealt with meaningfully.

Public misinformation about alcoholism is phenomenal, despite the growing number of recovered alcoholics. (This number is balanced by the growing incidence of youthful problem drinkers. A few weeks ago, a 23-year-old Cornell student addressed a Manhattan Alcoholics Anonymous chapter and told of his ruined past. It was no joke. No one is too young to be an alcoholic.) Present treatment services are in a disarray that almost defies definition. Even A.A., for all its merits, manages to reach but a handful of the problem drinkers in any community. And, to make matters worse, the treatment of problem drinkers, according to this report, is now taught to medical students under conditions which perpetuate an attitude of therapeutic pessimism. As for the police and the courts, they pursue inhuman policies that doom the problem drinker to the revolving door of a drunk tank or the "flight decks" of city hospitals. Furthermore, only a few of the workers at the clinics for alcoholism are inclined to give any time to poorly motivated, less verbal drinkers of the lower classes. The report remarks that "A basic belief of our civilization is that suffering should be relieved, regardless of the person, his contribution to society, or the manner in which the suffering was brought about." But even in an egalitarian society, some people are more and some less equal. The man who has five martinis before dinner at home is a lot more equal than the one who drinks sherry from a pint bottle on a sidewalk.

The pride of the egghead alcoholic is too great to be humbled by a recovery program or by the (to his mind) inspirational naiveté of A.A. (Manhattan, however, has four or five A.A. chapters attended by highly professional members whose outright spiritual courage could bring daylight to the most benighted intellectual.) A true national program must include the Skid Row castoff with the alienated Harvard graduate. As in the army, everyone is the same age and maturity in alcoholism, for the disease is baffling, cunning and insidious to each according to his resistance.

The Commission hopes to be able to take the emotionalism out of the treatment of alcoholism much as it has been taken out of the public discussion of birth control (though *that* took 40 years). The "kicks" aspect of drinking must be punctured at the earliest age. The Commission also suggests doing away with age restrictions on drinking, or, less precipitously, establishing a national minimum age of 18. The report cites the fact that Jews and Italians, who are indoctrinated into a pattern of truly social drinking at an early age, have the lowest rate of problem drinking. When alcohol is unrelated to family or group activities that have certain guidelines about how much consumption is acceptable, drinking becomes unmanageable. The Commission feels that alcohol might be made available to the young under certain supervised conditions—". . . at youth functions such as those organized by church, recreational, or athletic groups. Prohibitions against excessive or inappropriate drinking would then be unambiguous, clearly understood, and effectively enforced. Since these are learning situations, adult supervision would be stressed."

Alcohol Problems is a model of exposition and clear writing. It is provocative and well aware of the antagonisms it will arouse. Giant Staggerjuice will howl that he is being exposed, abused, picked on, deprived, that the rights of private citizens are being invaded. But the Commission's sensible purpose is to meet an endemic national disease head-on by effecting major changes in our drinking patterns. And to lend a therapeutic hand to those millions of forlorn drunks alone with their anxieties, conflicts, guilts and griefs. The question is, is it better to let them drift unmanageably toward death, or to help steer them back to life? Unless you've been there, perhaps you'll never know, because an alcoholic is a man for whom one drink is too many and a thousand deaths not enough.

Mr. MOSS. 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. PROXMIRE. Mr. President, I ask unanimous consent to dispense with further proceedings under the order for a quorum call.

The PRESIDING OFFICER. Without objection it is so ordered.

AMENDMENT OF THE SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

The Senate resumed the consideration of the bill (S. 2171) to amend the Subversive Activities Control Act of 1950, so as to accord with certain decisions of the courts.

Mr. PROXMIRE. Mr. President, the pending bill is one of the most controversial bills we have had before us this year. One of the best indications of that is a press conference that was held this morning and a wire that was sent to the Attorney General of the United States yesterday by some of the outstanding constitutional experts in the Nation.

I shall read a copy of the wire that was sent to the Attorney General in connection with the bill that is before the Senate at this time for a vote. The wire reads:

> We believe Senate bill 2171, to revive the McCarran Act, contains serious constitutional defects, is wholly unnecessary, and threatens basic freedoms of thought and expression. No hearings have been held in the Senate. We urge you to make public the views of the Department of Justice on this legislation and hope you will vigorously oppose enactment.

Mr. President, it seems to me that Members of the Senate, under these circumstances, would want to have in detail the views of experts in the field—certainly of the Attorney General—on this measure. We would also want to know the opinions of other constitutional experts in connection with this matter. I do not say that we should have extensive hearings; but there should be 1 or 2 days of hearings and an opportunity for at least two or three witnesses who are critical of the measure, as well as supporters of the measure, to appear, so that we would have some record and know what we are doing.

I might say in this connection that the pending measure is designed to amend the McCarran Act of 1950. The Subversive Activities Control Act of 1950, as we know, had a very serious constitutional defect. It was enacted in 1950 for the purpose of exposing Communist fronts and Communists—people who were associated with the Communist fronts. But it did nothing. It has been law for 17 years, and the heart of that bill is to require such organizations to register.

As was brought out in the colloquy yesterday between the distinguished Senator from Nebraska and myself, not a single Communist, not a single Communist-front organization, not one subversive organization of any kind, not one subversive individual has been registered under the 1950 Subversive Activities Control Act. Why? Well, because the act was in direct conflict with the Constitution, in the light of the Smith Act, which made it unlawful for anyone to advocate violent overthrow of our Government or to belong to an organization that did.

Under those circumstances, it would seem to us—and with hindsight it is easy to see—that it is transparently in conflict with the fifth amendment of the Constitution on self-incrimination to require a Communist to register or a Communist front to register; if once he is registered, you can use this as evidence to prosecute him under the Smith Act.

This is not the opinion of somebody who is just a Senator or somebody who is sympathetic to the act. This was the

unanimous opinion of the Supreme Court, the entire conservative wing—Justice Harlan, Justice White. The entire Supreme Court voted unanimously.

Mr. President, I mentioned Justice White. I meant Justice Stewart and Justice Harlan. Justice White did not participate. It was an 8-to-0 decision, and Justice White did not take part. But the Supreme Court unanimously declared it unconstitutional.

It seems to me that if Congress had had competent constitutional advice it could have designed a bill at that time that would have stood the test of constitutionality.

All we are asking now is that we have at least some hearings. We have not had a day or an hour of hearings. We have not had a single witness. We have not had a minute of hearings. We are working in the dark on this bill. If the bill were noncontroversial, perhaps that would be all right; but, as I have said, the bill is opposed by some of the leading constitutional authorities in the Nation.

Let me name the people who signed the telegram I have just read, and who oppose the bill and say it contains serious constitutional defects: Prof. Paul Bator, Harvard Law School. Prof. Clark Byse, Harvard Law School.

I might say that Professor Byse is the head of the American Association of University Professors, a professor of administrative law, and he has written one of the most important case books in the entire area of administrative law. He says this bill has serious administrative defects. I say that by failing to hold hearings the Senate is showing it does not care enough to secure competent opinion on this legislation.

I shall continue to read the names of the signers of the telegram opposing the bill:

Prof. David Cavers, Harvard Law School;
Prof. Vern Countryman, Harvard Law School;
Prof. John Dawson, Harvard Law School;
Prof. Norman Dorsen, New York University School of Law.

Mr. President, I should have said in the beginning and I ask unanimous consent that at the beginning of this listing the name of Prof. Thomas I. Emerson, Yale Law School, be placed because he is an eminent lawyer, a constitutional expert, and he is the man who organized this group and held the press conference this morning.

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

Mr. PROXMIRE. In addition to the names I have mentioned, there are the following persons:

Dean Robert F. Drinan, Society of Jesuits, Boston College Law School, who is dean of the Boston College Law School, and a very eminent constitutional expert; Prof. Richard B. Dyson, Boston University School of Law; Prof. Morris Forkosch, Brooklyn Law School; Prof. Walter Callhorn, Columbia Law School, who is another expert in the field of administrative law, and along with Professor Byse has written the case book on administrative law used in outstanding law schools throughout this country; Prof. Louis Jaffe, Harvard Law School, a well-known, outstanding expert in the field; Prof. Benjamin Kaplan, Harvard Law School, who is a key figure in the copyright field; Prof. William J. Kenealy, Society of Jesuits, Boston College Law School; Prof. Robert B. Kent, Boston University School of Law; Prof. Louis Loss, Harvard Law School, who teaches a course in this security field and who is an outstanding nationally recognized expert; Prof. Banks McDowell, Jr., Boston University School of Law; Prof. Saul Mendlovits, Rutgers Law School; Prof. Frank Michelman, Harvard Law School; Prof. Henry P. Monaghan, Boston University School of Law; Prof. Nathaniel L. Nathanson, Northwestern University School of Law; Prof. Daniel C. Partan, Boston University School of Law; Prof. Daniel R. Pollitt, University of North Carolina Law School; Prof. Frank E. A. Sander, Harvard Law School; Prof. George Schatzki, University of Texas School of Law; Prof. Thomas L. Shaffer, Notre Dame Law School; Prof. Malcolm P. Sharp, University of New Mexico School of Law—I am sure we all recognize the University of New Mexico School of Law, which is in the great State of the Presiding Officer (Mr. MONTOYA in the chair)—Prof. Morgan Shipman, Harvard Law School; Prof. Leonard P. Strickman, Boston University School of Law; Dean David H. Vernon, University of Iowa College of Law; and Prof. Henry Weihefen, University of New Mexico School of Law.

Mr. President, once again, these are eminent authorities, and I am sure that many, many other outstanding experts in this field would have signed this telegram and expressed sentiments of vigorous opposition to the pending bill, had there been time. Professor Emerson was able to organize this much opposition in the matter of a very few days, with very little notice. As I think we all know, while this has been an issue before the Senate for a few days, it has not been an issue that has been widely publicized throughout the country. Yet an impressive number of outstanding experts in the country were willing to make clear their view that the proposed bill contains serious constitutional defects.

As I have said, we do not have a line of testimony on the bill before the Senate. Mr. President, it would seem clear to me that we should have some real opinion from the Attorney General. I am waiting with bated breath to see the copy of the letter which presumably has been written by the Attorney General to the distinguished minority leader. It was announced by the Senator from Nebraska yesterday that the minority leader, the Senator from Illinois [Mr. DIRKSEN], received a letter but none of us has been informed as to what was in the letter. It seems to me that this letter, if it is going to be of any value to us, should have an analysis of this particular bill which would indicate that the Attorney General is well aware of the bill and is prepared to tell us whether or not this bill will be effective.

The last thing any Senator wants to do, whether he is conservative, liberal, whether he believes strongly in the Subversive Activities Control Act or not, is to pass a law that will not work. To do so would mean there will be another period of years for this Board to remain idle and for taxpayers to have to pay $26,000 a year to each of the five members of the Board and high salaries to a number of other employees on the staff for absolutely nothing.

All of us want to know whether or not this Board is going to do anything. Until we get word from the Attorney General as to whether or not he intends to use this legislation, it is impossible for us to know whether or not it is going to be effective.

BILINGUAL EDUCATION CALLED NECESSARY FOR 2 MILLION DROPOUTS WITH LINGUISTIC DIFFICULTY BY THE NEW REPUBLIC

Mr. YARBOROUGH. Mr. President, in the most recent issue of the New Republic, it is stated:

> There are almost two million children who will drop out of school and end up on the economic slag heap because of an almost insurmountable language barrier.

It is because of this language problem that I have introduced and held hearings on S. 428, the bilingual education bill, which the article discusses.

Because of the insight into the bilingual problem shown by the article, I ask unanimous consent that the article, entitled "Bilingual Education," published in the October 21, 1967, issue of the New Republic, and appearing on page 9, be printed at this point in the RECORD.

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

BILINGUAL EDUCATION

Last summer, Senator Ralph Yarborough (D, Texas) held hearings in the Southwest on the educational afflictions of Spanish-speaking, Mexican-Americans. As the author of a bill to funnel federal funds into bilingual educational systems in certain sections of the country, Yarborough was interested in getting the opinions of the Spanish-speaking themselves, and of the professional educators who have been studying this situation for years. He brought back to Washington a wealth of evidence, showing that it is largely the language barrier that blocks the 6–7 million Spanish-speaking from climbing up the economic ladder.

The average number of school years completed by the "Anglo" child in the Southwest is 12.1 years; for the Negro it is nine years; for the Mexican-American, 7.1 years. Relatively poor educational achievement is reflected in an extremely high unemployment rate among the Spanish-speaking. It is seen also in the fact that the Southwest's badly paid migratory labor force, once made up of the Deep South's dispossessed sharecroppers, is now largely composed of Spanish-speaking workers.

According to a study by Dr. Faye Bumpass of Texas Technological Institute, there are at least 1,750,000 schoolchildren with Spanish surnames in the five-state area of Texas, New Mexico, Colorado, Arizona and California. These children, she told Senator Yarborough's subcommittee on bilingual education "are suffering from linguistic, cultural and psychological handicaps that cause them to experience academic failure in our schools." Senator Robert Kennedy has made a similar observation about Spanish-speaking youngsters in New York City. At hearings in East Harlem, recently, he noted that of 250,000 Puerto Ricans in the New York

public school system, only 37 went on to college last year.

A report of the Texas Education Agency revealed that in 1957—the only year such a survey was made—about 80 percent of the non-English-speaking children in that state had to spend two years in the first grade. Forty percent of the Southwest's Spanish-speaking pupils are in Texas. But during the last session of the state legislature, a bill to provide English-Spanish instruction in most subjects in certain public schools became so embroiled in controversy to the consternation of educators, that it was dropped. Its opponents contended that Texans of German ancestry and those living near the French-speaking areas of Louisiana were against making Spanish a second language. By the time the bill was rewritten to provide a sort of local option on the language issue, interest had waned and the proposal was quietly shelved.

In California, where it is estimated there are 461,000 schoolchildren from Spanish-speaking homes, bilingual legislation has fared somewhat better. School districts may teach children in their native language if they do not have a working knowledge of English. The drawback here is that the legislation is merely permissive, and that local school districts must finance the bilingual training. As might be expected, school districts with the largest proportion of Spanish-speaking students are the worst off, and unless more aid is provided by the state—a dim prospect under the cost-conscious Reagan administration—the program is not likely to be carried out where it is needed most.

This may explain the interest of many Californians in a bill Senator Yarborough and others (including Robert Kennedy) are drawing up. It calls for appropriating in the neighborhood of $50 million over a three-year period to assist local school districts set up bilingual instruction, with Spanish taught as a native language and English as a mandatory second language. It also would help underwrite the training of Spanish-speaking teachers. Two Los Angeles congressmen, Edward Roybal and George Brown, have introduced similar legislation in the House, and they have been joined by Rep. James Scheuer of New York.

At a hearing in Los Angeles, Senator George Murphy brought out that 50 percent of Spanish-speaking students in California drop out of school by the time they reach the eighth grade, which he found "shocking" and in part the result of "the language problem." Senator Thomas Kuchel suggested treating "the ability to speak Spanish and other languages as an asset. The United States can no longer pretend that it can communicate with other people with but one tongue—no matter how widely the English language is spread over the earth." Both California senators are on Mr. Yarborough's subcommittee.

Representatives of all organized Mexican-American groups were at the Los Angeles hearing and were unanimous in support of a federal subsidy for bilingual education. One of the spokesmen pointed out that according to the population ratio in California at least 20,000 Mexican-Americans should be enrolled in the state's colleges, whereas the figure is around 2,000.

In the past, Americanism has been equated with ability to speak English, and nothing but. Undoubtedly there are many congressmen who feel that the "melting pot" principle is sacrosanct. But in the simpler society of the past—when the "melting pot" was going full boil—the great need was for manual, not educated, labor; brawn or dexterity often were prized as much as formal schooling. (Even then, however, in the 1890's, there were towns and cities where public school instruction was conducted for part of the day in a language other than English.) Today, machines have shrunk the market for manual labor. In a complicated, computerized world the need has shifted to workers who can quickly master new concepts and techniques—and a prerequisite for such workers is a high degree of comprehension—and that means schooling.

There are almost two million children who will drop out of school and end up on the economic slag heap because of an almost insurmountable language barrier. Professional educators are aware of it. It remains to be seen whether Congress is.

Mr. YARBOROUGH. Mr. President, the article refers to hearings held in the Southwest during the past summer by the Special Subcommittee on Bilingual Education, of which I have the privilege to be chairman, on the educational afflictions of Spanish-speaking Mexican-Americans.

It states that the bill seeks to funnel funds to assist local school districts to set up bilingual instruction in certain sections of the country. The hearings were held to get the opinions of the Spanish-speaking people themselves.

The article points out that our subcommittee brought back to Washington a wealth of evidence showing that it is largely a language barrier which blocks from 6 to 7 million of the Spanish speaking from climbing up the economic ladder.

The hearings were held in my State at Corpus Christi, San Antonio, and Edinburg. We also held hearings in Los Angeles and New York City.

While we often think of the Spanish speaking as people of Spanish-American extraction, in our hearings we found many people of Latin American descent who have settled in New York City. We learned that 22 percent of the school people in New York City are from Spanish-speaking homes and that most do not speak English. So this is also a problem of persons of Puerto Rican extraction who live in New York City.

The Senator from Florida has told us that this need is also felt in Miami and other areas of the United States to which refugees from Communist Cuba—hundreds of thousands of them—fled to liberty.

Reading from the article, in part, it states:

The average number of school years completed by the "Anglo" child in the Southwest is 12.1 years; for the Negro it is nine years; for the Mexican-American, 7.1 years. Relatively poor educational achievement is reflected in an extremely high unemployment rate among the Spanish-speaking. It is seen also in the fact that the Southwest's badly paid migratory labor force, once made up of the Deep South's dispossessed sharecroppers, is now largely composed of Spanish-speaking workers.

According to a study by Dr. Faye Bumpass of Texas Technological Institute—

Incidentally, she spent 9 years teaching in Peru and is one of the outstanding and completely bilingual teachers in America—

there are at least 1,750,000 schoolchildren with Spanish surnames in the five-state area of Texas, New Mexico, Colorado, Arizona and California. These children, she told Senator Yarborough's subcommittee on bilingual education "are suffering from linguistic, cultural and psychological handicaps that cause them to experience academic failure in our schools." Senator Robert Kennedy has made a similar observation about Spanish-speaking youngsters in New York City. At hearings in East Harlem, recently, he noted that of 250,000 Puerto Ricans in the New York public school system, only 37 went on to college last year.

Just think, 37 out of 250,000.

At a hearing in Los Angeles, Senator George Murphy brought out that 50 percent of Spanish-speaking students in California drop out of school by the time they reach the eighth grade, which he found "shocking" and in part the result of "the language problem." Senator Thomas Kuchel suggested treating "the ability to speak Spanish and other languages as an asset. The United States can no longer pretend that it can communicate with other people with but one tongue—no matter how widely the English language is spread over the earth." Both California Senators are on Mr. Yarborough's subcommittee.

Mr. President, a vast body of evidence accumulated by the subcommittee in the report has been printed. The bill (S. 428) was the first bilingual education bill ever introduced in either House of Congress. Again, I thank the distinguished chairman for being one of the original cosponsors. The hearings held in the Senate were the first hearings on bilingual education ever held by either House of Congress. They were printed in two volumes.

I was in San Antonio yesterday. While I was there, a member who has served in the State legislature for 6 years asked for additional copies. We had already sent him some. He said they were the most popular publication to come from Congress, based on a study of the statements made by some of the finest educators in America on this problem. The bill has been reported unanimously by the special subcommittee on bilingual education to the Subcommittee on Education and is now under consideration by that subcommittee.

Mr. President, I think it is vital that the bill be incorporated into the Elementary and Secondary School Act and be written into law this year. In my own State of Texas, four of the so-called Rio Grande counties—that is, the citrus belt of Texas where oranges and grapefruit are grown—Cameron, Hidalgo, Starr, and Willacy—contain more than 600,000 people, and of the children of school age in that population, 70 percent come from Spanish-speaking homes. In the first grade, in September of this year, 90 percent came from Spanish-speaking homes. That is in the entire citrus area of Texas. The need is urgent. It is vital. So say the fine educational psychologists and fine educators who deal with bilingual education. It simply means teaching children whose mother tongue is Spanish, both Spanish and English. They presently go to a school where it is illegal to speak Spanish, even in the playgrounds. They try to speak their own language but read and write in another. They can speak only Spanish. We can try to teach them to read and write English, but that creates in the children an intellectual barrier, to say nothing of a psychological inferiority, so most of them drop out of school very soon.

The plan for bilingual education has

been discussed by educators. They want the children to become literate in both languages, whereas, under present circumstances, they are illiterate in both. This is one of the greatest wastes of America's greatest natural resource—its citizens. Millions of Mexican-Americans, when given an intelligence test in Spanish, in words they can understand, make grades as high as those of anyone else.

In addition to depriving these people of the chance to obtain equal opportunity, we are losing a valuable national asset—the most valuable national asset we have.

Mr. PROXMIRE. Mr. President, will the Senator from Texas yield?

Mr. YARBOROUGH. I am happy to yield to the Senator from Wisconsin.

Mr. PROXMIRE. I congratulate the distinguished Senator from Texas on his statement. A serious problem is created for children who speak a foreign language.

It is particularly interesting to me, because Wisconsin, 50 or 60 years ago, had a somewhat similar situation to the one which now exists in Texas. In that day, the basic language in Wisconsin was German. In fact, many of the children did not speak English at all because their parents had come from Germany as little children. Wisconsin saw to it that those children gradually learned English. But the fact is that their education was obtained in a language which they understood.

The Senator's bill will be a helpful accommodation to the children of Texas. He is absolutely right in pointing out that this valuable, precious, natural resource—indeed, the most valuable resource we have—is the minds of our children.

I am so glad that the Senator from Texas brought this to the attention of the Senate.

A psychological impact is made on a little child when he is forced to speak a language with which he is not familiar, and he is told that he is not intelligent. No matter how his IQ rating is concealed, that child knows, from the basis on which he is treated that he is considered to be inferior. That can have a damaging and destructive effect upon his whole life.

Mr. YARBOROUGH. I thank the Senator from Wisconsin for his contribution on that point. In my State of Texas it is not widely known, but there was a very large German migration to my State which began when Texas was a Republic, because one could be naturalized in the Republic of Texas after only 6 months' residence with no requirement to learn English. Texas wanted to settle Germans, so as to act as a buffer between the Texans and the Comanches, and gave the Germans free land as an inducement to come to Texas. The failure of the liberal revolution in central Europe in 1848 caused German-speaking settlers to pour into Texas by the thousands.

Ten thousand came through the Port of Galveston alone in 1 year; and they were coming into other ports, too. Because they had lived in Germany during that liberal revolution, which failed, most of them were teachers or writers or other well educated people, and they made great contributions in my State.

The first tax-supported public high school in Texas was established in the 1850's by those German-speaking settlers, and they maintained their German-speaking schools up until World War I. The best known person to come out of them was Admiral Nimitz. He settled in Fredericksburg. Up until World War I, German was the language spoken there.

However, we have never before had in Texas so many millions of people who speak a language other than English. The problem becomes more serious now. Psychologists have testified that permanent damage is done when a psychological barrier is created in which children are forced to speak one language in school and another language at home. We hope that that barrier will be removed, so that those children will have a fair chance in our economy, and that we will have a chance to benefit from that resource by enabling them to get the benefits of a fair chance in our economy.

The Senator from Wisconsin brings a perceptive knowledge to this subject. I mention this because the bill will have active consideration this week before the Committee on Labor and Public Welfare. I thank the Senator for his contribution.

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

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

LABELING OF POTATOES

Mr. LAUSCHE. Mr. President, pending before the Commerce Committee is a bill known as the potato labeling bill. Its purpose is to require the various States in which potatoes are grown to label the potatoes indicating the State from which they came. An Ohio potato would have to be labeled "Ohio Potato." A Wisconsin potato would have to be labeled "Wisconsin Potato." Minnesota, which grows a great number of potatoes, likewise would have to label them "Minnesota Potatoes."

I am somewhat puzzled over who conceived the idea that potatoes offered in the market should be labeled on the basis of the States where they were grown. My belief is that the thought had its origin in the growers of potatoes in Maine and Idaho.

I mention this fact for the purpose of showing to what extent Congress is attempting to go in restricting the operations of the citizens of the country. We have now what is known as the Fair Trade Act and thhe Pure Food and Drug Act. Both of those acts contain provisions prohibiting fraudulent marking of packages. The provisions of those two acts are very distinct and precise. Whatever markings are made on packages must be in accordance with the truth. Thus, under those two acts, West Virginia, for example, could not label potatoes—if potatoes were grown there to any extent—as Idaho potatoes or Maine potatoes. Yet it is argued that a Federal law should be passed requiring the labeling of packages to show in which State a potato is grown.

I now pose this question: If we pass a law of that type with respect to potatoes, what about peaches, cherries, tomatoes, pears, electronic equipment, and any other type of agricultural product or manufactured product?

Will the Senator from Florida come before the Senate and urge that all oranges shall have to be identified as to whether they come from Florida or California?

We are entering into a dangerous field, Mr. President. We are imposing upon industry a burden that it ought not to have to bear.

I concur with the argument and the principle that there should not be any false advertising, but why should Ohio be compelled, by law of the U.S. Government, to write on a package "Ohio potatoes"? What difference does it make whether the potatoes are grown in Ohio or Pennsylvania or Wisconsin or Minnesota?

What will happen to the bill in the Commerce Committee, I do not know; but the great, dignified body of the Congress of the United States, believing that by law all things shall be achieved, has undertaken to deal with potatoes. It is going to require how packages shall be identified and labeled. One would think Congress has nothing of importance to do; that the important issue is to show how potatoes shall be labeled.

I contemplate fighting that proposal, and I will do so because I believe that Congress cannot begin passing laws that purposely will serve one or two States to the disadvantage of the other States in the Nation.

I yield the floor, Mr. President.

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.

AMENDMENT OF THE SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

The Senate resumed the consideration of the bill (S. 2171) to amend the Subversive Activities Control Act of 1950, so as to accord with certain decisions of the courts.

Mr. MUNDT. Mr. President, I rise in support of the bill introduced by the distinguished minority leader, the senior Senator from Illinois [Mr. DIRKSEN]. I feel that I should say something on the pending legislation inasmuch as I was one of the coauthors of the original act that created, among other things, the Subversive Activities Control Board at the time we had the long and rather exciting debate setting it into operation by an overwhelming vote over the veto of a President.

The legislation originated under the imprimatur of the so-called Nixon bill and became incorporated as part of the McCarran, Ferguson, Mundt, Johnson Act known as the Internal Security Act of 1950. I think it has served the country well.

Since then, as the distinguished Senator from Wisconsin has pointed out, and as we are all aware, the legislation has been subjected to a number of attacks in the courts and outside the courts—many of them motivated openly by the Communist Party in this country, some of them motivated by front organizations dominated by the Communist Party, and some of them motivated by misguided citizens who are not Communists but who somehow or other feel that our society is incompetent of creating the appropriate machinery required to protect the freedoms which we all enjoy.

So, I want to raise and answer four or five basic questions which I think are involved in the decision we are about to make today or tomorrow or the next day, or whenever the Senator from Wisconsin feels that the matter has been debated adequately.

I listened to most of the address of the Senator from Wisconsin [Mr. PROXMIRE] yesterday and read the rest of it this morning. As the Senator is well aware, most of what he had to say dealt with the past—how the act had been attacked, how the Supreme Court had ruled, and certain authorities that the Subversive Activities Control Board had in the original legislation.

I want to direct my remarks to the future, and hope that I can induce my friend, the active and enterprising Senator from the great, progressive State of Wisconsin, to look ahead instead of backward, quite prepared to accept the fact that as the situation presently prevails in view of the Supreme Court interpretation, the Subversive Activities Control Board would not be meaningful.

I am not one of those who wants to array myself against the board simply because the President of the United States selected a young man to be a board member who happened to have married his private secretary.

I know nothing about the young man. I am quite prepared to believe that President Johnson—who voted for the Internal Security Act of 1950, by the way, when he was a Member of the U.S. Senate—feels that this young man has good judgment, that he is loyal, that he is desirous of protecting this country against communism. And I see no reason to attack the Board because some people are unhappy about the President's choice or the personality of a new Board member. Nor do I see any reason to attack the Board because certain of its functions have been eliminated by a decision of the U.S. Supreme Court.

There are, however, some realistic questions that we ought to ask each other and answer to our individual satisfaction before we vote.

The first question is: Is communism a menace to our way of life and our constitutional concepts of our individual freedoms and representative democracy?

I think I recall that the Senator from Wisconsin agreed in the course of colloquy yesterday that communism is a menace to our way of life and to our constitutional concepts. I am sure that that must be the case. I think I read him correctly. But if I am wrong, I stand now to be corrected on that particular interrogatory. Seeing only an affirmative nod from my congenial friend, the Senator from Wisconsin, I assume that, like the rest of us, he recognizes communism to be a very serious problem on the home front.

