United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 90th CONGRESS, FIRST SESSION

SENATE

WEDNESDAY, OCTOBER 18, 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:

Our Father, God, the baffling pressures and problems of the times in which our lives are set bring to our lips a cry of our inadequacy.

Who is sufficient for these things?

At this altar of prayer, set up so long ago by our fathers, we pause asking that Thy enabling might may undergird our weakness.

Show us the high adventure that awaits us in these days of destiny.

Reveal to us how vast are the issues and how great the enterprise committed now to our hands in the tangled affairs of our agitated world.

In a time that calls for heroism, make heroes of us all, rising with courage to the challenge of evil, putting on Thy armor to withstand the forces that war against the virtue and happiness of our race, Thy children.

We ask it in the name of Christ, our Lord. Amen.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Jones, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of 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; and that the House insisted on its disagreement to the amendment of the Senate numbered 13 to the bill.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, October 17, 1967, be dispensed with.

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.

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.

EXECUTIVE SESSION

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

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

EXECUTIVE MESSAGES REFERRED

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

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

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Jerre S. Williams, of Texas, to be Chairman of the Administrative Conference of the United States.

The PRESIDENT pro tempore. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

DEPARTMENT OF STATE

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

UNITED NATIONS

The legislative clerk read the nomination of Roger W. Tubby, of New York, to be representative of the United States to the European Office of the United Nations, with the rank of Ambassador.

The PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—COAST GUARD

The legislative clerk proceeded to read sundry nominations in the Coast Guard which had been placed on the Secretary's desk.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

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

LEGISLATIVE SESSION

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

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

EXECUTIVE COMMUNICATIONS, ETC.

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

PROPOSED AMENDMENT OF FEDERAL FARM LOAN ACT AND FARM CREDIT ACT OF 1933

A letter from the Governor, Farm Credit Administration, transmitting a draft of proposed legislation to amend the Federal Farm Loan Act and the Farm Credit Act of 1933, as amended, and for other purposes (with an accompanying paper); to the Committee on Agriculture and Forestry.

THIRD PREFERENCE AND SIXTH PREFERENCE CLASSIFICATIONS FOR CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third preference and sixth preference classifications for certain aliens (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of Alaska; to the Committee on Appropriations:

"ALASKA STATE LEGISLATURE—HJR 3

"A joint resolution urging the support of the Bureau of Indian Affairs' request for supplemental funds needed to assist the natives throughout Alaska

"Be it resolved by the Legislature of the State of Alaska:

"Whereas the 1967 fishing season has been one of the poorest in the history of the state; and

"Whereas the effects of this devastating season will be felt not in a few areas but throughout the state; and

"Whereas the Tanana Valley flood of August 14, 1967, has caused great loss and hardship to the Natives of that area; and

"Whereas the burden of finding employment and subsistence for the Natives affected by both the fishing and flood disaster will fall upon the Bureau of Indian Affairs; and

"Whereas the Bureau of Indian Affairs has found that its present appropriation is not sufficient to provide for the assistance needed;

"Be it resolved that the Alaska Legislature urges the Director of the Bureau of the Budget to consider the ramifications of the disastrous fishing season and the Tanana Valley flood on the Native population of the state and to recommend that a supplemental appropriation be made to the Bureau of Indian Affairs for the purpose of providing for emergency relief to affected Alaska Natives.

"Copies of this Resolution shall be sent to the Honorable Lyndon B. Johnson, President of the United States; the Honorable Carl Hayden, Chairman of the Senate Appropriations Committee; the Honorable George H. Mahon, Chairman of the House Appropriations Committee; the Honorable Charles L. Schultze, Director, Bureau of the Budget; and to the Honorable E. L. Bartlett and the Honorable Ernest Gruening, U.S. Senators, and the Honorable Howard W. Pollock, U.S. Representative, members of the Alaska delegation in Congress.

"Passed by the House October 1, 1967.

"WILLIAM K. BOARDMAN,
"Speaker of the House.

"Attest:

"IRENE CASHEN,
"Chief Clerk of the House.

"Passed by the Senate October 3, 1967

"JOHN BUTROVICH,
"President of the Senate.

"Attest:

"EMYLOU LLOYD,
"Secretary of the Senate.

"(Signed) WALTER J. HICKEL,
"Governor of Alaska."

A joint resolution of the Legislature of the State of Alaska; to the Committee on Interior and Insular Affairs:

"ALASKA STATE LEGISLATURE—HJR 4

"A joint resolution requesting the Alaska Congressional Delegation to introduce legislation to cover Alaska shortfalls in revenue due to natural disaster of August 14, 1967

"Be it resolved by the Legislature of the State of Alaska:

"Whereas the flood disaster of August 14, 1967, has had a grave impact on state revenues and will continue to have an adverse effect for some time in the future; and

"Whereas it is of benefit to the entire nation that the Alaska economy once again gain a disposition of vitality with as little delay as possible; and

"Whereas it will take several years for the State of Alaska to make up for the shortfalls it has suffered in revenue and is sure to suffer in the future due to the magnitude of this natural disaster;

"Be it resolved that the Alaska delegation in Congress is respectfully requested to introduce without delay legislation which will have the effect of directly relieving the burden of the above mentioned shortfalls in revenue.

"Copies of this Resolution shall be sent to the Honorable Lyndon B. Johnson, President of the United States; the Honorable Carl Hayden, President pro tempore of the Senate and Chairman of the Senate Appropriations Committee; the Honorable John W. McCormack, Speaker of the House; the Honorable George H. Mahon, Chairman of the House Appropriations Committee; and the Honorable E. L. Bartlett and the Honorable Ernest Gruening, U.S. Senators, and the Honorable Howard W. Pollock, U.S. Representative, members of the Alaska delegation in Congress.

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"Secretary of the Senate.

"(Signed) WALTER J. HICKEL,
"Governor of Alaska."

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 2072. A bill for the relief of Nestor S. Cueto (Rept. No. 643);

S. 2091. A bill for the relief of Dr. Eduardo Campuzano (Rept. No. 644);

S. 2168. A bill for the relief of Dr. Pedro Pina y Gil (Rept. No. 645);

S. 2175. A bill for the relief of Dr. Juan Emilio Saignet y Crespo (Rept. No. 646);

S. 2191. A bill for the relief of Dr. Enrique Jose Suarez Diaz (Rept. No. 647);

S. 2193. A bill for the relief of Dr. Alfredo Jesus Gonzalez (Rept. No. 648);

S. 2256. A bill for the relief of Dr. Margarita Lorigados (Rept. No. 649);

S. 2285. A bill for the relief of Gordon Shih Gum Lee (Rept. No. 650);

H.R. 1948. An act for the relief of Lim Ai Ran and Lim Soo Ran (Rept. No. 651);

H.R. 1960. An act for the relief of Angelique Kousoulas (Rept. No. 652);

H.R. 2464. An act for the relief of Yoo Young Hui and her daughter, Ok Young (Rept. No. 653);

H.R. 2978. An act for the relief of Yong Ok Espantoso (Rept. No. 654);

H.R. 3430. An act for the relief of Yim Mei Lam (Rept. No. 655);

H.R. 3497. An act for the relief of Ramiro Velasquez Huerta (Rept. No. 656);

H.R. 4534. An act for the relief of Mary Bernadette Linehan (Rept. No. 657); and

H.R. 5216. An act for the relief of Roberto Martin Del Campo (Rept. No. 658).

By Mr. McCLELLAN, from the Committee on the Judiciary, without amendment:

S.J. Res. 114. Joint resolution extending the duration of copyright protection in certain cases (Rept. No. 667).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 866. A bill for the relief of Giuseppe Pacino Biancarosso (Rept. No. 659);

S. 872. A bill for the relief of Francisco Renigio Fabre Solino (Frank R. S. Fabre) (Rept. No. 660);

S. 1129. A bill for relief of Demetera Lani Angelopoulos (Rept. No. 661);

S. 1180. A bill for the relief of Ana Jacalne (Rept. No. 662);

S. 1327. A bill for the relief of Dr. Samad Momtazee (Rept. No. 663);

S. 2120. A bill for the relief of Jose D. Neugart (Rept. No. 664); and

S. 2248. A bill for the relief of Dr. Jose Fuentes Roca (Rept. No. 665).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 107. A bill for the relief of Cita Rita Leola Ines (Rept. No. 666).

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. INOUYE:

S. 2548. A bill for the relief of Chan Ching Wo, Chan Shek Fai, Li Sui Chung, Ma Ah Yee, Man Kiu, Ng Bing Cheung; to the Committee on the Judiciary.

By Mr. HILL:

S. 2549. A bill to amend the Nurse Training Act of 1964 to provide for increased assistance to hospital diploma schools of nursing; to the Committee on Labor and Public Welfare.

By Mr. HART:

S. 2550. A bill to extend Letters Patent Numbered 2,322,210 and for other purposes; to the Committee on the Judiciary.

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

By Mr. MONTOYA:

S. 2551. A bill to impose annual quotas on the quantity of potassium chloride or muriate of potash which may be imported into the United States; to the Committee on Finance.

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

By Mr. RIBICOFF:

S. 2552. A bill to provide for orderly trade in antifriction ball and roller bearings and parts thereof; to the Committee on Finance.

By Mr. HANSEN (for himself and Mr. McGEE):

S. 2553. A bill to authorize the Secretary of the Interior to modify the operation and to reallocate the costs of the Kortes unit, Missouri River Basin project, Wyoming, for fishery conservation; to the Committee on Public Works.

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

By Mr. RANDOLPH (for himself, Mr. BYRD of West Virginia, Mr. LAUSCHE and Mr. SCOTT):

S. 2554. A bill to provide for the orderly marketing of flat glass imported into the United States by affording foreign supplying nations a fair share of the growth or change in the U.S. flat glass market; to the Committee on Finance.

By Mr. MORSE:

S. 2555. A bill to provide that the Secretary of the Interior shall investigate and report to the Congress on the advisability of establishing a national park or other unit of the national park system in the central and northern parts of the Cascade Mountain region of the State of Oregon; to the Committee on Interior and Insular Affairs.

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

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

S. 2556. A bill to amend the tariff schedules of the United States with respect to the rate of duty on certain watch movements; to the Committee on Finance.

By Mr. WILLIAMS of New Jersey (for himself, Mr. YOUNG of Ohio, Mr. MOSS, Mr. YARBOROUGH, Mr. INOUYE,

Mr. FONG, Mr. NELSON, Mr. MONDALE, Mr. BARTLETT, Mr. TYDINGS, Mr. RANDOLPH, Mr. LONG of Missouri, Mr. MAGNUSON, Mr. PELL, Mr. HART, and Mr. SMATHERS):

S.J. Res. 117. Joint resolution to provide that it be the sense of Congress that a White House Conference on Aging be called by the President of the United States in January 1970, to be planned and conducted by the Secretary of Health, Education, and Welfare to assist the States in conducting similar conferences on aging prior to the White House Conference on Aging, and for related purposes; to the Committee on Labor and Public Welfare.

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

EXTENSION OF PATENT

Mr. HART. Mr. President, I introduce, for appropriate reference, a bill entitled "To extend Letters Patent No. 2,322,210, and for other purposes."

In 1939 Mr. Bert N. Adams using his own ingenuity began experimenting in his home kitchen in Queens Village, Long Island, in the development of a new nonrechargeable, as opposed to a storage, electrical battery. He discovered that by the use of a magnesium positive electrode and a negative electrode comprising cuprous chloride fused with a carbon catalytic agent in a light container the battery would provide constant voltage and current for a long life without the use of acids, conventionally employed in storage batteries. It also did not generate dangerous fumes. The battery could be activated by plain or salt water.

The Adams battery is operable in temperatures from 65° below zero Fahrenheit to 200° Fahrenheit since the constant chemical reactions in the battery liberated large quantities of heat. When once activated by the addition of water, the battery continued to deliver electricity at a voltage which remained essentially constant regardless of the rate at which current was withdrawn in use. Since the battery was not activated until water was added, it could be stored indefinitely.

Adams applied in 1941 for letters patent which was issued as No. 2,322,210 in 1943. After the filing of his application Adams decided in 1942 that his invention had many potential military uses. He disclosed his invention, the benefits of his research, know-how and a number of his batteries to the U.S. Signal Corps, all at its request. Mr. Adams was promised that tests would be made and he would be advised of the results. He was not so advised.

The scientists of the Signal Corps and the Bureau of Standards were not convinced on the battery's performance. However, in November 1942, the Signal Corps changed its mind and concluded the battery was feasible. The Government then entered into contracts with various battery manufacturers for its procurement. Nevertheless, Mr. Adams was not advised of this change of decision nor of the procurement contracts.

The battery was found by the Government adaptable to many old and new purposes. In fact, in 1956 the Signal Corps Engineering Laboratories noted that the addition of water activated batteries "has brought about developments which would otherwise have been technically or economically impractical." The reference to "economically impractical" undoubtedly related to the fact that the cost of the Adams batteries were approximately one-fifth the cost of storage batteries using silver chloride and magnesium electrodes.

In spite of the Government's procurement of hundreds of thousands of batteries infringing the Adams' patent during the years since 1943 and saving many million dollars, as much as perhaps $39 million, it disregarded repeated requests and never informed Mr. Adams. The Supreme Court termed this conduct as "surprisingly" done.

It was not until 1955 that Mr. Adams found on examination of a battery produced for the Government by the Burgess Co. that the Government was using his invention. He promptly made demand for compensation. This was finally denied in 1960. His patent expired in June 1960.

In 1960 Adams filed a suit in the Court of Claims. The court found Adams' patent valid and infringed by the Government and ordered an accounting. The Government appealed to the Supreme Court on the issue of validity of the patent. On February 21, 1966, the Supreme Court in 383 U.S. 39 held the patent valid. The case is now in the Court of Claims for an accounting and determination of compensation due to Adams.

The question is why the bill, and what effect would it have. When his suit was filed in 1960, Mr. Adams could go back on his claim only to 1953 or 7 years. The statute of limitation is 6 years plus approximately 1 year in which his demand for payment was pending in the Department of Defense. Therefore, he is now barred by the statute from claiming for the 10 years from 1943 to 1953. He has been denied the benefits of his patent for that 10-year period through no fault of his but due to the wrongdoing of the Government. The bill would restore to him the enjoyment of his patent rights for 17 years by extending the patent life for 10 years commencing on June 22, 1960.

The bill would extend the statute of limitations to 6 years after the 10-year period or to June 22, 1976, for the bringing of suit against the United States. Both extensions would apply only as to the United States. This is explained by the fact that practically all of the use of Adams' battery has been by the Government and there has been little if any commercial use.

The extension of the patent period to 1970 is the only practical way to undo the injustice done to Mr. Adams by the Government since I am told that it would be impossible to obtain an accounting of purchases during the period from 1943 to 1953. In fact it appears that a great deal of difficulty is being experienced in obtaining a full accounting of purchases made from 1953 to 1960.

Mr. President, it seems very clear to me as it did to the Court that someone in the Government has been deliberately unmindful of the rights of this man. Simple justice needs to be done by Congress as it has done in the past when an inventor has lost the benefits of his invention through fault of someone in the Government. We have in many such cases extended the life of the patent. I hope the Congress will do so in this case.

Normally a private bill is introduced without explanation; the explanation is given the committee at a later and appropriate time. In this case, however, I believe it may be useful to recite the circumstances. Also I ask unanimous consent that articles from Life magazine, the Christian Science Monitor and the Wall Street Journal, each reporting on this matter, be made a part of the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the articles will be printed in the RECORD.

The bill (S. 2550) to extend Letters Patent No. 2,322,210 and for other purposes, introduced by Mr. HART, was received, read twice by its title, and referred to the Committee on the Judiciary.

The articles presented by Mr. HART are as follows:

[From Time magazine, Mar. 4, 1966]

THE SUPREME COURT: HOW BERT BEAT THE BUREAUCRATS

No one believed Inventor Bert N. Adams in 1939 when he came out of his Queens Village, L.I., kitchen with a battery that seemed to revolutionize the original electrical "pile" devised by Alessandro Volta in 1796. Inventor Adams ultimately won a U.S. patent—and then the U.S. Government itself copied and repatented his battery without paying Adams a dime. Last week the Supreme Court not only agreed that Adams' battery met the U.S. patent test of being new, useful and "nonobvious"; by a vote of 7 to 1, the court also made clear that Adams' patent had been infringed during years of plain and fancy Government hornswoggling.

PRIMARY ACCIDENT

A lonely tinkerer in the style of the Edison era, Adams has supported his yen for inventing by toiling at a lengthy catalogue of jobs—cowboy, barber, auto mechanic, house painter, merchant seaman, research director for a vacuum cleaner company. His pre-war kitchen triumph was a primary (nonrechargeable) battery that delivered an even level of electricity over long periods of time. Until then familiar primary batteries delivered electricity at a declining rate until they wore out; their charge drained off even when not in use; and they rapidly deteriorated when subjected to extreme temperatures.

Adams' battery consisted of a lightweight container, one electrode made of magnesium and another of cuprous chloride. It could be stored indefinitely and activated by simply pouring in fresh or salt water. While cooking up some cuprous chloride on his wife's stove, Adams accidentally dropped cigarette ashes into the brew—and vastly improved it. Moreover, when his battery was connected to a load, a chemical reaction took place that produced heat. As a result, the battery worked surprisingly well at temperatures as low as −65° F.

EXPERT ACCIDENT

In wartime 1942, Adams decided that his revolutionary battery had all sorts of potential military uses. When he offered it to the Army, though, every available expert rejected his idea as unvoltaic and unworkable. Indeed, no one yet knows exactly why the

Adams battery works. But without ever telling the inventor, the Government secretly confirmed his claims and ordered at least 1,000,000 similar batteries. One version is used in meteorological balloons operating at temperatures that would freeze conventional batteries. Another version, activated by salt water, powers signal lights in the survival gear of military aviators.

Adams got his patent in 1943; the Government got its own in 1953 based on the slight improvements of two army scientists. Adams finally got mad, and with the aid of an anonymous benefactor whom he credits with putting up $200,000 to fight the case, he went into the U.S. Court of Claims in 1960 and charged patent infringement. Fighting back, the Government cited older patents that used all of Adams' basic ingredients; an expert tried to build a battery according to the key (1880) patent, however, and the thing exploded. In the end, the court found that Adams was the first to create a workable, nonobvious battery out of the familiar ingredients. The Court of Claims ruled that the Government had clearly infringed Adams' patent.

SWEET VICTORY

When the Government appealed to the Supreme Court, Adams' New York lawyer, John Reilly, impressed the Justices during oral argument by pouring water into an Adams-rigged glass bowl while he went on talking. Electric lights connected to the battery popped on ten minutes later. When Justice Tom C. Clark read the decision last week, he fondly recalled that Lawyer Reilly "demonstrated it right here right in the courtroom."

For Adams, who is now 66 and lives in Yuma, Ariz., the next step is getting the Government to fork over damages—a complex legal process that may take months or years. No one yet knows how much he will collect; besides, he is ailing and may have little chance to spend it like the tycoon he might have been. Just his court victory over the bureaucrats, though, is mighty sweet to tinkerer Adams.

[From the Christian Science Monitor, Feb. 26, 1966]

PATIENT INVENTOR WINS RECOGNITION AFTER 23 YEARS

(By Robert Cahn)

WASHINGTON.—"We affirm."

For Bert N. Adams, those two simple words by Associate Justice Tom C. Clark ended 23 years of disappointment and frustration.

Mr. Adams, an inventor, had won from the highest court in the land an admission that the United States had erred when Army Signal Corps scientists decided in 1943 that the battery he had invented was of no practical use.

To those listening in the Supreme Court chamber, the drama behind Case No. 55—the United States vs. Bert N. Adams—was not readily apparent.

The court already has denied patent-infringement claims in a related decision on three other cases. Now, as he summarized the court's 7–1 opinion on the Adams case, the Justice warmed to his subject. No doubt noting the block of visiting school children at the right of the chamber, he leaned across the bench to explain as simply as possible the Adams invention.

A FAMILY EFFORT

It is a nonrechargeable electrical battery, and not a dry-cell battery, the Justice said. The battery is made of two electrodes, one of magnesium and the other of chloride, which are placed in a container. When plain or salt water is added, the battery is activated within 30 minutes. It gives off a constant amount of electrical voltage, is efficient, and can operate at from 65 degrees below zero F. to 200 degrees F.

For several years prior to filing a patent application, Mr. Adams had worked in his home experimenting on the development of this battery, Mr. Justice Clark said.

What was left unsaid was that in those days, the late '30's, Mr. Adams was unemployed. To make ends meet, his wife worked in a candy factory and he repaired radios in their small, rented home in Long Island. He was self-taught in electrochemistry. He knew that others had tried to develop this type of battery and had failed. For two years he carried on experiments in his kitchen.

One night, he discovered accidentally that the addition of carbon into the cuprous chloride increased the current and provided a substantially level potential. It worked! On Dec. 18, 1941, he applied for a patent which was awarded to him two years later.

DECISION REVERSED

Less than a month after filing for his patent and with the war having started, Mr. Adams brought his discovery to the attention of the Army and Navy, Mr. Justice Clark continued. Arrangements were made for demonstrations before experts of the Army Signal Corps. The scientists who observed the demonstrations and who conducted further tests told Mr. Adams they did not believe the battery was workable.

Yet during 1942 and 1943, the Army provided hard-to-get magnesium for Mr. Adams to make batteries for them to test. He worked on the batteries in the bedroom at night, awakening often to see if their little lights were still getting electricity. "It was like trying to sleep with the Christmas tree on all night," says the inventor's wife.

Finally, in 1943, the Signal Corps experts said there were too many things wrong with the invention, and that they definitely couldn't use it.

Unknown to Mr. Adams, despite his repeated requests for information, the Signal Corps decided in November 1943, that the battery was feasible, Mr. Justice Clark said. The government contracted with various battery companies for its procurement. Several of the experts who had expressed disbelief in the Adams battery, later openly recognized its significance. One of the scientists for whom Mr. Adams had demonstrated the battery obtained a patent for the government in 1953 on the same idea.

* * * * *

PATENT INFRINGED

With the help of John A. Reilly of a prominent New York law firm, legal action was started in 1960. In 1964, the United States Court of Claims upheld that Mr. Adams' patent had been infringed. The Department of Justice then took the case to the Supreme Court.

Meanwhile, Mr. Adams, who had worked as an engineer and had developed inventions for several companies, left New York to go to Yuma, Ariz.

In explaining the court decision, Mr. Justice Clark noted that from the time of the Patent Act of 1793 until 14 years ago, the chief requirements for getting a patent had been that the invention was novel and useful. A 1952 act of Congress stated that in addition to novelty and utility, the subject matter to be patented should not be obvious to a person having ordinary skill in the pertinent art.

HE PUT IT TOGETHER

The government had argued that the use of magnesium and cuprous chloride were obvious to experts and were elements tired by earlier developers of batteries.

"The experts said it was obvious," Mr. Justice Clark remarked. "But he [Mr. Adams] put it together in a way that is would work . . . We conclude the Adams patent is valid."

The long legal battle is not yet over says the attorney for Mr. Adams. The case now must go back to the Court of Claims for an accounting of what is owed to the inventor.

Reached by telephone in Yuma, Mr. Adams said the money was not the important thing.

"I knew that justice always wins out," he said. "I had faith that it would. And it did."

* * * * *

The court's opinions on the four cases were the first rulings in 15 years on patentability. The effect of the decisions, even though in the Adams case the patent was upheld, is to reinforce the "unobvious" requirement of the 1952 law.

The court also was critical of the free rein exercised by patent examiners in their use of the concept of "invention." The court did not find any reason for relaxed standards.

[From the Wall Street Journal, Feb. 23, 1966]

PATENTS MAY BE MORE DIFFICULT TO OBTAIN IN WAKE OF HIGH COURT RULINGS IN FOUR CASES

WASHINGTON.—New patents may be more difficult to obtain, particularly for inventors who don't work in corporate laboratories, as a result of the Supreme Court's first searching reexamination of patent law in 15 years.

The High Court rejected arguments that 1952 Congressional amendments to the Patent Act of 1793 were intended to relax standards for new patent grants; the Justices said Congress was simply writing into law precedents the courts had set. Rather, it is the Patent Office that has relaxed standards, in the face of traditional court opposition to liberal standards for new patents, the Justices declared: "We have observed a notorious difference between the standards applied by the Patent Office and by the courts." If their words are heeded by the Patent Office, a unit of the Commerce Department, new patents won't be so easy for inventors to obtain.

A restrictive approach in the granting of new patents generally favors large corporations, according to some patent-law experts. Typically, large companies with extensive research facilities produce innovations substantially different in structure from products already on the market. On the other hand, individual inventors and small companies frequently come up with innovations that are little different structurally from already patented items, although some produce markedly different results.

In the fourth case, the Supreme Court upheld a lower court decision that a patent on an electric battery was valid.

Bert Adams of Hicksville, N.Y., was granted a patient in 1943 on a battery that was made of known materials but that, unlike a conventional battery, produced a constant, nondeclining output over its life span. The Defense Department has used the Adams battery since the early 1940s, but it refused to pay Mr. Adams anything, calling his patent invalid because the physical difference between his battery and known battery materials was too small. The Supreme Court said Mr. Adams' combination of materials was novel and his battery patentable. Now the Court of Claims is to decide how much the Government owes Mr. Adams.

POTASH IMPORT QUOTA BILL

Mr. MONTOYA. Mr. President, there exists a situation in the State of New

Mexico that is bad now, and getting worse almost daily. I refer to the condition of the potash industry in my State, which is reeling from a series of body blows caused by unlimited dumping of foreign-produced potassium salts.

The human cost being paid by the citizens of New Mexico whose fate and future is bound up with our potash industry is appalling. This is an important enterprise that has long been most productive and essential to the well-being of the economy of our State, our Nation, and the lives of those who manned the industry.

It is heartrending to see mine closings come in dizzying succession, with each one striking at the lives and futures of hundreds of our people. These are hard-working, contributing citizens, American workers, who have been responsible for a substantial contribution over the years to the might of this Nation's economy. They have been a major segment of the economic backbone of New Mexico.

These men and women prefer to work rather than to complain. They do not ask for preferred treatment. Rather they ask that we give their honest complaints a fair hearing and decide on the merits what should be done.

I am sure you are all well aware of what has happened in other areas of the Nation and to other American industries. Competition is one thing, but ruinous dumping is another.

It behooves us to honestly stand up for American industry and the American worker. I am not advocating a narrow, isolationist type of protectionism that is akin to the policies of the gilded age of long ago. But I am speaking out in order to obtain for our people what foreign competitors are already practicing—enlightened self-interest on behalf of industries that produce goods and employ workers. The potash industry of New Mexico needs that help and needs it soon.

Mr. President, I, therefore, today introduce for reference to the Senate Finance Committee, a bill which would impose a much needed control on the ever-increasing and potentially disastrous imports of potassium chloride into the United States.

On June 23, 1967, I expressed my concern here on the Senate floor about the adverse effects excessive importation of potash is already having on our national production of potash. Over the last few years we have seen imports of potassium chloride rise from 9 percent of our domestic consumption in 1960 to over 38 percent in 1966. The frightening aspect is that indications are this trend will continue until our domestic potash industry is pushed out of existence.

An article in the Northern Miner on July 14, 1966, highlighted the threat to domestic production by our neighbor to the north, Canada. The article, entitled, "Potash Mining; Canada Leaps to World Leadership" brought home the point that plants now in production in Canada, or actively under development and construction, are estimated to have a capacity for production of potash by 1970 of 12.1 million tons of product or, in the parlance of the trade about 7.6 million tons of K_2O equivalent. I ask unanimous consent to have printed in the RECORD at this point a "Box Score of Potash Operations" from that issue showing the Canadian operations.

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

BOX SCORE OF POTASH OPERATIONS IN CANADA[1]

	Output (tons per year)	Capital cost	Production start	Shafts
Operating:				
International M. & C., K-1	2,000,000	$65,000,000	September 1962	1
Kalium Chemicals	600,000	50,000,000	September 1964	None
Potash Co. of America	600,000	45,000,000	April 1965	1
Total, operating	3,200,000	160,000,000		
Under construction:				
Allan Potash	1,500,000	70,000,000	Summer 1967	2
Alwinsal Potash	1,000,000	50,000,000	Early 1968	1
Cominco Potash	1,200,000	65,000,000	Late 1969	2
Duval Corp	1,000,000	63,000,000	Early 1969	2
International M. & C., K-2	1,500,000	60,000,000	Early 1967	1
Noranda Potash	1,200,000	73,000,000	Early 1969	2
Southwest Potash	1,500,000	60,000,000	Early 1970	2
Total, under construction	8,900,000	441,000,000		
Total	12,100,000	601,000,000		

[1] The Northern Miner, July 14, 1966.

Note: Potash Co. of America is planning a 2d shaft on which work is to commence early next year. International Minerals & Chemical Corp.'s K-1 and K-2 shafts connect underground. Alwinsal Potash expects to start sinking a 2d shaft shortly after production attained.

Mr. MONTOYA. This situation is of particular concern to me because of its immediate effect on a principal industry of New Mexico. The seven or eight major American suppliers of potash have for years mined this mineral in the area of Carlsbad, N. Mex. This industry has become so important to us that anything that would affect its prosperity, would also have serious impact on the economy of my State as a whole.

Recently the International Minerals & Chemical Corp. laid off 350 workers in Carlsbad. An even more crippling blow came yesterday when the U.S. Borax & Chemical Corp., which had originally scheduled to close down its operation by early 1968, throwing 900 more employees out of work, announced that it had revised its schedule and will now close down by early November of this year. That is, within the next few weeks or even days.

In an industry which employs a total of 4,000 workers, these layoffs are disastrous—they represent over 30 percent of the total working force employed in the mining of domestic potash. This is a circumstance which we cannot put up with, and unless this Congress acts, and acts quickly, we can expect this trend to continue. It is imperative that we act expediently.

I call attention to the following statistics which show the importance of this industry to the State of New Mexico specifically and to the United States in general:

POTASH TAXES PAID TO STATE OF NEW MEXICO IN 1966

Local and state taxes and royalties borne by the potash industry total more than 10 million dollars annually. For the calendar year 1966, the potash industry paid the following amounts:

Gross receipts tax (on sales)	$802,905
Sales tax (on purchases)	758,306
Compensating tax (on purchases)	143,862
Ad valorem tax	2,079,476
Royalties	5,066,891
Mineral lease	500,821
Occupation tax	25,842
State income tax	212,741
Severance tax	497,498
Total	10,088,342

Mr. President, I ask unanimous consent to have inserted in the RECORD at this point a series of tables which will portray graphically the serious crisis which our domestic potash industry confronts. These tables show the number of product tons of the mineral known as potassium chloride—KCl—and of its oxide content known as K_2O. Pure sylvite, or pure muriate of potash, contains 63.2 percent of oxide content—K_2O. Mining companies strive for a product containing a minimum of 95 percent sylvite—KCl—which then contains over 60 percent K_2O equivalent, the usual minimum standard.