The second question is: Is it important that our free society find effective means for preventing world communism from achieving its goals?

Certainly communism has not changed its goals or objectives. Nor has it changed its methods insofar as its domestic attacks against us are concerned as well as its international objectives. So, it becomes today not only a creed against which we are arrayed in a costly war, but it also continues to be a serious menace to our way of life because of its internal activities in our country which emphasize the importance that we establish and maintain methods of meeting the menace of communism on the home front.

I think that question also has to be answered by Senators unanimously in the affirmative.

It was considered important 17 years ago. It should be considered even more important today, at a time when we are arrayed, for the fifth year, in a costly war against communism and at a time when our enemy, Vietnam, is able to continue its war efforts only because of the outside assistance it receives from the fountainhead of communism in Moscow, Russia. So, if it is that important on our foreign front, it must not be unimportant on the home front.

I submit it is therefore vitally important that we try to establish and maintain methods for meeting that challenge here. J. Edgar Hoover said not long ago—and he is our best authority on the whole program and problems of subversion—that he believes there are about 150 communistic front organizations in the United States, not publicly identified as Communist, not quickly discernible to the average citizen as being under the control of communism, but actually being under that control and enjoying Communist direction in the carrying forward the subversive programs of the Communist Party.

Hence, it seems to me that it becomes very clear that we must find some way to curtail and curb, as best we constitutionally can, the danger of Communist activities and intrigues at home, their programs of subversive activities, their capacity on occasion to infiltrate not only our Government but also a lot of other fine, reputable organizations, their current program—which is paying them big dividends—to send out undercover agents of the Communist Party as lecturers on the college campuses, to provoke and promote a Communist line without ever being forced to identify themselves, as members of the organization which they represent and which are actually very often Communist-front organizations. I, therefore, think we must accept the fact that it is important that we try to do something to curtail communism.

My third question for your consideration is whether it is appropriate that a free society such as ours find a means to protect its constitutional freedoms against the subversive attacks of the Communists?

It seems to me that we must accept as an axiomatic fact, in this wicked world, the concept that a free society must find ways to protect its freedoms against those who would undermine them, and that if there is any doubt about matters of relative priority and importance, it is more important that a free society find the necessary means to protect its institutions and the freedoms of its people, even, than to protect those who would undermine them from unfair and unjust prosecution in the courts of law. Fundamentally, unless we can find a way to protect our society from those who would destroy it, the destroyers are certain to succeed. I doubt whether anybody will argue against that point.

So that brings us to the fourth point: Will the Dirksen proposal, now before the Senate, move the United States in the direction of being better able to protect the United States on the home front against the attacks and strategies of international, aggressive, atheistic communism? Does it have any protective value?

If it has any value at all, if we accept the conclusions I have made to the first three questions and propositions, there should be a unanimous vote for the continuance, the maintenance, and the redefinition of the duties of the Subversive Activities Control Board as they are set forth in the Dirksen proposal.

I might say, as an original author of this proposal, which was first heard before a committee chaired in the House Committee on Un-American Activities by then-Representative Richard Nixon, and hence became known as the Mundt-Nixon bill, that Dick Nixon and I, as a couple of young, enthusiastic Congressmen, who felt that communism was a strong and growing menace, thought that the easy way would be to outlaw the Communist Party. We originally planned our legislation with that in mind.

Then, and I think for at least once in our lives, we acted wisely and with foresight, because we decided there must be people in Washington who knew more about the machinations of communism than we did. So we had a conference with J. Edgar Hoover and the people in the FBI, and proudly presented there our cure-all for communism. The FBI pointed out to us that they felt there was a better approach than to try to outlaw the Communist Party. They told us how our neighboring country of Canada had twice outlawed the Communist Party but had later twice rescinded the law, because Canada discovered quickly that to outlaw a movement by name was merely to give a false sense of security to the people, because the Communist Party dissolved, and a new party, operated, controlled, and directed by the same forces under a new and pleasant-

sounding title, began its continuing program of subverting the freedoms of Canada under the covert direction of the Communist overlords in Moscow. So the Canadian Government found that to outlaw the Communist Party would not work.

The wise men of the FBI then told us there were other ways in which to proceed. They said, in effect, "Why not refine your legislation and follow other approaches?" We did precisely that in response to their counsel. The first and foremost is by exposure. Let our fellow Americans know who the Communists are. Let our fellow Americans know who the officers are. Let our fellow Americans know the identity of publications issued by the Communist Party. Above all, let our fellow Americans know the identity of the front organizations which the Communists control, to protect well-meaning Americans from being dragged into a Communist-front organization because its title sounds good and its announced purposes sound good.

Too many Americans contribute their funds and lend the use of their names as officers and directors and associates and members of Communist-front organizations, although they would not, for the life of them, actually join the Communist Party. But, to all intents and purposes, acting out of an abundance of ignorance, they join the crypto-Communist Party, they join the front organization, and their money and their funds and their names and their efforts are used to promote the infamous designs and the programs of international communism.

Mr. MURPHY. Mr. President, will the Senator yeld?

Mr. MUNDT. I yield.

Mr. MURPHY. I wonder whether the Senator has any idea of the value that Government information would have had for the people in Hollywood in the 1940's, and how many people of that town became involved in organizations and became branded as members of subversive groups, when they were not and had not the slightest idea about the nature of the organizations they were joining. Many of them still suffer from such an unfortunate stigma.

The only way we have of avoiding this situation is through Government listings which provide a warning. They need not arrest anybody or close any offices, but merely post a warning sign to let the individual, the labor unions, the businessmen and the businesses know exactly where the problem is. Then if the individual chooses to associate himself with a doubtful group, he does so at his own risk. But at least he has a chance to know exactly where the pitfalls are and where these funds are going. This is the purpose, as I understand it, of the Subversive Activities Control Board.

Mr. MUNDT. The Senator is correct, and the experience of Hollywood and its actors and actresses of the motion picture industry is no whit different from what happens everywhere else.

In the hearings which preceded the House passage of the Mundt-Nixon bill, one of the witnesses who appeared before us was a very prominent woman jurist of this country, who had identified herself with 22 different Communist-front organizations. Her testimony under oath was that she had no idea that these pleasant-sounding organizations had any remote connection with communism.

Yet, the Communists were trafficking with her fine name to bring in and recruit new members and to get youth interested in Communist youth movements. Because this prominent woman judge had her name associated with so many of the Communist organizations, she was rendering a direct and significant service to godless communism.

May I bring in as a witness another gentleman from the past, Eric Johnston, of the American Motion Picture Association. We had had the cases of the "Hollywood 10," as the Senator from California will recall before our House Committee on Un-American Activities. Eventually, they were all publicized as members of the Communist Party, and most of them lost their contracts with Hollywood, and some of them went off to the Federal penitentiary.

So we called in Eric Johnston and said:

> What in the world is wrong with Hollywood? Why do you hire people like this? Why do you use this great American industry to pervert the minds of the American people and to spread the doctrines of Communism? We think you are guilty of a gross failure to maintain your public trust.

He said, and rightfully so:

> We have no mechanism in Hollywood to know who the Communist is. We have no way of telling, when we hire a man who belongs to a particular front organization, that he is actually a member of the Communist Party. If you would write a law which would give us a way to determine who they are, we would put in our motion picture contracts a clause of abrogation, whereby if it was discovered that somebody who had concealed a Communist connection from us was found to be a member of the organization or its sister organizations or its creature organizations, he would automatically violate his contract, and we would get rid of him.

Eric Johnston contributed greatly to the writing of the Mundt-Nixon Act, because we put in that clause, we put in that mechanism. So the first thing was to expose the identity of the organizations and, as much as we could, to expose the identity of the membership.

Next, we received a suggestion from the FBI that when those organizations are exposed, they should be publicized. Let the buyer beware. Let the joiner beware. Let the contributor beware. Let the good citizen beware that he was actually aiding and abetting the downfall of this Republic by joining an organization controlled and dominated by the Communists and dedicated to the success of communism.

So we provided for the publication of the Attorney General's list. After the Subversive Activities Control Board had held its hearings and had gone through its procedures, it was provided that a public list be made available so that any cautious and prudent citizen could write to the Attorney General's office and get a list of the Communist-front organizations.

A man gets a nice letter through the mail or a neighbor calls him on the telephone and says, "Will you join the Association for Good Will, Motherhood, Brotherhood, and Fatherhood?" We would have no reason to suspect it would be a Communist-front organization. But he could write in and find out because of the exposure provisions of the law.

So it was a question of identifying, a question of disclosing, a question of publicizing. And we cranked into the Mundt-Nixon bill only two items for curtailment of Communist actions.

We said that once you have ascertained that a man is a Communist in this country, he shall not be entitled to have a Federal job, and both he and his employer shall be subject to prosecution if through concealment or careless employment tactics he gets such a job.

The other prohibition was that he shall not be entitled to get a passport to travel abroad. Bad enough to have him spewing out the poisons of communism at home, but he could not get a passport to carry that noxious message to people overseas.

Beyond that, there were no prohibitions and no curtailments. It was legal for him to be a Communist.

Now, we are aware of the fact that this particular aspect of the matter ran into conflict with the Smith Act, as the Senator from Wisconsin has properly pointed out; because the Smith Act and Supreme Court decisions had held that to be a member of the Communist Party was in itself a crime, was in itself an indication that you were moving in a traitorous direction.

So Senator DIRKSEN very wisely has eliminated that problem by limiting the authority of the Subversive Activities Control Board to making investigations, to hold hearings, to arriving at findings whereby it says that such an organization, on the record, is Communist controlled.

There is no self-incrimination left in the bill—not in the slightest. This is a finding on the part of the Government, acting through its investigative agencies and with appropriate hearings, a finding that the organization is controlled by Communists. Then, it is up to Congress to decide if we want Communists in Federal jobs, and enjoying the privilege of a passport, which is not an inalienable right of an American citizen; it is a privilege accorded a good citizen who believes in our concept of freedom.

The Dirksen proposal will work and will meet constitutional objectives. In its finding the Supreme Court said it is true that a free society should have a right to move against communism but that was not the way because of the conflict between registration and disclosure and the provisions of the Smith Act.

Mr. President, that brings me to my final question. Do the people of the United States generally support and approve the idea that Congress should take legislative steps to protect our country against Communist activities on the home front?

I emphatically state that they do and I believe my good friend from Wisconsin is completely out of step with the times if he and those persons associated with

him believe they do not. I think the people generally are demanding action. I get letters every day, as most other Senators do, saying that all are concerned about the Vietnam war; they say they recognize we are there because we have to do something about keeping communism from being victorious, but if so why do we not do something about it at home; and they ask if we sacrifice our treasure and lives in Vietnam, why not do something to curtail the activities of communism in the United States?

This is our chance on the homefront to back up the boys in Vietnam by doing something effective to set back the programs of communism here in the United States.

Let me point out that the Internal Security Act of 1950 was not easy to enact, because there were Senators and Representatives then raising the kind of nebulous criticisms we hear today and asking the old question: Is this the right way? Who knows? Who knows what is the right way or the optimum way? This is a way. This is an effective device; this is a tool that will work. It will not do the whole job, but this method has been tested and tried; it has been proved successful and effective.

The Internal Security Act of 1950 was made the pending business of the Senate on September 1, 1950. Debate began on the bill on September 5, 1950, and occupied the time of the Senate almost exclusively until it was passed a week later on September 12. This included 6 working days and nights of September 5, 6, 7, 8, 11, and 12. The debate alone took 349 pages of the CONGRESSIONAL RECORD at that time.

Mr. President, I ask uanimous consent to have printed in the RECORD at this point a table showing when the Senate met and adjourned in this debate.

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

The table ordered to be printed in the RECORD is as follows:

Sept. 5, 40 pages of debate, Senate went out at 8:51 p.m.

Sept. 6, 32 pages of debate, Senate went out at 5:40 p.m.

Sept. 7, 107 pages of debate, Senate went out at 7:41 p.m.

Sept. 8, 45 pages of debate, Senate went out at 8:14 p.m.

Sept. 11, 74 pages of debate, Senate went out at 11:29 p.m.

Sept. 12, 51 pages of debate, Senate passed the bill.

Mr. MUNDT. Mr. President, the bill finally was passed overwhelmingly on September 12, by a rollcall vote of 70 yeas and seven nays.

Mr. President, I ask unanimous consent to have printed in the RECORD the rollcall of that vote, because many of our present Senators voted on the bill at that time.

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

VOTE NO. 431

Subject: Internal Security Act of 1950—(H.R. 9490). (Language of S. 4037 substituted for text of House bill.)

Synopsis: Vote on passage of the McCarran-Mundt-Ferguson bill to protect the United States against certain un-American and subversive activities by requiring the registration of Communist organizations and the confinement within constitutional limitations of disloyal and dangerous individuals. It strengthened the existing espionage and subversive laws, forbade Communists to hold Federal jobs, denied them passports and forced them to label their propaganda. Also, it tightened security checks on immigrants and permitted the jailing of deportable aliens. Included also was a provision relating to the picketing of Federal Courts.

Action: Passed.

The result was announced—yeas 70, nays 7, as follows:

Yeas, 70: Anderson, Benton, Bricker, Butler, Byrd, Cain, Capehart, Chapman, Chavez, Connally, Cordon, Darby, Douglas, Dworshak, Ecton, Ellender, Ferguson, Frear, Fulbright, George, Gillette, Gurney, Hendrickson, Hickenlooper, Hill, Hoey, Holland, Humphrey, Hunt, Ives, Jenner, Johnson of Colorado, Johnson of Texas, Kem, Kerr, Kilgore, Knowland, Langer, Lodge, Long, Lucas, McCarran, McCarthy, McClellan, McFarland, McKellar, McMahon, Magnuson, Malone, Martin, Millikin, Morse, Mundt, Myers, Neely, O'Conor, O'Mahoney, Robertson, Russell, Schoeppel, Smith of Maine, Sparkman, Thomas of Oklahoma, Thye, Tydings, Watkins, Wherry, Wiley, Williams, Young.

Nays, 7: Graham, Green, Kefauver, Leahy, Lehman, Murray, Taylor.

Not voting, 19: Aiken, Brewster, Bridges, Donnell, Downey, Eastland, Flanders, Hayden, Johnston of South Carolina, Maybank, Pepper, Saltonstall, Smith of New Jersey, Stennis, Taft, Thomas of Utah, Tobey, Vandenberg, Withers.

So the bill (H.R. 9490) was passed.

Mr. MUNDT. Mr. President, I call to the attention of the Senator from Wisconsin, since he has some skepticism about where President Johnson stands on this issue, that he was among those Senators voting "aye." His name will be found on the rollcall vote. Whether it is meaningful I do not know, but none of the seven Senators who voted "nay" are any longer Members of the Senate. Many of those who voted "aye" are still among us.

That proposal was a much more comprehensive measure than the one before us because it included elements that the Supreme Court has ruled out. The Dirksen proposal does not contain them, since it complies with the constitutional restrictions of the Supreme Court.

That was not the end of the fight because at 5 o'clock on September 22, 1950, the Senate took up H.R. 9490 once again because the President had vetoed the bill and the question was on overriding the President's veto. This time the debate was continuous.

Some of our colleagues mistakenly had decided to launch a filibuster against this right of the people to protect their freedom and themselves against communism. They organized a filibuster. I was one of the team of three Senators whose job it was to break the filibuster. Those were more rugged times. We did not delay and dillydally, with sessions, coming in and out, and trying to get a petition on cloture; we said, "Go ahead, if you want, and filibuster. We will stay here all night and all day and we can argue throughout the country what is the best course of action for the country in protecting itself and fighting against communism."

This debate occupied 113 pages of the RECORD. Attempts were made at about 6 a.m., 11:45 a.m., and later, to try to get unanimous consent to recess, meet the next day, send the matter to committee, and bring it back at another time. Objections were raised. We said, "This is a vital issue. Let us face it. Let us meet it and let us decide." We said, "Despite the President's veto, should we have this protection for ourselves, our families, and our country; or should we not have it?"

We were meeting then in the old Supreme Court Chamber, as many Senators will recall, because the ceiling of this Chamber was being refurbished. Debate had gone on continuously for 23 or 24 hours or longer. Senator Langer had the floor and he was filibustering against our bill. We used to talk in the well in that Chamber. Those of us sitting in the Chamber noticed that Senator Langer was weaving as though he were perhaps tired, ill, or sleepy, and suddenly he collapsed on the floor. It was about 5 a.m.

It looked as though he had passed away. Somebody with the presence of mind when that type thing occurs, or an emergency develops, called a quorum. We called colleagues who were perhaps having breakfast or who were sleeping in the cloak rooms, and they rushed up. Dr. George Calver was the Senate physician at that time and he came rushing in. He looked at the man on the floor. He pumped something into him which is good for a man who has diabetes and it was discovered later that the Senator had had a diabetic shock. They carried him out on a stretcher and the debate went on, but the hard core of the filibuster was broken by that collapse. Those of us who were trying to break the filibuster said it was a travesty on freedom that a good colleague of ours who did not want the act passed should engage in debate; to the point it brought him close to death.

We voted at 2 o'clock that afternoon. It was my privilege as the author of the bill to give the concluding speech. I found myself in the unhappy position of holding up the vote which we had been seeking to get by day and by night because Senator Cabot Lodge, of Massachusetts, was enroute to Washington by plane and was having difficulty getting into the airport. My job was to talk until he came in. When he came in the debate ended and we had a vote. We overrode the veto of President Harry Truman by a rollcall vote of 57 to 10 following that long filibuster. None of the 10 Senators who voted against the protection of America are any longer Members of the Senate.

I ask unanimous consent that the rollcall vote be printed at this point in the RECORD. The President's veto and the long filibuster had changed only three votes.

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

VOTE NO. 444

Subject: Internal Security Act of 1950—(H.R. 9490).

Synopsis: Vote on the passage of the bill over the objections of the President. This was the McCarran-Mundt-Ferguson bill which protected the United States against

certain un-American and subversive activities by requiring registration of Communist organizations. The bill also contained authority under which the executive branch in time of internal-security emergency may cause the apprehension and detention of persons as to whom there is reasonable ground for belief that they probably will engage in espionage or sabotage activities. See veto message of President attached hereto which also contains copy of the bill as passed.

Action: Passed over veto.

The yeas and nays resulted—yeas 57, nays 10, as follows:

Yeas, 57: Bricker, Butler, Byrd, Cain, Capehart, Chapman, Connally, Cordon, Darby, Donnell, Dworshak, Ecton, Ellender, Ferguson, Frear, Fulbright, George, Gurney, Hendrickson, Hickenlooper, Hill, Hoey, Holland, Ives, Jenner, Johnson of Colorado, Johnson of Texas, Johnston of South Carolina, Knowland, Lodge, Long, Lucas McCarran McCarthy, McClellan, McFarland, McKellar, McMahon, Magnuson, Malone, Martin, Mundt, O'Conor, Robertson, Russell, Saltonstall, Schoeppel, Smith of Maine, Stennis, Taft, Thye, Tydings, Watkins, Wherry, Wiley, Williams, Young.

Nays, 10: Chavez, Douglas, Graham, Green, Humphrey, Kefauver, Kilgore, Leahy, Lehman, Murray.

Not voting, 29: Aiken, Anderson, Benton, Brewster, Bridges, Downey, Eastland, Flanders, Gillette, Hayden, Hunt, Kem, Kerr, Langer, Maybank, Milliken, Morse, Myers, Neely, O'Mahoney, Pepper, Smith of New Jersey, Sparkman, Taylor, Thomas of Oklahoma, Thomas of Utah, Tobey, Vandenberg, Withers.

The VICE PRESIDENT. On this question the yeas are 57, and the nays are 10. Two-thirds of the Senate, a quorum being present, having voted in favor of its passage, on reconsideration the bill is passed, the objections of the President of the United States to the contrary notwithstanding.

Mr. MUNDT. Mr. President, I mention this solely because if there are those in this generation of Senators who are determined to filibuster this legislation, I, for one, propose to the majority leader that we do it all over again, that we have meetings around the clock, because the future of freedom is at stake. Let those who protest, those who dispute the desirability of the legislation, talk as long as they want to. We will be here. The formula that gave this legislation birth is good enough to give it an opportunity now to function in a constitutional manner. I seriously hope that it is not necessary at this time, but it has no appeal at all to me when I hear people say, "Well, let us delay the decision."

We can no more afford to delay a decision on this kind of contest on the homefront than we can delay an imperative decision to be made on the battlefield overseas.

When the time is here to decide, let us decide. Let us count noses. Let us have a rollcall. Let us stay in session around the clock and break the filibuster, if they want to filibuster it.

I certainly am not persuaded by the argument that because the Attorney General has not yet said he wants us to act, or because the President of the United States, has not made a speech in which he said he wants the act, we should delay our vote. I do not believe many Senators of this generation will be influenced by that, when they were not influenced by the veto message of another President 17 years ago. There were more Democrats who voted to override the veto than Republicans simply because of the unhappy circumstances that there were more Democrats in the Senate. But, this is not a party issue. This is not a question of having to wait until we get a message from Mount Olympus as to how we can vote.

My dear friend from Wisconsin is following a unique formula in this regard. I have served with him too long, and have admired him too much, not to know that he has never gotten up before and indicated he wanted to be a rubberstamp. I have seen the way he fights in the committee room and on the Senate floor for issues which he opposes, particularly on spending programs in which he is so much interested. I have never before heard him say, "I am not ready to vote. I have not heard from the White House." That is not in the tradition of progressive Wisconsinism which he represents so well in the Senate.

They are independent people in the Badger State. Our friend from Wisconsin here is an independent fellow. I think that we should undertake to convince him by consultation here, and not delay the Senate waiting for a telephone call from the White House which may never come.

I should add that on the rollcall to override the veto of President Truman 17 years ago, Senator Lyndon Johnson of Texas voted "aye." Thus, twice he has expressed himself in favor of this type of legislation.

The minority leader stated that he has it from President Johnson himself that he supports it. But, I submit to my colleagues—and with this I close—that these are dangerous and perilous times. We should come to our decision on this matter on the basis of the record of 17 years. We should make it up in terms of whether, in any way at all, the Dirksen proposal will help curtail the menace of communism at home.

Let me say to my good friend from Wisconsin that we can be sure whatever we do, however long we wait, however hard we solicit the counsel of the Attorney General, we can be quite sure that the Communists of America are going to take this into court, as they have taken every syllable, every sentence, and every paragraph of the International Security Act of 1950 into court. It will have to be adjudicated by the judges.

The Communists are determined people. I can recall when I lived at the Capitol Towers on Massachusetts Avenue, for 3 weeks I had to walk through picket lines that went all around the entrance to that apartment house simply because MUNDT lived there, and the legislation happened to bear my name, in part.

Communists are determined individuals. They will test it out in the courts. Our responsibility, it seems to me, in this tragic hour, is to do whatever we can to make whatever effort we can to provide some additional security against communism at home which, overseas, has compelled us to send 500,000 of the flower of American youth to fight and die to destroy the communism some are reluctant to move against today.

I know that their reluctance stems not from a love of communism but from some mistaken notion. I hope that this legislation does not leave the floor of the Senate until we can convince the vast majority of our colleagues that the notion of taking steps to protect ourselves internally against communism is a good, a useful, and a salutary notion.

Mr. President, I yield the floor.

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

Mr. MUNDT. I yield.

Mr. PROXMIRE. First, I want to congratulate the Senator from South Dakota on his usual very forceful and extremely persuasive speech. In my view, in the 10 years since I came to the Senate, I do not know of anyone, Republican or Democrat, who is as effective a debater, or as effective a speaker as the Senator from South Dakota. He always does a superlative job. Of course, in this area where he is certainly one of the outstanding authorities in the Nation, because he is the author of the Mundt-Nixon bill, he commands our respect and our attention.

Certainly, with a great deal of what the Senator himself has said, I think almost all of us will agree. I would agree, as I have indicated, that there is a Communist menace. I would say it is appropriate for a free society to find a way to protect itself.

The one question which bothers me most is the Senator's fourth question, and I think it is the real question before the Senate today; namely, will the Dirksen proposal better arm us to combat communism?

Mr. MUNDT. That is right.

Mr. PROXMIRE. The Senator from South Dakota may well be right, that it will better arm us. Maybe it will. Frankly, I do not say it will not. I say that I do not know. We are informed today of vigorous opposition to the bill by some of the outstanding constitutional authorities in this country, including three deans of great law schools, and including many of the distinguished constitutional experts from outstanding law schools in the Nation, telling us that the bill has serious constitutional defects—I just placed in the RECORD a telegram from this group of experts. Under these circumstances does it not seem fair that we should hold hearings on the bill, to have experts come in and testify and tell us why they think it has constitutional defects, and how we can correct those constitutional defects, in order to achieve an effective law which both the Senator from South Dakota and I want to achieve.

I say that, without having hearings, without having something like this on the record, we cannot possibly know whether this particular bill, which has not had a day, an hour, a minute of hearings. No witnesses, not one has appeared on this bill. If this bill still does not make the law conform to the Constitution, it will not do the job. If it is not constitutional it will not help us fight communism.

Mr. MUNDT. Let me say that the concept of the bill, in fact the language of the bill, had long and elaborate hearings 17 years ago by both Houses, and

sustained debate in both Houses. We have the record of history to show that its mechanism worked effectively as long as it was permitted to work until the Supreme Court found a conflict of interest.

Mr. PROXMIRE. Let me interrupt there to say——

Mr. MUNDT. Between the Smith Act and the original act.

Mr. PROXMIRE. Let me interrupt at that point to say that despite the hearings held at that time, despite the debate that was conducted on the floor of the Senate, a mistake was made in not recognizing the clear conflict with the Constitution on the fact that the 1950 act and the 1940 act were in contradiction—that is, if we required a Communist to register, having already made it illegal for him to belong to a Communist organization, we would require him, in effect, to testify against himself.

Mr. MUNDT. But that is a misinterpretation of the——

Mr. PROXMIRE. I know——

Mr. MUNDT. We had not made it illegal——

Mr. PROXMIRE. It was illegal for him to advocate the violent overthrow of this country, or to belong to an organization which so advocated.

Mr. MUNDT. Illegal only insofar as the penalties were concerned, which were written into it, as well as the registration provisions. That was all. It was not a crime he registered that was how we built our constitutional case so far as his right concerning self-incrimination was concerned. But as to certain privileges enjoyed by the Senator and me, and millions of others, seeking to hold public office and get a passport, I suspect the Supreme Court pitched its case on that aspect. This was debated at great length by many constitutional lawyers, 17 years ago.

Suppose hearings were held for a week, a month, or a year. We would still have no way of predicting what kind of decision the Supreme Court of the United States is going to make on this or any other bill curbing the freedom of Communists, because they will take it into court and have it tested—as they have a right to do, and as they will do—because they are adequately financed and have available to them many brilliant lawyers in this country.

Mr. PROXMIRE. The hearings would not guarantee the bill emerging would be foolproof against a finding by the Supreme Court, but this would give us information which we do not have now on this particular bill. This bill represents a new departure from the 1950 act. It does not require registration, which was held by the Supreme Court as being unconstitutional. It requires identification. If we had the views of constitutional lawyers in 1 or 2 days of hearings, then I would be perfectly agreeable to having the bill reported back on a final date, with a vote on a day certain. I am anxious to have our eyes opened on this bill. Hearings can do that. I am sure the Senator from South Dakota will agree that this bill was rapidly drafted, and it did have errors, as the Senator from Illinois [Mr. DIRKSEN] indicated, which have been corrected since then. My staff and I have found errors, which could be corrected by amendment, but they are errors.

This procedure of no hearings is not in keeping either with good legislative practices or with the traditions of the Senate. The bill may be declared unconstitutional, anyway, but, at any rate, we will be in a much better position to have a bill which will stand up in court if we have a record of some kind of hearings so we will have the most expert information we can get.

When some of the best constitutional authorities in the country say this bill has constitutional defects, it seems to me it is arrogant for the Senate to say, "We will not have any hearings. We will push it through." Not only is it arrogant, but it will not accomplish its purpose.

Mr. MUNDT. Would the Senator estimate what he would consider would be a long enough period of time to hear constitutional lawyers, who would be able to agree on any bill we wrote?

Mr. PROXMIRE. I would say if we could have two or three or four witnesses on one side and two or three or four witnesses on the other side, that would be agreeable. I earnestly hope the Attorney General will appear. He may not, but I think he should be asked to appear. I think he owes it to the Senate to tell us where he stands—not that he will enforce the law; of course he will; that is his job; but whether or not he has had a chance to read the legislation and have an opinion on it. When Mr. Yeagley appeared before the Appropriations Committee and was asked whether such a law as the Dirksen bill would revive the Subversive Activities Control Act, he said, "Let us take a look at the particular bill. We would have to analyze the law before we can say whether the bill will result in bringing any more cases before the board." That is what I am asking for, and all I am asking.

Mr. MUNDT. The mere fact that the Attorney General said to the minority leader that he would enforce the law and move under the law obviously answers the question whether there would be more cases brought before the board. Of course, there would be, because this law would enable them to be brought there. Now we have a sterile board because of the decisions of the Supreme Court. This law will give the agency an opportunity once again to move forward in presenting cases before the board.

Mr. PROXMIRE. I think there is serious question whether or not he will move forward, depending on the interpretation of the letter; but, at any rate, he ought to have an opportunity to interpret the bill.

Mr. MUNDT. I interpret the letter as meaning that he would move forward.

One of the great advantages of a bicameral legislative system is that the type of concern which the Senator has expressed can be alleviated by the fact that this is not a final act. The bill will go before the House. The Senator can be certain that the House will hold hearings, because of the characterization and membership of the House Judiciary Committee. If there are any defects in the bill, they will be corrected. The Senator knows that even after hearings have been held, very frequently a bill comes to the Senate floor and a sharp-eyed critic like the Senator from Wisconsin or someone else says, "It looks like this is an error in construction." We do not get perfection here merely because there have been long hearings.

Mr. PROXMIRE. Let me say, on that score, that if the Dirksen motion to suspend the rules and put its bill on the appropriations bill had been effective, there would have been no hearings in the House. One of the principal reasons why I opposed that motion was that under the procedures followed there, there would be no hearings. Upon inquiry of the Parliamentarian, I learned that the bill would be referred to the House Un-American Activities Committee, and not the House Judiciary Committee. The Un-American Activities Committee might or might not have hearings.

Mr. MUNDT. How does the Senator know that?

Mr. PROXMIRE. That is the opinion of the Assistant Parliamentarian in the House. He may be wrong, but it is the best opinion we can get.

Mr. MUNDT. Did he make a public statement to that effect?

Mr. PROXMIRE. I asked him on the phone where the bill would go. He said it would be referred to the House Un-American Activities Committee. Of course, they may change their minds, but that was his opinion as of that time.

Mr. MUNDT. Normally, bills that we have here go to sister committees in the other body. I admit that the Parliamentarian is the Supreme Court over there. If he is committed to that, of course that is the final decision; but that does not alter my opinion that hearings will be held and they will be given a chance to change any language which they believe to be unconstitutional. We get these lawyers and judges, and they will not agree. I do not know that we will be any wiser. We will be a little older. We will be paying salaries for members of an agency which cannot work until we pass this bill. But that is the advantage of a bicameral system. I am for it. The Senator from Wisconsin is for it. Our favorable action will put the bill over there for consideration by the House.

Mr. PROXMIRE. This is a board which has done nothing for 20 months. I am not asking that the bill go over for a week of hearings. As a matter of fact, the hearings may last a day or two. But I am asking that the bill be reported back at a certain time, 10 or 20 days, or on a certain date. Then we will have no obligations at all other than to pass or not pass the bill. It is not my intention to filibuster the bill, but to call attention to some of the problems the bill raises. If we can have hearings on it, then we will have it in the proper tribunal, and outstanding authorities in the Nation can tell their views of it.

Mr. MUNDT. Is the Senator proposing that the bill go back to the Judiciary Committee for 3 or 4 days, to be reported back to the Senate on a day certain, with a time certain included for a vote?

Mr. PROXMIRE. Yes, with a final date

as to reporting it, and with a time certain for a vote after that. I would be agreeable to that. This does not bind any of those on this side, but I have talked with Senators who are of the same general view, and they would be amenable to that. The point is we want to be sure there will be hearings; that the bill will not merely go back to the committee and then come back. Then we would have some information.

Mr. MUNDT. That is a unique procedure. I would have to check with our Parliamentarian as to whether or not we can freeze the schedule of the Senate that far in advance, so that the Senate could bring the bill back Thursday, for example, and on Friday at 3 o'clock we would agree to vote. I am not sure that can be done by unanimous consent, but assuming it can be, that is a reasonable position—much more reasonable than trying to filibuster. Certainly, if we got the bill back without such an agreement, we would be in the same position as now, the Senator could filibuster, and nothing will have been accomplished.

I have spoken to rescue my friend from what I think is an untenable position. I like him. He is an effective Senator. I did not think he should be allowed to remain in that position.

I thank the Senator for his contribution.

Mr. PROXMIRE. I thank the Senator.

CALIFORNIA REAPPORTIONMENT RULING THREATENS SEPARATION OF POWERS

Mr. MURPHY. Mr. President, the October 16 edition of the Los Angeles Times contains an excellent article concerning the implications of a recent decision by the California Supreme Court. It was written by the Honorable Caspar W. Weinberger, a former California assemblyman, Republican State chairman and a distinguished practicing attorney in San Francisco.

Mr. Weinberger points out the threat to the traditional separation of powers between the executive, judicial, and legislative branches of our government posed by the California decision ordering our State legislature to reapportion California's congressional districts by December 7, 1967, or to accept a reapportionment plan to be imposed by the court.

I believe that Mr. Weinberger's excellent analysis will be helpful and applicable in broader areas, and I ask unanimous consent that the article entitled "Redistricting Ruling Was Bad," written by Caspar W. Weinberger and published in the Los Angeles Times of October 16, 1967, be printed in the RECORD at this point.

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

REDISTRICTING RULING WAS BAD

(By Casper W. Weinberger)

The State Supreme Court's decision—ordering the legislature to reapportion our 38 congressional districts, backed up by the court's threat to write its own reapportionment law if the Legislature fails to act to the court's satisfaction by Dec. 7—seems to me to be a clear and flagrant violation of our historic doctrine of separation of powers.

It is of course far too late to argue with the U.S. Supreme Court's "one man, one vote" rule upon which our supreme court's rulings are based, and no one should criticize our court for following that U.S. Supreme Court decision.

But the vice of last week's rulings that it completely neglects the historic limitations that have been placed on the judicial branch of our government since its foundation. The courts are supposed to decide actual controversies brought before them by litigants, public or private. Courts may also "declare the rights" of parties in advance of completed transactions.

Thus, in the reapportionment controversy, no one could challenge a court ruling that a particular act passed by a legislature, or a Congress, apportioned in violation of the "one man, one vote" rule, was unconstitutional and void. Nor could anyone challenge a declaratory judgment by the court that any act by an unreapportioned legislature or Congress would be held void.

But that is a far cry from what our supreme court did in 1965 and last week, when in effect they said to the Legislature, "If you do not pass an act we find to be constitutional by the day we fix, we will order the statute we ourselves have written into effect."

The judicial function specifically, and for very good reason, does not and never has embraced the writing of statutes. By the same token, neither our governor nor our Legislature can decide lawsuits or write legal opinions.

The difference between a court holding unconstitutional a statute passed by an unapportioned legislature, and a court writing its own law and ordering it into effect, is vast.

Courts are supposed to interpret and pass on the validity and application of laws enacted by the elected-legislative branch. How can courts fairly or honestly interpret laws they write themselves? Who can then protect us against an unconstitutional court-written statute?

The Legislature is properly hedged about with numerous constitutional and other restrictions on lawmaking to ensure that there will be public notice, open hearings, three readings, majority recorded votes by the peoples' elected representatives, and many other safeguards which have come down to us from more than 600 years of parliamentary experience.

And the executive branch, as a further check and safeguard, has the additional duty to examine each passed bill and decide whether it is to be signed into law or vetoed, with a further right in the legislature to override the veto.

All of those carefully worked out safeguards and the collective policy decision only two months ago of 120 elected members of the Legislature not to reapportion on the basis of 8-year-old census figures, are now swept into discard by a court decision.

Court decisions quite properly should be above the ordinary criticisms to which policy decisions of our elected officials must be subject. Courts are, or should be, removed from the arena of policy making, and this, and their needed independence, are powerful safeguards which should always be preserved.

But when the courts themselves neglect to transgress the boundaries of judicial action, and start writing statutes, or threatening to do so, they not only subject these rulings to the same harsh criticism which is the fate of any policy decision, but they also endanger their proper role as protectors of the liberties of each of us.

The same special session which will shortly consider congressional reapportionment under the shadow and threat of a court-written statute, should also consider a constitutional amendment making it crystal-clear that the separation of powers doctrine, written into our federal and state constitutions from the beginning forbids a court from writing, or threatening to write statutes—just as it forbids a legislature from deciding, or threatening to decide, lawsuits.

EXTENSION OF TIME FOR FILING REPORT OF COMMISSION ON URBAN PROBLEMS

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Alabama [Mr. SPARKMAN] I ask that the Chair lay before the Senate a message from the House of Representatives on Senate Joint Resolution 112.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the joint resolution (S.J. Res. 112) extending the time for filing report of Commission on Urban Problems which was, on page 1, line 3, after "Housing", insert "and Urban Development".

Mr. BYRD of West Virginia. Mr. President, I move that the Senate concur in the House amendment.

The motion was agreed to.

Mr. BYRD of West Virginia. 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. 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.

PROTECTION OF FEDERAL FACILITIES SHOULD NOT BE LEFT TO LOCAL LAW ENFORCEMENT AGENCIES

Mr. MURPHY. Mr. President, last Thursday, I informed the Senate, the Attorney General of the United States, and the Secretary of Defense that an attempt would be made this week to close the Oakland Induction Center in Oakland, Calif., as part of a nationwide protest movement against the draft. I asked the Attorney General, in a letter, whether the protesters were in violation of Federal law by the mere threat to shut down the Oakland Center, and I requested that Federal authorities take steps to prosecute violators of the Selective Service Act.

As you all know from press accounts, demonstrations did indeed begin yesterday in Oakland and in San Francisco, Los Angeles, Boston, Chicago, and other cities. In Oakland, 119 persons were arrested Monday by local and State authorities on a variety of charges ranging from trespass to blocking sidewalks. I am proud to say that the target of the demonstrations, the Oakland Induction Center, remained open for business and the same situation prevails today thanks to the vigilance and careful planning of the Oakland Police Department, the Alameda County Sheriff's Department, and the California Highway Patrol.

Mr. President, I remain puzzled by the apparent failure of Federal authorities to act in this matter. I have received no reply from the Attorney General, and I am informed by Oakland authorities that only a scattering of arrests have occurred under Federal charges. This has created a situation in which the sole protection of a Federal building has been left to local law enforcement agencies. I pointed out some time ago in a statement to the Senate that, if a similar situation should occur in a Federal building in Los Angeles, there are 22 Federal employees—U.S. marshals and deputy marshals—legally empowered to defend that building and the people working therein. The Armed Forces entrance and examining station in Oakland—the induction center—is deeded Federal property and houses other Federal agencies along with Selective Service.

It is not my place, nor my purpose, to question the operations of the Attorney General or his representative, the U.S. attorney for the northern district, and I certainly am not presuming to tell them their business. It does seem strange, however, that the burden of protecting a Federal installation in Oakland again has fallen upon local and State authorities. My judgment is that a more certain way of halting these shameful and deliberate efforts to disrupt the lawful activities of a Federal agency would be prompt—and I emphasize the word "prompt"—arrest and prosecution by Federal authorities.

I think that to permit this type of unlawful disturbance is shameful and, apparently, I am not alone in this view. I hold in my hand a piece of literature distributed by the San Francisco Committee for Draft Resistance. It is headed "End the War," and it calls upon readers to join resisting the draft. One paragraph of the message is particularly pertinent:

> We do not undertake this action lightly. We are keenly aware of the penalties which may be exacted for this action. Universal Military Training and Service Act, Section 12, Penalties: "Any person who . . . knowingly counsels, aids or abets another to refuse . . . registration or service in the armed forces . . . shall upon conviction in any district court of the United States . . . be punished by imprisonment for not more than five years or a fine of not more than $10,000 or by both."

My point is that even the draft protesters themselves evidently realized they are violating the Selective Service Act by their actions, and are prepared to suffer the consequences. I would hope that the Federal officials concerned in the Oakland case take these people up on their dare.

I think it is unbelievable that these peoples' acts should be allowed to fly in the face of the law of this great country without the slightest concern being shown by the proper Federal authorities. It is a bad precedent to permit this to be done. It has happened already too often.

We cannot continue to condone deliberate disobedience to the law in this country. I will be most interested to see whether the U.S. attorney in the northern district seeks prosecution of the individuals trying to close the Oakland Induction Center. I know that I speak for many concerned citizens in Alameda County and elsewhere in California who are as puzzled as I am over the apparent disinterest of Federal attorneys to follow through in these cases, leaving the burden of prosecution to local and State law enforcement officials. There is some feeling that prompt arrests and Federal prosecution of those who sought last year to close operations at the Oakland Army Materiel Center perhaps could have influenced the demonstrators today to obey the law. As the Oakland Tribune stated in a front-page editorial last Thursday:

> Any effort to occupy Federal buildings and to trespass for the purpose of preventing the functioning of the Selective Service System would be a violation of Federal and local law. The Attorney General of the United States and the United States Attorney for the Northern District of California should forthwith make plain that those who violate Federal laws will be prosecuted to the full extent of the law.

I wonder, Mr. President, whether Attorney General Ramsey Clark has issued guidelines for Federal district attorneys in the current wave of demonstrations against the draft. Do these guidelines include instructions for full prosecution of agitators and demonstrators? Has the Attorney General ascertained whether there is centralized leadership of these nationwide demonstrations against the draft? If so, does he plan prosecution under conspiracy laws?

The law-abiding citizens of California—who are forced to pay the costs of the police, the sheriff's deputies, the highway patrolmen, and other local and State law enforcement officers protecting Federal property—are curious over the position of the Attorney General and his representatives in these cases. So am I.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a copy of the front page editorial from the Oakland Tribune of last Thursday, together with a copy of the handbill to which I have referred.

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

[From the Oakland (Calif.) Tribune, Oct. 12, 1967]

THE OAKLAND INVASION

Our community is the target of various groups proposing illegal acts against Federal and local law on Monday, October 16.

The illegal action is not aimed at anything over which the City Council of Oakland or the Board of Supervisors of Alameda County has any control.

It has been proposed that the campus of the University of California be used as a rallying point and staging area for such action.

The target in this case is the Government of the United States. The appeal of the actionist groups is for those registered under the draft laws to "burn their draft cards" and to refuse induction into the armed services of the United States. This comes at a time when more than half a million American combat men are engaged in preventing Communist forces from taking over South Vietnam.

A mass failure of our induction system would mean the combat veterans already overseas would have to remain longer and could be denied essential reinforcements because of the lack of replacements.

Any effort to occupy Federal buildings and to trespass for the purpose of preventing the functioning of the Selective Service System would be a violation of Federal and local law.

The Attorney General of the United States and the United States Attorney for the Northern District of California should forthwith make plain that those who violate Federal laws will be prosecuted to the full extent of the law.

Any effort to block our city streets and sidewalks and prevent their use by citizens or vehicles carrying on their normal and lawful activities is a violation of local ordinances.

All such efforts should be prevented by the local law enforcement officials. Behind the city police in maintaining law and order stands the full power of the government of Alameda County, the State of California and if need be, the United States of America.

The overwhelming majority of our citizens will support the Constitutional authorities in maintaining law and order.

The advocates of the illegal action have stated their plans in the following language: "During the week of October 16–21, men and women from all over Northern California will converge on the Oakland Induction Center to physically shut it down. They will also spend much time organizing young people against the war and the draft."

Another publication urged men of draft age to "hand in your draft cards. Turn them back to the government."

This is what the proposed invasion of Oakland is all about.

No government, no free people, can permit these direct actionists to obstruct the due process of law nor to bring disorder to our streets.

The issue is law and order or anarchy.

[Handbill by San Francisco Committee for Draft Resistance]

TO END THE WAR

An ever growing number of young American men are finding that the American War in Vietnam so outrages their deepest moral and religious sense that they cannot contribute to it in any way.

We and others throughout the country, like the majority of Americans not among those called upon to offer our lives in Vietnam, share this moral outrage. We believe that any American citizen is morally bound and legally justified in exerting every effort to end this war, to avoid collusion with it, and to encourage others to do the same.

Therefore, we call upon all men of good will to join with us in the following statement, if they believe as we do that we must step forward at this time with those young men who are openly resisting an unjust military draft serving a disastrous military policy.

A CALL TO RESIST

The fundamental immorality and increasing brutality of our nation's course in Vietnam compels us to commit our lives to changing that course. No man's conscience belongs to the state. Responsibility lies with each of us. We who give consent by our own silence and inaction declare that the killing must be stopped. We stand with those young men who in the American tradition of civil disobedience refuse to submit to an unconscionable military draft. We ourselves are not eligible for the draft, but we publicly announce our individual and joint complicity in disobeying this law, along with the young men who are refusing the draft.

We do not undertake this action lightly. We are keenly aware of the penalties which may be exacted for this action:

Universal Military Training and Service Act, Section 12, Penalties: "Any person who . . . knowingly counsels, aids or abets another to refuse . . . registration or service in the armed forces . . . shall upon convic-

tion in any district court of the United States . . . be punished by imprisonment for not more than five years or a fine of not more than $10,000 or both."

We explicitly encourage, aid and abet this civil disobedience and thus place ourselves in equal legal jeopardy with draft refusers. We cannot leave them to take the risks alone for what is the basic act of conscience in our time.

PARTIAL LIST OF INITIATING SIGNERS

Ben Seaver, George Leppert, Roy C. Kepler, Russell Jorgensen, Gordon Zahn, Philip Drath, Charles M. Stein, Julian A. Ripley, Jr., Jay Neugeboren, Gerald Wilsnack, E. John Lewis, Robert W. Brown, Theodore W. Keller, Paul Turgis, Clarence Rainwater.

William Sloan Coffin, Samuel R. Tyson, Alan Strain, George Reeves, Roland Finston, Paul Dickert, Alfred Williams, Paul Brink, Roger S. Lorenz, Mitchell Goodman, Jackie Stroud, John McClesny, Frances Zainello, Barbara Sinton, Wayne Richards.

Milton Mayer, Adrian Wilson, Robert H. Weir, Richard C. Strohman, David Newman, Ronald U. Landau, Laurence Moore, Barbara Howden, Virginia Brink, Dorothy J. Malasky, Elinor H. Stillman, Darel Baylor, Winnett Hagens, Isobel M. Cerney, Pat Garford.

Louis Sloss, Jr., Herbert Foster, Jr., Paul S. Seaver, John L. Levy, Archie Van Wyk, Steve Smith, Irene Baratoff, Elaine W. Schwartz, A. D. Schwartz, James M. Swan, Jo Anne Wallace, Ann Wood, Dan Due, Judith Ann White, Hollis A. Chenery.

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

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

AMENDMENT OF THE SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

The Senate resumed the consideration of the bill (S. 2171) to amend the Subversive Activities Control Act of 1950, so as to accord with certain decisions of the courts.

Mr. KENNEDY of New York. Mr. President, I believe that S. 2171 should be recommitted to the Judiciary Committee for full hearings and for a full inquiry on its relation to the statutory framework which it amends.

I seriously question the continued relevance of the Subversive Activities Control Board to the struggle against communism. The course of constitutional decision over the past 17 years has revealed the invalidity of some of the statutory provisions the Board is supposed to administer and has thrown others into serious question. In its 17 years of existence, the Board has not successfully registered a single individual or organization. It has not even met formally in over 20 months. The Board, in simple terms, does nothing, because it no longer has anything to do.

It was charged by the Internal Security Act of 1950 with the duty of requiring Communist-action organizations and Communist-infiltrated organizations to register as such. Certain sanctions could be applied. It was also charged with the duty of requiring members of Communist-action organizations to register when their organizations failed to do so after having been the subject of an order by the Board. After 17 years of testing, it is clear that key elements in this scheme are not permitted by the Constitution of the United States. As a result, the Board, which tried actively in earlier years to enforce the statutes that it was charged to administer, now does nothing.

The Senator from Illinois [Mr. DIRKSEN] now proposes to revive this moribund agency. He would do so by turning it into a solely investigatory body. He tells us nothing, and there have been no public hearings to tell us anything, about how those investigatory functions would relate to the effective institutional framework we already have for investigating communism, which centers around the Federal Bureau of Investigation. He would revive the agency without answering or resolving any fundamental constitutional questions which have been raised by court decisions over the past 17 years. And there is substantial question about whether the SACB would in fact be solely an investigatory body if S. 2171 were enacted. The Internal Security Act contains a number of sanctions which the SACB would still be apparently free to impose on those whom it investigates.

These are all substantial questions. Senator DIRKSEN gives us the answer to none of them. He asks the Senate to have faith that his solution to the problem is workable and feasible. This is extraordinary. Our legislative system is premised on the idea of holding hearings and listening to the views of those who would be charged with administering the proposed legislation as well as those who would be affected by it. No reason is presented why we should depart from those principles on this occasion.

The present ineffectiveness of the SACB, and the serious question about whether it is worthwhile to save that agency in any form, might be illuminated by a discussion in some detail of the agency's efforts over the years to enforce the Internal Security Act of 1950, and a more detailed understanding of why those efforts proved to be fruitless.

I go into this, Mr. President, in some detail because I think it is important to have an understanding of the kind of legislation we are considering at the present time and because I played a role in the effort to enforce this act myself while I was Attorney General of the United States.

Let us look first at the litigation involving the Communist Party itself. In November 1950, after the Internal Security Act had been enacted over President Truman's veto, the Attorney General of the United States petitioned the SACB to compel the Communist Party to register as a Communist-action organization.

After two suits to enjoin the proceedings, both of which were dismissed, the Board held hearings on the petition. It finished those hearings in July 1952. It had taken 15,000 pages of testimony and had received 507 documentary exhibits. In 1953 it issued an order telling the Communist Party to register.

The issue then found its way into the courts again. In April 1956, 3 years after the Board's original decision, the Supreme Court reversed the Board's action on the ground that the Board had based its decision in part on the testimony of three witnesses who had allegedly perjured themselves in the proceedings, an allegation which the Government did not deny.

In December 1956 the SACB issued a modified order, basing its decision on an expurgated record which did not include the testimony of the three witnesses whose credibility had been questioned.

In 1958, the Board's order was reversed again, this time by the Court of Appeals of the District of Columbia Circuit. The court said that the respondents were entitled to inspect the reports which four witnesses had submitted to the FBI. This ruling was the result of a 1957 decision of the Supreme Court in Jencks against United States.

As a result, the Board held further administrative proceedings, in which the FBI reports were made available. In February 1959, the Board issued a new order compelling the Communist Party to register, and after further litigation, the Supreme Court, in June 1961, finally upheld the Board's order.

Thus, after 10½ years of exhaustive examination and litigation, it was finally held that the Communist Party could be compelled to register. However, the Court held that the question of whether there was any constitutional problem in the registration process itself was premature. Attorneys for the Communist Party had argued that when individual officers of the organization came forth to register, they would be subjecting themselves to possible prosecution under a variety of laws including the Smith Act and the Internal Security Act, and that their coming forward would violate their privilege against self-incrimination as guaranteed by the fifth amendment to the Constitution of the United States. The Supreme Court said this question would be litigated and decided when the individuals acted in response to the order to come forth and register in behalf of the Party.

After 10½ years, then, a substantial question still remained about the validity of the process set out in the Internal Security Act of 1950.

At this point, I was Attorney General of the United States. During the years that followed, we made a conscientious effort to follow up on the Supreme Court's 1961 decision and to enforce the law enacted by Congress. As the years passed, it became more clear that this law raised fundamental questions of individual liberty which rendered it ineffective as a method of fighting communism.

In December 1961, for example, a grand jury indicted the Communist Party for failure to register, as it had finally been ordered to do under the Supreme Court's decision of the previous June. The party was convicted and fined $120,000. In 1963, the Court of Appeals for the District of Columbia Circuit reversed this conviction, holding that it

did in fact violate the constitutionally guaranteed privilege against self-incrimination for a natural person to have to come in and register the Communist Party as a Communist-action organization. I might add that Judge Bazelon had dissented to all the previous rulings of the Court of Appeals in the case on each occasion when it had upheld the Board's original order against the Communist Party—saying each time that the privilege of self-incrimination would be violated when individual officers of the party came in to register. Judge Bazelon's view, was, therefore, ultimately vindicated. In 1964, the Supreme Court denied certiorari in the case.

In 1965 a new trial was held, the Government contending that it had two FBI agents who were members of the party who were willing to register the party. The party was again convicted, and that conviction was reversed only this year by the Court of Appeals for the District of Columbia Circuit.

Thus, after 17 years of litigation, the Communist Party still has not been compelled to register and there is serious doubt about whether it can ever constitutionally be compelled to do so.

We made other efforts to enforce the Internal Security Act as well. In March of 1962 two national officers of the Communist Party were indicted for failing to register the party when the party itself did not register. These indictments, however, were not pressed since the basic question of the Communist Party's obligation to register was still at issue. One of the defendants subsequently died, and in 1966 the indictment against the other was dismissed on the ground that a trial at that late date would not serve the sound administration of justice.

In 1962, we also petitioned the SACB to require 44 individuals to register as members of the Communist Party. This proceeding was brought under section 8 of the Internal Security Act, which provides that any person who is a member of a Communist-action organization ordered to register but failing to do so shall himself register with the Attorney General. All 44 of the individuals were ordered by the Board to register, and two of them appealed in test cases. In 1965, in the case of Albertson against Subversive Activities Control Board, the Supreme Court reversed, holding, as had been held in the Communist Party case earlier, that it would be a violation of these individuals' constitutional privilege against self-incrimination to be forced to register, since registering might possibly subject them to a variety of criminal penalties.

Thus, by the end of 1965, the whole registration process as it affected both the Communist Party and its members had been shown to be extremely doubtful according to established American constitutional principles.

Nor is this all. Between 1953 and 1956, the Attorney General petitioned the SACB to require the registration of 23 other organizations, 21 of them as Communist-action organizations, and the other two labor unions which the Attorney General alleged were Communist infiltrated. Another petition was filed in 1963, and another in 1966. Not one of these organizations has ever registered. Some are no longer in existence. In other cases, the courts ordered the petitions dismissed for a variety of reasons. One proceeding is still pending, and two or three other orders to register are apparently still outstanding, but nothing is being done to enforce them, apparently because there is so much doubt as to their constitutionality.

Mr. President, I have recited this history because I think it makes clear that the passage of time has explicitly demonstrated the irrelevance of the SACB to the fight against communism. What the Senator from Illinois is seeking to do, really, is to turn back the clock and ignore the constitutional history of the United States over the past 17 years. We must not countenance that, particularly when the way in which he proposes to do it is without any hearings or any inquiry by the standing committees of the Senate.

The privilege against self-incrimination has been the constitutional right relied upon in the court decisions up to now which have invalidated major portions of the Internal Security Act. However, other constitutional developments in the last 17 years have made it clear that the right of association under the first amendment is also relevant to the issue before us. That right is a far more explicit and better understood protection than it was 17 years ago.

Thus, in Bates against City of Little Rock, in a number of cases involving the NAACP, and in a number of decisions involving loyalty oath provisions in various States, it has become more and more clear that Government must be extremely careful when it seeks to investigate the associations which individuals choose to have. The first amendment protects the right of association as a facet of the right of free expression, and the courts have made it clear that any governmental activity which discourages individuals from free choice in their associations and in their choice or organizations will be looked at with great care. Thus, State governments have been held not to have the power to compel membership lists of organizations to be disclosed. And individual members of organizations have been protected in refusing to tell legislative investigating committees about the membership list of their organizations. If the SACB were to be given the power to investigate Communist-action organizations and Communist-infiltrated organizations, there would no doubt be serious questions under the first amendment about the procedure and substance of that power. Yet we have had no inquiry whatsoever about these questions.

Then, Mr. President, there are at least three other major constitutional questions about this legislation which I raised last week in discussing this problem on the Senate floor, and which after reviewing the debate, I find have still not been handled adequately by the proponents of the bill.

First. The definitions of "Communist-action" and "Communist-infiltrated" groups are the same as they were in 1950—these definitions raise serious questions about vagueness, about what groups are included and what groups are not. The Supreme Court's loyalty oath decisions have strongly suggested that vague definitions of "subversive" groups are not constitutionally permissible, because such lack of clarity discourages people from associating with legitimate groups. Yet section 782 of the act—which would not be affected by S. 2171—uses language of the most general sort.

Second. Although the Board's activities would be investigatory, there are a number of severe restrictions on members of tainted organizations which would apply once the Board made its determination of "Communist-action" or "Communist-infiltration." The groups themselves are denied tax deductions—their mail must be stamped—their activities are subject to heavy supervision. Thus, the Board still has functions which are inherently punitive—and which may well be a violation of the privilege against self-incrimination. In addition, the increased protection given political associations by the Supreme Court in recent years makes this kind of government supervision open to serious doubt under the first amendment.

Finally, the self-incrimination problem may be greater under this bill than under the existing act. What happens if an individual refused to answer political questions before the Board? Can he be punished for contempt? Is failure to testify evidence of subversive activity? If the Board's final determination results in severe restrictions on groups, is this not a use of investigatory power to punish?