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

TABLE 1.—U.S. DOMESTIC CONSUMPTION OF POTASH

Year	Product (tons (KCl))[1]	K_2O (tons)[2]	Change over prior year (percent)
1960	----------	2,119,397	([3])
1961	3,911,896	2,054,097	−3.1
1962	4,248,931	2,342,876	+14.1
1963	4,293,141	2,645,040	+12.9
1964	4,820,741	2,935,989	+11.0
1965	4,692,760	3,141,856	+7.0
1966	4,931,686	3,810,531	+21.3
Total	26,898,155	19,049,786	----------

[1] Measured in terms of the mineral known as potassium chloride (KCl). Source for figures is the A.T. & S.F. RR.

[2] Measured in terms of the oxide content (K_2O). Pure sylvite, or pure muriate of potash, contains 63.2 percent of K_2O. Mining companies strive for a product containing a minimum of 95 percent sylvite (KCl) which then contains over 60 percent K_2O equivalent, the usual minimum standard. Source for figures is the American Potash Institute.

[3] Base year.

Note: Average increase per year over base year of 1960 averages 13 percent per year.

TABLE 2.—*U.S. domestic production capacity of potash* [1]

Year:	K_2O * *tons*
1960–64	2,800,000
1965	2,875,000
1966	3,400,000

[1] U.S.D.A. Publication "The Fertilizer Situation 1963–64, 1964–65, 1965–66" (Production Capacity for 1960 through 1963 assumed to be the same as 1964). The published figures have been reduced by 200,000 K_2O tons to reflect the net production capacity of K_2O as potassium chloride.

*Measured in terms of the oxide content (K_2O). Pure sylvite, or pure muriate of potash, contains 63.2% of K_2O. Mining companies strive for a product containing a minimum of 95% sylvite (KCl) which then contains over 60% K_2O equivalent, the usual minimum standard.

TABLE 3.—U.S. IMPORTS OF POTASH [1]

Year	KCL (tons) [2]	K_2O (tons) [3]	Percent of domestic consumption
CANADA			
1960	6,717	4,030	(4)
1961	3	2	(4)
1962	76,395	45,819	2
1963	563,344	338,006	13
1964	837,357	502,414	17
1965	1,485,148	891,089	28
1966	2,015,838	1,209,503	32
OTHER IMPORTS			
1960	321,992	193,195	9
1961	331,901	199,141	10
1962	386,734	232,040	10
1963	313,192	187,915	7
1964	358,360	215,016	7
1965	295,133	177,080	6
1966	366,383	219,830	6
TOTAL IMPORTS			
1960	328,709	197,225	9
1961	331,904	199,143	10
1962	463,129	277,859	11
1963	876,536	525,921	20
1964	1,195,717	717,430	24
1965	1,780,281	1,068,169	34
1966	2,382,221	1,429,333	38
Total	7,358,497	4,415,080	[5] 23

[1] American Potash Institute.
[2] Measured in terms of the mineral known as potassium chloride (KCl).
[3] Measured in terms of the oxide content (K_2O). Pure sylvite, or pure muriate of potash, contains 63.2 percent of K_2O. Mining companies strive for a product containing a minimum of 95 percent sylvite (KCl) which then contains over 60 percent K_2O equivalent, the usual minimum standard.
[4] Less than 1 percent.
[5] Over the 7 years from 1960 to 1966, the total imports of K_2O into the United States averaged approximately 23 percent of our domestic consumption for those 7 years.

TABLE 4.—*Canadian consumption of potash* [1]

Year:	K_2O* *tons*
1960	100,880
1961	105,951
1962	105,282
1963	121,909
1964	154,663
1965	185,021
1966	197,062

[1] American Potash Institute.

*Measured in terms of the oxide content (K_2O). Pure sylvite, or pure muriate of potash, contains 63.2% of K_2O. Mining companies strive for a product containing a minimum of 95% sylvite (KCl) which then contains over 60% K_2O equivalent, the usual minimum standard.

TABLE 5.—WORLDWIDE POTASH PRODUCTION CAPABILITY VERSUS CONSUMPTION

Year	World production capability (including Carlsbad production) [1]	World consumption [1]	Excess capability over consumption [1]	Carlsbad production capability (estimated)
1960	8,500,000	8,500,000	None	4,200,000
1961	9,500,000	9,500,000	None	4,200,000
1962	10,000,000	10,000,000	None	4,200,000
1963	10,500,000	10,500,000	None	4,200,000
1964	12,000,000	12,000,000	None	4,200,000
1965	13,000,000	13,000,000	None	4,500,000
1966	15,000,000	14,000,000	1,000,000	5,100,000
1967	16,000,000	15,000,000	1,000,000	(2)
1968	17,000,000	15,000,000	1,800,000	(2)
1969	18,800,000	16,000,000	2,500,000	(2)
1970	20,500,000	17,000,000	3,500,000	(2)
1971	25,000,000	18,500,000	6,500,000	6,500,000

[1] Chemical Week, July 2, 1966. Measured in terms of the mineral known as potassium chloride (KCl). Pure sylvite, or pure muriate of potash, contains 63.2 percent of K_2O the oxide content. Mining companies strive for a product containing a minimum of 95 percent sylvite (KCl) which then contains over 60 percent K_2O equivalent, the usual minimum standard.
[2] Not available.

Mr. MONTOYA. These tables show us at once the problems which our domestic potash industry is facing. In 1966, for example, our domestic consumption measured in K_2O tons was approximately 3.8 million tons. The domestic production capacity of K_2O was 3.4 million tons. Thus, there existed theoretically a gap of 0.4 million tons which our domestic industry could not support and which would have to be imported. However, our imports for 1966 in fact totaled not 0.4 million tons, but 1.4 million tons of K_2O; or measured in terms of product tons, 2.4 million tons.

Table No. 3 shows us the steady encroachment which imports have been making into our domestic market, and especially the Canadian imports. The Canadian imports have risen from less than 1 percent of domestic consumption in 1960 and 1961, to over 32 percent of domestic consumption in 1966. Total foreign imports have risen from 9 percent of domestic consumption in 1960 to over 38 percent in 1966. It is interesting to note further that imports from all countries other than Canada have remained relatively constant, totaling around 200,000 K_2O tons per year, while the Canadian imports have jumped from 2 K_2O tons in 1961 to 1,209,503 K_2O tons in 1966.

Why does Canada rely so much on the United States as an export source? First of all, as table 4 will verify, Canada's domestic consumption is running at less than 200,000 K_2O tons per year while its production potential, as I mentioned earlier, will soon be approximately 7.6 K_2O tons per year. Thus, Canada has little or no domestic market to speak of and must look elsewhere for its market. The United States is a prime target because these imports of potassium chloride into the United States are duty free.

Can not these problems be handled administratively? Mr. President, I sincerely wish that they could. However, I have called upon the U.S. Tariff Commission seeking relief for our domestic potash industry to no avail. The Tariff Commission replied to my appeal in these words:

A careful consideration of the circumstances stated in your letter does not suggest any provision of law administered primarily by the Tariff Commission under which import restrictions could be imposed on the imports in question, and, of course, the Commission is not a rate-making agency.

The New Mexico delegation also called upon the U.S. Treasury Department, Bureau of Customs, to investigate possible violations of the Antidumping Act, 1921, as amended, of potassium chloride. After a summary investigation in this matter, the Bureau of Customs informed me on September 6, 1967, that the Bureau was instituting an antidumping proceeding to ascertain whether this merchandise is being imported at less than fair value within the purview of the act. We are still awaiting the results of this investigation.

I know that there will be a reluctance on the part of some because the United States, as a signatory of the General Agreement on Tariffs and Trade—GATT, has to abide by its commitment not to impose tariffs on duty-free imports. And imports of potash—in the form of potassium chloride and muriate of potash, TSUSA No. 48050—are duty free.

However, with the uncontroverted facts as detailed above, imports of low-cost potash are going to continue to increase at an injurious rate to our domestic industry if they remain unabetted. While a comprehensive study of the rate structure for shipments of potash within and to the United States has been available, a preliminary review indicates that the only three States in the United States where New Mexico potash can compete pricewise with Canadian imports are in the States of New Mexico itself, Texas, and Oklahoma. All the other 47 States can acquire their potash cheaper from Canadian sources.

It may be contended that exporters of potash will retaliate by instituting other barriers to our trade should we invoke a limited country quota on imports of potash. This is a problem, however, which we should be prepared to meet headon. We should by all means abide by our commitments, but we should not bury our heads in the sand while a domestic industry is destroyed by circumstances which were not prevalent when the United States entered into its commitment to allow duty-free imports of potassium chloride.

Who can say that we must remain blind to radically changed conditions, conditions which were certainly not contemplated in 1947 when Canada sought

this duty-free concession on potash in GATT.

This Congress would be lax in exercising its duty should it turn its back on a struggling domestic industry which is struggling simply because of U.S. concessions to our foreign friends.

This Congress and the 89th Congress will be remembered for their efforts to stimulate economic development in this country. This is difficult to explain to the citizens of the Carlsbad, N. Mex., area, however. Because of our trade policies, hundreds of men have been laid off in the Carlsbad mines, hundreds of other have been affected because of the reduced purchasing power of these miners, and as a result, the Economic Development Administration on September 21, 1967, declared the Carlsbad area a redevelopment area.

Thus, we in New Mexico have witnessed economic development in reverse: a viable economy has now become a weak one, an economy struggling for survival, an economy which the Federal Government must now try to nourish back to health. But this assistance will not be necessary if we will but give our domestic industry a chance by enacting this quota legislation which I am introducing today.

In closing, I would like to point out to our foreign friends who have been relying on the United States for their potash market that this legislation has taken their needs into consideration and is an attempt to be fair. This legislation does not impose a stringent quota but instead imposes a very realistic quota.

If we look back to table No. 3 above we will see that the imports for the years 1960 to 1966 totaled to over 4.4 million K_2O tons. Table 1 shows us that our total domestic consumption for these 7 years amounted to roughly 19 million K_2O tons. Thus, for these 7 years, the percentage of imports to domestic consumption was an average of 23 percent. The bill which I introduce today would permit imports up to 25 percent of domestic consumption, a full 2 percent over the average for the last 7 years.

As I have said, taking all factors into consideration, I have tried to fashion a bill which would take into account the needs of our foreign exporters but at the same time a bill which would provide the protection which is most essential if we are not to see our national security threatened by having a vital domestic industry destroyed.

I urge my colleagues in the Senate Finance Committee and in the Senate to give this measure early and favorable consideration.

Mr. President, I ask that this bill be printed in the RECORD at this point.

Thank you.

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

The bill (S. 2551) to impose annual quotas on the quantity of potassium chloride or muriate of potash which may be imported into the United States, introduced by Mr. MONTOYA, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2551

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the total quantity of potassium chloride which may be imported into the United States during the calendar year 1968 or any subsequent calendar year shall not exceed a quantity equal to 25 per centum of the estimated United States consumption of potassium chloride for such calendar year.

(b) For purposes of this Act, the term "potassium chloride" means potassium chloride or muriate of potash provided for in item 480.50 of the Tariff Schedules of the United States.

SEC. 2. (a) The Secretary of Agriculture shall, before the beginning of the calendar year 1968 and each subsequent calendar year, estimate the United States consumption of potassium chloride for such calendar year. The Secretary may, from time to time during any calendar year, revise his estimate of United States consumption of potassium chloride for such year. The Secretary shall publish his estimate for each calendar year and any revised estimate for such year in the Federal Register.

(b) The President shall by proclamation limit the total quantity of potassium chloride which may be entered, or withdrawn from warehouse, for consumption during the calendar year 1968 and each subsequent calendar year, to the quantity prescribed for such year under the first section of this Act based upon the estimates, or revised estimates, made by the Secretary of Agriculture for such year under subsection (a). In any case in which any revised estimate results in a quantity of potassium chloride which may be imported into the United States during a calendar year which is lower than the quantity resulting from the original estimate or a previous revised estimate for such year, the total quantity of potassium chloride which may be imported during such year shall not be less than the quantity actually imported on or before the date on which the Secretary of Agriculture publishes such revised estimate.

SEC. 3. The Secretary of Agriculture shall allocate the total quantity of potassium chloride which may be imported into the United States during any calendar year among supplying countries on the basis of the shares such countries imported into the United States during a representative period selected by the Secretary, except that due account may be given to special factors which have affected or may affect trade in potassium chloride. The Secretary of Agriculture shall certify such allocations to the Secretary of the Treasury.

SEC. 4. (a) The Secretary of Agriculture shall issue such regulations as he determines to be necessary to carry out, and to prevent circumvention of, the purposes of this Act.

(b) All determinations by the Secretary of Agriculture under this Act shall be final.

AUTHORIZATION TO MODIFY THE OPERATION AND TO REALLOCATE THE COSTS OF THE KORTES UNIT, MISSOURI RIVER BASIN PROJECT, WYOMING

Mr. HANSEN. Mr. President, on behalf of myself and my colleague [Mr. MCGEE], I introduce for appropriate reference a bill which would authorize the Secretary of the Interior to modify the operation and to reallocate the costs of the Kortes unit, Missouri River Basin project, Wyoming, for fishery conservation.

The Kortes Dam and powerplant is located between Seminoe Dam and Pathfinder Reservoir on the North Platte River. It was the first unit of the Missouri River Basin project, and the Kortes unit was authorized and constructed as a single-purpose project for power production.

The unit was built, however, before Congress recognized by law the allocation of fish and wildlife enhancement as project benefits. In 1961, at the request of the Wyoming Game and Fish Commission, adjustments in the method of operation of the hydroelectric facility were made on an experimental basis to determine whether a worthwhile improvement could be made in the maintenance of a fishery below Kortes Dam. This operation has been done under close observation, and a proven fishery has been established on this reach of the river.

Reauthorization of the Kortes unit as a multiple-purpose project for power and fish and wildlife increases the benefit-cost ratio for the project. This project has been recommended by the Bureau of Reclamation, the Wyoming Natural Resource Board, the State game and fish commission, and the Governor of Wyoming.

The legislation I introduce today was drafted through the courtesy of the Department of the Interior with slight technical amendments as proposed by the State engineer for Wyoming.

I ask that correspondence concerning this legislation be printed in the RECORD following my remarks.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the correspondence will be printed in the RECORD.

The bill (S. 2553) to authorize the Secretary of the Interior to modify the operation and to reallocate the costs of the Kortes unit, Missouri River Basin project, Wyoming, for fishery conservation, introduced by Mr. HANSEN (for himself and Mr. MCGEE), was received, read twice by its title, and referred to the Committee on Public Works.

The correspondence presented by Mr. HANSEN is as follows:

WYOMING NATURAL RESOURCE BOARD,
Cheyenne, Wyo., January 25, 1967.

Hon. STANLEY K. HATHAWAY,
Governor of Wyoming, State Capitol Building, Cheyenne, Wyo.

DEAR GOVERNOR HATHAWAY: The staff of the Natural Resource Board has reviewed the Bureau of Reclamation *Cost Allocations Report on the Kortes Unit, Wyoming.* Comments on the report are included herewith. The Game and Fish Commission has expressed to us its interest in the operation of the Kortes Unit to provide a fishery in the North Platte River below Kortes Dam.

The Natural Resource Board acting in its capacity as the water resource planning and development agency of the State of Wyoming at its January 1967 meeting recommends to you:

1. That the Wyoming Congressional Delegation support legislation in Congress to reauthorize the Kortes Unit as a multiple-purpose project including power and fish and wildlife enhancement as purposes.