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

Mr. KENNEDY of New York. I yield.

Mr. PROXMIRE. As I understand the Senator from New York, who is the former U.S. Attorney General and who had, I understand, the responsibility for enforcing the act that was on the books, the act that the proposed legislation would amend, he is contending that the definition still in the law, untouched by the Dirksen proposal, the definition of Communist front is so vague that there are serious constitutional problems in connection with it. Is that correct?

Mr. KENNEDY of New York. Yes, I might say to the Senator that the two definitions of "Communist action" and "Communist infiltrated," the vagueness of which undoubtedly had some effect on the court in throwing out the sections of the act which it has passed upon—and also accounted in part for our lack of success in the executive branch of the Government in administering the 1950 act—those same terms are left in the law by the Dirksen bill, and they still raise serious constitutional questions.

The matter will go back to the Supreme Court and in my judgment it will receive the same treatment that the act has received over the last 17 years.

I think we are going through a charade here. Everybody can come in and vote for the act and go back to his constituents and say, "We scored a major victory against communism." But we will not have done anything like that; we will not have advanced one step against commu-

nism, or subversion, or espionage. We would be deceiving the people and we would be deceiving ourselves when we say we have taken the step.

We know the act will be challenged and we know that the Supreme Court will very likely throw it out, as it has done in the case of sections of the law now on the books. This law has not helped us to advance in the last 17 years in connection with subversive activities, and if this legislation is passed, we will still not have taken a step forward. We will be standing still.

It seems to me that it makes much more sense to follow the procedure suggested by the Senator from Wisconsin: Let us see what the problem is and then establish a board that can do something worthwhile. This proposed legislation is not going to get us anywhere. We will not go one step forward but we will perhaps deceive ourselves that we have done something.

Mr. PROXMIRE. The contention by the proponent of the bill and other Senators that this legislation would simply bring the Internal Security Act of 1950 into conformity with the Albertson decision is not true, at least not in the judgment of the Senator from New York, the former Attorney General, who has had great experience under the law which is now on the books; and this would not achieve that objective because the definition of at least two terms——

Mr. KENNEDY of New York. "Communist action" and "Communist infiltrated."

Mr. PROXMIRE. The terms "Communist action" and "Communist infiltrated" are the same and these would still raise serious constitutional questions of vagueness.

Mr. KENNEDY of New York. Absolutely.

Mr. PROXMIRE. The second point, I understand, is that the act still permits heavy Government supervision of organizations found to be "tainted," and the Senator indicates that this very likely violates the first amendment freedom of association which the Supreme Court has spelled out in recent years.

Mr. KENNEDY of New York. That is correct.

Mr. PROXMIRE. The third point is that we may have, under the Dirksen proposal, a law, if this is enacted, which raises even more serious problems under the fifth amendment self-incrimination protection of the Constitution than the present law that was declared unconstitutional.

Mr. KENNEDY of New York. That is correct. It seems to me that that is true, and as I have said, I had a good deal to do with this matter. This was a critical matter in 1961. We had studied it carefully in the Department of Justice and we wanted to move ahead on it because we thought that after the lengthy hearings and debates that had taken place in Congress we should follow up on it. The matter was pursued vigorously and energetically. But the legislation was thrown out, and all of our efforts to get the Communist Party and the heads of the Communist Party to register were dissolved.

It seems to me that if we enact this bill, we will be starting to go through all of that all over again after 17 years. It does not make sense to do the same thing over and over again when it does not get us anywhere.

Mr. PROXMIRE. The Senator from New York is building a devastating case. As the former Attorney General, he is the only man in the Senate who has had experience enforcing the act, and he is telling us that the bill before the Senate has serious constitutional defects.

We have a telegram which I placed in the RECORD earlier wherein 37 law professors, including three deans of great law schools, state that the bill, S. 2171, contains serious constitutional defects. No hearings have been held on the bill. We have not had a single constitutional expert testify on the record who can tell us whether or not this legislation may conform with the Constitution. We do not have any argument pro or con. We have no committee report that is really a committee report. We have a one-page declaration of what the bill would purport to do, but we have no analysis whatsoever.

On this basis it seems to me that the analysis of the former Attorney General, the Senator from New York, would compel any Senator, whether he is for or against the legislation, whether he is for the same objectives as the Senator from Illinois and others, to say, "Let us get to work on it to see what we want to do."

As the Senator said, it may be another 17 years in which nothing is accomplished.

We have an idle Subversive Activities Control Board which has done nothing for 20 months, has held no hearings for 20 months, and it may be idle at the taxpayers' expense indefinitely. Is that correct?

Mr. KENNEDY of New York. That is correct.

I might say it is my strong feeling—and this is my judgment based on my experience—that this bill raises serious problems. It seems elementary it would also be the judgment of the present Attorney General. My feeling is that he would agree with me. It seems to me at least worthwhile, even if it were only for a couple of hours, to call him and see what he thinks. Would he, in fact, be able to operate with this bill? What steps would he contemplate taking under this legislation? Can he take any steps?

Mr. PROXMIRE. This is the heart of the whole matter, because if he cannot take any steps, the bill accomplishes nothing at all.

Mr. KENNEDY of New York. Not only that, but we deceive ourselves to think that we have done something about the problem and cause our constituents to think we have taken a step with respect to what many Senators and Representatives think is a problem in this country. We would go to the American people and say that we have dealt with the problem, but we have not.

I think we should examine this and make a judgment as to whether or not this legislation would advance the struggle against internal communism and deal with this problem, or whether it in fact accomplishes nothing at all.

My judgment is that it would not accomplish anything at all and that it is a step backward because we think we have done something and we have not.

Mr. President, on the point that the Senator from Wisconsin made, in view of all of these difficulties it is not surprising that a distinguished group of law professors has publicly announced its opposition to S. 2171. As I understand the statement of the Senator from Wisconsin, the telegram that this group of professors sent to Attorney General Clark has been placed in the RECORD. Is that correct?

Mr. PROXMIRE. That is correct. I also identified some of these gentlemen who are distinguished constitutional authorities.

Mr. KENNEDY of New York. I know many of these faculty members personally. I can tell the Senator, from personal experience, they are not only a distinguished group, but, in fact, a rather conservative group.

Prof. Louis Loss of the Harvard Law School, for example, is one of the leading experts in the country on securities laws, on the SEC and the question of registration of securities.

Father Drinan, the dean of the Boston College Law School, is both a respected and conservative figure whom I have known personally for many years. Benjamin Kaplan of the Harvard Law School is one of the leading experts in the Nation on our Federal courts and on copyright law. Louis Jaffe of the Harvard Law School, Walter Gellhorn of Columbia Law School, and Nathaniel Nathanson of Northwestern University Law School are three of the leading experts on Federal administrative agencies. Paul Bator and Clark Byse of the Harvard Law School are also experts in that field. All of these men could testify about whether the SACB contributes significantly to the administrative process. Norman Dorsen of New York University Law School is the director of the Arthur Garfield Hays civil liberties program. Indeed, Mr. President, every member of this distinguished list of 31 law professors is nationally known in some field of law or another.

I urge the Senate to take the advice of these distinguished men and recommit S. 2171 for further examination and inquiry. We should not enact legislation on a matter so vital and so intimately related to individual liberties and our internal security without the most careful kind of scrutiny.

This is felt by the Senator from Illinois to be a major piece of legislation, that it is extremely important. However, it does not seem to me to make any sense to rush this through when we have gone 17 years without having any kind of decent Board. Should we pass this legislation, we might go another 17 years before we decided other legislation should be enacted. Therefore, why not have hearings for a couple of weeks, make a careful judgment as to whether we are moving in the right direction, make a determination whether the legislation we might enact is constitutional, and make a determination whether the Attorney General feels that this would be helpful, looking to what the Federal

Bureau of Investigation is doing and what it will continue to do.

All of these things could be examined in a relatively short period of time. We could get some legislation passed if it was felt to be necessary and move in the right direction, but we should not pass legislation which will mean in the last analysis, that we are standing still. In fact, I might say to the Senator from Wisconsin that, in my judgment, this would be a step backward because it will be so obvious that there will not be anything that can possibly be done under the legislation that is being proposed by the Senator from Illinois that will not be done or cannot be done otherwise. It would be, really, deceitful for the Senate to pass this legislation.

Mr. PROXMIRE. Is it not true that there was specific information which would have been required under the old Subversive Activities Control Act of 1950, which is no longer required because of the Supreme Court decision, and would not be required under the Dirksen bill? I am going to indicate here and will ask the Senator from New York, as a former Attorney General, whether in the absence of this information it is not true that the Federal Bureau of Investigation and the Justice Department would be in as strong a position to cope with the internal Communist menace without the Dirksen bill as it would be if the Dirksen bill were to be passed.

Mr. KENNEDY of New York. Without any question. When I was Attorney General, we did not receive, to my knowledge, one piece of information from the Subversive Activities Control Board in connection with communism in the United States that we had not uncovered in other ways. Not one piece of information while I was Attorney General.

Mr. PROXMIRE. While the Senator was Attorney General, there was not a single piece of information that came from the Subversive Activities Control Board—not a name, not an identification or a Communist-front group—no information that was of any value in combating communism.

Mr. KENNEDY of New York. That we did not have already from other sources, or that was not available to us already from other sources. Not one piece of information.

Mr. PROXMIRE. If registration had worked, it might have had, as I understand it. Of course, it did not work because it was held unconstitutional by the Court—but the law might have produced names and addresses of officers and organizations at the time of filing for 12 months previous to the filing, with the titles of officers and their duties—but none of this would be required under the Dirksen bill; is that not correct? Of course it was not made available under the Subversive Activities Control Act because the registration provisions of that act were in contradiction to the Constitution.

Mr. KENNEDY of New York. The Senator is correct. Of course, so far as the Government's having that information is concerned, we already had it. A substantial number of the members of the Communist Party or Communist Party front organizations now are members of the Federal Bureau of Investigation. So far as getting names and addresses, we have that information.

Mr. PROXMIRE. An accounting of all funds——

Mr. KENNEDY of New York. Let me interrupt there to put this in perspective. We know that the great problem is espionage and sabotage. That must be continuously watched in the United States. The case which was uncovered in the past couple of weeks, and which appeared in the newspapers in the last several days, came from the defection of an individual or group of individuals from the Soviet Union espionage team. That is the way we receive, basically, our information, as well as the investigative work of the Federal Bureau of Investigation; of course the FBI works on sabotage and espionage in the United States. No one should deceive themselves that important information on that has come from the Subversive Activities Control Board in the executive branch of the Government, because it has not.

Mr. PROXMIRE. Then the Senator is saying that the names and addresses of all organizations, and so forth, were available to the Federal Bureau of Investigation and were available to the Department of Justice. They knew about it. They had the information. There was not one bit of information that came in fact——

Mr. KENNEDY of New York. Let me say nothing ever did come.

Mr. PROXMIRE. Ever did come. All right. Cannot come under this law, because the Dirksen bill would not require this information to be made available. In the second place, the accounting of all funds received, including from whom received and how spent, for 12 months prior to filing.

This additional information is important because it is of great value to know where the money is coming from to finance Communist activity and subversive activity in the country. Again, such information would have been required under the 1950 act, but it will not be required under the Dirksen bill, if the Dirksen bill be passed. So we cannot pretend that we are going to get this information under any circumstances.

Mr. KENNEDY of New York. That is correct.

Mr. PROXMIRE. The third is a list of all members of Communist action organizations. Once again, we will not get that information.

Fourth, the aliases of those who are required to register.

Finally, a list of the printing presses and machinery for reproduction of materials.

What I am getting at is: to the extent that the Subversive Activities Control Act of 1950 would purport to provide information, the information required would have been useful—useful, at least, in the eyes of some. But such a requirement has been largely negated by the Supreme Court. The Dirksen bill, however, does not even attempt to restore such a provision. So the notion that we will have all kinds of relevations about domestic Communist-front organizations or about active Communists who are subverting the Government is erroneous, because the Dirksen bill will not even attempt to secure much of this information.

Mr. KENNEDY of New York. The Senator is correct. For someone who does not want to do anything, the job of Commissioner is a nice one to fill at Government expense. If the Subversive Activities Control Board had anything to do, the position would be useful. But if extra money is lying around, and the administration desires to furnish jobs, the positions are nice ones to fill at Government expense. But so far as doing anything good under the legislation suggested is concerned, the Board does not do anything.

Mr. PROXMIRE. The remarks of the Senator from New York are most valuable. I am most interested to know that, in the judgment of a former U.S. Attorney General, this legislation will literally accomplish nothing except preserve an unemployed Subversive Activities Control Board—permit it to continue to provide five $26,000-a-year sinecures for literally doing nothing. The bill will not help us in the least to fight communism at home or abroad.

Mr. KENNEDY of New York. If I were still Attorney General and were asked to testify in answer to the Senator's question, I might say that I would hope to use such information, but could not use it under the Supreme Court's decisions. If I were to testify before a congressional committee in answer to such a question, I would have to say that to continue the existence of the Board would be a waste of the Government's money.

I cannot speak for the present Attorney General; he is an able man and can speak for himself. But to learn whether he has the same reaction would be valuable information.

Mr. PROXMIRE. The statement of the Senator from New York is most vital to the debate. He, as a former Attorney General, has said he would not be able to bring an action before the Subversive Activities Control Board and, therefore, would not be able to revitalize the Board under the bill. This is important testimony, because the Senator from New York is the only Senator who has had actual, direct, practical experience in this area.

Under the circumstances, it seems to me that it should be mandatory that we have hearings to ascertain from the present Attorney General whether his judgment is similar to that of the Senator from New York. If it is, then the law would have to be changed, and changed rather drastically. If it is not his judgment, we ought to know it.

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.

COLUMBUS DAY SPEECH BY SENATOR ROBERT C. BYRD TO THE WEIRTONIAN LODGE OF THE ORDER OF ITALIAN SONS AND DAUGHTERS OF AMERICA, WEIRTON, W. VA.

Mr. BYRD of West Virginia. Mr. President, on Saturday, October 14, I delivered a speech by telephone to the Weirtonian Lodge of the Order of Italian Sons and Daughters of America. I ask unanimous consent to insert that address in the RECORD.

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

COLUMBUS DAY SPEECH BY U.S. SENATOR ROBERT C. BYRD TO THE WEIRTONIAN LODGE OF THE ORDER OF THE ITALIAN SONS AND DAUGHTERS OF AMERICA

Mr. Grossi, Judge Pryor, Judge McClure, Mayor Rybka, Mr. Sinicropi, my good friends of the Weirtonian Lodge of the Order Of Italian Sons and Daughters of America, ladies and gentlemen: I deeply regret that I cannot be with you in person tonight, but I want you to know that I am with you in spirit, and I am glad that this telephone link between us makes it possible for me to speak to you.

When I accepted the very kind invitation of Mr. Mike Sinicropi, I did so in the belief that by this date Congress would have reached adjournment. But it has not, and the pressure of my work made it impossible for me to leave Washington today. I shall have to work here tomorrow to catch up.

But I salute you tonight at a distance, sharing your pride in the knowledge that since the first days of our nation—in fact, since the first discovery by white men of our land—the heritage of America has been inseparably entwined with that of Italy.

Columbus Day is an appropriate time for us to remember that our national debt to the Italians began long before there was an America. As the heirs of Western Civilization, we were also the heirs of the Italian culture which has made so great an impact upon that civilization.

Galileo's telescope was the beginning of much of modern scientific progress, and his pendulum is the principle that made possible the clock and the watch. The research and scientific method of Leonardo da Vinci was far beyond his time, and provided the basis for many other scientists in their quest for knowledge of the world about us.

Although centuries of art have followed them, Raphael, da Vinci, Cellini, Donatello, Michaelangelo, della Robbia, and Botticelli are still the unquestioned masters. The history of art since their time has grown from them, but has never replaced or challenged their position.

The shock and horror with which the whole world viewed the danger and damage to the masterpieces of Florence is witness to the place of Italian art in the world of today. People who had never been to Italy, as well as the thousands upon thousands who had stood before these masterpieces, including many West Virginians, were as concerned about the future of the treasures as they would have been had the tragedy occurred in their own city. Money and experts came from all over the world to help preserve and repair them.

The music of Verdi, Rossini, Puccini, and the countless other Italian composers is ours also. The treasure of world literature is richer by far from the contributions of Petrach, Dante, and Bocaccio.

It was Christopher Columbus who provided the tie between the old civilization and the New World. When he returned to Spain and told of this new land, which he believed to be an unexplored part of Asia, the news spread like a prairie fire. The Italians were among the first to follow Columbus.

Amerigo Vespucci explored the coast of South America only seven years after Columbus, and he was among the first to advance the theory that this was not a part of Asia, but a new and unexplored continent. His writings made such a stir in Europe that a German cartographer named the new land after him on a map he was making. The name, of course, has remained with us as a reminder of the explorer.

John Cabot, whose real name was Giovanni Cabota, sailed for the King of England to explore the mainland of the North American continent. Giovanni da Verrazano explored the coast of North America in the early 1500's, from Cape Breton Island to the Carolinas, and in the process discovered New York Bay.

The exploration of the west, although many may not know it, was led by Italians, also. Allessandro Malaspina was the first white man to explore Alaska, Vancouver, and the coast of California. Fra Marco da Nizza led Coronado's expedition through the west and as far east as what is now Kansas.

The concept of liberty, justice and equality brought many Italians to these shores. A number of settlers had arrived long before the first rumblings of independence; there were Italians building a glass factory in Virginia before the Pilgrims landed in Massachusetts, and Italian Colonies were flourishing in Georgia, Florida, Delaware, New York, and elsewhere, before the Revolution.

But when the spunky little colonies defied the greatest empire of the day and declared themselves independent, several hundred Italians, fired by the ideas of liberty and equality, fought and died in the Revolution that made the American dream a reality.

When the fate of our Northwest territories, the land that is now Michigan, Illinois, Wisconsin, Indiana, and Ohio, hung in the balance and was in danger of falling to Canada, an Italian fur trader saved the day. Francesco Vigo provided the money and the information which enabled General George Rogers Clark to emerge victorious at *Vincennes* in 1779.

The Italian Americans, since our beginnings as a nation, have been among the most patriotic of our citizens. They have served with distinction in our wars, and were among the fiercest patriots even when the nation was at war with Italy. In 1941, the Italian-American newspapers were among the first to condemn fascism and give their overwhelming support to America's war effort.

More than 400,000 Italian Americans served in the armed forces during the war. Many of them fought in the bitter Italian campaigns and a large number remained in the land of their parents as war casualties.

In 1944 Sergeant Peter J. Dalessondro, his unit under heavy bombardment, moved to the front, where he covered the withdrawal of his men. Surrounded and armed only with grenades, he maintained his position and called by radio for fire closer and closer to his station. His last words were directing mortar fire on his own position.

Sergeant Dalessondro's story is but one of the many in the military history of World War II involving the bravery and devotion of Italian American soldiers. At least seven of them have received the Congressional Medal of Honor.

Italian Americans have been outstanding in nearly every area of business and in all the professions. Many have entered public life and served their nation, state or city with distinction. Who can ever forget Mayor Fiorello La Guardia of New York?

Since La Guardia's time, Italian Americans have been mayors of a number of our major cities. Several Senators, Governors, and a host of members of the House of Representatives are of Italian parentage. And no Senator is held in greater esteem and respect than is the distinguished and brilliant senior Senator from Rhode Island, John O. Pastore. One, Anthony J. Celebrezze, himself born in Italy, became a member of the President's cabinet as Secretary of the Department of Health, Education, and Welfare.

The outstanding thing about each of these men and the tremendous number of their countrymen who have chosen the United States as a home, is not that they are Italians, but rather that they are Americans. They are among the finest citizens we have known, bringing with them the best of their heritage and the richness of their traditions and this has been so in Weirton and in every other West Virginia community.

It is the heritage of our proud land that none of us can say "I am English" or "I am Italian". We can only say "I am an American" and know that that makes us a little bit of every land in the world. For our traditions and customs, even our language and our culture, have drawn from the whole world. We have worked together to weave together a nation from all these threads. And we have succeeded.

In the spirit of this day, may I close by quoting the poem titled "Columbus":

"COLUMBUS

"Behind him lay the gray Azores,
Behind the Gates of Hercules;
Before him not the ghost of shores,
Before him only shoreless seas.
The good mate said: 'Now must we pray,
For lo! the very stars are gone.
Brave Admiral, speak, what shall I say?'
'Why, say, "Sail on! sail on! and on".'

" 'My men grow mutinous day by day;
My men grow ghastly wan and weak.'
The stout mate thought of home; a spray
Of salt wave washed his swarthy cheek.
'What shall I say, brave Admiral, say,
If we sight naught but seas at dawn?'
'Why, you shall say at break of day,
"Sail on! sail on! and on!" '

"They sailed and sailed, as winds might blow,
Until at last the blanched mate said:
'Why, now not even God would know
Should I and all my men fall dead.
These very winds forget their way.
For God from these dread seas is gone.
Now speak, brave Admiral, speak and say'—
He sayd, 'Sail on! sail on! and on!'

"They sailed. They sailed. Then spake the mate:
'This mad sea shows his teeth tonight.
He curls his lip, he lies in wait,
With lifted teeth, as if to bite!
Brave Admiral, say but one good word:
What shall we do when hope is gone?'
The words leapt like a leaping sword:
'Sail on! sail on! and on!'

"Then pale and worn, he kept his deck,
And peered through darkness. Ah, that night
Of all dark nights! And then a speck—
A light! a light! at last a light!
It grew, a starlit flag unfurled!
It grew to be Time's burst of dawn.
He gained a world; he gave that world
Its grandest lesson: 'On! sail on!' "

—JOAQUIN MILLER.

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

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

AMENDMENT OF THE SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

The Senate resumed the consideration of the bill (S. 2171) to amend the Sub-

versive Activities Control Act of 1950, so as to accord with certain decisions of the courts.

Mr. PROXMIRE. Mr. President, the only response I have heard, from those who support the proposal before the Senate, to our charge that there have been no hearings on this measure, has been that we do not really need hearings, because there were extensive hearings on the parent legislation, back in 1950, before the Committee on the Judiciary. It is said that we know plenty about what the problem is, and it is simply a matter of making the statute conform to the decisions.

One of the answers to that view, of course, was given by the distinguished former Attorney General of the United States, the Senator from New York [Mr. KENNEDY], when he pointed out that there would still be three specific constitutional defects in the law, should the Dirksen bill become law, which defects would make it impossible, in his judgment, for the Attorney General to use the law to take any action against domestic Communists.

I am informed that the Supreme Court has decided more than 100 cases involving subversives since the enactment of the Internal Security Act of 1950. We know that whether one believes that the Constitution is a living document, and changes, or not, certainly those decisions have enormous importance in terms of drafting a law that will conform with the Supreme Court's constitutional interpretation.

Yet we have, as I have said, no record at all. We have not had a single day, not a single hour, of hearings, nor a single witness who has testified on this bill, to indicate whether or not it is in conformity with the law as interpreted by the Supreme Court more than 100 times since the enactment of the Internal Security Act of 1950.

Yesterday, Mr. President, in concluding my remarks, I pointed out that there have been many other changes in the world which could very well have had a profound impact on the threat of communism, and the nature of the Communist threat, since 1950. In 1950 it was recognized that any foreign influence on the Communist Party of the United States would come from Moscow. I think that was probably true then; and that the prevalent conclusion at that time that the world revolution was being directed monolithically from Moscow was sound.

However, as I think all of us recognize, many things have happened in the world since 1950 to change that situation. Communism is no longer monolithic. It is certainly as threatening, in my view; and, with the war in Vietnam, we know how damaging it is to our interests in the Far East. But it is exactly the developments in the Far East that indicate how enormously the world situation has changed since 1950.

As I stated yesterday, Roger Hilsman, the former Assistant Secretary of State for Far Eastern Affairs, stated, in testimony before the House Foreign Affairs Subcommittee on the Pacific and the Far East, in 1966, that the Sino-Soviet split is "one of the most portentous international political developments of our time."

The real threat to world peace now, as Vice President HUMPHREY observed in a speech Sunday in Doylestown, Pa., is "militant, aggressive Asian communism, with its headquarters in Peking, China. The aggression of North Vietnam is but the most current and immediate action of militant Asian communism," the Vice President told his audience.

Vice President HUMPHREY's words were even more emphatic than those of the Secretary of State, whose press conference remarks last week are now being widely discussed. Secretary Rusk warned of the threat of a billion Chinese armed with nuclear weapons.

Communist influences in the underdeveloped nations have been anything but monolithic. On the contrary, the story here is one of fierce and brutal competition between the Chinese and the Soviets.

Che Guevara may be dead, but it is too soon to write off the virile influence in Latin America of the Maoist revolutionary doctrine to which he subscribed and which he practiced. Che and his mentor Mao preached immediate and violent revolution. The Cuban revolutionary influence throughout Latin America, if it looks to any capital outside Havana, looks to Peking, more than Moscow.

Africa—a continent one top ranking Chinese Communist described after a visit there as "ripe for revolution"—is also a battleground between the Moscow and the Peking brand of communism. The record here hardly provides any evidence of a monolith. Rather, the Communist influence where it exists in Africa has, as in Latin America, been indelibly branded by the split in the Communist world. The Asian-African People's Solidarity Organization has been one of the battlegrounds. The aggressive efforts of the Chinese to take control over it has resulted in its decline. And there are countless places where the Chinese Communists have provided a helping hand to revolutionary movements in Africa. They have trained and supplied nationalist revolutionary movements in Portuguese Africa, according to our State Department. They had an influence—albeit a small one—on the revolution in Zanzibar. It was the Chinese Communists to whom the revolutionary African Party for Independence in Senegal owed its allegiance. And again, according to our State Department, the Chinese have made promises to build a $300 million railway between Tanzania and Zambia in effort to establish a beacon that will build confidence among Africans in the efficacy of Chinese Communist aid.

Mr. President, in any event I think that all of my colleagues would be wise to ponder this language about the so-called monolithic worldwide Communist movement which is the basic question, and the Dirksen bill would not change it. It would still paint the picture of a world which does not exist despite the fact that we all know the situation has changed dramatically. After all, the Dirksen bill reiterates the findings expressed in subsections 1 through 15, findings about communism made in 1950, 17 years ago. These findings in section 2 of the act are only modified in the Dirksen bill by adding the following subsection 16:

(16) The findings of fact contained in paragraphs (1) through (15) of this section are reiterated. Recent court decisions involving the registration provisions of this Act make it necessary to enact legislation to accomplish the purposes of such Act without the requirements of registration. Disclosure of Communist organizations and of the members of Communist-action organizations as provided herein is essential to the protection of the national welfare.

What the Dirksen bill attempts to do is really a cut and paste job by taking the 1950 act and deleting every reference to registration and trying to make the correction so that the Supreme Court's ban on registration will still keep the bill alive. But what it does, as the former Attorney General, the present junior Senator from New York, told us this afternoon, is to ignore other provisions in the act which the Supreme Court also found to be unconstitutional and which would still, in his view, render the Subversive Activities Control Board ineffective, inactive, and idle because the Attorney General, in his view, will not be in a position to act.

Has the situation remained so stable, insofar as world communism is concerned, over the past 17 years for Congress to reendorse these findings in toto? I simply raise the question, but I think it is up to each and every one of us to answer it for ourselves. This might well have been a section of the bill that could have been constructively changed after suitable hearings. In the absence of such hearings, and in an attempt to get the bill to the floor of the Senate as soon as possible the feasibility of change was ignored.

The language contained in this addition—section 1 of the Dirksen bill—does help us to understand the Dirksen proposal by telling us that recent court decisions have made it necessary to delete the registration requirements of the 1950 act. It goes on to tell us that registration will be displaced by disclosure "as provided herein."

Section 3 defines several of the terms used in the Subversive Activities Control Act of 1950. The section, which is retained despite the Dirksen proposal, reads as follows:

SEC. 3. For the purposes of this title—

(1) The term "person" means an individual or an organization.

(2) The term "organization" means an organization, corporation, company, partnership, association, trust, foundation, or fund; and includes a group of persons, whether or not incorporated, permanently or temporarily associated together for joint action on any subject or subjects.

(3) The term "Communist-action organization" means—

This is interesting to me because this is the language contained in the bill which the distinguished junior Senator from New York said the Supreme Court found to be part of the reason why they declared this act to be unconstitutional.

It concerns the definition of Communist action organization. It is said to be too general and too loose.

Here is the definition:

The term "Communist-action organization" means—

(a) any organization in the United States (other than a diplomatic representative or mission of a foreign government accredited as such by the Department of State) which (i) is substantially directed, dominated, or controlled by the foreign government or foreign organization controlling the world Communist movement referred to in section 2 of this title, and (ii) operates primarily to advance the objectives of such world Communist movement as referred to in section 2 of this title; and

(b) any section, branch, fraction, or cell of any organization defined in subparagraph (a) of this paragraph which has not complied with the registration requirements of this title.

Mr. President, the last point is especially interesting. It says:

Any section, branch, fraction, or cell of any organization defined in subparagraph (a) of this paragraph which has not complied with the registration requirements of this Act.

The registration requirements of the title have been deleted. They are gone. They have been taken out. The Supreme Court found that requiring registration conflicted with the fifth amendment. Yet, the Dirksen measure does not correct this defect.

It specifies:

Any section, branch, fraction, or cell of any organization defined in subparagraph (a) of this paragraph which has not complied with the registration requirement of this title.

Here is another example of why the pending bill badly needs hearings and careful examination to perfect it.

As I say, we may agree wholeheartedly with the objectives of the Senator from Illinois and feel very strongly that we need legislation. But certainly we do not want to pass legislation which is as defective as the pending bill.

With reference to subparagraph (4), once again the distinguished junior Senator from New York raised earlier today the contention that the Supreme Court decisions had found the definition of the Communist-front organizations to be too vague.

This is the definition:

(4) The term "Communist-front organization" means any organization in the United States (other than a Communist-action organization as defined in paragraph (3) of this section) which (A) is substantially directed, dominated, or controlled by a Communist-action organization, and (B) is primarily operated for the purpose of giving aid and support to a Communist-action organization, a Communist foreign government, or the world Communist movement referred to in section 2 of this title.

(4A) The term "Communist-infiltrated organization" means any organization in the United States (other than a Communist-action organization or a Communist-front organization) which (A) is substantially directed, dominated, or controlled by an individual or individuals who are, or who within three years have been actively engaged in, giving aid or support to a Communist-action organization, a Communist foreign government, or the world Communist movement referred to in section 2 of this title, and (B) is serving, or within three years has served, as a means for (i) the giving of aid or support to any such organization, government, or movement, or (ii) the impairment of the military strength of the United States or its industrial capacity to furnish logistical or other material support required by its Armed Forces: *Provided, however,* That any labor organization which is an affiliate in good standing of a national federation or other labor organization whose policies and activities have been directed to opposing Communist organizations, any Communist foreign government, or the world Communist movement, shall be presumed prima facie not to be a "Communist-infiltrated Organization."

(5) The term "Communist organization" means any Communist-action organization, Communist-front organization, or Communist-infiltrated organization.

(6) The term "to contribute funds or services" includes the rendering of any personal service and the making of any gift, subscription, loan, advance, or deposit, of money or of anything of value, and also the making of any contract, promise, or agreement to contribute funds or services, whether or not legally enforcible.

(7) The term "facility" means any plant, factory or other manufacturing, producing or service establishment, airport, airport facility, vessel, pier, water-front facility, mine, railroad, public utility, laboratory, station, or other establishment or facility, or any part, division, or department of any of the foregoing.

The term "defense facility" means any facility designated by the Secretary of Defense pursuant to section 5(b) of this title and which is in compliance with the provisions of such subsection respecting the posting of notice of such designation."

(8) The term "publication" means any circular, newspaper, periodical, pamphlet, book, letter, post card, leaflet, or other publication.

(9) The term "United States", when used in a geographical sense, includes the several States, Territories, and possessions of the United States, the District of Columbia, and the Canal Zone.

(10) The term "interstate or foreign commerce" means trade, traffic, commerce, transportation, or communication (A) between any State, Territory, or possession of the United States (including the Canal Zone), or the District of Columbia, and any place outside thereof, or (B) within any Territory or possession of the United States (including the Canal Zone), or within the District of Columbia.

(11) The term "Board" means the Subversive Activities Control Board created by section 12 of this title.

(12) The term "final order of the Board" means an order issued by the Board under section 13 of this title, which has become final as provided in section 14 of this title.

(13) The term "advocates" includes advises, recommends, furthers by overt act, and admits belief in; and the giving, loaning, or promising of support or of money or anything of value to be used for advocating any doctrine shall be deemed to constitute the advocating of such doctrine.

(14) The term "world communism" means a revolutionary movement, the purpose of which is to establish eventually a Communist totalitarian dictatorship in any or all the countries of the world through the medium of an internationally coordinated Communist movement.

Once again, Mr. President, it would seem that this definition, which may well have been adequate in 1950, certainly is not adequate in 1967, when world communism should certainly embrace the concept of a split, a competitive situation, between Moscow and Russian communism and Peking and Red Chinese communism.

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

The PRESIDING OFFICER (Mr. MONDALE in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

PROTECTION OF HOUSEHOLD PETS—HUMANE TREATMENT OF ANIMALS

Mr. CLARK. Mr. President, in the New York Times this morning there is an editorial entitled "The Care of Animals," which I believe to be most pertinent to a bill which has been introduced in the Senate by the Senator from New York [Mr. JAVITS] and in the House of Representatives by Representative ROGERS of Florida.

Last year, as the culmination of the efforts of a dedicated group, composed largely of women who were outraged at the treatment which pets, particularly dogs and cats, had been receiving at the hands of certain unscrupulous dealers in laboratory animals, the Senate, by a vote of 85 to 0, passed a bill which gave some protection against cruelty toward these household pets.

I believe the effort to obtain this legislation was substantially aided by an event in Slatington, Pa., where a group, which has been well described as dognapers, went through the town with their nets, picking up whatever dogs they could find in order to sell them to labora. tories which used them for experimental purposes. A pet, a pedigreed poodle, of a prominent member of the Slatington community was thus stolen.

Naturally, the owner was outraged and endeavored to trace the animal. It was not easy because the dognapers left few clues as to where they had gone. Nevertheless, eventually she traced the pet to a hospital in New York where, by the time she got there, it had been cruelly destroyed as part of a research experiment.

Her cause was taken up by the press and many friends in Pennsylvania, and resulted in the passage of a State law against dognaping, which is one of the best in the country.

A group of her friends and others who were outraged by this incident pressed for the passage of legislation in Congress because, in the particular instance, the dog had been transported across a State line and it was necessary to invoke the interstate commerce powers of the Federal Government.

Although the bill we passed, which was subsequently passed by the House, incurred no open opposition on the floor of either body, it was subjected to strenuous and adverse lobbying activities while the bill was in committee. Those activities involved charges to the effect that it would make impossible the research nec-

essary to protect the health of the American people.

A certain Dr. Bisscher, purporting to represent the medical profession and others, was particularly active in arguing that the progress of research in medicine would grind to a halt if the bill were to be passed. Fortunately, those efforts were of no avail, and I believe the case made in opposition to the bill was entirely untenable. The bill was jointly sponsored by the Senator from Washington [Mr. MAGNUSON] and myself, and was referred to the Commerce Committee where, after hearings and some amendment, it was favorably reported.

Great credit for passage of this legislation is due to the Senator from Washington [Mr. MAGNUSON], chairman of the committee, the Senator from New Hampshire [Mr. COTTON], the ranking minority member, and to the Senator from Oklahoma [Mr. MONRONEY].

Parenthetically, let me say that the wives of these three gentlemen exercised a salutary effect on their respective senses of compassion for animals.

The legislation included provisions which, in my judgment, were vitally necessary, for the licensing and inspecting of the laboratories which use live animals for experimental purposes.

The legislation deals primarily with the humane care of these animals during the period before they are used for experimentation and after the experiment is completed. There is no requirement in the legislation which would prevent any kind of cruelty to animals required by the nature of the experiment, during the course of the experiment. This, of course, I deplore but, on the other hand, there comes a time when research for the alleviation of human ailments must take precedence over the requirements of the humane treatment of an animal.

But the legislation did require that the animal should be properly housed, and properly fed, and properly cared for before the experiment. If, as a result of the experiment, the animal was in great pain and in danger of a long and painful death, the legislation required that it be disposed of as promptly as possible without further cruelty.

This legislation has stood on the books for only about a year. It has not really had an opportunity to be tested from the administrative point of view.

The requirement for inspection and for licensing is vested, for administrative purposes, in the Department of Agriculture, which has a highly skilled corps of veterinarians and health officials well qualified to conduct this important work.

I have seen no evidence to indicate that the legislation is not working well. Neither has there come to me any serious complaint about its administration.

I was, therefore, startled to learn that Representative ROGERS, of Florida, a longtime dear friend of the veterinarian and medical professions, had introduced a bill in the House and had persuaded my very dear friend the Senator from New York [Mr. JAVITS] to introduce proposed legislation in the Senate. The purpose of the bill, as I understand, is to remove the inspection authority from the Department of Agriculture, which has a staff of nearly 800 veterinarians and has a splendid record of eradicating diseases among farm animals, and also a corps of inspectors experienced in enforcement work, and to transfer it to the Department of Health, Education, and Welfare, which knows nothing whatever about the subject, or, in the even worse alternative, to a professionally accredited body, which is another way of turning the work over to the somewhat less than tender mercies of the medical profession.

The New York Times editorial to which I refer is entitled "The Care of Animals." I ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. CLARK. Mr. President, the editorial points out that the Animal Health Division of the Department of Agriculture is the appropriate agency for enforcement. The Times states that it does not "see the justification" for this bill. Neither do I. The Times continues:

> But if the medical laboratories had enforced meaningful standards for the housing, exercise, and care of animals—

And they did not—

> it would never have been necessary to include laboratories in last year's legislation.

I agree with the New York Times that Congress should leave well enough alone. All that the Department of Agriculture needs is a more adequate appropriation than it received this year from the Committee on Appropriations. The administration asked for an amount barely adequate to do the work last year, and the Committee on Appropriations cut that request in half. I would hope that a more adequate appropriation could be authorized this year, even though we are fighting a war in Vietnam.

I concur in the view of the New York Times that, certainly, no action is desirable in the Senate until further hearings have been held by the Commitee on Commerce, whose members wrote the law and are familiar with its complex background. I feel reasonably certain that the Senators who are members of that committee, to whom I referred earlier, will be alert to defend the legislation they sponsored and pressed to enactment.

I hope very much that this legislation will, in the language of our noble allies, the West Germans, be "spurlos versenkt" for the rest of this session.

EXHIBIT 1

THE CARE OF ANIMALS

When Congress last year passed the law establishing Federal standards for the care of animals used in medical research, it provided for inspection and enforcement by the appropriate agency, the Animal Health Division of the Department of Agriculture. This division has a staff of nearly 800 veterinarians with a splendid record of eradicating diseases among farm animals and also has a corps of inspectors experienced in enforcement work.

We do not see the justification for the bill introduced by Senator Javits of New York and Representative Rogers of Florida which would transfer this work to the Department of Health, Education, and Welfare or to "a professional accrediting body." HEW has no existing staff to handle this assignment. Delegating it to a professional accrediting body would simply hand the problem back to the medical fraternity. But if the medical laboratories had enforced meaningful standards for the housing, exercise, and care of animals—actual experiments are not covered by the law—then it would never have been necessary to include laboratories in last year's legislation.

Congress should leave well enough alone. All that the Department of Agriculture needs to proceed with enforcement of the law is a more adequate appropriation than it received this year. Certainly, no action is desirable in the Senate until there have been hearings by the Commerce Committee whose members wrote the law and are familiar with its complex background.

Mr. President, turning to another matter, not long ago I received from the Pennsylvania League for Consumer Protection——

Mr. PROXMIRE. Mr. President, will the Senator yield before he gets into another subject?

Mr. CLARK. I am happy to yield to my friend the Senator from Wisconsin.

AMENDMENT OF THE SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

The Senate resumed the consideration of the bill (S. 2171) to amend the Subversive Activities Control Act of 1950, so as to accord with certain decisions of the courts.

Mr. PROXMIRE. Mr. President, earlier today, it has been called to my attention, an allegation was made by a Senator in the Press Gallery that there had been an agreement involving the senior Senator from Wisconsin that, under certain circumstances, there would be no lengthy talk on my part on the pending bill—that is, the Dirksen bill. That agreement was posited on the clear and declared understanding that there would be a statement from the Attorney General of the United States indicating that he would use this legislation, and use it in a way that would revitalize the Subversive Activities Control Board. It is my understanding that the distinguished minority leader has a letter from the Attorney General, but this is becoming a number one mystery. Nobody knows what is in the letter. The distinguished minority leader has the letter. He has not disclosed its contents, to the best of my knowledge, to anyone. He has indicated to the press and the Press Gallery that he has the letter, but certainly the fact that he has a letter from the Attorney General in no way complies with the understanding I had when I met with the minority leader that there would be a declaration by the Attorney General of the United States that he would find the so-called Dirksen proposal a proposal which would enable him to bring cases before the Subversive Activities Control Board.

The whole point of my argument is that the Dirksen bill will have no effect; that the Dirksen bill will not create an

active Subversive Activities Control Board.

Earlier today the distinguished Senator from New York [Mr. KENNEDY], a former Attorney General, said that even if he were happy to use the powers provided by the Dirksen bill for the Subversive Activities Control Board to have cases brought before it through him, he could not do it.

I apologize for asking the Senator to yield so long.

Mr. CLARK. I see the able minority leader has entered the Chamber.

May I ask my friend from Wisconsin whether he does not agree with me that if our beloved minority leader has a letter on the subject of this bill from the Attorney General of the United States, he should share the secret with us, because it seems to me what the Attorney General has to say would be pertinent, and I am sure that Members of the Senate should share knowledge of the contents of the letter.

Mr. DIRKSEN. Just before third reading.

Mr. CLARK. I yield.

Mr. DIRKSEN. For the third reading?

Mr. CLARK. No. I thought the Senator from Illinois was asking me to yield, because I have the floor.

Mr. DIRKSEN. Will the Senator yield so we can have the third reading? Then I will read the letter.

Mr. CLARK. Mr. President, I object.

Mr. PROXMIRE. Mr. President, may I say to the Senator from Pennsylvania that is exactly the point. In trying to make a record on the floor, it would depend on whether we have word from the Attorney General—and I mean word, not just a letter which nobody knows anything about. If we are not going to get a revelation of it from the minority leader until the third reading, I fear that the third reading is going to be a long, long way off.

I do not see how any agreement is violated because I am in a position of trying to make as clear a record as I can, because we have no exposition of whether or not the Attorney General will be able to use this proposed legislation to bring cases before the Subversive Activities Control Board.

Mr. CLARK. Mr. President, I will yield to the Senator from Illinois in a minute, but may I say to my good friend from Wisconsin that I have no doubt his recital of any alleged agreement is quite accurate. I was never party to any such agreement. I feel completely free to talk about this bill or anything else as long as I want, and, in the fine tradition of the Senate, of which the Senator from Illinois is such a proponent, I have been talking about dogs and cats for 20 minutes. I have a speech which will take me 15 or 20 minutes about the Pennsylvania League for Consumer Protection, about which I think I have every right to talk at the end of the day. After that I have an extensive speech involving the views of many learned men in the law dealing with the Subversive Activities Control Act. I cannot tell how long it will take.

Now I yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, let us see who violated what. Last Wednesday, by a vote of 47 to 38, we had a clear majority in favor of this measure. Afterwards the distinguished Senator from Wisconsin and the distinguished majority leader walked into my office. Did the Senator or did he not?

Mr. PROXMIRE. That is correct.

Mr. DIRKSEN. What did he say?

The Senator said, "Well, you have the votes. Now, if you will get a letter from the Attorney General and a section-by-section analysis, I guess we won't have very much talk and we can pass the bill."

I got the letter. We did make the report and the section-by-section analysis, and then yesterday the distinguished Senator from Wisconsin came to me and said, "We had a meeting this morning. We think this ought to go back to the Judiciary Committee."

I said, "What for?"

He said, "To hear the Attorney General."

I said, "I have his letter."

He said, "Well, Senator TYDINGS wants some constitutional lawyers."

He had an opportunity, a long time ago.

I said, "Don't kid me. You are trying to kill this thing. You tried, through the appropriation route, to take away the money."

I have not been around here all these years for nothing, and I was not born yesterday. I know the game of the Senator from Wisconsin.

Mr. CLARK. In fact, the Senator from Illinois has played that game himself, many times.

Mr. DIRKSEN. You bet I have.

Mr. CLARK. And will again.

Mr. PROXMIRE. Will the Senator from Illinois yield? What the Senator said about the meeting Wednesday afternoon is accurate, but it is not complete. The Senator from Wisconsin indicated that it would not be enough simply to have a letter. Obviously, the Attorney General of the United States could say anything in a letter. The content of the letter has not been disclosed. I said that it would not be enough for him simply to say he would enforce the law; that would mean nothing.

The Senator from Wisconsin said he would like a letter indicating that the Attorney General of the United States would use the authority in this proposal to bring cases before the Subversive Activities Control Board.

Mr. DIRKSEN. What does the Senator think I have in my pocket?

Mr. PROXMIRE. Well, I do not know.

Mr. CLARK. We do not know. Why does not the Senator let us see it?

Mr. PROXMIRE. The Senator from Wisconsin does not have extra sensory perception. The Senator from Wisconsin cannot look into the pocket of the Senator from Illinois. My eyesight is pretty good, but I cannot tell what is in that letter.

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

Mr. CLARK. I will be happy to yield, if the Senator will state what is in that letter.

Mr. DIRKSEN. The Senator from Illinois has enough ESP to know that WAYNE MORSE will speak tomorrow; and whom will the Senators have on deck then?

I will make a deal with the Senator. I will read the letter into the RECORD right now, if the Senator from Wisconsin will agree that when we have read that letter, we will proceed to third reading on this bill.

Mr. PROXMIRE. Why, of course not. After all, as I say, the letter from the Attorney General may simply say that they intend to enforce the law the best they can, under the Constitution, which would not mean anything.

Mr. DIRKSEN. I am content with the letter.

We know what the game is. The Senators are just going to keep on contending. But let me remind my friend from Wisconsin, this legislation can be tacked on to any bill, including an appropriation bill, and I intend to do it. The Senator is going to get licked on this deal, I say to him right now, whether he likes it or not.

Mr. CLARK. Mr. President, would the Senator take his seat?

Mr. DIRKSEN. Oh, you can get into this, too. It is a free fight.

Mr. CLARK. No, I have the floor, and I am complying with the rules of the Senate by standing at my seat. I suggest that the Senator from Illinois extend to the Senator from Wisconsin the courtesy of doing likewise.

Mr. PROXMIRE. Mr. President, may I say to the Senator from Illinois, all we want on this legislation is enlightenment and understanding. Many Senators have indicated they think it would be reasonable to have brief hearings, and a binding unanimous-consent agreement to vote thereafter on final passage on this bill, once we have had hearings, and elicited the kind of record that is necessary to know what we are doing, so that our eyes will be opened.

Mr. DIRKSEN. Plow the furrow, and we will plow it with you.

Mr. CLARK. Mr. President, does the Senator from Illinois wish me to yield further?

Mr. DIRKSEN. Oh, my dear friend has that big book; it will take him 3 or 4 days to read that, and I do not wish to impede his progress. That looks like about 4,000 pages. Why can we not stay in session all night?

Mr. CLARK. It is very difficult for the Official Reporter to take what I say while I have the floor, if the Senator from Illinois is constantly interrupting.

Mr. DIRKSEN. Oh, I am sorry.

Mr. CLARK. I accept the Senator's apology.

Mr. DIRKSEN. Should I beat a hasty retreat?

Mr. CLARK. That might be the orderly procedure to follow.

Mr. COTTON. Mr. President, will the Senator from Pennsylvania yield for one-half moment?

Mr. CLARK. I will yield to my friend from New Hampshire for the rest of the day, if he wishes.

Mr. COTTON. I have a distinct recollection that I was present in the Senate some 2 years ago when a Senator undertook to invoke the rule that a Senator had to be standing in his own place, behind his own desk, when he was speaking; that at the time the Parliamentarian was unable to find such a rule, and that his decision was that there was no such rule.

I think that should be straightened out before the whip is cracked again, because it would seem to me that if we are going to insist on that, we had better make sure there is such a rule.

Mr. CLARK. I quite agree with the Senator from New Hampshire. I have been puzzled by this matter throughout the 11 years I have been in the Senate; because, like many another man, I have a tendency to move about on the Senate floor as I speak. I have often spoken from desks of other Senators. Sometimes I even cross the aisle to the Republican side.

Therefore, Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. What do the rules of the Senate provide with respect to a Senator speaking at all times from his own desk, and standing there? And does a Senator lose the floor if he should be seated? I would like the Parliamentarian to answer those two questions. Must a Senator stand behind his own desk when he addresses the Chair in a speech; and if he sits down, does he lose the floor?

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian that he knows of no rule requiring a Senator to address the Senate from his desk.

The rule does provide that in seeking recognition the Senator shall rise when he addresses the Chair; but it does not specify at what place the Senator must be standing.

Mr. CLARK. A further parliamentary inquiry, Mr. President. I have seen other Senators do this, and on occasion, I guess I have strayed into error and done it myself: Is it appropriate for Senators to enter the well of the Chamber and turn around and address their fellow Senators while making a speech?

The PRESIDING OFFICER. The Parliamentarian advises the Presiding Officer that the rules are silent on that issue.

Mr. CLARK. A further inquiry. Is there not a provision in "Senate Procedure," authored by Messrs. Watkins and Riddick, which deals, if not with the rules, at least with the customs and manners of the Senate, and indicates that it is appropriate demeanor for a Senator to address this body only when standing behind his own desk?

The PRESIDING OFFICER. The Parliamentarian advises the Chair that he would have to explore this inquiry further, but he is not aware of any precedent which speaks to the issue as to which the Senator from Pennsylvania makes inquiry.

Mr. CLARK. I thank the Chair.

Mr. President, I ask unanimous consent that I may yield to the Senator from New York, without losing my right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

NATO

Mr. JAVITS. Mr. President, I call to the attention of the Senate a recrudescence of interest in Europe evidenced by the morning papers, which is most important to our country. I think our state of near obsession with Vietnam has cost us dearly in terms of U.S. interests in Europe. We face very great problems in 1969, with the danger that President de Gaulle may take France completely out of the NATO alliance.

Therefore, Mr. President, the attitude of the other 14 NATO members, including the United States, becomes extremely important. The essential strength of the free world, in terms of production and, indeed, in almost any terms, is marshaled in the Atlantic community.

This morning there came very welcome news that the 14 are laying out a blueprint for adapting NATO to the changing circumstances of the 1970's. It is significant to note that the initiative for this came from Mr. Pierre Harmel, the Foreign Minister of Belgium.

Among the new thrusts which NATO is to undertake—I could not agree more with the evaluation that they have made—that a very much more important role should be taken by the alliance in the relationships between Western and Eastern Europe. Thinking in terms of agreements on a regional basis would be a marked advance in this regard. Second is the interest of the Atlantic community in other parts of the world, such as the Middle East and Latin America, which have been previously excluded from the NATO deliberations.

Third is the burning interest which all of these countries have in science and technology, and in the economic integration of the free world. Also, the relationships of the industrialized nations, as a group, with the developing nations of Asia, Africa, and Latin America.

Mr. President, power abhors a vacuum, and unless the United States does constructive things, the narrow insularity which De Gaulle offers Europe may very well take over.

I do not believe that there can be any compromise with the basic principles which distinguish the concept which we have of a great mutual organization for advancement, development, and security in the NATO alliance, and the concept which President de Gaulle has of some kind of a Metternich-inspired, cabal, with the powers of Europe excluding and disregarding, as would an ostrich, all others.

Mr. President, I ask unanimous consent that this important article be printed at this point in the RECORD.

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

FOURTEEN ALLIES PROPOSE PLAN TO GIVE NATO A POLITICAL ROLE—MEMBERS AGREE ON A DRAFT THAT WOULD ALTER BASIC NATURE OF ALLIANCE—ONLY FRANCE ABSTAINS—NEW HEADQUARTERS COMPLEX TURNED OVER TO OFFICIALS IN BRUSSELS CEREMONY

(By Peter Grose)

WASHINGTON, October 16—Fourteen of the fifteen Western Allies—France did not participate—have drawn up a blueprint to alter the basic nature of the North Atlantic Treaty Organization and reform the alliance to face new diplomatic tasks foreseen for the nineteen-seventies.

Leading policy-makers from the NATO capitals are proposing to convert what has been essentially a military alliance into a political unit capable of arriving at an Atlantic consensus on policies to be pursued in other parts of the world.

The proposals are offered as an alternative to disintegration of the alliance in a diplomatic climate vastly changed from the cold war days of 1949, when it was formed.

[In Brussels, the Belgian Government formally handed over the new headquarters of the alliance in ceremonies attended by representatives of the member nations. Page 18.]

PROPOSED CHANGES

Among the major points contained in the reform proposals are these:

The alliance should play a role in the effort to improve relations with the Communist countries of Eastern Europe. Bilateral contacts and agreements, such as that France and East Germany are seeking, are useful in reducing tensions, but should be coordinated within the alliance so that the Soviet Union cannot play one ally against another.

The Atlantic community, a result of the alliance, should take concerted policy stands on crises in other parts of the world such as the Middle East or Latin America. This would involve enlarging the policy role of the alliance Council, composed of permanent representatives of the 15 members. The Council is now confined to a responsibility for decisions affecting only the member states.

The alliance should have responsibility as a unit, and not just as individual governments, for coordinating traffic in science and technology across the Atlantic, for developing effective methods of arms control, including the sale of arms to other countries and finally for organizing military and economic aid to developing countries on a multilateral basis.

The result of the proposals would be to introduce a far greater degree of federalism into the Atlantic community than has so far existed.

Since President de Gaulle's policies have been opposed to the very notion of a federal Atlantic community, United States officials acknowledge that the proposals could provoke a new crisis when they are presented in December at the ministerial meeting in Brussels.

The study has been under preparation since last December and must be submitted for the approval of the NATO Council, the executive body of the alliance.

Last week delegates of several member nations met quietly for two days at a country house outside London to edit the draft proposals submitted by four subcommittees.

FINAL DRAFT DUE

Foy D. Kohler, Deputy Under Secretary of State for Political Affairs, was the senior United States representative in the drafting group.

At the end of this month, a special policy-making group, with Under Secretary Eugene V. Rostow as the United States member, is scheduled to meet and put the proposals in final form.

At this point, according to American officials, the Allies will try to adapt the plans to

meet some of France's objections and thus prevent rejection by President de Gaulle.

French officials attended many of the planning sessions that led to the completed drafts but apparently took little part in the discussions.

Earlier this month, when it became clear that the other Allies were intent on making concrete proposals for reform, Foreign Minister Maurice Couve de Murville warned the alliance members that France considered close political teamwork to be beyond the purview of the group.

Considering the sweeping nature of some of the proposals and the high degree of political coordination envisaged, United States officials and allied diplomats are not confident that France would accept the recommendations as they stand.

The other capitals will then be faced with the decision whether to proceed without France or to water down the proposal on political action to keep the alliance intact.

France decided last year to withdraw from the alliance's integrated military structure, the command headed by Gen. Lyman L. Lemnitzer. It was this step that led to the long-term planning now under way.

Officials in many allied capitals asked whether the alliance was worth maintaining at all in view of France's withdrawal and of the general assessment that there had been a lessening of the Soviet Union's threat to Western Europe—against which the alliance had been formed.

In this atmosphere at the end of the year, the Belgian Foreign Minister, Pierre Harmel, proposed a far-reaching study of the "future tasks of the alliance, as a factor for a durable peace."

The terms of the study committees were clearly defined to cover the political side and not the military, for which long-term planning was already under way by the alliance command.

POLL SHOWS ALLIANCE IS FAVORED

PARIS, October 16.—Most Frenchmen want to stay in the Atlantic alliance, according to a leading polling organization.

An overwhelmingly favorable attitude toward the alliance, even among Gaullist and Communist voters, was reported by the French Institute of Public Opinion in a survey conducted for the independent left-wing weekly Nouvel Observateur. The results of the poll will be published in the Wednesday issue.

According to Nouvel Observateur, the polling agency asked citizens how they thought they would vote in a referendum on the question of withdrawal from the alliance, if such a referendum were held today.

The results showed that 54 percent of those polled favored staying in and 12 per cent favored withdrawing. The remaining 34 per cent did not express an opinion.

Among Gaullist voters, the poll showed, 61 per cent were for the alliance and 11 per cent against. Among those who said they voted Communist, the vote was 44 per cent in favor to 30 per cent opposed. The Socialists were 66 to 14 per cent and the anti-Gaullist Center Democrats 75 to 7 for the alliance.

Mr. JAVITS. Mr. President, I call additional attention to the fact that a great delegation will be going this year from Congress to the North Atlantic Assembly—the successor term for the NATO Parliamentarians' Conference — which deals with these very matters on the parliamentary level.

I think that that delegation this year should have the considered interest of every Senator so that we may have as representative as possible a delegation, well briefed, and prepared to cope with what will be tomorrow, the central problems of our foreign policy.

These are fundamental questions of foreign policy—vitally touching the peace and security of the world.