2. That the costs allocated to fish and wildlife enhancement be charged to the

project as nonreimbursable and nonreturnable.

Copies of this letter and the comments on the Bureau report will be sent to the Congressional Delegation, the Game and Fish Commission, and the State Engineer.

Very truly yours,

MYRON GOODSON,
Chief of Water Development.

MEMORANDUM ON REAUTHORIZATION OF KORTES UNIT TO INCLUDE FISH AND WILDLIFE BENEFITS, JANUARY 25, 1967

To: Gov. Stanley K. Hathaway.

From: Frank J. Trelease, Water Resource Engineer, Natural Resource Board.

Kortes Dam and power plant is located between Seminoe Dam and Pathfinder Reservoir on the North Platte River. It was the first unit of the Missouri River Basin Project, and the Kortes Unit as authorized and constructed is a single purpose project for power production. The unit was built before Congress recognized by law the allocation of fish and wildlife enhancement as project benefits, and permitted the costs associated with these benefits to be charged off as nonreimbursable.

The Natural Resource Board received a copy of the Bureau of Reclamation *Cost Allocations Report on the Kortes Unit, Wyoming,* September 1966—Revised December 1966. The following is our review of the report:

1. The facility was operated until 1961 solely for the purpose of producing power. The operation of the power plant for peaking power practically eliminated the fishery in the ten-mile reach of the North Platte River between Kortes Dam and Pathfinder Reservoir. At the request of the Wyoming Game and Fish Commission, the facility has been operated since 1961 to maintain minimum flows to support fishery in the River. This operation has been done under close observation, and a proven fishery has been established in this reach of the River. It is the desire of the Game and Fish Commission that this operation be continued.

2. The operation of Kortes power plant for the fishery reduces the power generation somewhat, but this can be made up in part from within the Western Division power system of the Missouri River Basin. The remainder of the effect can be made up from interchange energy from other Federal or private utility systems. The following figures indicate the magnitude of the effect:

[Millions of kilowatt hours]

	Without Kortes fish flows	With Kortes fish flows
Average annual—		
Net system generation	1,565.66	1,564.90
Nonfirm interchange out	25.88	32.70
Energy required interchange in	155.22	162.80

It is seen that the effect to the Western Division power system is small in magnitude. The Bureau computed an annual revenue loss due to the fish flows of $19,600.

3. Under existing law, the Kortes Unit can be reauthorized by Congress as a multiple-purpose project for power and fish and wildlife enhancement. The project cost of $14,751,657 would be reallocated as $8,685,799 for power and $6,065,850 for joint use for both power and fish and wildlife enhancement. The annual benefits would change from $815,375 for single-purpose power to $696,150 power and $150,000 fishery. The benefit-cost ratio would increase from 1.31 to 1.36.

4. The Bureau recommends the following: (1) the plan of operation including fish and wildlife enhancement as a second purpose of the Kortes Unit be approved, (2) the Kortes Unit be reauthorized as an integral feature of the Missouri Basin Project to provide for both power and fish and wildlife enhancement, and (3) the portion of the project costs and annual OM&R expenses allocated to fish and wildlife enhancement be nonreimbursable and nonreturnable.

The effect of the reauthorization is to permit the continuation of the past five year's operation on a legal basis. If the recommendations of the Bureau of Reclamation are followed, the State of Wyoming will continue to enjoy the benefits of the operation without incurring any costs to the State.

MARCH 6, 1967.

Mr. FLOYD E. DOMINY,
Commissioner of Reclamation, U.S. Department of the Interior, Washington, D.C.

Subject: Cost Allocations Report on the Kortes Unit, Wyoming.

Re: 735.

DEAR COMMISSIONER DOMINY: Herewith are Wyoming's comments on the report of the Regional Director concerning the Cost Allocations Report on the Kortes Unit, Wyoming.

We note from the report that the Kortes Dam and Reservoir was operated until 1961 as a single purpose power facility. In that year, at the request of the Wyoming Game and Fish Commission adjustments in the method of operation of the hydroelectric facility were made on an experimental basis to determine whether a worthwhile improvement could be made in the maintenance of a fishery below Kortes Dam. The result has been that a proven fishery has been established between Kortes Dam and Pathfinder Reservoir and what began as an experiment has resulted in a very worthwhile endeavor.

The report analyzes the effect that this change in operation of Kortes Power Plant has had on the western division power system of the Missouri River Basin. It further sets forth criteria for reauthorization of the Kortes Unit as a multiple purpose project for power and fish and wildlife enhancement and analyzes the economics of the Kortes Unit both before and after the proposed reauthorization. We are pleased to note that the proposed change results in a slight increase in the benefit-cost ratio for the project and that the Regional Director's recommendation is that steps be taken to permanently authorize the dual purpose operation.

We concur in the Regional Director's recommendations that:

1. The plan of operation presented in this report to include fish and wildlife enhancement as a second purpose of the Kortes Unit be approved.

2. The Kortes Unit be reauthorized as an integral feature of the Missouri River Basin Project to provide for both power and fish and wildlife enhancement.

3. The portion of project cost and annual O. M. & R. expenses allocated to fish and wildlife enhancement be nonreimbursable and nonreturnable.

In addition, we are able to assure you that this proposal has the support of a wide range of interests in Wyoming. We appreciate the opportunity to comment on this project and we will urge our Congressional Delegation to work closely with you in preparing whatever legislation is necessary to implement the change.

Sincerely yours,

STANLEY K. HATHAWAY,
Governor.

STATE OF WYOMING,
GAME AND FISH COMMISSION,
Cheyenne, August 10, 1967.

Hon. CLIFFORD P. HANSEN,
Senate Office Building,
Washington, D.C.

DEAR SENATOR HANSEN: This is to inform you that the Wyoming Game and Fish Commission strongly supports the proposed legislation which would establish the Kortes unit as a multiple-purpose reclamation project with fish and wildlife included as a secondary feature of the operation.

As you may know, we have conducted considerable biological work and reported on public benefits of this project in cooperation with the Bureau of Sport Fisheries and Wildlife and the Bureau of Reclamation. The Bureau of Reclamation has completed a cost allocation report which includes the recommendation that annual O. M. & R. expenses allocated to fish and wildlife enhancement be nonreimbursable and nonreturnable. Governor Hathaway endorsed the Bureau's report in a letter to Commissioner Dominy dated March 6, 1967.

I understand draft legislation prepared by the Bureau is now under review in the Bureau of Budget. I would be happy to receive any information that you might have on the status of this legislation.

If you have any questions or if I can be of any assistance in expediting action on this legislation, please contact me at your earliest convenience.

Sincerely,

JAMES B. WHITE,
State Game and Fish Commissioner.

U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., September 8, 1967.

Hon. CLIFFORD P. HANSEN,
Washington, D.C.

DEAR SENATOR HANSEN: At your request we are enclosing a draft of a bill "To authorize the Secretary of the Interior to modify the operation and to reallocate the costs of the Kortes unit, Missouri River Basin project, Wyoming, for fishery conservation."

This draft has been prepared as a service to you. Since it has not been cleared by the Bureau of the Budget, you will understand, I am sure, that we can make no commitment at this time concerning the position of the Department on the measure.

Sincerely yours,

MAX N. EDWARDS,
Assistant to the Secretary and Legislative Counsel.

STATE OF WYOMING,
STATE ENGINEER'S OFFICE,
Cheyenne, September 25, 1967.

Hon. CLIFFORD P. HANSEN,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR HANSEN: Thank you for your letter dated September 19 concerning the proposed legislation on the Kortes Unit of the Missouri River Basin Project in Wyoming. The copy of the bill which was attached to that letter appears to accomplish the desired result, and I would have suggestions for only a couple of minor revisions in the wording of that bill.

In Section 2 of the bill, starting on line 4 after the colon following Pathfinder Reservoir, I would suggest that the wording might be modified as follows:

"Provided, that *sufficient* water is available to maintain such minimum flow, *without a resultant adverse effect on other water users who have valid rights to the use of this water:* Provided further that when *sufficient water is* not available, *to operate in this manner,* water will be reserved for hydroelectric peaking power operations . . ."

These suggestions as shown by the italic sections above are minor in nature and my only thought would be that it should take preference in the event that there might be some adverse effect on the rights of valid water users resulting from this proposed revision in the manner of operation. I do not anticipate that such a set of circumstances will arise, but I do feel that it would be advisable to clarify the intent in the event such a situation does develop.

With these minor revisions, it would appear to me that the proposed bill will ac-

complish the desired result and will not harm anyone. This legislation would appear to be beneficial to Wyoming, and consequently I recommend its adoption.

Thank you again for sending me a copy of this bill. With best personal regards,

Sincerely,

FLOYD A. BISHOP,
State Engineer.

ESTABLISHMENT OF NATIONAL PARK OR OTHER UNIT OF NATIONAL PARK SYSTEM IN CASCADE MOUNTAIN REGION OF OREGON

Mr. MORSE. Mr. President, I send to the desk, out of order, for appropriate reference, a bill to provide that the Secretary of the Interior shall investigate and report to the Congress on the advisability of the establishment of a national park or other unit of the national park system in the central and northern parts of the Cascade Mountain region of the State of Oregon. I ask that the bill be printed in the RECORD.

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

The bill (S. 2555) to provide that the Secretary of the Interior shall investigate and report to the Congress on the advisability of establishing a national park or other unit of the national park system in the central and northern parts of the Cascade Mountain region of the State of Oregon, introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2555

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of evaluating fully the potentiality for establishing therein a national park or other unit of the National Park System, the Secretary of the Interior shall make a comprehensive study of the scenic, scientific, recreational, educational, wildlife, and wilderness values of the central and northern portion of the Cascade Mountain Range in the State of Oregon, lying generally between the northern boundary of Crater Lake National Park and the Columbia River.

SEC. 2. Within one year after the date of enactment of this Act, the Secretary of the Interior shall report to the Congress the results of such study and his recommendations concerning the advisability of establishing a national park or other unit of the national park system within the region generally described under the first section of this Act, and the lands desirable for inclusion therein.

WHITE HOUSE CONFERENCE ON AGING

Mr. WILLIAMS of New Jersey. Mr. President, I introduce for appropriate reference a joint resolution which calls for a White House Conference on Aging be called in 1970, approximately one decade after the historic conference of January 1961.

If this Congress acts promptly on the resolution I offer today, it would follow approximately the same timetable required for the 1961 White House Conference which was preceded by almost 2 years of preparation and teamwork by Federal agencies, State officials, leaders in private organizations, and others.

To do the job effectively again, we should give ourselves no less time than we had then, and we should again insist on a high standard of excellence from beginning of planning to the final report to the President.

The late Representative John E. Fogarty—that great spokesman for programs of deep personal meaning for all Americans—put the case well for such a conference when he introduced his bill for that purpose on January 8, 1958. After vividly describing the major problems facing the elderly then, he said:

It is eight years since the first conference on aging was held. Considerable experience has been gained in the interval, and many additional organizations and individuals have entered the field of aging. I am certain there would be great value in providing them opportunity to come together, first in their own states, and then in a national forum, to take stock of where we are and where we should be going. The first conference on aging stimulated a good deal of activity. A White House Conference would stimulate more, and it cannot come too quickly.

John Fogarty's words are equally true about the situation today. We have made great progress since January 1961, but in some cases that progress has simply given us more light to see with, if we are willing to look hard.

Since 1900 the number of persons in our Nation 65 and over has increased sixfold, from 3 million to over 19 million. In the next 15 to 20 years we will have over 25 million, an increase of 40 percent. By the year 2000 we will have over 28 million, an increase of 55 percent. And one out of every three Americans alive today, some 65 million people, will reach retirement age between now and the year 2000. This rapid increase in the number of older persons demands that the utmost in planning be accomplished now in order to accommodate them.

We now have medicare, and we are struggling to implement medicaid. But as we count the blessings these landmark programs have brought, we can also see more clearly that the elderly of our Nation still encounter formidable problems as they search for good health care, and our Senate is now about to consider the modest social security increases sought by President Johnson. I think we can see that we will soon have to do some hard thinking—not only about the future of social security—but about all sources of retirement income, including private pension plans. Meanwhile, too many of our elders still live in anxiety because they live barely above subsistence levels.

Thanks largely to the work of Senator Pat McNamara and John Fogarty, we now have an Older Americans Act and an Administration on Aging—as recommended at the 1961 White House Conference on Aging.

Job discrimination because of age still threatens any worker who must change employment status, even people in their thirties and forties. This problem persists largely because misinformation nourishes old-fashioned attitudes about the capabilities of so-called older workers.

As for housing, I sometimes think that—even with the heartening progress we have made in recent years—the needs of our elderly are growing greater, not diminishing.

Many more examples could be given, but I think that the best summary of the situation was made in powerful terms by President Lyndon Johnson in this year's message on older Americans when he said:

One of the challenges of a great civilization is the compassion and respect shown to its elders. Too many of our senior citizens have been left behind by the progress they worked most of their lives to create. Too often the wisdom and experience of our senior citizens is lost or ignored. Many who are able and willing to work suffer the bitter rebuff of arbitrary and unjust job discrimination.

In this busy and productive Nation, the elderly are too frequently destined to lead empty, neglected lives: 5.3 million older Americans have yearly incomes below the poverty level; only one out of five has a job, often at low wages; over 2 million elderly citizens are on welfare; nearly 40 per cent of our single older citizens have total assets of less than $1,000.

Countless numbers dwell in city and rural slums, lonely and forgotten, isolated from the invigorating spirit of the American community. They suffer a disproportionate burden of bad housing, poor health facilities, inferior recreation and rehabilitation services.

The Senate Special Committee on Aging and its subcommittees are studying several of the problems mentioned by the President, and several others. As chairman of that committee, I will continue to do all I can to seek out facts, make recommendations, and urge the Congress to act on those recommendations.

It is because of my work on the committee, however, that I am deeply impressed by the magnitude of the problems facing the elderly and the extent of the Government's commitment to cope with those problems. We need to take a look at what we have done, and we need to come together for an organized discussion of what the 1970's may bring. In short, we should work now for a White House conference in 1970.

To begin that work, the resolution I offer today would:

First. Provide that the Secretary of Health, Education, and Welfare plan and conduct the Conference with the cooperation and assistance of such other Federal departments and agencies as may be appropriate, and that a final report of the Conference be submitted to the President not later than 90 days following the date on which the Conference was called.

Second. Authorize each State, upon application to the Secretary of Health, Education, and Welfare, not more than $25,000 for use in planning and conducting a State conference on aging, for developing facts and recommendations and the preparation of reports, and for defraying costs incident to the State's delegates attending the White House Conference.

Third. Authorize the Secretary of Health, Education, and Welfare to establish an Advisory Committee to the Conference to advise and assist in planning and conducting the Conference.

The small investment of Federal funds necessary to implement this resolution

becomes quite insignificant when compared with the many benefits to be derived from it. To enumerate a few, this resolution would:

First. Provide a sound basis for the development of future programs and improvement of present programs for the elderly.

Second. Provide a forum for the most qualified individuals in the field to engage in mutual exchanges and make recommendations.

Third. Enable each State to define its particular needs.

Fourth. Provide a strong incentive to States to give immediate and thorough consideration to present and potential problems.

Fifth. Enable the local communities, where much of the activity transpires, to make their needs known.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The joint resolution (S.J. Res. 117), to provide that it be the sense of Congress that a White House Conference on Aging be called by the President of the United States in January 1970; to be planned and conducted by the Secretary of Health, Education, and Welfare; to assist the States in conducting similar conferences on aging prior to the White House Conference on Aging, and for related purposes, introduced by Mr. WILLIAMS of New Jersey (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S.J. RES. 117

Whereas the primary responsibility for meeting the challenge and problems of aging is that of the States and communities, all levels of government are involved and must necessarily share responsibility; and it is therefore the policy of the Congress that the Federal Government shall work jointly with the States and their citizens, to develop recommendations and plans for action, consistent with the objectives of this joint resolution, which will serve the purposes of—

(1) assuring middle-aged and older persons equal opportunity with others to engage in gainful employment which they are capable of performing; and

(2) enabling retired persons to enjoy incomes sufficient for health and for participation in family and community life as self-respecting citizens; and

(3) providing housing suited to the needs of older persons and at prices they can afford to pay; and

(4) assisting middle-aged and older persons to make the preparation, develop skills and interests, and find social contacts which will make the gift of added years of life a period of reward and satisfaction; and

(5) stepping up research designed to relieve old age of its burdens of sickness, mental breakdown, and social ostracism; and

Whereas, it is essential that in all programs developed for the aging emphasis should be upon the right and obligation of older persons to free choice and self-help in planning their own futures: Now, Therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized to call a White House Conference on Aging in January 1970 in order to develop recommendations for further research and action in the field of aging, which will further the policies set forth in the preamble of this joint resolution, shall be planned and conducted under the direction of the Secretary who shall have the cooperation and assistance of such other Federal departments and agencies as may be appropriate.

(a) For the purpose of arriving at facts and recommendations concerning the utilization of skills, experience, and energies and the improvement of the conditions of our older people, the conference shall bring together representatives of Federal, State, and local governments, professional and lay people who are working in the field of aging, and of the general public including older persons themselves.

(b) A final report of the White House Conference on Aging shall be submitted to the President not later than ninety days following the date on which the conference is called and the findings and recommendations included therein shall be immediately made available to the public.

GRANTS

SEC. 2(a). There is hereby authorized to be paid to each State which shall submit an application for funds for the exclusive use in planning and conducting a State conference on aging prior to and for the purpose of developing facts and recommendations and preparing a report of the findings for presentation to the White House Conference on Aging, and in defraying costs incident to the State's delegates attending the White House Conference on Aging, a sum to be determined by the Secretary, but not less than $5,000 nor more than $25,000; such sums to be paid only from funds specifically appropriated for this purpose.

(b) Payment shall be made by the Secretary to an officer designated by the Governor of the State to receive such payment and to assume responsibility for organizing and conducting the State conference.

ADMINISTRATION

SEC. 3. In administering this joint resolution, the Secretary shall—

(a) Request the cooperation and assistance of such other Federal departments and agencies as may be appropriate in carrying out the provisions of this joint resolution;

(b) Render all reasonable assistance to the States in enabling them to organize and conduct conferences on aging prior to the White House Conference on Aging;

(c) Prepare and make available background materials for the use of delegates to the White House Conference as he may deem necessary and shall prepare and distribute such a report or reports of the conference as may be indicated; and

(d) In carrying out the provisions of this joint resolution, engage such additional personnel as may be necessary without regard to the provisions of title 5, United States Code, governing appointments in the competitive civil service, and without regard to chapter 57 and subchapter 111 of chapter 53 of such title relating to classification and general schedule pay rates.

ADVISORY COMMITTEES

SEC. 4. The Secretary is authorized and directed to establish an Advisory Committee to the White House Conference on Aging composed of professional and public members, and, as necessary, to establish technical advisory committees to advise and assist in planning and conducting the Conference. Appointed members of such committees, while attending conferences or meetings of their committees or otherwise serving at the request of the Secretary, shall be entitled to receive compensation at a rate to be fixed by the Secretary but not exceeding $50 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized under section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

DEFINITION

SEC. 5. For the purposes of this joint resolution—

(1) the term "Secretary" means the Secretary of Health, Education, and Welfare;

(2) the term "State" includes the District of Columbia, Commonwealth of Puerto Rico, Guam, American Samoa, and the Virgin Islands.

AUTHORIZATION OF APPROPRIATIONS

SEC. 6. There is hereby authorized to be appropriated such sums as Congress determines to be necessary for the administration of this joint resolution.

Mr. YARBOROUGH. Mr. President, I commend the Senator from New Jersey for his leadership in legislation on problems of the aging, and I strongly support this resolution.

Mr. President, we are often told that our Nation is getting younger; that half of our citizens are under 25. Even with this emphasis on youth we cannot ignore either the problems or the potential of our senior citizens. They are a minority of our citizens, but it is a minority to which we all hope to belong.

And at a time when congressional as well as national attention is directed toward segments of our society who actively call attention to themselves through increasingly vocal means, we cannot turn our backs on the segment of our society that is in many ways the most helpless and the most hopeless, but which characteristically refuses to call attention to its plight.

The concept of the role of the elderly in our society has been one of declining years in which well-deserved relaxation is enjoyed. This stereotype ignores many facts: it suggests that we do not feel the aging can be of continuing use or service. It ignores the fact that a ruptured family structure may leave the elderly to lonely years with no continuing contact with society, and over half of those over 65 now live alone or with nonrelatives. It ignores the waste caused when those forced to retire still want to be productive. And it ignores the hardship faced by the poor who are forced to supplement their inadequate incomes in whatever ways they can find rather than relaxing. A White House Conference as proposed by this resolution could share with the Nation a new concept of the status and role of the older American.

Our new concept must admit some unpleasant facts. We have 19 million citizens over 65 and each day an additional 800 persons reach that age. At least one-third of this group is poor. This 9 percent of the population comprises 16 percent of those in poverty in our country. And the aging poor affect more than just their own numbers. Nearly one-half of them live with relatives. If they are not helped, their burden is added to the burdens of other poor persons. We must break the cycle of poverty not just by investing in the young, but by relieving the old.

Not all the elderly are on social security or any other type of retirement income, and even those on social security

are not too secure. The average payment is less than $84 a month, and over a million of those on social security are also on the welfare roles. For these poor, the declining years of retirement can be years of hopelessness.

The proposed White House Conference could explore five dimensions of the problem of the aging poor—housing, health, consumer interests, income maintenance, and job discrimination.

The full extent of housing needs of the elderly are not known—but we do know that it is a critical problem. What could be more degrading to the spirit during one's latter years than the realization that an inadequate, unsafe, and unsanitary house would be your fate for the remainder of your life. Low-cost public housing for the elderly is needed.

Health problems affect older citizens more than any other segment of our society. They are often in poor health. Four out of five persons over 65 suffer from chronic ailments. Proper medical care has not been within the limits of their income, and endless years of medical inattention have resulted in deterioration of both body and spirit. Health maintenance services must be established to salvage the aged poor from crippling physical and mental deficiencies.

The aging are peculiarly susceptible to problems of consumer abuses. With fixed incomes for the remainder of their lives they are attracted by schemes which promise additions to their incomes or seem to permit purchasing of products which they would not otherwise think their income would allow. Any heavy obligation on their income as a result of fraud or malpractices can cripple them and make our other types of assistance ineffective. Legal remedies are virtually unexplored because the legal understanding of this group is as limited as any other segment of the poor. A White House Conference is an invaluable way to catalog these abuses and direct attention toward their solution.

The most effective way to combat these multiple problems is to establish a solid program of income maintenance for the elderly. At no level do social security benefits come near to meeting the requirements of the elderly. The average yearly benefit is $1,008—a sum shockingly incompatible with our most basic antipoverty goals.

Our social security system is the main instrument for income maintenance but income supplements can be developed through other programs. Our social welfare programs desperately need more workers, the elderly need more services, and they need more income. We can attack these three problems at once in a program employing the elderly to provide services for the elderly. In this way, today's inadequate income can be made to go further while the older Americans are aided in improving the quality of their lives.

The fifth problem to be examined would be employment discrimination because of age. Secretary of Labor Wirtz, testifying recently before a subcommittee of the Committee on Aging, gave eloquent expression to the waste that occurs when one is told he is of no more use simply because he has reached a certain age. He said:

> There are more long, cold winters in more people's lives than all the "long, hot summers" that have been the subject of so much recent concern. The plain facts are that there are more people discriminated against, so far as employment and opportunity are concerned, because their hair is white than because their skin is black. There isn't the bigotry here that has characterized racial discrimination, and probably not the same degree of bitter hurt. But the net abuse to what must be the human purpose, and life's more perfect design, is fully as great.

We must seek ways to prevent the wasteful and harmful effects of job discrimination.

Mr. President, I stated earlier that the White House Conference could give us a new concept of the elderly. Our new concept must also reflect a new type of senior citizen, for the group of aging increasingly represents a vast reservoir of talent and skills. Compulsory early retirement has created a new type of senior citizen—healthy, skilled, and eager to continue giving. Since many are retired in regard only to chronological age, each year tens of thousands are added to the retired group who the year before held responsible and productive positions.

This group wants to remain in the mainstream of life and needs society to indicate that it has further use for its services. Usefulness is the difference between life having meaning and no meaning. The White House Conference on the Aging held in 1961, listed as one of the rights of the aging citizen—the right to be useful. And we need these citizens to be useful. Even the richest nation in the world cannot afford to squander the talents, skills, and know-how of its older citizens. A conference could explore practical possibilities for participation in needed service activities.

Mr. President, I strongly support this resolution, for our aging require and deserve the attention and study that only a White House Conference can bring to bear, and I commend my distinguished colleague from New Jersey for recommending this course of action.

SOCIAL SECURITY AMENDMENTS OF 1967—AMENDMENTS

AMENDMENT NO. 403

Mr. RIBICOFF. Mr. President, I send to the desk an amendment intended to be proposed by me to H.R. 12080, and ask that it be printed and referred to the appropriate committee.

Mr. President, a physical therapist uses exercise, massage, heat, hydrobaths, and other means to develop and restore movement to crippled limbs. Physical therapists are particularly important in the care of patients who have suffered strokes or fractures.

To be qualified to treat medicare patients, a physical therapist must be licensed by the State in which he practices and must be a graduate of a program in physical therapy approved by the American Medical Association.

However, under medicare, physical therapy may only be provided through a hospital, a nursing home or a home health agency approved by Medicare officials. The therapist must be on the staff of the institution providing the service or he must have a formal arrangement or contract with the institution making it responsible for handling the therapist's bills.

Herein lies a problem. Formerly, physical therapists were used also in carrying out a physician's prescription for physical therapy in the patient's home or in a suitable location in the patient's home area. Now, with medicare, the service can only be provided through a contract with a home health agency or in a physician's office.

The majority of physicians do not employ physical therapists in their office and prefer to refer their patients—in need of physical therapy, with an appropriate prescription—to qualified physical therapists with whom they have developed professional relationships in the local area. Under the procedure set up by medicare, this method of providing a much needed service to persons over 65 is now often impossible.

In areas where there is no certified home health agency, or the agency is reluctant to negotiate contracts with several physical therapists, patients are denied the use of available qualified physical therapists.

The physical therapist, who is available after the normal workday or on weekends is providing a much needed service to patients in his home area. Without this service, patients must often go back to a hospital or nursing home some distance away for treatment. This represents a poor use of our available medical facilities, a disservice to the patient, and a greater expense to all.

I have therefore submitted an amendment which will provide a more effective utilization of facilities and medical resources within the scope of the existing program.

I ask unanimous consent that the amendment be printed at this point in the RECORD.

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

The amendment (No. 403) was referred to the Committee on Finance, as follows:

On page 60, strike out lines 1 through 10, and insert in lieu thereof the following:

"INCLUSION UNDER PART B OF TITLE XVIII PHYSICAL THERAPY SERVICES FURNISHED TO OUTPATIENTS

"SEC. 133. (a) Section 1832(a)(2)(B) of the Social Security Act is amended by inserting ', and other than physical therapy' immediately after 'hospital'.

"(b) Section 1861(m)(7) of such Act is amended by striking out 'or' before 'at a rehabilitation center' and inserting 'or at an office of a physical therapist' immediately after 'at a rehabilitation center'.

"(c)(1) Section 1861(s) of such Act is amended (A) by striking out 'and' at the end of paragraph (8), (B) by striking out the period at the end of paragraph (9) and inserting in lieu of such period ': and', and (C) by adding immediately below paragraph (9) the following new paragraph:

"'(10) physical therapy performed by a physical therapist who is legally authorized to practice physical therapy in the State in

which he performs such function and who meets such standards as may be prescribed in regulations, provided such therapy is performed in accordance with the prescription of a physician who certifies (or recertifies, where such services are furnished over a period of time) that such services are or were medically required.'

"(2) Paragraphs (10) and (11) of such section 1861(s) are redesignated as paragraphs (11) and (12), respectively.

"(3) Paragraphs (12) and (13) of such section 1861(s) (as added by section 129(b) of this Act) are redesignated as paragraphs (13) and (14), respectively."

AMENDMENTS NOS. 404 THROUGH 410

Mr. RIBICOFF. Mr. President, I send to the desk seven amendments to H.R. 12080, the Social Security Amendments of 1967, and ask that they be printed and referred to the appropriate committee.

These amendments would—

First, eliminate the limitation on the number of children with absent parents who may receive aid with Federal help through the aid to families with dependent children program;

Second, increase the funds authorized for day care services so that working mothers of low or modest income may have the benefit of licensed, supervised facilities for their children while they work;

Third, restore language in the existing law to assure that the placement of a parent on a work or training project is not inimical to the best interests of children in the family;

Fourth, require States to meet full need as reflected by their own standards;

Fifth, provide protective vendor payments to a relative or child undergoing counseling;

Sixth, increase the earned income exemption to $50 monthly plus one-half of additional earnings; and

Seventh, establish an optional new title combining old age assistance, aid to the blind, aid to the permanent and totally disabled, and aid to families with dependent children.

Mr. President, the time has come for America and this Congress to face up to the problem of welfare.

The welfare system has few friends. To most Americans, welfare is a boondoggle—a handout to the unemployed too lazy to get work.

But most of the welfare recipients themselves do not like it. To be on relief is to lose in society's eyes the last vestige of pride and dignity. To be a welfare recipient is an admission that, in affluent America, you have failed to provide for yourself.

Yet no reasonable man would suggest that we abolish welfare overnight.

We have strong evidence that most Americans would rather be self-supporting than relief recipients—those able to work would rather have a job and the dignity, respect, and self-reliance that goes with it.

But in the past we failed to pay enough attention to the problem of breaking the cycle of welfare. We acted on the belief that we should feed those who were so poor they might otherwise starve. We concentrated on the "hand out"—instead of the hand up the ladder.

But we have found that poverty breeds poverty. As our world became more and more complex, the children of the poor—without proper food, housing, education, parental care, or medical care—were pushed even farther outside of the mainstream of American advancement than their parents. Later generations are even further behind.

In 1962, we began the necessary task of redirecting the public welfare program. The Public Welfare Amendments of 1962, formulated during my period as Secretary of Health, Education, and Welfare, were designed to give the Federal Government the tools to move recipients off the welfare rolls where possible, or to self-care where feasible. This year the programs established by the 1962 amendments were scheduled to expire. They have been extended for one additional year through legislation passed earlier this session. Now we have the opportunity and the responsibility to further improve welfare programs.

We must begin with an understanding of the true picture of welfare.

Today's welfare will include about 7.7 million Americans. Who are they?

One-third of welfare recipients, about 2.5 million, are aged, blind or disabled.

The remainder, over 5 million, receive assistance under the aid to families with dependent children—AFDC—program.