I speak today inspired by news of the progress made on plans for the future of NATO and anxious that our colleagues should begin to give this subject the attention which it so richly deserves.

I thank my colleague, the distinguished Senator from Pennsylvania [Mr. CLARK] very much for yielding.

RESOLUTION ON CONSUMER LEGISLATION

Mr. CLARK. Mr. President, I return to the communication I received from the Pennsylvania League for Consumer Protection, an organization which speaks with a highly respected voice in my State. This group has sent to me a resolution relating to Federal laws in the consumer field.

The resolution is, in effect, a checklist of important legislation which will be of interest to anyone concerned about consumer affairs at the Federal level. For that reason I commend it to my colleagues.

I ask unanimous consent that it may 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 2-67

Resolution to the Pennsylvania congressional delegation from the Pennsylvania League for Consumer Protection

Whereas the Pennsylvania consumer and his family must be protected from deceptive and unethical practices and dangerous goods and services in the market-place, and

Whereas the Pennsylvania League for Consumer Protection takes a broad interest in behalf of all consumers as well as its 2½ million affiliated members, who compromise a significant segment of the buying public, and

Whereas to continue the never-ending effort to win a better life for the citizen-consumers of the Commonwealth, the Pennsylvania League for Consumer Protection advocates the adoption of legislation embodying the Consumer Bill-of-Rights, to wit: The right to be informed; The right to safety; The right to be heard; The right to choose; and

Whereas to seek more protection for consumers through legislation, administrative action, and consumer education: Now, therefore, be it

Resolved, That we endorse, support and urge the passage of the following legislation by the members of the U.S. Senate and House of Representatives from the Commonwealth of Pennsylvania:

The Wholesome Meat Act which calls for equal and mandatory inspection of all meat slaughtered and sold intra-state;

A Truth-in-Lending Law that will promptly require the disclosure of finance charges in meaningful terms of simple annual interest in connection with all extensions of credit;

The Consumer Credit Protection Act which will direct that lenders fully disclose all terms and conditions of credit transactions and establish maximum rates of interest and require the disclosure of rates in terms of simple annual interest in all advertising;

Amendments to the Flammable Fabrics Act which would increase consumer protection by extending the Act beyond wearing apparel to include all fabrics;

An Interstate Land Sales Disclosure Act to require unimproved lot developers to disclose all material facts necessary to potential buyers for an informed choice;

The Medical Restraint of Trade Act to prohibit physicians from profiting from the sale of products they prescribe;

A bill to establish a Department of Consumer Affairs in order to secure within the Federal Government effective representation of the interests of the consumers;

Amendments to the Clean Air Act to expand authority for research, establish regional air quality commissions and pollution emission standards;

Amendments to the Cigarette Labeling and Advertising Act to require that all cigarette packages and advertisements disclose the tar and nicotine content of the tobacco as measured by a standard test;

Legislation requiring safety for all consumers in the products and services they purchase, including but not limited to, establishment of a National Commission on Products Safety to develop safety standards and develop fair and effective safeguards in household products; the National Gas Pipeline Safety Act to develop minimum safety standards for pipeline facilities; the Medical Device Safety Act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to assure the safety, reliability, and effectiveness of medical devices; and a meaningful code of automobile safety standards; and be it further

Resolved, that we condemn the practices of unscrupulous businesses who charge exhorbitant and excessive prices for goods and services, especially in the economic distressed communities, and be it further

Resolved, that we reaffirm our support for full representation of the consumer in the highest councils of government and commend the President for again appointing a Consumer Advisory Council to work with his Special Assistant for Consumer Affairs, and be it further

Resolved, that the members and delegates of the Pennsylvania League for Consumer Protection in convention, duly assembled at the Penn Harris Hotel, Harrisburg, on the 20th day of September in the year 1967, urge each member of the U.S. Senate and House of Representatives to seriously consider and promptly act upon these legislative matters when presented to them in an affirmative manner so that the constituent-consumers whom they represent will be more fully protected, and be it further

Resolved, that a copy of this resolution be transmitted to each member of the U.S. House of Representatives and U.S. Senate and to the President of the United States and his Special Assistant for Consumer Affairs.

Mr. CLARK. I should like to comment briefly on the proposals referred to in this resolution, all of which I support in principle, if not in precise detail.

First, the Wholesale Meat Act which calls for equal and mandatory inspection of all meat slaughtered and sold intrastate. I support this legislation.

Second, a truth-in-lending law that will promptly require the disclosure of all finance charges in meaningful terms of simple annual interest in connection with all extensions of credit.

Third, the Consumer Credit Protection Act which will direct that lenders fully disclose all terms and conditions of credit transactions and establish maximum rates of interest and require the disclo-

sure of rates in terms of simple annual interest in all advertising.

Fourth, amendments to the Flammable Fabrics Act which would increase consumer protection by extending the act beyond wearing apparel to include all fabrics.

I believe this legislation to be very much in the consumer interest. I support the legislation.

Fifth, an intrastate land sales disclosure act to require unimproved lot developers to disclose all material facts necessary to potential buyers for an informed choice.

It occurs to me that this legislation is as necessary to protect the unwary as are the various acts dealing with securities which were passed back in the thirties to require full disclosure with respect to the sale of stocks, bonds, and other intangible personal property. I would support this legislation.

Sixth, the medical restraint of trade act to prohibit physicians from profiting from the sale of products they prescribe.

Seventh, a bill to establish a Department of Consumer Affairs in order to secure within the Federal Government effective representation of the interests of the consumers.

I would believe that consumer affairs require some upgrading in the Federal hierarchy. However, I would like to give some further consideration as to whether a department at Cabinet level is actually either necessary or desirable.

Eighth, amendments to the Clean Air Act to expand authority for research, establish Regional Air Quality Commissions and pollution emission standards.

Ninth, amendments to the Cigarette Labeling and Advertising Act to require that all cigarette packages and advertisements disclose the tar and nicotine content of the tobacco as measured by a standard test. I would support this legislation, but I would go further and require a statement on all advertising and on cigarette packages as well to the effect that smoking of cigarettes not only may be but in all likelihood is detrimental to health.

Tenth, legislation requiring safety for all consumers in the products and services they purchase, including but not limited to, establishment of a National Commission on Products Safety to develop safety standards and develop fair and effective safeguards in household products; the National Gas Pipeline Safety Act to develop minimum safety standards for pipeline facilities; the Medical Device Safety Act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to assure the safety, reliability, and effectiveness of medical devices; and a meaningful code of automobile safety standards.

Mr. President, I yield the floor.

WAR CRITICS TOLD ASIA AT STAKE IN VIETNAM

Mr. BYRD of West Virginia. Mr. President, Mr. Crosby S. Noyes, in a column which appears in this afternoon's Washington Star, states, with reference to Chinese militancy and political expansionism, that in most cases where direct pressures have been exerted, American power directly or indirectly applied has been the deciding factor of successful resistance. Mr. Noyes states in this regard:

This was true, certainly, in Korea in the early 1950s. It was true of the Communist threat aimed at Taiwan and the Philippines during the same period. It was true in Malaysia, where British power was ultimately successful in overcoming a Communist-inspired "war of national liberation." It was true in Indonesia, where a forceful Communist takeover would almost certainly not have been averted except for the American presence in Vietnam.

It is true today in Laos, Thailand and Burma—all of which have Communist-led insurrections on their hands. It is, in fact, highly improbable that there would be any non-Communist governments in Southeast Asia today if American security guarantees—backed by American power—had been withdrawn from the area a decade ago.

Mr. Noyes goes on to say:

Without the counterbalancing force of American commitments, there would be no need for direct military conquest. A leader like Singapore's Lee Kwan Yew—who is certainly no "client" of the United States—admits publicly that the sudden withdrawal of American power would leave him with no alternative to an accommodation with Peking—on Peking's terms.

Without firm security guarantees there is no assurance that any other country—including Japan—would feel very differently.

Mr. Noyes also states:

The only thing which could pose a serious threat to the security of the United States today would be a drastic shift in the overall balance of world power. Such a strategic shift in favor of a system essentially hostile to our own is something which this country cannot afford to permit, as long as it has the power to prevent it.

Mr. President, I ask unanimous consent that the column by Mr. Noyes, entitled "War Critics Told Asia at Stake in Vietnam," which I consider to be a very, cogent, lucid, and timely column, be printed in the RECORD.

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

WAR CRITICS TOLD ASIA AT STAKE IN VIETNAM

(By Crosby S. Noyes)

Criticism of Secretary of State Dean Rusk's recent strong statement on Vietnam is just about what might have been expected. The liberals—assuming the term applies—have taken refuge in their own, private credibility gap. The reaction, in essence, is:

"This is all very well. We admire your eloquence and obvious conviction. But we simply don't believe you."

What the liberals disbelieve in particular is that there is any threat to American security in Asia, and especially in Vietnam, which justifies the price of the war there. Rusk has failed, they say, to prove his contention that China is bent on the conquest of Asia.

The liberals are equally unconvinced, apparently, by Rusk's argument that American power in Asia is an essential ingredient to the goal of establishing a stable peace in that part of the world.

This chronic disbelief is in itself incredible in the face of the evidence. It amounts to a bland denial of the fact that every country on the periphery of China—and a number of others besides—has felt the weight of Chinese militancy and political expansionism. It simply ignores the fact that in most cases where direct pressures have been exerted, American power, directly or indirectly applied, has been the deciding factor of successful resistance.

This was true, certainly, in Korea in the early 1950s. It was true of the Communist threat aimed at Taiwan and the Philippines during the same period. It was true in Malaysia, where British power was ultimately successful in overcoming a Communist-inspired "war of national liberation." It was true in Indonesia, where a forceful Communist take over would almost certainly not have been averted except for the American presence in Vietnam.

It is true today in Laos, Thailand and Burma—all of which have Communist-led insurrections on their hands. It is, in fact, highly improbable that there would be any non-Communist governments in Southeast Asia today if American security guarantees—backed by American power—had been withdrawn from the area a decade ago.

Nor is this purely a question of Chinese militancy, real as it is. The truth is that China is the preponderant military and political power in southern Asia.

Without the counterbalancing force of American commitments, there would be no need for direct military conquest. A leader like Singapore's Lee Kwan Yew—who is certainly no "client" of the United States—admits publicly that the sudden withdrawal of American power would leave him with no alternative to an accomodation with Peking—on Peking's terms.

Without firm security guarantees there is no assurance that any other country—including Japan—would feel very differently.

But even if all this were admitted, there is an impression that the liberals would still be unconvinced of the validity and the necessity of the American commitment to Asia. Where, they ask, is the treat to the United States whether Asia is dominated by communism or not?

Where indeed? The discussion has been considerably muddied by well-meaning but unconvincing talk of "strategic frontiers" and "front lines" of security that must not be breached.

In terms of global strategy, these concepts are hopelessly dated. The only thing which could pose a serious threat to the security of the United States today would be a drastic shift in the over-all balance of world power. Such a strategic shift in favor of a system essentially hostile to our own is something which this country cannot afford to permit, as long as it has the power to prevent it.

Power, furthermore, is not necessarily a matter of weapons or economic strength. It can be measured equally in terms of human resources, and these are what is at stake in Asia.

Many years ago the United States decided that it could not afford to let the economic potential of western Europe fall under Communist control. It has now decided that Asia's human resources—representing two-thirds of the human race—are equally well worth fighting for.

This, in essence, is what Rusk was saying last week. And whether the liberals believe it or not, this is what is really at stake in Vietnam.

ORDER OF BUSINESS

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.

CLERGYMEN'S STAND ON VIETNAM

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that a column written by Mr. David Lawrence, entitled "Clergymen's Stand on Vietnam Vary," which appears in today's Washington Star, be printed in the RECORD.

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

CLERGYMEN'S STAND ON VIETNAM VARY

(By David Lawrence)

Many people are beginning to say that clergymen and church organizations are driving away parishioners by talking too much about politics—national and international—about which they know very little, and by failing to teach the all-important lessons of ethics and morality so essential today in countries troubled by disorder and violence.

Dr. Eugene Carson Blake, general secretary of the World Council of Churches and formerly the head of the United Presbyterian Church of America, said on Sunday at St. Louis that the position of the United States in Vietnam is wrong for moral, strategic, diplomatic and sociological reasons. He said with respect to the Vietnam War: "It is wrong for a great and powerful nation to impose upon a small nation even a right policy for their own good."

Dr. Blake added that the claim of the United States that it is bound to fulfill a commitment to the government of South Vietnam is hypocritical and that he believes the Vietnamese are "fighting a war of independence and overwhelming force won't make them seek peace." He called for unconditional cessation of bombing by the United States.

While occupying a high post in the World Council of Churches, Dr. Blake claims, of course, to be speaking in conformity with a resolution adopted in August by the central committee of the World Council. His criticism of U.S. policy is, however, far more direct. The World Council—composed of representatives from virtually all denominations—recommended that the United States stop bombing, but declared that the North Vietnam government, "either in advance of or in response to the cessation of bombing, should indicate by word and deed its readiness to move toward negotiations."

Dr. Paul Ramsey, one of America's most respected Protestant theologians, has just been attracting attention by his criticism and voluble attacks on actions of other clergymen. He declares that both "liberal" and "evangelical" protestant leaders have been inclined in recent years to say too much on too many topics.

Dr. Ramsey points to a growing disposition on the part of church councils and denominational conventions to adopt resolutions on a variety of intricate national problems on which religious leaders, as such, have no particular competence to formulate policies. On the question of their offering "concrete political policies for the world's statesmen," he says:

"For ecumenical councils on church and society responsibly to proffer specific advice would require that the church have the services of an entire State Department."

Dr. Ramsey further asserts that many of the pronouncements are adopted by a relatively small number of churchmen after a minimum of serious debate, and that often these documents are drafted by anonymous staff members and presented to national assemblies under circumstances which provide rank-and-file delegates with little choice except to rubber-stamp them.

He points to the procedures of the Conference on Church and Society, sponsored by the World Council of Churches in Geneva last year, as a glaring example of this weakness. He recalls that, in only two weeks of deliberation, the 410 participants in the conference arrived at specific, detailed "conclusions" on no less than 118 complex public questions, ranging from the best way to make peace in Vietnam to the suppression of crime. Dr. Ramsey's experiences at the Geneva conference, where these resolutions were adopted, prompted him to write a recently published book entitled, "Who Speaks for the Church?"

The author, in calling on contemporary Christianity to clarify the church's message about the meaning of Christian life in the world today, criticized both the National Council of Churches and the World Council of Churches for wrong methods and wrong goals. It is being predicted among religious leaders that this very question will be raised in the study Conference on Church and Society, to be held by the National Council of Churches on Oct. 22–26 in Detroit, Mich. Up to now, it has been assumed by church leaders that the rank and file of Christians were backing the involvement of their organizations in governmental questions with a political background.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, pursuant to the previous order, that the Senate stand in adjournment until 12 noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 10 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, October 18, 1967, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate October 17, 1967:

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Rosa E. Whiddon, Newville, Ala., in place of F. M. Mathis, retired.

CALIFORNIA

Victor E. Legaspi, Calexico, Calif., in place of C. B. Hetherington, retired.

Margaret R. Patterson, Gazelle, Calif., in place of A. A. Cedros, retired.

Constance N. Schroer, Green Valley Lake, Calif., in place of A. F. Tassio, retired.

COLORADO

Richard I. Lyles, Pueblo, Colo., in place of C. H. Klipfel, deceased.

CONNECTICUT

Eleanor N. Elton, South Willington, Conn., in place of E. M. Macfarlane, deceased.

GEORGIA

William O. Cummings, Warthen, Ga., in place of V. H. Cummings, retired.

INDIANA

Ira R. Williams, Mellott, Ind., in place of I. M. Gallaher, retired.

IOWA

Robert R. Larson, Dows, Iowa, in place of E. A. Westlund, retired.

KANSAS

Shirley V. Keeler, Assaria, Kans., in place of G. N. Karstadt, retired.

Clyde R. Moore, Wellington, Kans., in place of E. B. Hyndman, retired.

KENTUCKY

Creed Damron, Robinson Creek, Ky., in place of C. B. Mitchell, retired.

LOUISIANA

Maxine H. Morrison, Albany, La., in place of O. A. Johnson, retired.

MICHIGAN

Eldon Dale Maatman, Hamilton, Mich., in place of Herman Nyhoff, retired.

MINNESOTA

Francis C. Bohnert, Rosemount, Minn., in place of E. G. Doyle, retired.

MISSOURI

Charles L. Lucas, Caledonia, Mo., in place of J. L. Haw, retired.

Marion E. Bird, Concordia, Mo., in place of C. A. Reed, resigned.

Fred W. Bargen, Mapaville, Mo., in place of O. M. Judd, deceased.

NEBRASKA

Frank J. Dietsch, Fordyce, Nebr., in place of E. M. Suing, retired.

Helen V. McChesney, Lebanon, Nebr., in place of C. C. Waterman, retired.

Gary L. Boese, Pickrell, Nebr., in place of R. L. Winkle, transferred.

NEW JERSEY

Everitt J. Monahan, Morris Plains, N.J., in place of J. D. McErlane, retired.

NEW YORK

Catherine C. Hallahan, Brasher Falls, N.Y., in place of H. P. Hallahan, deceased.

Louise A. Benjamin, Central Valley, N.Y., in place of Ernest Rose, retired.

Harry W. Johnson, Jamestown, N.Y., in place of R. W. Gould, retired.

Leon Korzeniewski, Morrisville, N.Y., in place of H. M. Curtis, retired.

Thomas F. Dady, New Woodstock, N. Y., in place of E. D. Judd, retired.

NORTH CAROLINA

Pauline L. Harton, Colon, N.C., in place of Z. L. Ross, retired.

Paul E. Peeler, Granite Quarry, N.C., in place of C. M. Peeler, retired.

Stanley W. Johnson, Hope Mills, N.C., in place of I. M. Stone, retired.

OKLAHOMA

Russel J. Alberty, Haskell, Okla., in place of J. F. Rankin, retired.

OREGON

Fred J. Hayes, Oakridge, Oreg., in place of M. B. Blair, retired.

PENNSYLVANIA

George E. Kintigh, Alverton, Pa., in place of M. M. Hixson, retired.

Domenic P. Ruggieri, Kennett Square, Pa., in place of J. F. Donahue, retired.

SOUTH CAROLINA

Ray M. Head, Salem, S.C., in place of Homer Griffith, retired.

SOUTH DAKOTA

Thomas W. MacKrell, Vale, S. Dak., in place of Eloise Holdren, retired.

TENNESSEE

Robert H. Scates, Henning, Tenn., in place of G. F. Barfield, retired.

TEXAS

Kenneth R. Hopkins, Crowley, Tex., in place of D. L. Stoker, Jr., retired.

Louis C. Nordt, Missouri City, Tex., in place of J. C. Posey, retired.

VIRGINIA

Kendall F. Bailey, Madison Heights, Va., in place of M. M. Crews, retired.

Joseph H. Clarke, Jr., Martinsville, Va., in place of J. R. Gregory, retired.

Russell R. S. Clem, Staunton, Va., in place of R. C. Woodrum, deceased.

WASHINGTON

David P. Watkins, Castle Rock, Wash., in place of H. F. Downey, retired.

Mary E. Thomas, Soap Lake, Wash., in place of H. L. Lopeman, removed.

WISCONSIN

Duane A. Helland, Boyd, Wis., in place of H. E. Wanish, retired.

EXTENSIONS OF REMARKS

Educational Participation in Communities

EXTENSION OF REMARKS

OF

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1967

Mr. HAWKINS. Mr. Speaker, as a member of the House Education and Labor Committee, I have a responsibility to maintain an interest in all programs which can enrich and expand the traditional approaches to learning. My service on this committee, however, extends beyond the lines of responsibility. I am vitally concerned with education. If I may paraphrase the illustrious Jefferson, I too would caution: If a nation expects to be ignorant and free, it expects whatever has been and never shall be.

I have always been especially enthusiastic about programs which not only broaden the scope of education beyond the conventional approach of the academic but which allow the student to more fully realize that education is indeed his most powerful weapon in the fight against apathy, stagnation, and conditions of economic disadvantage. I am pleased to join several of my colleagues in calling attention to a unique California college program which is helping to promote a student focus upon urban problems. I refer to the EPIC program at California State College at Los Angeles.

The opening of classes this quarter at California State College at Los Angeles marks the first anniversary of EPIC—a project for educational participation in communities. Through EPIC, a demonstration—pilot—program partially funded under title I of the Higher Education Act of 1965, California State at Los Angeles students are contributing their time and abilities to serve and learn from the disadvantaged in the Los Angeles area. Last year, over 1,000 students at the college worked as volunteers in more than 100 community agencies. The students assumed a wide range of duties, such as counselor aids, tutors, group leaders, recreation leaders, teen club advisers, big brother-big sisters, child care consultants, teachers, and research assistants. This year, EPIC has reduced the number of agencies to 50 and placed even greater focus upon quality service and program development. The response of the community to the EPIC volunteer has helped to highlight the value of this program. Community agencies praise EPIC volunteers for their professional attitude, inventiveness, enthusiasm, and ability. They point out that the college student often brings to the agency new ideas and techniques and enables the agency to offer new services and programs. As one agency has written:

> Bouquets to Volunteers Betty Addleman, Linda Mahru, and Boyd Johnson, who are participating in the EPIC program at California State College at Los Angeles and whose talents have been made available to the Unit II Mental Health Clinic at Los Angeles County General Hospital.
>
> Robert B. Sampliner, M.D., Director of Mental Health, Unit II, states, "These students are adding rich resources in their own respective fields to the training we are giving them in group therapy. They are serving as co-therapists who will soon be handling a group in vocational rehabilitation under supervision."
>
> These students have given invaluable services to the patients at the hospital.[1]

The student, because he is one who is "making it" in society, can often offer hope and outside contact to someone who feels entrapped in an urban ghetto, or a disadvantaged economic situation. The students have also made an enthusiastic response to the program. Because California State at Los Angeles is an urban commuter college, its 21,000 students center most of their activities away from the compus. These students are often not enthusiastic about the traditional collegiate bonfires and pep rallies. But, like all of today's college generation, they are seriously concerned about current problems and their own role in society. They have a strong desire to improve both themselves and society, and to affect the directions of our Nation. EPIC has helped direct these student energies and concerns into constructive community activities. In so doing EPIC has made good use of their pent-up concerns for society, provoked intellectual stimulation, added a sense of student commitment, and provided countless hours of service to the community. As a result, interest in EPIC from other colleges and the community has never been higher.

The theme among many of today's college students is one of turn off, drop out, or you cannot fight the power structure. The EPIC program says to that same student, "tune in, get involved, you can affect the scene." The EPIC volunteer through his participation in a community service program, gains insights which coupled with the college's academic program can help him become, upon his completion of his college requirements, a more knowledgeable citizen and a more highly skilled professional. As a student, EPIC allows the individual to see the needs of his own community and the directions which his education and training must follow as he would have a positive effect on that scene.

And what about the community, one might ask? The community benefits from the tremendous energy, the challenging minds and the creative talents of the young student. The overworked, overcrowded, perhaps understaffed agency may just well need the vibrant breath of student participation. The struggling, small, independent community action program may receive just the additional staff it needs to broaden its scope and attract more young people in off the streets. The young person in trouble who might not relate to an agency authority might well be responsive to a student volunteer who is on hand, ready to serve and able to give him individual attention. I dare say that there is quite a tossup when one tries to answer the question, who gains the most, the community or the student? It seems to me that there is a pretty even balance.

I am especially delighted to learn that during the new school year EPIC volunteers will be working at the following agencies located in central and south central Los Angeles: The Avalon Youth Opportunity Center, the Imperial Court Community Development Project, the Los Angeles Youth Opportunity Center, the Pico Gardens Teen Post, the Willowbrook Avenue Community Development Project, the new Locke Senior High School, the South Central Youth Training and Employment Project, and the Southwest Tutorial Project, to name just a few. The disadvantaged economic circumstances of large numbers of the residents serviced by these agencies as well as in many instances their minority group status pose impending problems for immediate resolution. Where could better answers be obtained? What more dynamic forces could influence decisions? What greater talents could be used for counseling and planning than the college student attending Cal State, many of whom are themselves residents of this very community.

It seems to me that EPIC at California State is saying to the students:

> We can help you learn, we can help you get involved, but you must be dedicated to participating in your community through a positive service.

As a new EPIC director, Mrs. Vivian Gordon wrote me recently that:

> We feel that today's college student cannot afford to miss the EPIC opportunity. There are tremendous social changes taking place in our cities today. The student has a responsibility to know what is happening and to

[1] A letter from Mrs. Marjorie Jane Davis, Assistant Director, Volunteer Services, Los Angeles County General Hospital.

take part through positive action. EPIC provides such a positive outlet.

EPIC says to the Cal State students, "We need you and you need EPIC." I hope that college students all over the country who are looking—indeed who are thirsting after a sense of involvement will look to EPIC at California State and draw a guide. I am told that the director and the student coordinator staff of the EPIC program would welcome inquiries from college students who might be interested in establishing a similar program on their campuses.

In Support of a Bill Extending to Volunteer Fire, Ambulance, and Rescue Companies the Second- and Third-Class Bulk Mailing Rates Available to Certain Nonprofit Organizations

EXTENSION OF REMARKS

OF

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1967

Mr. EILBERG. Mr. Speaker, the importance of our volunteer fire, ambulance, and rescue companies is self-evident. The cost of government, Federal, State, and local, is immense. Every day millions are expended in the process of keeping the machinery of government in healthy operation. For that reason the American public has welcomed the contribution of our volunteer fire, ambulance, and rescue companies, as a means of serving the public in a vital area without simultaneously demanding, once again, an increase in taxes.

There is much to be said, moreover, for the continuation of American traditions of voluntary service. In this day of big and bigger government, big and bigger corporations, labor unions, mutual benefit associations, and the like, the contribution of the individual has been relegated to the shadows, to a remarkable and depressing extent. Contrary to the trend has been the continued existence of the volunteer fire and rescue worker as a major figure in a million American communities.

We have every reason to bolster this sterling tradition. We must not stand aside and allow it to be submerged beneath the weight of economic pressures. Yet that is what we have been doing for years.

At this very moment, while the demand for fire, ambulance, and rescue work is increasing, the cost of operating such services is also increasing, and local communities have made no move to take up the slack.

We are, therefore, presented with the shocking picture of a public service threatened with extinction in a moment when the public need is clearly increasing.

It is disconcerting to think in terms of volunteer heroes being cramped-in, surrounded, and bedeviled by scores of crippling, economic problems. But that is the way it is, today, for millions of fire, ambulance, and rescue workers, right here in America.

The crisis can be partially attended to by act of Congress, and I recommend that action be taken immediately through the passage of a bill extending to volunteer fire, ambulance, and rescue companies the second- and third-class mailing rates now available to certain other nonprofit organizations.

Results of Opinion Poll in Idaho's First District

EXTENSION OF REMARKS

OF

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1967

Mr. McCLURE. Mr. Speaker, last spring I sent the residents of Idaho's First Congressional District a questionnaire and asked that they complete the form and return it to me. The response was most gratifying. More than 15,000 individual forms were returned, many with additional comments and notes.

The political affiliation in my district is evenly divided between the major parties. But philosophically, the people are as one. If there is further proof needed that the average American citizen has repudiated the Great Society, I do not know what it could be.

I include the tabulation of the poll's results at this point in the RECORD:

[Answers in percent]

1. Do you feel that we are receiving accurate and reliable information on the activities of the Federal Government?

Yes	11.0
No	82.2
No opinion	6.8

2. (*a*) Do you believe that the rise in the cost of living requires corrective action by the Government?

Yes	80.9
No	14.0
No opinion	5.1

(*b*) If so, what kind of action do you believe should be taken?

Wage and price control	23.2
Cut Government spending	74.6
Tax increase	1.0
No opinion	1.2

(NOTE.—Approximately 70 percent of those favoring wage and price control also indicated that they favored accompanying cuts in government spending.)

3. Do you think that the present spending levels by the Government for the following programs should be:

	More	*Less*	*Same*
Defense	28.9	19.0	52.1
Foreign aid	1.6	91.3	7.1
Agriculture	18.8	50.4	30.8
Education	31.4	29.3	39.3
Health	29.7	29.2	41.1
Poverty program	7.8	79.0	13.2
Highways	26.0	15.1	58.9
Space exploration	8.4	58.4	32.2
Aid to cities	9.8	66.0	24.2
Beautification	6.9	76.0	17.1

4. Do you think the Federal Government should return a percentage of Federal taxes to the States with no strings attached?

Yes	63.1
No	23.0
No opinion	13.9

(NOTE.—Many of the No answers received comments that "the Federal Government should not take the tax money in the first place.")