Of these 5 million, over 3.7 million AFDC recipients are children; about 1 million are mothers; over 180,000 are disabled fathers; 60,000 are other relatives of children not with their parents; 60,000 are unemployed fathers.

These statistics paint a pattern—a pattern which demonstrates that our first concern must be the children on the welfare rolls. It is the children who will form the next generation. It is the children's future that will determine whether we continue another cycle of dependency, despair and the dole—or whether we break the cycle of poverty.

The pattern of the statistics also indicates that we must provide more meaningful incentives for welfare recipients to work—more and better day care programs to allow mothers to gain employment—and additional work-training opportunities for those now unemployable.

The Social Security Amendments of 1967 are a fine beginning. They are directed toward breaking the welfare cycle, and their purpose is supported with over $800 million for work training programs, incentive payments for welfare recipients who work, day-care centers to free mothers for jobs, and similar services.

In other words, the 1967 welfare amendments now under consideration by the Finance Committee, are designed to help the welfare recipients back into our economy and society. But I believe the House bill can be improved.

The other body has rightfully expressed its concern with the growing number of welfare recipients. There is no question but that costs have been rising at a rapid rate.

We must work to reverse this trend—and the House amendments go a long way in this direction. The House bill says, in effect, "wherever it is appropriate, welfare recipients should receive training and help in getting jobs. There should be more day care centers, where unemployed mothers can have their children cared for while they are trained or while they work."

The bill would require States to do these things, to concern themselves more than they have about illegitimacy, to refer improper home situations to the courts, and to be more vigorous, in their efforts to secure a better life for children on AFDC. But the other body went a step further—a step further than necessary. The House amendments include a limitation on the number of children who can receive help with Federal assistance.

The House bill provides that no State shall receive Federal participation for a greater percentage of its child population receiving assistance because a parent is absent, than the percentage that such children receiving aid represented on January 1, 1967.

That is the technical explanation of the House amendment. But what does it mean in human terms? Who are the children covered by the bill?

They are children who never had a legal father. They are children whose fathers have deserted them, or have divorces, or been separated from their mothers—children whose fathers are in jail.

It is a sad fact of recent years that the number of such children who are in need has risen proportionately faster than the total child population. Nationally, the figure is about 3 percent. In individual States, they range from less than 1 percent to over 6 percent. It is almost certain that in the majority of States these percentages have been rising since January 1, 1967. I have little doubt that they will rise further before the programs contemplated in H.R. 12080 are fully effective.

The House bill requires that States provide training, work experience and day care for appropriate persons for AFDC recipients by July 1, 1969. But the limitation on the number of children who can receive Federal help takes effect far earlier—on January 1, 1968. We are therefore faced with a substantial period of time during which the States will be preparing their work-training, employment, and day-care programs—and a further period, even after July 1, 1969, when these programs will not yet be fully effective.

On January 1, 1968, the majority of States will almost certainly find themselves with more children with absent parents receiving aid than are eligible for Federal participation under the bill.

Furthermore, the limitation on the number of children eligible for Federal assistance will fall as an unequal burden among the States. States with urban and industrial centers are already bearing a large share of the national welfare cost as a result of the mass migration from rural areas to the cities.

The industrial States have traditionally established higher benefit levels of public assistance. They are not likely to react to the Federal limitation by reducing either benefit levels or the number of eligible children. But other States will. They will simply tighten their rules or establish arbitrary levels. So one result of the Federal limitation will be to encourage further migration from rural to urban areas.

The House bill establishes a strong effort to assure, in constructive ways, that

States move as far and as fast as they can to reduce the growing number of children on welfare. But the limitation provision creates as many problems as it solves. My first amendment would, therefore, eliminate this section of the bill.

My second amendment would expand the authorization for child welfare services. Since 1935, these services have been provided for children in their own homes, in foster homes, and elsewhere. When I was Secretary of Health, Education, and Welfare, we inaugurated programs of day care and initially earmarked a portion of the appropriation for this purpose. Much progress has been made in the terms of standards, consultation, and licensing for day care. H.R. 12080 makes specific provision to increase the availability of day care for AFDC mothers while they are trained and go to work.

However, there are other mothers who need employment to stay off the welfare rolls—and who need decent care for their children while they work. In order to make additional day care facilities available to these mothers, my second amendment would increase the authorization for child welfare services from the figure of $100 million—which is contained in H.R. 12080 for the fiscal year ending June 30, 1969—to $125 million for that year. For fiscal year 1970, and thereafter, the authorization would be increased from $110 million to $160 million. These sums are a prudent investment in the prevention of much more costly dependency.

My third amendment deals with community work and training. I have always looked with pride on this program which was a part of the legislation that I advocated when I was in the executive branch. In the Public Welfare Amendments of 1962, there was carefully worked out with the Congress language that says that as a condition of employment the State must make "provision for assuring appropriate arrangements for the care and protection of the child during the absence from the home of any such relative performing work under such programs, in order to assure that such absence and work are not inimical to the welfare of a child." Constructive work and training programs should, under no circumstances, be inimical to the welfare of a child. My third amendment would attempt to assure that they are not and restores this language to the bill.

Present law requires that eligibility to receive public assistance be based on State estimates of the minimum amounts needed for food, clothing, shelter, and other necessities of life. Federal law recognizes that conditions are different in different States and that it is up to each State to determine their own standard of need. Standards vary widely, as the cost of living varies from State to State.

But while eligibility for public assistance is based on minimum need, there is no requirement that the assistance payments meet the minimum standard set by the State itself. Thus, in the AFDC program, the lowest standard of eligibility set by any State for a family of four is $131. Most eligibility standards for a family of four range between $150 and $250. However, seven States place a ceiling of less than $100 a month on assistance payments. Twenty States pay less than $150 per month. One State pays only 23 percent of the standard of need as determined by the State itself.

When a family with children is forced to live on an amount of assistance substantially less than the minimum need, they must cut back on their food and clothing. Their children grow up without adequate food or medical care. Malnutrition, mental disorders, and physical handicaps become more common. Ultimately there is a greater cost to society than the cost of minimum assistance.

So my fourth amendment would require the States to meet full need as established by their own standards and review those standards periodically.

In cases where welfare recipients are irresponsible with money, the law provides for protective or vendor payments for food, clothing, and the well-being of the child. The cases are relatively rare. The payment can be made to someone else who will look after the child's best interest—a neighbor, a relative, a welfare or charitable agency. My fifth amendment would also allow vendor or protective payments to be made while a State agency is counseling a child or relative with regard to work or training.

The major thrust of the public assistance provisions in the social security amendments is to get people off welfare and back on their feet—to restore their financial independence and self-reliance. But many people on welfare are afraid of the first step—the first low-paying job. They may lose as much in welfare funds as they make on their new job, while facing additional expenses and the problem of care for their children. If they lose their new job, they may face a long delay or problem in getting assistance again.

The House-passed bill wisely requires States to allow AFDC recipients 16 and over an earned income exemption of the first $30 of monthly earnings plus one-third of additional earnings. My amendment would increase the exemption to $50 monthly, plus one-half of additional earnings. The amendment would also extend the same exemption to the aged and the permanently and totally disabled.

The purpose of my last amendment is simple. Its aim is to treat equitably and fairly all persons receiving Federally aided public assistance.

It would establish an optional title XX to the Social Security Act. States choosing to adopt the new title XX would be able to combine under one program those cash assistance programs now placed in four separate titles of the Social Security Act: old age assistance, aid to the blind, aid to the permanently and totally disabled, and aid to families with dependent children.

The present complicated provisions of the Social Security Act reflect the historical growth of our public welfare programs. When the Congress enacted the Social Security Act in 1935, they included three public assistance programs, to aid the aged, the blind, and dependent children. In 1950, a new, separate program was added, to aid the permanently and totally disabled. In that year, the Congress also authorized vendor payments for medical care, which have been expanded and modified since. In 1960, medical assistance for the aged, known as the Kerr-Mills program, was added.

By this time, we had a hodgepodge of different formulas, different programs, with different degrees of support. As Secretary of the Department of Health, Education, and Welfare, in 1962, I advocated and the Congress enacted a tentative step permitting States to combine their programs for the aged, blind, and disabled. Eighteen States have availed themselves of this opportunity. In 1965, the Congress consolidated all medical assistance programs under a new title XIX, known as medicaid. My amendment today would permit the States a similar kind of consolidation, for cash assistance payments.

As chairman of the Government Operations Subcommittee on Executive Reorganization, I am quite aware of the wide range of programs in the Federal Government for children, the aged, blind, and disabled. It is time now for us to offer the States an opportunity to consolidate the various public assistance programs under a single equitable plan with comparable treatment for all needy persons under that plan. This is what my amendment would do.

The amendment incorporates all the progressive features already in the House bill pending before the Senate. The local welfare agency will have to carefully develop a comprehensive plan for each family with a dependent child receiving assistance. This plan will include an evaluation of the employment potential of the adults in the family, and it will set forth the steps needed to lead the family to independence through employment. My amendment, like the House bill, will require implementation of that plan by the State.

There are three key elements in this implementation. First, the State will have to offer assistance recipients work training. This is critical if the many assistance recipients with little or no work experience and without the skills needed in today's employment market are to be independent.

The second key element is day care. Over 90 percent of the adults receiving AFDC are mothers. Day care must be provided for their children if they are to be able to work regularly. I have also added in my amendment increased authorizations for child welfare services so that low income mothers who are no longer on AFDC or who never received assistance may also have an opportunity to use day care services.

The third key element is work incentive through earned income exemptions. Under present law, AFDC adults lose $1 in assistance for every $1 they earn. It is not surprising that many recipients feel no incentive to work. The House bill takes the very constructive step of requiring States to permit recipients to retain the first $30 they earn monthly plus one-third of additional amounts. In my amendment, I propose to allow them to keep $50 monthly plus one-half of the additional amount.

I have incorporated other features of the House bill in my proposed consolidated cash assistance program. My

amendment provides substantially broadened Federal support for dependent children receiving foster care. It also requires protective payments in those unusual cases where a parent proves fiscally irresponsible. It requires a reasonable relationship between standards for cash assistance and standards for medical assistance.

In addition to increasing child welfare services funds substantially for day care services, my amendment provides for close coordination of child welfare services with services to dependent children receiving assistance.

Mr. President, my amendment will provide States an opportunity to achieve an administrative consolidation of cash assistance programs in a setting which treats all needy people equally, whether they are aged, blind, disabled or dependent children. Equal treatment will not increase the Federal commitment, nor will it require States to spend more or to spend less on assistance. But if they chose this option, States will treat all federally aided needy persons fairly.

Mr. President, I ask unanimous consent that the amendments be printed at this point in the RECORD.

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

The amendments (Nos. 404 through 410) submitted by Mr. RIBICOFF, were referred to the Committee on Finance, as follows:

AMENDMENT NO. 404

On page 140, beginning on line 19, strike out all down through line 13, p. 141.

On page 141, line 16, strike out "209" and insert in lieu thereof "208".

AMENDMENT NO. 405

On page 161, on line 2 strike out "$100,000,000" and insert in lieu thereof "$125,000,000"; and on line 3 strike out "$110,000,000" and insert in lieu thereof "$160,000,000".

AMENDMENT NO. 406

On page 131, strike out line 3 and insert the following: "such program in order to assure that such absence and such work or training will not be inimical to the welfare of the child; and"

AMENDMENT NO. 407

On page 142, insert the following after line 24:

"REQUIREMENT FOR MEETING FULL NEED

"SEC. 210. (a) Section 2(a)(10) of the Social Security Act is amended by striking out 'and' at the end of subparagraphs (B) and (C) and by adding after subparagraph (C) the following new subparagraph:

"'(D) provide (i), effective July 1, 1969, for meeting (in conjunction with other income that is not disregarded under the plan and other resources) all the need, as determined in accordance with the standards applicable under the plan for determining need, of eligible individuals (and such standards shall be no lower than the standards for determining need in effect on January 1, 1967), and (ii), effective July 1, 1968, for an annual review of such standards and (to the extent prescribed by the Secretary) for up-dating such standards to take into account changes in living costs;'

"(b)(1) Section 402(a) of such Act is amended by redesignating clauses (9) through (14) (as redesignated by section 202(a) of this Act) as clauses (10) through (15).

"(2) Section 402(a) of such Act is further amended by adding after clause (8) (as added by section 202(a) of this Act) the following new clause:

"'(9) provide (A), effective July 1, 1969, for meeting (in conjunction with other income that is not disregarded, or set aside for future needs, under the plan and other resources) all the need, as determined in accordance with standards applicable under the plan for determining need, of individuals eligible to receive aid to families with dependent children (and such standards shall be no lower than the standards for determining need in effect on January 1, 1967), and (B), effective July 1, 1968, for an annual review of such standards and (to the extent prescribed by the Secretary) for updating such standards to take into account changes in living costs;'.

"(c) Section 1002(a) of such Act is amended by striking out 'and' at the end of clause (12) and by inserting before the period at the thereof after clause (13) the following: '; and (14) provide (A), effective July 1, 1969, for meeting (in conjunction with other income that is not disregarded under the plan and other resources) all the need, as determined in accordance with standards applicable under the plan for determining need, of eligible individuals (and such standards shall be no lower than the standards for determining need in effect on January 1, 1967), and (B), effective July 1, 1968, for an annual review of such standards and (to the extent prescribed by the Secretary) for updating such standards to take into account changes in living costs'.

"(d) Section 1402(a) of such Act is amended by striking out 'and' at the end of clause (11) and by inserting before the period at the end thereof after clause (12) the following; '; and (13) provide (A), effective July 1, 1969, for meeting (in conjunction with other income that is not disregarded under the plan and other resources) all the need, as determined in accordance with standards applicable under the plan for determining need, of eligible individuals (and such standards shall be no lower than the standards for determining need in effect on January 1, 1967), and (B), effective July 1, 1968, for an annual review of such standards and (to the extent prescribed by the Secretary) for up-dating such standards to take into account changes in living costs'.

"(e) Section 1602(a) of such Act is amended by striking out 'and' at the end of paragraph (16), the period at the end of paragraph (17) and inserting '; and' in lieu thereof, and by adding after such paragraph (17) the following new paragraph:

"'(18) provide (A), effective July 1, 1969, for meeting (in conjunction with other income that is not disregarded under the plan and other resources) all the need, as determined in accordance with standards applicable under the plan for determining need, of eligible individuals (and such standards shall be no lower than the standards for determining need in effect on January 1, 1967) and (B), effective July 1, 1968, for an annual review of such standards and (to the extent prescribed by the Secretary) for updating such standards to take into account increases in living costs.'"

On page 107, line 7, strike out "(13)" and insert in lieu thereof "(14)".

On page 107, line 9, strike out "(14)" and insert in lieu thereof "(15)".

On page 107, line 10, strike out "(14)" and insert in lieu thereof "(15)".

On page 107, line 11, strike out "(14)" and insert in lieu thereof "(15)".

On page 107, line 12, strike out "(15)" and insert in lieu thereof "(16)".

On page 109, line 7, strike out "(16)" and insert in lieu thereof "(17)".

On page 109, line 13, strike out "(17)" and insert in lieu thereof "(18)".

On page 110, line 8, strike out "(18)" and insert in lieu thereof "(19)".

On page 110, line 11, strike out "(17)" and insert in lieu thereof "(18)".

On page 110, line 17, strike out "(13)" and insert in lieu thereof "(14)".

On page 110, line 18, insert "and 210 (b)(1)" after "202(a)".

On page 110, line 23, strike out "(15)" and insert in lieu thereof "(16)".

On page 111, line 6, strike out "(15)" and insert in lieu thereof "(16)".