5. In the Vietnam war, do you think we should:

(*a*) Continue on present course?	6.5
(*b*) Make a more definite effort for military victory?	61.8
(*c*) Hold key positions and negotiate a settlement?	17.0
(*d*) Withdraw as soon as possible?	14.7

(NOTE.—Many of those favoring withdrawal (*d*) indicated that they do so only after a military victory (*b*).)

6. Do you think the ceiling on earnings of persons receiving social security or veterans' pensions should be:

Removed	25.1
Left as is	27.5
Increased	36.6
No opinion	10.8

7. Do you favor the proposed Federal regulations on the purchase and shipment of firearms?

Yes	15.8
No	76.1
No opinion	8.1

8. Do you think our present Federal farm programs are achieving their purpose of maintaining farmers' income at adequate levels?

Yes	14.4
No	69.7
No opinion	15.9

9. Do you favor increased trade with the Communist bloc nations as a means of easing tensions?

Yes	16.6
No	74.7
No opinion	8.7

10. If you had your choice of passing a single piece of legislation in Congress this session, what would it be?

It is obvious that the answers to the above question # 10 can not be tabulated in the same manner as the other questions. However, many answered this question and their comments and letters were interesting and covered a wide variety of subjects. The item mentioned most was "Cut Government Spending," the next most mentioned subject was "Reduce Taxes." These two subjects combined accounted for nearly one-third of the suggestions. Others were: Less Government Control; Cut Foreign Aid; Win in Vietnam; Raise Social Security Benefits; Stop trade with Communist Nations; Oppose any legislation regulating or controlling firearms; Limit the power of the U.S. Supreme Court; Increased protection against imports; Ethics bill for Congress; Revise Farm Parity Program; Control riots.

National Businesswomen's Week

EXTENSION OF REMARKS

OF

HON. THOMAS G. MORRIS

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1967

Mr. MORRIS of New Mexico. Mr. Speaker, a national tribute is being paid

to our country's career women at this time with the observance of "National Businesswomen's Week." The National Federation of Business and Professional Women's Clubs, Inc., has sponsored this occasion since 1928, and during the week the national federation's 178,000 members will call attention to the growing role of women in every phase of national life.

In July of this year, the federation adopted its national legislative platform, and proclaimed the following excellent legislative purposes:

To elevate standards for the employed woman, to promote her interests, to create a spirit of cooperation, to expand opportunities through industrial, scientific, and vocational activities, to secure equal consideration under the law and to establish conditions which assure both men and women the fullest opportunity and reward for the development of their capacities to the maximum potential.

To consider the place and responsibility of the employed woman as a concerned citizen in the complex democratic society of the United States, and to strengthen the role of this nation in world affairs.

It is a pleasure for me to join in paying tribute to the National Federation of Business and Professional Women's Clubs of the United States and to all American career women by the observance of "National Businesswomen's Week."

Members Paying Tribute to Hon. James H. Quillen

EXTENSION OF REMARKS

OF

HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1967

Mr. TAFT. Mr. Speaker, the following Members participated with me in my special order in behalf of JIMMY QUILLEN on Wednesday, March 1, 1967:

Hon. GERALD R. FORD, minority leader, of Michigan; Hon. LESLIE C. ARENDS, minority whip, of Illinois; Hon. MELVIN R. LAIRD, of Wisconsin; Hon. BOB WILSON, of California; Hon. CHARLES E. GOODELL, of New York; Hon. H. ALLEN SMITH, of California; Hon. DONALD RUMSFELD, of Illinois; Hon. JOHN J. DUNCAN, of Tennessee; Hon. WILLIAM E. BROCK, of Tennessee; Hon. DAN KUYKENDALL, of Tennessee; Hon. WILLIAM C. WAMPLER, of Virginia; Hon. JAMES T. BROYHILL, of North Carolina; Hon. DELBERT L. LATTA, of Ohio; Hon. JOHN B. ANDERSON, of Illinois; Hon. WILLIAM C. CRAMER, of Florida; Hon. ALBERT H. QUIE, of Minnesota; Hon. ROGERS C. B. MORTON, of Maryland; Hon. MARGARET M. HECKLER, of Massachusetts; Hon. F. BRADFORD MORSE, of Massachusetts; Hon. CHARLES R. JONAS, of North Carolina; Hon. GEORGE V. HANSEN, of Idaho; Hon. FRED SCHWENGEL, of Iowa; Hon. LOUIS C. WYMAN, of New Hampshire; Hon. GILBERT GUDE, of Maryland; Hon. ODIN LANGEN, of Minnesota; Hon. FLORENCE P. DWYER, of New Jersey; Hon. SAM STEIGER, of Arizona; Hon. JAMES HARVEY, of Michigan; Hon. FRANCES P. BOLTON, of Ohio; Hon. ROBERT MCCLORY, of Illinois; Hon. PAUL FINDLEY, of Illinois; Hon. ALBERT W. WATSON, of South Carolina; Hon. MARK ANDREWS, of North Dakota; Hon. DEL CLAWSON, of California; Hon. HOWARD W. ROBISON, of New York; Hon. E. ROSS ADAIR, of Indiana; Hon. JAMES C. CLEVELAND, of New Hampshire; Hon. RICHARD L. ROUDEBUSH, of Indiana; Hon. CLARENCE J. BROWN, Jr., of Ohio; Hon. WILLIAM L. DICKENSON, of New York; Hon. J. IRVING WHALLEY, of Pennsylvania; Hon. FRANK J. HORTON, of New York; Hon. LAWRENCE G. WILLIAMS, of Pennsylvania; Hon. DONALD G. BROTZMAN, of Colorado; Hon. JOHN W. WYDLER, of New York; Hon. CHARLOTTE T. REID, of Illinois; Hon. JAMES V. SMITH, of Oklahoma; and Hon. THEODORE R. KUPFERMAN, of New York.

Air Quality Act of 1967

EXTENSION OF REMARKS

OF

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1967

Mr. TENZER. Mr. Speaker, I would like, at this time, to add a few words to the many that have already been spoken in support of the Air Quality Act of 1967.

In his January 30 message to Congress, in which he recommended adoption of the Air Quality Act, the President said:

Our efforts to understand and control air pollution must be intensified and broadened. Many sources of air pollution cannot be economically or effectively controlled by our present technology.

That our scientists and technicians have not discovered all the answers should come as a surprise to no one, for the knowledge of air pollution and its control is in its infancy and the Federal Government's program is only 4 years old.

What we have done under this program we can be proud of; but when we established the program in 1963, we simply did not realize the dimensions of the problem, and we were only beginning to understand how serious the dangers of air pollution were.

In the 4 years since then, however, the shape and the vastness of the threat have begun to emerge, and we realize far better than we did how much we yet have to learn. Because of this, the President has placed great emphasis on expanding our research program, and especially research intended to solve the problem of pollution from the burning of fuels. The sulfur oxides may be the most serious of the pollutants, both from a health and an economic point of view, and they are emitted whenever coal and oil are burned. And certainly the biggest volume of pollutant comes from the automobile, burning gasoline.

In fact, more than four-fifths of our pollution comes from the burning of fuels, and our knowledge of how to control this pollution is, to put it mildly, imperfect.

The President, therefore, has asked that we provide for extensive new research efforts to develop the devices and techniques for controlling pollution from fuels, but in doing so he has wisely been mindful of the importance these fuels have in the economy and how great an effect any change in the pattern of their use would have. He said:

We must recognize that in dealing with fuels for industry and motor vehicles, we are dealing with matters of enormous importance to every section of the N ation and to many economic interests. America's technology and natural resource development are intimately involved in any program that affects fuels and their uses. Great investments have been made on given assumptions about those fuels and uses.

These considerations require that we approach the pollution problem with respect for its complexity and its economic implications.

But the health of our people, and indeed the health of the whole urban and rural environment, also require us to approach the pollution problem with urgency and tenacity.

Mr. Speaker, as a resident of Lawrence, Long Island, N.Y.—in the shadow of Kennedy International Airport, I have been concerned for some time with the problem of air pollution in and around airports not only from automobiles but also from aircraft. While the main thrust o fthe Air Quality Act is aimed at pollution from automobiles, the proposed legislation does recognize the problem and seeks to authorize a 2-year study by the Secretary of Health, Education, and Welfare to determine the feasibility of establishing national emission standards for aircraft.

Mr. Speaker, I have been told that a single jetplane produces approximately 1 ton of measurable pollutants on takeoff and landing—an amount equal to the average pollution from an automobile during a 1-year period. This problem cannot and should not be overloked. It must be attacked in the same way we are attacking the problem of air pollutions from automobiles.

I shall support the Air Quality Act because I believe it to be an essential step toward the preservation of the health and welfare of our country's people, and I urge my colleagues to do the same.

Federal Salary Act of 1967

EXTENSION OF REMARKS

OF

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1967

Mr. GILBERT. Mr. Speaker, I supported the Postal-Federal Salary Act of

1967, as I have consistently supported over the course of my years in Congress all fair proposals to increase the salaries of Federal employees. I believe there is nothing more important to the efficient conduct of Government than a Federal civil service that is justly paid for the services it renders.

For this reason, I cannot overstate my indignation at Congress' decision to exclude one agency, and only one agency, from the provisions of this bill. I see no justification whatever for singling out the employees of the Office of Economic Opportunity for exclusion from the Federal pay raise. I must interpret this action as a deliberate slap in the face to those who have taken on the difficult task and onerous responsibility of assisting the Nation's poor to break the cycle of poverty. I hope this provision will be reversed before the bill becomes law.

But these are difficult times for legislation designed to redress inequities and I voted for the bill because I judged that, on the whole, it served a useful purpose. It is, in my view, the kind of bill that saves money in the long run because it improves the morale, and, as a consequence, the performance of the men and women who make their careers serving the Federal Government.

Vietnam and the United Nations

EXTENSION OF REMARKS

OF

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1967

Mr. TENZER. Mr. Speaker, on September 22, 1967, I wrote to Secretary of State Dean Rusk urging U.S. support for consideration of the Vietnam war by the United Nations General Assembly. See CONGRESSIONAL RECORD, September 25, 1967, pages 26691–26692.

When the Soviet Union made its request on June 13, 1967, for an emergency session of the United Nations General Assembly on the Middle East crisis under the provisions of the "uniting for peace" resolution of November 3, 1950, this step represented the first acceptance by the Soviet Union of the use of the "uniting for peace" resolution for the determination by the General Assembly of a war-and-peace issue normally dealt with by the Security Council and subject to the veto power.

One day later, on June 14, 1967, in a statement which appears in the daily CONGRESSIONAL RECORD of that day, page A3015, I said:

With the cease-fire in the Middle East now in effect, I call upon our Government, the President, the Secretary of State, the Secretary of Defense, and all of their advisers to use every instrument and technique of diplomacy to bring about a cease-fire in Vietnam and/or to immediately convene a Geneva Conference to negotiate a settlement to the Vietnam conflict.

We should do everything necessary to encourage the United Nations to adopt a cease-fire resolution in Vietnam similar to the resolution adopted in the Middle East crisis and/or to call upon the Cochairman of the Geneva Conference to immediately convene a peace conference.

We must urge the United Nations, the Cochairmen of the Geneva Conference, the International Control Commission, and the available diplomatic channels, including the "hotline" between Washington and Moscow to bring about a cease-fire in Vietnam.

Mr. Speaker, on June 14 I concluded my remarks with another appeal to the President in these words:

Now is the time to stop the bombing.
Now is the time for a cease-fire.
Now is the time for our President to lead us and the world on the pathways to permanent peace.

Because every offer to negotiate has been rejected or brings no response from Hanoi, I am more convinced than ever that there is some hope in the United Nations. When I first proposed to the Secretary of State that we take advantage of the "uniting for peace" resolution, I had no support for the idea. Now Majority Leader MIKE MANSFIELD and 11 other Senators have proposed a resolution calling for a reconvened Geneva Conference.

For the information of my colleagues, I insert in the RECORD at this point, the State Department reply to my letter of September 22, 1967:

OCTOBER 16, 1967.

Hon. HERBERT TENZER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN TENZER: Secretary Rusk has asked me to reply to your thoughtful letter of September 22, 1967, in which you suggested that the United States employ the "Uniting for Peace" procedure to bring the Viet-Nam conflict before the United Nations General Assembly. We continue to doubt the feasibility of such action at the present time, for the reasons I outlined to you in my letter of July 1, 1967, although we of course continue to welcome any constructive efforts by the UN Security Council or the General Assembly toward a just and honorable peace in Viet-Nam.

You specifically suggest that even nations which do not agree with our policies in general might support a resolution calling upon the co-Chairmen of the Geneva Conference immediately to bring all interested parties together for discussions. This was, of course, one of the principle elements in our initiative on January 31, 1966 to bring the Viet-Nam issue to the Security Council.

At that time, we submitted a draft resolution calling for the Council's endorsement of preliminary discussions to arrange a conference looking toward the implementation of the Geneva Accords. The resolution was never acted upon, primarily because the Soviet Union made clear its opposition to any UN consideration of Viet-Nam, including this approach.

Ambassador Goldberg reiterated in his address of September 21 to the General Assembly that the United States continues to seek the active participation of the United Nations in the quest for peace in Viet-Nam. He again called on all UN members, individually and collectively, to accept their obligations under the Charter and use their influence to help bring the Viet-Nam conflict to an end by peaceful means. As public accounts have indicated, Ambassador Goldberg recently undertook further consultations with members of the Security Council to assess once again the prospects for Security Council action. As reported at the time, he found a widespread reluctance to act in the Council in the face of firm opposition to UN involvement from the Soviet Union and North Viet-Nam.

In our view, the members of the General Assembly would also be unlikely at this time to favor formal action on Viet-Nam, primarily because of the basic disagreement which exists on this issue among the members of the Security Council, and because at the present time many of the political factors operative in the Security Council are also present in the Assembly. Nevertheless, consistent with our desire to have the UN and its members make greater efforts towards peace in Viet-Nam, we remain willing to support an initiative which showed promise of positive results and would meaningfully advance the prospects of an early and secure peace in Southeast Asia.

As I noted in my July 1 letter, the basic difficulty remains Hanoi's unwillingness to discuss a political settlement on anything but its own terms. In light of the Soviet Union's strong support of Hanoi's position, effective United Nations action, in our view, is unlikely at least until Hanoi alters its essentially negative position towards a negotiated settlement in Viet-Nam.

I hope you will find the foregoing comments useful and that you will not hesitate to call on me if I can be of further assistance.

Sincerely yours,

WILLIAM B. MACOMBER, Jr.,
Assistant Secretary for Congressional Relations.

Mr. Speaker, I am disturbed by the apparent unwillingness on the part of the State Department to actively pursue every procedural device for obtaining General Assembly consideration of the Vietnam war. Because of the veto power in the U.N. Security Council, the impasse in the United Nations can be broken only if we are willing to take the issue to the General Assembly.

The Vietnam war is not only a bilateral confrontation. It is a struggle which threatens the peace and security of the entire world. All efforts to bring the combatants to the peace table have thus far failed. The United Nations representing the force of world opinion and the only forum for expression of that opinion must not be overlooked as an instrument for moving the conflict from the battlefield to the conference table.

Mr. Speaker, member nations in the U.N. may very well have "basic disagreement" on the Vietnam issue, but that in itself is no justification for our failure to request them to express their common desire for the commencement of peace negotiations.

The United States should not fear the United Nations or even the possibility that the world body may request a cessation of the bombing of North Vietnam. We should display our willingness to comply with attempts by the United Nations to bring about a political settlement to the Vietnam war.

No matter how slim the possibility of U.N. action, we must not cast that possibility aside. It is time to undertake a major new peace offensive in Vietnam and I believe this can be done in the United Nations.

There is current in the United States

today a developing pattern and practice to play politics with the war in Vietnam. War—with its death and destruction—is too serious a subject matter to be used for political expediency.

The game is being played on both sides of the aisle. Perhaps if all who want to see the war ended with an honorable peace were to join their efforts—elusive as it is—peace could be achieved.

Job Corps Perform Valuable Public Services

EXTENSION OF REMARKS

OF

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1967

Mr. WILLIAM D. FORD. Mr. Speaker, while the success of the Job Corps as a program of human renewal is becoming well known, it is unfortunate that many of the dividends of Job Corps fail to get the attention they deserve. It is a simple fact that immense contributions are constantly being made to local communities and the common good by dedicated corpsmen who work to conserve our natural resources, or who brave the elements and face great personal risk to fight fires and floods, rescue individuals lost in the wilds, and provide needed manpower to overcome many natural disasters.

As an example of the type of contribution which Job Corps makes in the public interest, I would like to call the attention of my distinguished colleagues to the work of Job Corpsmen this past summer in clearing the shores of Lake Michigan of dead alewife fish. As a result of this excellent work, the Job Corps headquarters received telegrams and letters of thanks and gratitude from many distinguished public officials, including several Members of Congress. One such letter was sent by our distinguished colleague and minority leader, the gentleman from Michigan [Mr. GERALD R. FORD].

With permission, Mr. Speaker, I insert some of the correspondence received by Job Corps concerning the alewife clean-up at this point in the RECORD, with the hope that they will receive the careful consideration they deserve.

OFFICE OF THE GOVERNOR,
Indianapolis, Ind., July 28, 1967.

Mr. W. P. PELLY,
Director, Job Corps,
Office of Economic Opportunity,
Washington, D.C.

DEAR MR. KELLY: The State of Indiana thanks the United States Job Corps for the work done by 108 of its men from Camp Atterbury in helping clear dead alewife from the Indiana shores of Lake Michigan.

The men worked for two and a half days at Michigan City, Beverly Shores, Gary, East Chicago and Whiting. They worked hard and steady despite the unpleasantness of their task, and their deportment was excellent.

These communities—especially Beverly Shores—could not have met this hazard to the public health without the helping hand from the Job Corpsmen.

Again, we thank you and the men of the Camp Atterbury Job Corps.

Sincerely,

ROGER D. BRANIGIN,
Governor of Indiana.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 10, 1967.

Mr. W. P. KELLY,
Director Job Corps,
Office of Economic Opportunity,
Washington, D.C.

DEAR MR. KELLY: This will acknowledge and thank you for your letter of August 7 in which you inform me of the activities of the Job Corps in ridding Lake Michigan beaches of alewives. I very much appreciate hearing from you on this matter.

As an original sponsor of legislation calling for the creation of a Job Corps, I have been pleased to note the willingness of the Agency to help where help is most needed.

With best wishes, I am,

Sincerely yours,

CLEMENT J. ZABLOCKI,
Member of Congress.

U.S. SENATE,
Washington, D.C., August 14, 1967.

Mr. W. P. KELLY,
Director, Job Corps,
Office of Economic Opportunity,
Washington, D.C.

DEAR MR. KELLY: Thank you for your letter informing me of the initiative shown by the Job Corps in the recent alewife disaster. I appreciate your efforts in this endeavor.

The Corpsmen and the Job Corps are to be congratulated for undertaking a task which was shirked by so many others.

Sincerely,

CHARLES H. PERCY,
U.S. Senator.

LANSING, MICH.,
July 14, 1967.

W. P. KELLY,
Director, Job Corps,
Office of Economic Opportunity,
Washington, D.C.:

This is to acknowledge receipt of your telegram concerning assistance from Job Corpsmen from Custer Job Corps Center and the Hoxie Conservation Center in removing fish from the shores of Lake Michigan. I have designated Mr. Glen C. Gregg, deputy director of the Michigan Department of Conservation to act as my coordinator on this project. Mr. Gregg will be in immediate contact with Mr. Crawford of your office concerning project details. Might I add that I consider your offer to be a constructive example of beneficial State and Federal cooperation to meet a problem of great concern to the citizens of the State of Michigan.

GEORGE ROMNEY,
Governor, State of Michigan.

U.S. SENATE,
Washington, D.C., August 14, 1967.

Mr. W. P. KELLY,
Director, Job Corps,
Office of Economic Opportunity,
Washington, D.C.

DEAR MR. KELLY: Thank you for your letter reporting on the fine work done by Job Corpsmen in removing dead alewives from the shores of Lake Michigan.

Your men certainly performed in A-1 fashion. It was a nasty job which they nevertheless performed to everyone's great satisfaction.

Please tell the boys "Well done!" and thank them for all of us.

Sincerely,

PHILIP A. HART,
U.S. Senator.

U.S. SENATE,
Washington, D.C., August 4, 1967.

Hon. SARGENT SHRIVER,
Director, Office of Economic Opportunity,
Washington, D.C.

DEAR MR. SHRIVER: Numerous reports have reached my office concerning the excellent job performed by Job Corps trainees in helping to remove dead alewife fish from public beaches along the shoreline of Lake Michigan.

I personally wish to thank you for the prompt and effective response to my request for such assistance.

I hope you will express my gratitude for a job well done to the many Corpsmen who participated in the clean-up program.

With best wishes and my kind personal regards, I am

Sincerely,

ROBERT P. GRIFFIN,
U.S. Senator.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 10, 1967.

Mr. W. P. KELLY,
Director, Job Corps,
Office of Economic Opportunity,
Washington, D.C.

DEAR MR. KELLY: Thanks so much for your recent letter informing me of the outstanding job done by the job corpsmen in the removal of dead and decaying alewife from the shores of Lake Michigan.

The alewife problem is a difficult one and the job was a dirty job. From all due reports, however, the job corpsmen are to be commended for their assistance to the citizens of Michigan.

With best wishes.

Sincerely,

PHILIP E. RUPPE,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 22, 1967.

Mr. W. P. KELLY,
Director, Job Corps,
Office of Economic Opportunity,
Washington, D.C.

DEAR MR. KELLY: I have had many first-hand reports on the excellent work of the Job Corps in clearing alewife from the beaches in my district.

All of you are to be commended, thanked, and congratulated.

Sincerely,

GUY VANDER JAGT,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 16, 1967.

Mr. W. P. KELLY,
Director, Job Corps,
Office of Economic Opportunity,
Washington, D.C.

DEAR MR. KELLY: I appreciated receiving your account of the Job Corpsmen's participation in removing dead alewives from the beaches of Lake Michigan.

As representatives of my district, the efforts of the Custer Job Corps Center in Battle Creek are of special interest to me. This worthwhile and arduous activity, greatly helping to alleviate a crisis situation, is gratefully acknowledged by me and, I am sure, by my constituents and the citizens of Michigan.

Please relay my personal thanks to the Custer Job Corps Center. And keep up the good work.

With warmest regards,

Sincerely,

GARRY BROWN,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 9, 1967.

Mr. W. P. KELLY,
Director, Job Corps,
Office of Economic Opportunity,
Washington, D.C.

DEAR MR. KELLY: Many thanks for your letter of August 7, reporting on the progress that Job Corps trainees have made in helping to clear our beaches of the alewife nuisance.

I would like to extend my appreciation and congratulations to the young men of the Job Corps, and to the program's administrators, for the fine public service they have performed in accomplishing this task. It is indeed a most constructive example of how the federal government can cooperate with the states to help solve common problems.

Kindest regards.

Sincerely,

GERALD R. FORD,
Member of Congress.

Of Brainwashing Republicans and the Politics of Vietnam

EXTENSION OF REMARKS

OF

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1967

Mr. NIX. Mr. Speaker, I have a confession to make to my colleagues in this Chamber.

I have been brainwashed.

It did not happen suddenly, Mr. Speaker, but it happened, nevertheless. Over the years I was brainwashed to believe that there was such a thing as a bipartisan foreign policy. The Republicans have shown me the error of my ways.

I suppose I have heard one Republican speech on Vietnam too many.

Before these Republicans began talking, Mr. Speaker, I had believed that it was Hanoi that was stubbornly prolonging a war that only they seem to want. But now the Republicans have set the record straight, by claiming that it is President Johnson who is prolonging the war because he has been brainwashed by his generals.

Imagine, Mr. Speaker, Lyndon Johnson insists upon bombing the enemies' supplies and bases in the north to protect the welfare and lives of American troops fighting in the south. And to show how misguided he is, the President, has made it clear that he will stop the bombing if only Hanoi would make a reciprocal gesture toward deescalation.

What an unreasonable President we have. And what inspired statesmen these Republicans have become. Well, Mr. Speaker, what all of this Republican talk amounts to is a very old political game. It is called: pin the war on the President. And it is played during election years.

The rules are easy. You stick a verbal pin in the Commander in Chief and you duck for cover.

We saw this game played during the Korea war when the Republicans renamed it, "Truman's war." We saw it played against President Roosevelt when the Republican isolationists called World War II "Roosevelt's war."

The wobblies and German sympathizers stuck the pins into Woodrow Wilson just before our involvement in World War I. And going way back, there is even the case of the pin-stickers, who summoned a secret convention of New England States—in Boston—to discuss the possibility of seceding from the Union in order to end the war of 1812. Not surprisingly, this plan never did succeed.

Mr. Speaker, what a cheap and demeaning game this is. Do we have any doubt that in 1968 the Republicans will be calling Vietnam "Johnson's war"?

And yet the record will show that none of these Republican critics has dared to challenge the most essential truth of all: That the American presence in Vietnam is vital to the peace and security of all of Southeast Asia.

Not one of these Republican statesmen has called for American withdrawal from Vietnam. Why? Because they know—as the American people know—that aggression must be checked in Vietnam or it will crush the entire continent of Southeast Asia in a tidal wave of chaos and violence.

No, they are not opposed to the war. They are opposed to the conduct of the war. Allow me to translate. This means they are not opposing the President's courageous decision to stand firm against the Communists in Vietnam. They are merely opposing the President.

Republicans talk is a very unsubtle kind of political code. None of them will come out and say they oppose the war. They oppose the conduct of the war—or rather, the man behind the war, the man who directs the war, the man responsible for the war.

The Republicans know that criticism and wars are natural handmaidens to one another. They know the people are unhappy about Vietnam; the Congress is unhappy; and, heaven knows, the President is unhappy. God help this country if the day ever comes when war is popular.

I believe our people are mature and understanding enough to realize that we cannot have peace merely by hating war. For if that were the case, peace would reign supreme in Vietnam today.

And I also believe that our people realize that Vietnam is a tough, dirty, and costly war that will not be ended quickly or easily.

Of course, some of the President's critics claim that the war could be ended quickly. Ronald Reagan, for instance, would consider using atomic weapons to end it. I suppose we could settle things in a hurry by blowing up all of North Vietnam—not to mention a few square miles of Communist China—right off the map.

I will not waste my colleagues' time by reciting some of the other absurd suggestions presented by other Republican strategists. Suffice to say, Mr. Speaker, if there is a quick and easy way to defeat the enemy—without dangerously escalating this war and endangering the peace of the entire world—President Johnson and his advisers would have discovered it.

There is no such easy solution. Unfortunately, the Vietcong are tough, well disciplined, and expert guerrilla fighters. And such is the nature of this war that no military victory is deemed likely. The real victory is a political victory to win the support of the Vietnamese people and to convince Hanoi to negotiate for peace.

I would remind my colleagues: We are in Vietnam to smother the flames of aggression, not to fan them into an ever-widening conflagration.

Mr. Speaker, let us talk honestly about all this Republican politiking on Vietnam. There is no doubt about the fact that Lyndon Johnson's political enemies are using Vietnam to gain political advantage.

That is what is behind all this criticism. That is why not one of the President's critics has yet come up with any alternative to the administration's policies that are worthy of serious consideration. And that is why the dialogs on Vietnam are so wildly irresponsible and personally abusive to the President.

Mr. Speaker, these cruel and malicious tactics are doomed to fail. For the fact is that President Johnson continues to explore every conceivable route to find a way to get Hanoi to the conference table. And until he does, he will continue to conduct carefully controlled but effective resistance to Communist aggression in the south.

If there is a more reasoned and responsible policy than the Johnson administration's, I have yet to hear about it.

Again, Mr. President, let me emphasize that none of us in this Chamber, in the White House, or in any home in this country, wants for our young men to be engaged in combat in Vietnam.

But, Mr. Speaker, the United States has not sought its role as the leading free world power: This role sought us as a people whose commitment to freedom stretches beyond our own boundaries.

We are not in Vietnam simply because we are magnanimous about expending our lives and our treasure. We are there because we have learned the lessons of recent history which teaches that to retreat from aggression does not decrease the risk of war, but makes war inevitable.

This is the real issue involved in Vietnam. And this is the issue the American people understand. I can assure the Republicans seeking to make political capital out of this war, that the American people will resist such political brainwashing from politicians who have brainwashed themselves in believing that Vietnam can become a political football in 1968.

The President is right in commiting this Nation to the defense of the people of South Vietnam.

He is right in waging a carefully controlled response to the Communist aggression there which seeks to avoid expansion of the war.

He is right in trying every means to bring Hanoi to the conference table.

And because he is right, the majority of Americans will continue to support him and his policies.

One final word. Recently, the Japanese Prime Minister got to the head of the matter and said that the United States is right in the conditions it set for ending the bombing of North Vietnam:

> In any suspension of the bombing in North Vietnam there should be a firm assurance that it will lead to a suspension of hostilities in the south.

And the Prime Minister said that—

> Although the United States for its own part may wish for peace in Vietnam, it's important that such a desire should come from the other side as well.

I commend these thoughts to the Republican candidates for President, who seem to need perspective and judgment.

Education Is the Road to Freedom, Security, and Prosperity

EXTENSION OF REMARKS

OF

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1967

Mr. BLACKBURN. Mr. Speaker, a dollar spent on education today means a thousand dollars saved on welfare in the next generation.

Education is the road to freedom, security, and prosperity.

Our first obligation to the youngsters of today is to provide a sound moral education, for morality is the cohesive fabric of the entire social structure.

Mr. Speaker, I am introducing today a bill to provide tax exemptions for educational expenses—a tax exemption for funds spent for higher education, either in family, or in the form of contributions to scholarship funds.

In recent years the costs of higher education have been advancing rapidly, and have placed a heavy burden on both parents and students.

Meanwhile, the Federal Government has been attempting to assist education by ever-increasing appropriations. My proposal is to allow a proper tax exemption for educational expenses, and thus reduce the demand for Federal aid to education.

I feel that when someone spends a large sum of money to provide himself or his children with a higher education, he is spending money in the national interest, and it is only fair that the Nation try to ease his burden through our tax laws.

For this reason, Mr. Speaker, today I enter a bill that will provide a tax credit for higher education. Basically, my bill provides a 100-percent tax credit on the first $200 which is spent on a person's education; 75 percent on the next $300, and finally, 25 percent of the next $1,000.

As an individual reaches a higher tax bracket, the tax credit will be greater to him in proportion to an individual in a lower tax bracket. In order to help equalize the benefits among different tax brackets, I am providing for a 1-percent reduction from the tax credit for those earning an adjusted gross income in excess of $25,000.

The credit is available to anyone who pays the specified expenses for someone trying to obtain a higher education. It is available to students who are trying to put themselves through school. It is available to parents helping their children through college, and it will be available to other persons who contribute help. This measure would help to create individual scholarships in that the donor would receive a tax credit, and colleges could well use this provision to encourage their alumni to help some deserving student.

I am well aware of the fact that a college education is not the only form of additional training and education needed. Our advanced technology creates an unending need for upgrading the skills of those engaged in industry and science. It would be discriminatory to help only students attending college. Under my bill any person attending a post-secondary school such as business, trade, technical, and other vocational institutions would be qualified for the credit.

There are many students in college today who are receiving full or partial scholarships. The median family income of students receiving scholarships is $8,436. Most State-supported colleges have a tuition of less than $600. My proposal would furnish a maximum tax credit of $675. The assistance from the tax credit measure could release scholarships for the benefit of those in greater need.

In my own State, Georgia, there are many outstanding institutions of higher learning. Included in the Fourth District are Georgia State College and De Kalb Junior College. Georgia State's tuition for three quarters is $315 for residents of Georgia, and De Kalb Junior College's tuition for two trimesters is $220 for residents of De Kalb County.

My bill would provide a $296.25 tax credit for any Georgia citizen who desired to attend Georgia State.

Also, a tax credit of $215 would be provided for all those De Kalb County residents who desire to attend De Kalb Junior College. Thus, under my plan, any resident of my State who wishes to attend these institutions, and has the academic background, may do so.

Those college students who are working in order to pay for their college education will receive a larger rebate from the Internal Revenue Service under the tax credit. This rebate will give them additional funds which they need so badly to pay for food and clothing.

Our Nation today is confronted by many thousands of frustrated youngsters who are unable to obtain higher education because of the cost involved.

My bill helps promote the American ideal of helping those who desire to help themselves, without any interference from the Federal Government.

I feel it is very important for these ambitious young people to attempt to obtain an education by themselves, instead of having to rely on Government training, or some other federally sponsored program.

Thus, my bill will allow the individual to provide for his own education without seeking the help of the Federal Government.

I therefore urge the House to give this measure prompt and careful consideration at the earliest possible debate.

Mr. Speaker, I place the text of my bill in the RECORD at this point:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subpart A of part IV of subchapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by renumbering section 40 as 41, and by inserting after section 39 the following new section:

"SEC. 40. Expenses of higher education.

"(a) GENERAL RULE.—There shall be allowed to an individual, as a credit against the tax imposed by this chapter for the taxable year, an amount, determined under subsection (b), of the expenses of higher education paid by him during the taxable year to one or more institutions of higher education in providing an education above the twelfth grade for himself or for any other individual.

"(b) LIMITATIONS.—

"(1) AMOUNT PER INDIVIDUAL.—The credit under subsection (a) for expenses of higher education of any individual paid during the taxable year shall be an amount equal to the sum of—

"(A) 100 percent of so much of such expenses as does not exceed $200,

"(B) 75 percent of so much of such expenses as exceeds $200 but does not exceed $500, and

"(C) 25 percent of so much of such expenses as exceeds $500 but does not exceed $1,500.

"(2) PRORATION OF CREDIT WHERE MORE THAN ONE TAXPAYER PAYS EXPENSES.—If expenses of higher education of an individual are paid by more than one taxpayer, the credit allowable to each taxpayer under subsection (a) shall be the same portion of the credit determined under paragraph (1) which the amount of expenses of higher education of such individual paid by the taxpayer during the taxable year is of the amount of expenses of higher education of such individual paid by all taxpayers during the taxable year.

"(3) REDUCTION OF CREDIT.—The credit under subsection (a) for expenses of higher education of any individual paid during the taxable year, as determined under paragraphs (1) and (2) of this subsection, shall be reduced by an amount equal to 1 percent of the amount by which the adjusted gross income of the taxpayer for the taxable year exceeds $25,000.

"(c) DEFINITIONS.—For purposes of this section—

"(1) EXPENSES OF HIGHER EDUCATION.—The term 'expenses of higher education' means—

"(A) tuition and fees required for the en-

rollment or attendance of a student at a level above the twelfth grade at an institution of higher education, and

"(B) fees, books, supplies, and equipment required for courses of instruction above the twelfth grade at an institution of higher education.

Such term does not include any amount paid, directly or indirectly, for meals, lodging, or similar personal, living, or family expenses. In the event an amount paid for tuition or fees included an amount for meals, lodging, or similar expenses which is not separately stated, the portion of such amount which is attributable to meals, lodging, or similar expenses shall be determined under regulations prescribed by the Secretary or his delegate.

"(2) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' means—

"(A) an educational institution (as defined in section 151(e)(4))—

"(i) which regularly offers education at a level above the twelfth grade; and

"(ii) contributions to or for the use of which constitute charitable contributions within the meaning of section 170(c); or

"(B) a busines or trade school, or technical institution or other technical or vocational school in any State, which (i) is legally authorized to provide, and provides within that State, a program of postsecondary vocational or technical education designed to fit individuals for useful employment in recognized occupations; and (ii) is accredited by a nationally recognized agency or association listed by the United States Commissioner of Education; and (iii) has been in existence for two years or has been specially accredited by the Commissioner as an institution meeting the other requirements of this subparagraph.

"(3) STATE.—The term 'State' includes the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

"(d) SPECIAL RULES.—

"(1) ADJUSTMENT FOR CERTAIN SCHOLARSHIP AND VETERANS' BENEFITS.—The amount otherwise taken into account under subsection (a) as expenses of higher education of any individual during any period shall be reduced (before the application of subsection (b)) by any amounts received by such individuals during such period as—

"(A) a scholarship or fellowship grant (within the meaning of section 117(a)(1)) which under section 117 is not includible in gross income, or

"(B) an educational assistance allowance under chapter 34 or 35 of title 38, United States Code.

"(2) NONCREDIT AND RECREATIONAL, ETC., COURSES.—Amounts paid for expenses of higher education of any individual shall be taken into account under subsection (a)—

"(A) in the case of an individual who is a candidate for a baccalaureate or higher degree, only to the extent such expenses are attributable to courses of instruction for which credit is allowed toward a baccalaureate or higher degree, and

"(B) in the case of an individual who is not a candidate for a baccalaureate or higher degree, only to the extent such expenses are attributable to courses of instruction necessary to fulfill requirements for the attainment of a predetermined and identified educational, professional, or vocational objective.

"(e) DISALLOWANCE OF EXPENSES AS DEDUCTIONS.—No deduction shall be allowed under section 162 (relating to trade or business expenses) for any expenses of higher education which (after the application of subsection (b)) is taken into account in determining the amount of any credit allowed under subsection (a). The preceding sentence shall not apply to the expenses of any taxpayer who, under regulations prescribed by the Secretary or his delegate, elects not to apply the provisions of this section with respect to such expenses for the taxable year.

"(f) REGULATIONS.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the provisions of this section."

(b) The table of sections for such subpart A is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 40. Expenses of higher education.

"Sec. 41. Overpayment of tax."

SEC. 2. The amendments made by this Act shall apply to the taxable years beginning after December 31, 1966.

Communist Plans for the Panama Canal

EXTENSION OF REMARKS

OF

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1967

Mr. SCHADEBERG. Mr. Speaker, during the fiscal year 1966, the Panama Canal transited 11,925 oceangoing commercial vessels flying the flags of 50 nations, averaging 32.7 per day. These facts, more than anything else, show that the canal is one of the greatst crossroads of world commerce in addition to being the key military and strategic center of the Western Hemisphere.

As has been stressed on many occasions by my most distinguished and scholarly colleague from Pennsylvania [Mr. FLOOD], the control of this vital waterway has long been a prime objective in the operations of the world revolutionary movement known as the international Communist conspiracy; and it is now a prime target for Red conquest of the Caribbean and all of Latin America. The recently published collection of addresses by Representative DANIEL J. FLOOD on "Isthmian Canal Policy Questions"—House Document—No. 474, 89th Congress is a most useful source for authentic information on the canal subject, and is commended for reference in connection with current discussions on proposed new Panama Canal treaties.

One of the major points emphasized in the indicated volume is that the real issue at Panama is not U.S. control over the Canal Zone versus Panamanian, but the retention of undiluted U.S. sovereignty versus Communist control.

This point, Mr. Speaker, should be thoroughly understood if our Government is to deal realistically with the canal problem.

In a recent, able address by the distinguished Senator from South Carolina [Mr. THURMOND] before the Young Americans for Freedom, he dealt at length with Red plans for taking over the Panama Canal, giving some new angles on the subject and calling for defeat of the proposed treaties.

To make Senator THURMOND's illuminating address easily available to all Members of the Congress, appropriate agencies of the executive branch, maritime interests that use the canal, transcontinental transportation interests, educators, and publicists, I quote it as part of my remarks, as follows:

COMMUNIST PLANS FOR THE PANAMA CANAL

(Address by Senator STROM THURMOND, Republican of South Carolina, before Young Americans for Freedom national convention, Pittsburgh Hilton Hotel, Pittsburgh, Pa., September 2, 1967)

The most recent dispatches from Panama have been telling a perplexing story. Last June President Johnson and President Marco Robles announced that the two countries of the United States and the Republic of Panama had completed negotiations on three new treaties regarding the Panama Canal. Although the official texts of these treaties have never been released, the details are fully known.

From the American point of view, there is only one word to describe their contents. These treaties are the greatest give-away since God gave man the world for his dominion. They give away United States jurisdiction and sovereignty. They give away United States land and property. They give away United States operating facilities and engineering works. In short, they give away the entire U.S. Canal—and indeed any new canal that the United States might build in Panama—to a dubious operating authority whose sole strength is the slender reed of promises by the Republic of Panama. Let me take just a moment to describe the batch of three treaties. The first and most important treaty is the basic re-negotiated Panama Canal Treaty. This treaty sets up an organization described as an "International Juridicial Entity" which would be the administrative agency for operating the Canal. All of the property that now belongs to the United States Government would be turned over free of charge to the operating agency. The present Canal Zone would be diminished from the 10-mile wide strip to an area approximately 1 mile wide. The Canal Administration would operate its own court system and its own police forces in the Canal area.

So you can see that it will be very crucial for the safety of the Canal to make sure that the United States has control. Ultimate control of the Canal is in a governing board of 9 men. The United States has a 1-man majority on this board. But I want to point out that Congress will relinquish all control over the appointment of these men and has no recourse if even one of them should turn out to be incompetent or acts against the best interests of the county.

Furthermore, the executive control is in the hands of a Director General and his deputy. The terms of office of these men alternate between United States citizens and Panamanian citizens. At the present time, the President of the United States can assume direct control instantaneously if dangerous conditions are warranted. Under the five-four board, control would be so diluted that it would be impossible to be sure that effective action could be taken in time.

I would like to mention one other aspect of this important treaty. The formula for payments are strongly biased against the United States. Panama's share is based on $0.17 per long ton going up to $0.88 per long ton, year by year. After these payments are made to Panama, estimated to be about $20 million per year, then all other expenses of the Canal are to be paid, including overhead, capital improvement, and operating funds.

The last priority is held out for the United States payment which is only $0.08 per long ton and going up to $0.10 per long ton. The effect of these increased payments will undoubtedly result in increased tolls which could easily be as high as 25%.

The second treaty is the proposed status of forces treaty which defines the rights and privileges of our military forces stationed to defend the Canal. One of the most serious drawbacks of this treaty is that it provides for a committee to confer when any special action is necessary to defend outbreaks of insurrection or enemy attack. The treaty stipulates that in the event that the committee fails to come to agreement on what measure can be taken that the controversy will be directed toward the respective governments through proper channels. This is an extremely cumbersome arrangement, and is another example of civilians dictating a no-win military policy without any consideration for the experience and professional judgment of the military experts.

Another feature of this treaty is a provision that the Panamanian Flag shall fly over all United States bases on Panamanian soil. The United States Flag cannot fly unless Panama gives special permission. No other base agreement that we have anywhere in the world stoops so low as to strike the American Flag.

The third treaty gives us an option to build a so-called sea level canal somewhere in Panama. At this point we do not know whether a sea level canal is technically or economically feasible. Congress currently has authorized a study which will take at least three years to complete. It is insane to propose a treaty for building a sea level canal when we don't even know that such a canal can be built. At the very least, these treaties should be held up until the sea level study is complete. Furthermore, if a seal level canal is built, the control structure will be virtually identical to the proposal in the new treaties with one exception: The door is held open to internationalization in the construction and financing of a sea level canal. This would dilute our control even more.

But in spite of this give-away, the most recent dispatches from Panama are indeed perplexing. These dispatches report that there is tremendous opposition growing within the ranks of Panamanian politics to approval of the treaties. We hear that President Marco Robles is being attacked on all sides. The plans for the formal ceremony of signing the treaties, which according to informed sources was scheduled for three weeks ago in Washington, have been put off indefinitely. President Robles sought to make these treaties his political triumph, but it now appears that the treaties will cause him nothing but tribulation.

These reports have caused great concern and puzzlement throughout many quarters in the United States. Many men thought that the generous give-away attitude reflected in these treaties would appease Panamanian nationalism. When the treaty negotiators sat down two years ago, the United States held almost all the cards.

We had, first of all, sovereignty—operating sovereignty in the Canal Zone. Secondly, we had won independence for Panama and furnished Panama with the main source of development and support. Thirdly, we have had a history of generous concessions and easy relations with Panama since the first treaty was signed in 1903.

The only card that Panama held was the somewhat dubious power of blackmail, a power growing out of extreme Nationalist activities. There was absolutely no reason why a strong powerful nation like the United States should give in to the petty blackmail on the fluctuating Panamanian political scene.

Yet when the negotiation game was over, Panama got up with the whole pot. We played as though we wanted to lose. Many of our United States liberals, particularly those who are most liberal with the taxpayers' investments, have been genuinely puzzled by the ominous turn which events have taken in recent days, with the stirring up of opposition to the treaties.

However, those who have been watching the Panamanian scene closely for some time were not surprised. Early in July just shortly after the treaties were announced, I made a short speech before the Senate pointing out what the long-term aspirations of the Panamanian Nationalist sentiments were in regard to the Canal.

From statements in the Spanish language press, it was clear that the Nationalists were prepared to urge extreme measures. Among their objectives were: First, that Panama aspires to have the same relation to the Panama Canal that Egypt has to the Suez Canal and proposes to nationalize it. Second, that Panama repudiates the idea of internationalization. Third, that Panama is determined to have complete sovereignty over the Canal Zone. Fourth, that Panama is considering closing its territorial waters around the Canal Zone—a jurisdiction not recognized by the United States—as a trap to get its demands.

From these and other objectives, it was soon to be clear that the contents of the proposed treaties would not satisfy the demands of Panamanian politics. Insofar as the United States maintained any kind of indirect control at all, or retained any power, however bridled, to protect the Canal and its installations—to that extent the Panamanian Nationalists would remain dissatisfied.

The latest word is that even the most responsible of the forces opposing the treaty are demanding that President Robles renegotiate four principal items in the treaty which give minimum safeguards for the extensive U.S. interests in the Canal. These four objections are: First, that the provisions in the treaties for special courts in the area of the Canal would result in courts that would be outside Panamanian juridical control. Second, the special police force in the Canal area would have exclusive authority and not be under the direct control of Panama. Third, the governing body of the Canal administration would be weighted with 5 to 4 in favor of the United States; the Nationalists would prefer the other way around. Fourth, the provision for the use of Panamanian territory by U.S. armed forces defending the Canal is regarded as an imposition upon Panamanian sovereignty.

Now, as a matter of fact, the actual U.S. control exerted through these four points is so weak as to be extremely dangerous to our interests. The special Canal courts would be employing a new body of law which would not necessarily have the same protection as U.S. law. The police force would be under the control of a weak authority which would have difficulty coping with unexpected or large disturbances. The 5 to 4 margin on the governing body of the administration depends entirely upon the character and ability and inclination of the men who are appointed to the United States seats by the United States President.

Finally, the provisions for the United States defense bases in Panama are weakened by the giving of priority to Panamanian uses. Although the Panamanians want more than this, these protections are ridiculously weak when compared to the firm position which we now enjoy and seem intent upon abandoning. The question then is, why is Panamanian Nationalism intent upon rejecting the United States give-away?

The answer is that in terms of political action, Panamanian Nationalism is nearly impossible to distinguish from Communism.

Now I grant that the motives of many Nationalists may be quite different from those of the Communists. I grant that many Panamanian politicians are not looking beyond their shores. On the other hand, the Communists have had their eye on the Panama Canal from the very first days when Communism seized power in the Soviet Union. In the famous memoirs of John Reed, *Ten Days That Shook the World*, this American observer of the Bolshevik Revolution reported that the Soviet representative to the Paris Peace Conference in 1919, Comrade Skobelev, was instructed by the Soviet Executive Committee to demand that "all straits opening into inland seas as well as the Suez and Panama Canals be neutralized." This grand strategy of the Communists has endured down to the most recent days when, during the Suez crises in June, the Soviets once more demanded that all great waterways be internationalized.

It is easy to see why the Soviets have their eye on the Panama Canal. This is, of course, an important waterway in world trade. But it is even more important as a vital artery to American trade. Two-thirds of all cargo going through the Panama Canal is either bound to an American port or is coming from an American port. Those who wish to bury the United States must begin by blocking the Panama Canal.

But in time of war the Canal takes on an entirely new significance. During the Second World War, 5,300 combat vessels used the Canal and 8,500 other ships carried troops or military cargo through it. For reasons of safety, no Axis ships could be permitted to go through. Of course, none would have dared come within hailing distance of the entrance to the Canal. Similarly, during the Korean war, over 1,000 U.S. Government vessels transited the Panama Canal to carry troops, supplies, and war materiel to U.S. troops in Korea.

Despite the fact that those who say that the Canal is outmoded in an age of nuclear warfare, it continues to be an important supply line to Vietnam. U.S. Government and U.S. Government chartered vessels transiting the Canal increased in number from 394 to 725 in the period of fiscal year 1965–66. The cargo carried jumped from 1.9 million to 3.2 million long tons. Although these figures are the most recent available, they are for the year ending June 30, 1966, in the period before escalation really began in the buildup of military supplies in Southeast Asia.

Nuclear warfare *could* destroy the Panama Canal—or indeed any canal, even a sea level canal. However, we must presume that wars will continue to be fought as at present, to wit, in non-nuclear engagements. In that case, the Canal provides the Navy and supporting Merchant Marine with interior lines of sea communications, far shorter than the routes around Cape Horn or Cape Good Hope. If the Canal were blocked, a large part of the U.S. railroad capacity would have to be used to shuttle troops and supplies from Atlantic to Pacific.

Even if the Canal were closed in peacetime, the cost to the United States would be great. Millions of dollars would be added to U.S. shipping costs, and as much as two weeks time in ocean shipments. Japan, one of the largest buyers of U.S. coal, would probably have to seek other sources of supply. California and other West Coast states would begin to feel an almost instantaneous blight. Steel shortages would begin to affect almost

all West Coast manufacturing. On the East Coast, many of the canned foods which we take for granted, such as pears and pineapples, would become very expensive.

Hunt Foods and Industries, one of the big West Coast fruit and vegetable packers, has estimated that it alone would need 75 to 80 more railroad cars in the next 60 days if the Canal were closed. I think that no one would disagree that the closing of the Panama Canal, or its take-over by a hostile nation, would be disastrous for the U.S. economy. It is no wonder, then, that the Communists have given it the No. 1 long-range priority.

Americans sometimes have difficulty in imagining how a fiercely Nationalist country like Panama, could become the tool of Communist policy. A recent publication of the Senate Internal Security Subcommittee, of which I am a member, recently chose Panama as a hypothetical case in the study of Soviet propaganda techniques. Allow me to quote:

"On the day the government of Panama falls under the control of some Popular-National-Progressive Anti-imperialist Front of Liberation, the United States could be maneuvered into relinquishment of the Panama Canal without using a single missile from its billion dollar armament. This is a very real and possible imminent development. The Front might consist of 500 students, 60 Sergeants, 50 professors, 40 journalists, 30 lawyers, and 20 longshoremen, gathered from the back rooms of a dozen cafes, and united around 10 Soviet agents at a cost to Moscow of some half million dollars."

Those who have not studied Communist history and Communist techniques cannot possibly imagine the tremendous leverage that even 10 Soviet agents who might appear to be Panamanian Nationalists can have in such a case.

Now let us turn from the hypothetical study made by a U.S. Senate Subcommittee to another study published in a theoretical periodical, the *World Marxist Review*, which is, of course, a public organ of the international Communist conspiracy. The *World Marxist Review* has already laid forth the Communist strategy for the takeover of Panama. Now it must be remembered that I am not quoting from some musty document born out of the Stalinism of the '30's. This article was published in March, 1965, almost contemporaneous with the beginning of the negotiation of the present Panama treaties that have been proposed by the Johnson and Robles administration. Let me quote:

"The People's Party of Panama (the Communist Party) has charted the road along which revolution can be carried out. The only solution seen at present is the transfer of the power to the people—workers, peasants, forward-looking intellectuals in the middle sections, and groups of the bourgeoisie who want radical reforms. Considering the realities of the present situation, it is doubtful if these reforms can be achieved the parliamentary way.

"In the opinion of our party, the national liberation revolution in Panama will pass through *two* stages. In the first stage, the task will be to set up a national, democratic, peoples-government which will consistently carry out an agrarian reform, pursue an independent foreign policy, do away with corruption, take vigorous steps to develop the national industry, and embark on deep-going economic and social reforms."

At this point, I would like to break away from the text to emphasize the importance of the next statement which appears in the *World Marxist Review*. Let me quote:

"It is extremely important in the first stage to pursue a policy of unity, an alliance with all the forces interested in these changes (irrespective of their ideology). The party resolutions state that only a revolutionary peoples government, uniting all segments of the nation opposed to the oligarchy will be able in the second stage of the revolution to combat the U.S. and its monopolies, to remove the imperialist ulcer and pave the way to nationalization of the Canal.

The immediate aim of this struggle is to deflate the oligarchy, compel it to show itself in its true colors as the direct agent of U.S. imperialism, and thus shorten its days. The ultimate aim is to achieve the complete liberation of the country. To this end, the Communists will use all forms of activity."

This article from the *World Maxist Review* explains clearly why the Nationalist agitation in Panama has grown so intense. According to the rules of Communist strategy, President Robles represents the so-called "oligarchy." Therefore, the Communists are attacking him and his treaty. They will demand an independent foreign policy. They will demand that the alleged corruption of the oligarchy be done away with. In the first stage of the Communist plan, it is clear that they will ally themselves with the Nationalists so closely that it will be impossible to distinguish one from the other. Insofar as we assist the plans of the Nationalists, we are advancing the first stage of the Communist strategy.

It is my belief that the present treaties play into the hands of this Communist strategy. For example, one of the most significant sections of the proposed treaty turns over all the auxiliary enterprises connected with the Canal to "private enterprise." The terms of the treaty make it clear that only those favored by the Panamanian Government will be allowed to bid on the operation of these enterprises. Moreover, the treaty makes it plain that if competitive bidding is unsatisfactory, the contracts will be awarded by negotiation.

In the first place, this arrangement makes it appear as though well-established and going businesses are being turned over to the Panamanian oligarchy to fatten their pockets. This provision makes it appear as though the bidding will provide a ready field for all kinds of corruption and kick-backs.

It does not matter whether this situation will come to pass or not. The treaty terms are framed in such a way as to give the Communists their rallying point. They will press for a government, to quote the *World Marxist Review*, "uniting all segments of the nation opposed to the oligarchy." This means the downfall of the Robles regime according to the Communist plan.

This is the stage we are witnessing now in the vicious attacks against the treaties in the Robles government. We must not forget that the second stage of the plan is "to combat the U.S. and its monopolies . . . and pave the way to nationalization of the Canal."

In view of the fact that the treaties seem tailor-made to fit Communist propaganda, it is interesting to note that one of the chief negotiators for President Robles is a self-avowed Marxist intellectual, Diogenes de la Rosa. Senor de la Rosa has a history that the liberal journals like to describe as "a very colorful past." It is well known in Panama that for years the sympathies of Diogenes de la Rosa have lain with the Trotskyite Communists. I would like to quote to you a sarcastic comment which the columnist in the Spanish newspaper "El Mundo" made on August 17. The columnist who writes under the by-line of Picando commented that Diogenes de la Rosa is now labelling those who oppose the new treaties as "Communists and traitors." Picando's sarcastic comment was "How times have changed for Comrade de la Rosa."

The impossibility of distinguishing true Nationalist aims from issues which the Communists can use to agitate their two-part plan should make us wary of any arrangement in the Canal Zone which would weaken our control. Despite so-called safeguards written into the Treaty, we will no longer have the direct physical control of the territory and security of the Canal area which we now have.

If we accept these treaties in the hope of solidifying a fairly moderate government in Panama, the only thing we will accomplish is to make that government the target of increasingly strong Communist pressures. By throwing upon a small nation a responsibility which it doesn't have the capability to exercise, we are endangering the freedom and independence of that government.

I do not believe that any arrangement under which the United States gives up its effective sovereignty can be made to work for the benefit of the United States. There cannot possibly be any better way of protecting the Canal than to protect it ourselves.

We have the sovereignty and jurisdiction over the Canal by treaty. We own the land by separate purchase. We are twice owners of the Canal by treaty and purchase. There is no compelling reason to turn over its administration to a complicated international administration, under the direct sovereignty of a weak country.

If we accept the blackmail of Panamanian politics, then we will be following a policy which accurately complements the two-stage Communist plan outlined in the *World Marxist Review*. We see that plan already operating in the daily headlines of our newspapers today. If we are to avoid a stunning defeat, we must immediately change course.

Ladies and gentlemen, for the sake of the national security of the United States, these treaties should not and must not be confirmed. To prevent their confirmation, public opinion must crystallize and make itself known so that the Senate will realize the importance of the Canal to this Nation. You can have a vital part in energizing public opinion and alerting our public officials. Write to the President, write to your two Senators, and have others write. I have been getting hundreds of letters on the Canal question, and I know what effect letters can have.

We must not jeopardize the security of our nation by allowing the confirmation of these proposed treaties with Panama.

Columbus Day, October 12, 1967

EXTENSION OF REMARKS

OF

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 1967

Mr. GILBERT. Mr. Speaker, I have long been a supporter of the movement to make Columbus Day into a national holiday. It has had my sympathy because Columbus was the discoverer of our continent. He is, in very real measure, the father of our civilization. It is only just that this achievement be recognized as the source of our own presence on this continent and as a genuine turning point in history.

But I support the designation of Columbus Day as a national holiday for a second reason. Columbus has come to be

a symbol in the eyes of millions of Americans of recent immigrant descent, not only from Italy but from the other countries of the Old World. Columbus' triumph is their triumph. To approve the legislation enshrining Columbus would be an act not only of justice but of acknowledgement of the contribution of the immigrant to America's strength and culture. This is not a visionary notion. I think this is an important legislation in that it would represent the Nation's gratitude not only to a great man, Christopher Columbus, but also to the millions who followed him from the Old World to make the land in which we live. I salute all Americans of Italian descent on this Columbus Day, 1967.