On page 111, line 13, strike out "(15)" and insert in lieu thereof "(16)".

On page 112, line 5, strike out "(15)" and insert in lieu thereof "(16)".

On page 114, line 7, strike out "(15)" and insert in lieu thereof "(16)".

On page 115, line 17, strike out "(15)" and insert in lieu thereof "(16)".

On page 131, line 11, strike out "(19)" and insert in lieu thereof "(20)".

On page 131, line 18, strike out "(20)" and insert in lieu thereof "(21)".

On page 132, line 22, strike out "(21)" and insert in lieu thereof "(22)".

On page 135, line 17, strike out "(22)" and insert in lieu thereof "(23)".

On page 136, line 9, strike out "(23)" and insert in lieu thereof "(24)".

On page 140, line 12, strike out "(20)" and insert in lieu thereof "(21)".

On page 180, line 22, strike out "209" and insert in lieu thereof "211".

On page 180, line 24, strike out "1120" and insert thereof "1121".

AMENDMENT NO. 408

On page 121, line 25, strike out "child or"

On page 122, line 1, insert after "subsection (a)" the following: "and for the denial of such aid to any child in any form other than payments of the type described in section 406(b)(2) (which may be made in such a case without regard to clauses (A) through (E) thereof) or section 408".

On page 132, line 22, insert the following before the semicolon: ", except that the State agency may, for such period as the Secretary may prescribe, make payments of the type described in section 406(b)(2) (without regard to clauses (A) through (E) thereof) on behalf of any such child or relative who makes such refusal if during such period the State agency furnishes such child or relative counseling and other services aimed at persuading such child or relative to so register, to accept such employment, or to so participate or undergo training, as the case may be".

AMENDMENT NO. 409

On page 115, strike out lines 20 through 24 and insert in lieu thereof the following:

"EARNINGS EXEMPTION OF PUBLIC ASSISTANCE RECIPIENTS

"SEC. 202. (a)(1) Effective April 1, 1968, clauses (8) through (15) of section 402(a) of the Social Security Act (as amended and added by section 201 of this Act) are redesignated as clauses (9) through (16), respectively."

On page 115, line 25, strike out "(b)" and insert in lieu thereof "(2)".

On page 117, line 4, strike out "$30" and insert in lieu thereof "$50".

On page 117, line 5, strike out "one-third" and insert in lieu thereof "one-half".

On page 118, line 16, strike out "(c)" and insert in lieu thereof "(3)".

On page 118, after line 25, insert the following:

"(b)(1) Effective July 1, 1969—

"(A) Subparagraphs (B) and (C) of section 2(a)(10) of such Act are redesignated as (C) and (D), respectively; and

"(B) Subparagraph (A) of such section 2(a)(10) of such Act is amended to read as follows:

"(A) except as may be otherwise provided in subparagraph (B), provide that the State agency shall, in determining need for such

assistance, take into consideration any other income and resources of an individual claiming old-age assistance, as well as any expenses reasonably attributable to the earning of any such income;

"'(B) provide that, in making the determination under subparagraph (A)—

"'(i) the State agency shall with respect to any month disregard the first $50 of the total of the earned income of such individual for such month plus one-half of the remainder of such income for such month; and

"'(ii) the State agency may before disregarding the amount referred to in clause (i), disregard not more than $5 per month of any income;

except that, with respect to any month, the State agency shall not disregard any earned income (other than income referred to in clause (ii)) of any such individual if—

"'(iii) he terminated his employment or reduced his earned income without good cause within such period (of not less than thirty days) preceding such month as may be prescribed by the Secretary, or

"'(iv) the income of such individual for such month was in excess of his need as determined by the State pursuant to subparagraph (A) (without regard to this subparagraph (B)), unless, for any one of the four months preceding such month, the needs of such individual were met by the furnishing of old-age assistance under the plan;'

"(2) A State whose plan under section 2 of the Social Security Act has been approved by the Secretary shall not be deemed to have failed to comply substantially with the requirements of section 2(a)(10)(A) of such Act (as in effect prior to July 1, 1969) for any period beginning after September 30, 1967, and ending prior to July 1, 1969, if for such period the State agency disregards earned income of the individual involved in accordance with the requirements specified in section 2(a)(10) (A) and (B) of such Act as amended by this section.

"(c)(1) Effective July 1, 1969—

"(A) Clauses (9) through (12) of section 1402(a) of such Act are redesignated as clause (10) through (13), respectively;

"(B) Section 1402(a) of such Act is amended by striking out clause (8) and inserting in lieu thereof the following: "(8) except as may be otherwise provided in clause (9), provide that the State agency shall, in determining need, take into consideration any other income and resources of an individual claiming aid to the permanently and totally disabled, as well as any expenses reasonably attributable to the earning of any such income; (9) provide that in making the determination under clause (8), the State agency—

"'(A) shall with respect to any month disregard the first $50 of the total of the earned income of such individual for such month plus one-half of the remainder of such income for such month; and

"'(B)(i) may, before disregarding the amount referred to in clause (A) disregard not more than $5 per month of any income, and (ii) may, for a period not in excess of 36 months, disregard such additional amounts of other income and resources, in the case of an individual who has a plan for achieving self-support approved by the State agency, as may be necessary for the fulfillment of such plan, but only with respect to the part or parts of such period during substantially all of which he is actually undergoing vocational rehabilitation;

except that, with respect to any month, the State agency shall not disregard any earned income (other than income referred to in subparagraph (B)) of any such individual if—

"'(C) he terminated his employment or reduced his earned income without good cause within such period (of not less than 30 days) preceding such month as may be prescribed by the Secretary, or

"'(D) the income of such individual for such month was in excess of his need as determined by the State pursuant to clause (8) (without regard to this clause (9)), unless, for any one of the four months preceding such months, the needs of such individual were met by furnishing of aid under the plan;'

"(2) A State whose plan under section 1402 of the Social Security Act has been approved by the Secretary shall not be deemed to have failed to comply substantially with the requirements of section 1402(a)(8) of such Act (as in effect prior to July 1, 1969) for any period beginning after September 30, 1967, and ending prior to July 1, 1969, if for such period the State agency disregards earned income of the individual involved in accordance with the requirements specified in section 1402(a)(8) and (9) of such Act as amended by this section.

"(d) (1) Clause (i) of section 1602(a)(14)(B) of such Act is amended to read as follows '(i) the State agency shall with respect to any month disregard the first $50 of the total of the earned income of such individual for such month plus one-half of the remainder of such income for such month, and'.

"(2) Subparagraph (B) of section 1602(a)(14) of such Act is amended by adding at the end thereof the following: 'and (iii) the State agency shall not, with respect to any month, disregard any earned income (other than income referred to in clause (ii) or subparagraph (D)) of any such individual if (I) he terminated his employment or reduced his earned income without good cause within such period (of not less than 30 days) preceding such month as may be prescribed by the Secretary, or (II) the income of such individual for such month was in excess of his need as determined by the State pursuant to this paragraph (without regard to clause (i)), unless, for any one of the four months preceding such month, the needs of such individual were met by furnishing aid under the plan,'.

"(3) Subparagraph (C) of section 1602(a)(14) of such Act is amended to read as follows: '(C) if such individual has attained age 65 and is neither blind nor permanently and totally disabled, (i) the State agency shall with respect to any month disregard the first $50 of the total of the earned income of such individual for such month plus one-half of the remainder of such income for such month, and (ii) the State agency shall not, with respect to any month, disregard any earned income (other than income referred to in subparagraph (D)) of any such individual if (I) he terminated his employment or reduced his earned income without good cause within such period (of not less than 30 days) preceding such month as may be prescribed by the Secretary, or (II) the income of such individual for such month was in excess of his need as determined by the State pursuant to this paragraph (without regard to clause (i)), unless, for any one of the four months preceding such months, the needs of such individual were met by furnishing aid under the plan, and'

"(4) A State whose plan under section 1602 of the Social Security Act has been approved by the Secretary shall not be deemed to have to comply substantially with the requirements of section 1602(a)(14) of such Act (as in effect prior to July 1, 1969) for any period beginning after September 30, 1967, and ending prior to July 1, 1969, if for such period the State agency disregards earned income of the individual involved in accordance with the requirements specified in clauses (i) and (iii) of section 1602(a)(14)(B) of such Act or subparagraph (C) of section 1602(a)(14) of such Act as amended by this section."

On page 119, strike out lines 1 through 10 and insert the following:

"(3) In determining the need of individuals claiming aid or assistance under a State plan approved under title I, XIV, or XVI or part A of title IV of the Social Security Act which provides for the determination of such need under the provisions of such title or such part as amended by this section, the State agency shall apply such provisions notwithstanding any provisions of law (other than such Act) requiring the State to disregard earned income of such individuals in determining need under such State plan."

AMENDMENT NO. 410

On page 160, strike out lines 10 through 12 and insert the following:

"PART 4—FAMILY AND CHILD ASSISTANCE AND SERVICE PROGRAM

"SEC. 236. (a) The Social Security Act is amended by adding at the end thereof the following title:

"'TITLE XX—FAMILY AND CHILD ASSISTANCE AND SERVICE PROGRAM—GRANTS TO STATES FOR AID AND SERVICES TO THE AGED, THE BLIND, THE DISABLED, AND NEEDY FAMILIES WITH CHILDREN, OR FOR SUCH AID AND SERVICES AND MEDICAL ASSISTANCE FOR THE AGED, AND FOR CHILD-WELFARE SERVICES

"'PART A—GRANTS TO STATES FOR AID AND SERVICES TO THE AGED, THE BLIND, THE DISABLED, AND NEEDY FAMILIES WITH CHILDREN, OR FOR SUCH AID AND SERVICES AND MEDICAL ASSISTANCE FOR THE AGED

"'APPROPRIATION

"'SEC. 2001. For the purpose—

"'(a) of enabling each State, as far as practicable under the conditions in such State, to furnish financial assistance to needy individuals who are 65 years of age or over, are blind, or are 18 years of age or over and permanently and totally disabled,

"'(b) of enabling each State, as far as practicable under the conditions in such State, to furnish medical assistance on behalf of individuals who are 65 years of age or over and who are not recipients of aid, but whose income and resources are insufficient to meet the costs of necessary medical services,

"'(c) of encouraging each State, as far as practicable under the conditions in such State, to furnish rehabilitation and other services to help individuals referred to in paragraph (a) or (b) to attain or retain capability for self-support or self-care, and

"'(d) of enabling each State, as far as practicable under the conditions in such State, to furnish financial assistance to needy dependent children and the parents or relatives with whom they are living and to furnish family and child welfare services to such individuals to help maintain and strengthen family life and to reduce dependency,

there is hereby authorized to be appropriated for each fiscal year a sum sufficient to carry out the purposes of this part. The sums made available under this section shall be used for making payments to States which have submitted, and had approved by the Secretary of Health, Education, and Welfare, State plans for aid and services to the aged, the blind, the disabled, and needy families with children, or for aid and services to the aged, the blind, the disabled, and needy families with children and medical assistance for the aged.

"'STATE PLANS FOR AID AND SERVICES TO THE AGED, THE BLIND, THE DISABLED, AND NEEDY FAMILIES WITH CHILDREN, OR FOR SUCH AID AND SERVICES AND MEDICAL ASSISTANCE FOR THE AGED

"'SEC. 2002. (a) A State plan or aid and services to the aged, the blind, the disabled, and needy families with children, or for aid and services to the aged, the blind, the disabled, and needy families with children and medical assistance for the aged must—

"'(1) provide that it shall be in effect in all political subdivisions of the State, and, if administered by them, be mandatory upon them;

"'(2) provide for financial participation by the State;

"'(3) either provide for the establishment or designation of a single State agency to administer the plan, or provide for the establishment or designation of a single State agency to supervise the administration of the plan;

"'(4) provide for granting an opportunity for a fair hearing before the State agency to any individual whose claim for aid or assistance under the plan is denied or is not acted upon with reasonable promptness;

"'(5) provide such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Secretary shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are found by the Secretary to be necessary for the proper and efficient operation of the plan;

"'(6) provide that the State agency will make such reports, in such form and containing such information, as the Secretary may from time to time require, and comply with such provisions as the Secretary may from time to time find necessary to assure the correctness and verification of such reports;

"'(7) provide safeguards which restrict the use or disclosure of information concerning applicants and recipients to purposes directly connected with the administration of the plan;

"'(8) provide that all individuals wishing to make application for aid or assistance under the plan shall have opportunity to do so, and that such aid or assistance shall be furnished with reasonable promptness to all eligible individuals;

"'(9) provide, if the plan includes aid or assistance to or on behalf of individuals in private or public institutions, for the establishment or designation of a State authority or authorities which shall be responsible for establishing and maintaining standards for such institutions;

"'(10) provide that no aid or assistance will be furnished any individual under the plan with respect to any period with respect to which he is receiving old-age assistance or medical assistance for the aged under the State plan approved under title I or aid under the State plan approved under title IV, X, XIV, or XVI;

"'(11) provide that, in determining whether an individual is blind, there shall be an examination by a physician skilled in the diseases of the eye or by an optometrist, whichever the individual may select;

"'(12) include reasonable standards, consistent with the objectives of this title, for determining eligibility for and the amount and extent of aid or assistance under the plan;

"'(13) except as may be otherwise provided in paragraph (14), provide that—

"'(A) the State agency shall, in determining need for aid, take into consideration any other income and resources of an individual claiming such aid, as well as expenses reasonably attributable to the earning of any such income, and

"'(B) the State agency shall not consider such individual (or his family's) income (that is not disregarded, or set aside for future need, under the plan) a basis for finding that he is not in need, if such income is less than 66⅔ percent of the amount of income established for individuals (or their families) under subsection (f)(1) of section 1903 in determining whether payments pursuant to such section may be made for expenditures for medical assistance with respect to such individuals (or families) and for such purposes the provision of subsection (f)(3) of such section shall apply;

"'(14) provide that, in making the determination under paragraph (13), with respect to any individual—

"'(A) if such individual is blind, the State agency (i) shall disregard the first $85 per month of earned income plus one-half of earned income in excess of $85 per month, and (ii) shall, for a period not in excess of 12 months, and may, for a period not in excess of 36 months, disregard such additional amounts of other income and resources, in the case of any such individual who has a plan for achieving self-support approved by the State agency, as may be necessary for the fulfillment of such plan,

"'(B) if such individual is not blind but is permanently and totally disabled, (i) the State agency shall with respect to any month disregard the first $50 of the total of the earned income of such individual for such month plus one-half of the remainder of such income for such month, and (ii) the State agency may, for a period not in excess of 36 months, disregard such additional amounts of other income and resources, in the case of any such individual who has a plan for achieving self-support approved by the State agency, as may be necessary for the fulfillment of such plan, but only with respect to the part or parts of such period during substantially all of which he is actually undergoing vocational rehabilitation,

"'(C) if such individual has attained age 65 and is neither blind nor permanently and totally disabled, the State agency shall with respect to any month disregard the first $50 of the total of the earned income of such individual for such month plus one-half of the remainder of such income for such month; and

"'(D) if such individual is claiming or receiving aid with respect to a dependent child, the State agency—

"'(i) shall with respect to any month disregard—

"'(I) all of the earned income of such individual, if such individual is a child claiming or receiving such aid, for any month in which such child is under age 16 or for any month in which such child, if age 16 or over but under age 21, is (as determined by the State in accordance with standards prescribed by the Secretary) a full-time student attending a school, college, or university, or a course of vocational or technical training designed to fit him for gainful employment, and

"'(II) the first $50 of the total of the earned income of such individual for such month plus one-half of the remainder of such income for such month, if such individual is a child not included under subdivision (I) or a relative with whom any dependent child is living, and

"'(ii) shall disregard any training incentive of not more than $20 a week paid under a program of work and training maintained and operated either by the State agency as authorized under section 2009 or by the Secretary of Labor or his delegate as authorized under section 2010;

"'(iii) may, subject to the limitations prescribed by the Secretary, permit all or any portion of the earned or other income to be set aside for future identifiable needs of a child receiving such aid;

except that, with respect to any month, the State agency shall not disregard any earned income (other than income referred to in clause (iii) or subparagraph (E)) of—

"'(iv) any of the persons specified in subdivision (II) of clause (i) if such person—

"'(I) terminated his employment or reduced his earned income without good cause within such period (of not less than 30 days) preceding such month as may be prescribed by the Secretary; or

"'(II) refused without good cause, within such period preceding such month as may be prescribed by the Secretary, to accept employment in which he is able to engage which is offered through the public employment offices of the State, or is otherwise offered by an employer if the offer of such employer is determined by the State or local agency administering the State plan, after notification by him, to be a bona fide offer of employment; or

"'(v) any of such persons specified in subdivision (II) of clause (i) if with respect to such month the income of such persons was in excess of their need as determined by the State agency pursuant to paragraph (13) (without regard to this subparagraph), unless, for any one of the four months preceding such month, the needs of such persons were met by the furnishing of aid under the plan; and

"'(E) the State agency may, before disregarding the amounts referred to above in this paragraph (14), disregard not more than $5 of any income;

"'(15) provide in the case of aid with respect to a dependent child—

"'(A) for—

"'(i) the development of a comprehensive program for each relative and child receiving such aid with the objective of—

"'(I) maintaining and strengthening family life and assisting such relative and child to attain or retain capability for self-support or care, and

"'(II) assuring, to the maximum extent possible, that each appropriate relative and child will enter the labor force and accept employment so that they will become self-sufficient, and

"'(III) preventing or reducing the incidence of illegitimate births,

"'(ii) the implementation of such programs by—

"'(II) evaluating the employment potential of such relatives and children,

and their needs for training, education, rehabilitation, and medical services in order to secure and retain employment or to raise the level of their skills to secure advancement in their employment, and

"'(III) furnishing such individuals child-welfare services as defined in section 425, family services as defined in section 2005(e), and such other services as the Secretary may prescribe to accomplish the objectives of such comprehensive programs,

"'(iii) such review of each such program as may be necessary (as frequently as may be necessary, but at least once a year) to insure that it is being effectively implemented,

"'(iv) furnishing the Secretary with such reports as he may specify showing the results of such programs, and

"'(v) to the extent that such programs are developed and implemented by services furnished by the staff of the State agency or the local agency administering the State plan in each of the political subdivisions of the State, the establishment of a single organizational unit in such State or local agency, as the case may be, responsible for the furnishing of such services;

"'(B) that where the State agency has reason to believe that the home in which a relative and child receiving such aid reside is unsuitable for the child because of the neglect, abuse, or exploitation of such child it shall bring such condition to the attention of the appropriate court or law enforcement agencies in the State, providing such data with respect to the situation it may have;

"'(C) for—

"'(i) the development and implementation of a program under which the State agency will undertake—

"'(I) in the case of an illegitimate child receiving such aid, to establish the paternity of such child and secure support for him, and

"'(II) in the case of any child receiving such aid who has been deserted or abandoned

by his parent, to secure support for such child from such parent (or from any other person legally liable for such support), utilizing any reciprocal arrangements adopted with other States to obtain or enforce court orders for support, and

"'(ii) the establishment of a single organizational unit in the State agency or local agency administering the State plan in each political subdivision which will be responsible for the administration of the program referred to in clause (i);

"'(D) for entering into cooperative arrangements with appropriate courts and law enforcement officials (i) to assist the State agency in administering the program referred to in clause (i) of subparagraph (C), including the entering into of financial arrangements with such courts and officials in order to assure optimum results under such program, and (ii) with respect to any other matters of common concern to such courts or officials and the State agency or local agency administering the State plan;

"'(E) for such aid (in appropriate cases) in the form of payments of the types prescribed in section 2005(b);

"'(F) for such aid in the form of foster care in accordance with section 2008;

"'(G) that—

"'(i) the State will enter into agreements with the Secretary of Labor, or such delegate as he may designate, for the referral of all appropriate individuals who have attained age 16 and are receiving aid with respect to dependent child to a work and training program established and maintained by the Secretary of Labor or his delegate under section 2010 in the geographical area in which such individuals live for purposes of preparing such individuals for, or restoring them to, employability,

"'(ii) such aid will not be denied by reason of such referral, or by reason of the refusal of such individual to perform any such work if he has good cause for such refusal, and

"'(iii) any additional expenses attributable to participation in such progress will be considered in determining the needs of such individuals,

"'(H) for—

"'(i) the establishment of a work and training program (which conforms to standards prescribed by the Secretary) for appropriate individuals who have attained age 16 and are receiving aid with respect to a dependent child with the objective that a maximum number of such individuals will be benefited through the conservation of their work skills and the development of new skills;

"'(ii) such a program to be in effect in those political subdivisions of the State in which there is a significant number (determined in accordance with standards prescribed by the Secretary) of individuals who have attained age 16 and are receiving aid with respect to a dependent child;

"'(iii) expenditures described in section 2009(a) in the form of payments to such individuals, and

"'(iv) meeting the requirements of such section 2009(a);

but only if the Secretary of Labor or his delegate does not maintain and operate any work and training program as authorized under section 2010 in the State, and has certified that it is not practicable for him to maintain and operate such a program anywhere in the State;

"'(16) if the State plan includes medical assistance for the aged—

"'(A) provide for inclusion of some institutional and some noninstitutional care and services;

"'(B) provide that no enrollment fee, premium, or similar charge will be imposed as a condition of any individual's eligibility for medical assistance for the aged under the plan;

"'(C) provide for inclusion, to the extent required by regulations prescribed by the Secretary, of provisions (conforming to such regulations) with respect to the furnishing of such assistance to individuals who are residents of the State but are absent therefrom; and

"'(D) provide that no lien may be imposed against the property of any individual prior to his death on account of medical assistance for the aged paid or to be paid on his behalf under the plan (except pursuant to the judgment of a court on account of benefits incorrectly paid on behalf of such individual), and that there shall be no adjustment or recovery (except, after the death of such individual and his surviving spouse, if any, from such individual's estate) of any medical assistance for the aged correctly paid on behalf of such individual under the plan;

"'(17) if the State plan includes aid or assistance to or in behalf of individuals 65 years of age or older who are patients in institutions for mental diseases—

"'(A) provide for having in effect such agreements or other arrangements with State authorities concerned with mental diseases, and, where appropriate, with such institutions, as may be necessary for carrying out the State plan, including arrangements for joint planning and for development of alternate methods of care, arrangements providing assurance of immediate readmittance to institutions where needed for individuals under alternate plans of care, and arrangements providing for access to patients and facilities, for furnishing information, and for making reports;

"'(B) provide for an individual plan for each such patient to assure that the institutional care provided to him is in his best interests, including to that end, assurances that there will be initial and periodic review of his medical and other needs, that he will be given appropriate medical treatment within the institution, and that there will be a periodic determination of his need for continued treatment in the institution;

"'(C) provide for the development of alternate plans of care, making maximum utilization of available resources, for recipients 65 years of age or older who would otherwise need care in such institutions, including appropriate medical treatment and other aid or assistance; for services referred to in section 2003(a)(4)(A) (i) and (ii) which are appropriate for such recipients and for such patients; and for methods of administration necessary to assure that the responsibilities of the State agency under the State plan with respect to such recipients and such patients will be effectively carried out; and

"'(D) provide methods of determining the reasonable cost of institutional care for such patients; and

"'(18) if the State plan includes aid or assistance to or in behalf of individuals 65 years of age or older who are patients in public institutions for mental diseases, show that the State is making satisfactory progress toward developing and implementing a comprehensive mental health program, including provision for utilization of community mental health centers, nursing homes, and other alternatives to care in public institutions for mental diseases.

Notwithstanding paragraph (3), if on the date on which a State submits its plan for approval under this part, the State agency which administered or supervised the administration of the plan of such State approved under title X or title XVI which relates to blind individuals was different from the State agency which administered or supervised the administration of the plan of such State approved under title I and the State agency which administered or supervised the administration of the plan of such State approved under title XIV, or the State agency which administered or supervised the administration of the plan under title XVI relating to individuals other than blind individuals, the State agency which administered or supervised the administration of such plan approved under title X may be designated to administer or supervise the administration of the portion of the State plan for aid and services to the aged, the blind, the disabled, and needy families with children (or for aid and services to the aged, the blind, the disabled, and needy families with children and medical assistance for the aged) which relates to blind individuals and a separate State agency may be established or designated to administer or supervise the administration of the rest of such plan; and in such case the part of the plan which each such agency administers, or the administration of which each such agency supervises, shall be regarded as a separate plan for purposes of this part.

"'(b) The Secretary shall approve any plan which fulfills the conditions specified in subsection (a), except that he shall not approve any plan which imposes, as a condition of eligibility for aid or assistance under the plan—

"'(1) an age requirement of more than sixty-five years; or

"'(2) any residence requirement which (A) in the case of applicants for aid (except aid with respect to a dependent child) excludes any resident of the State who has resided therein five years during the nine years immediately preceding the application for such aid and has resided therein continuously for one year immediately preceding the application, (B) in the case of applicants for medical assistance for the aged, excludes any individual who resides in the State, and (C) in the case of applicants for aid with respect to a dependent child, denies such aid with respect to any child residing in the State (i) who has resided in the State for one year immediately preceding the application for such aid, or (ii) who was born within one year immediately preceding the application, if the parent or other relative with whom the child is living has resided in the State for one year immediately preceding the birth; or

"'(3) any citizenship requirement which excludes any citizen of the United States.

"'(c) Subject to the last sentence of subsection (a) nothing in this title shall be construed to permit a State to have in effect with respect to any period more than one State plan approved under this title.

"'(d) The Secretary shall, on the basis of his review of the reports received from the States as provided for under subparagraph (B)(iv) of subsection (a)(15) compile such data as he believes necessary and from time to time publish his findings as to the effectiveness of the programs developed and administered by the States under such subparagraph. The Secretary shall annually report to the Congress (and if the Secretary has approved the plan of a State under this part prior to July 1, 1970, with the first such report of such State being made on or before such date) on the programs developed and administered by each State under such subparagraph.

"'PAYMENTS TO STATES

"'SEC. 2003. (a) From the sums appropriated therefor, the Secretary shall pay to each State which has a plan approved under this part, for each quarter, beginning with the quarter commencing January 1, 1968—

"'(1) in the case of any State other than Puerto Rico, the Virgin Islands, and Guam, an amount equal to the sum of the following proportions of the total amounts expended during each month of such quarter as aid under the State plan (including expenditures for premiums under part B of title XVIII for individuals who are recipients of money payments under such plan and

other insurance premiums for medical or any other type of remedial care or the cost thereof)—

"'(A) 31/37 of such expenditures, not counting so much of any expenditure with respect to such month as exceeds the product of $37 multiplied by the total number of recipients of such aid (except aid with respect to a dependent child) for such month (which total number, for purposes of this subsection, means (i) the number of individuals who received such aid (except aid with respect to a dependent child) in the form of money payments for such month, plus (ii) the number of other individuals with respect to whom expenditures were made in such month as aid (except aid with respect to a dependent child) in the form of medical or any other type of remedial care); plus

"'(B) the larger of the following:

"'(i)(I) the Federal percentage (as defined in section 1101(a)(8)) of the amount by which such expenditures exceed the amount which may be counted under clause (A), not counting so much of such excess with respect to such month as exceeds the product of $38 multiplied by the total number of recipients of aid (except aid with respect to a dependent child) for such month, plus (II) 15 per centum of the total expended during such month as aid (except with respect to a dependent child) under the State plan in the form of medical or any other type of remedial care, not counting so much of such expenditure with respect to such month as exceeds the product of $15 multiplied by the total number of recipients of aid (except aid with respect to a dependent child) for such month, or

"'(ii)(I) the Federal medical percentage (as defined in section 6(c)) of the amount by which such expenditures exceed the maximum which may be counted under clause (A), not counting so much of any expenditures with respect to such month as exceeds (a) the product of $52 multiplied by the total number of such recipients of aid (except aid with respect to a dependent child) for such month, or (b) if smaller, the total expended as aid (except aid with respect to a dependent child) in the form of medical or any other type of remedial care with respect to such month plus the product of $37 multiplied by such total number of such recipients, plus (II) the Federal percentage of the amount by which the total expended during such month as aid (except aid with respect to a dependent child) under the State plan exceeds the amount which may be counted under clause (A) and the preceding provisions of this clause (B)(ii), not counting so much of such excess with respect to such month as exceeds the product of $38 multiplied by the total number of such recipients of aid (except aid with respect to a dependent child) for such month; plus

"'(C) five-sixths of such expenditures, not counting so much of any expenditure with respect to any month as exceeds the product of $18 multiplied by the total number of recipients of aid with respect to a dependent child for such month (which total number, for purposes of this subsection, means (i) the number of individuals with respect to whom such aid in the form of money payments is paid for such month, plus (ii) the number of other individuals with respect to whom expenditures were made in such month as aid with respect to a dependent child in the form of medical or any other type of remedial care); plus

"'(D) the Federal percentage of the amount by which such expenditures exceed the maximum which may be counted under subparagraph (C), not counting so much of any expenditure with respect to any month as exceeds (I) the product of $32 multiplied by the total number of recipients of aid with respect to a dependent child (other than such aid in the form of foster care) for such month, plus (II) the product of $100 multiplied by the total number of recipients of such aid in the form of foster care for such month;

"'(2) in the case of Puerto Rico, the Virgin Islands, and Guam, an amount equal to—

"'(A) one-half of the total of the sums expended during such quarter as aid under the State plan (including expenditures for premium under part B of title XVIII for individuals who are recipients of money payments under such plan and other insurance premiums for medical or any other type of remedial care or the cost thereof), not counting so much of any expenditure with respect to any month as exceeds (i) $37.50 multiplied by the total number of recipients of aid (except aid with respect to a dependent child) for such month and (ii) $18 multiplied by the total number of recipients of aid with respect to a dependent child for such month; plus

"'(B) the larger of the following amounts: (i) one-half of the amount by which such expenditures exceed the maximum which may be counted under clause (A)(i), not counting so much of any expenditure with respect to any month as exceeds (I) the product of $45 multiplied by the total number of such recipients of aid (except aid with respect to a dependent child) for such month, or (II) if smaller, the total expended as aid (except aid with respect to a dependent child) in the form of medical or any other type of remedial care with respect to such month plus the product of $37.50 multiplied by the total number of such recipients, or (ii) 15 per centum of the total of the sums expended during such quarter as aid (except aid with respect to a dependent child) under the State plan in the form of medical or any other type of remedial care, not counting so much of any expenditure with respect to any month as exceeds the product of $7.50 multiplied by the total number of such recipients of aid (except aid with respect to a dependent child) for such month;

"'(3) in the case of any State, an amount equal to the Federal medical percentage (as defined in section 6(c)) of the total amounts expended during such quarter as medical assistance for the aged under the State plan (including expenditures for insurance premiums for medical or any other type of remedial care or the cost thereof);

"'(4) in the case of any State whose State plan approved under section 2002 meets the requirements of subsection (e)(1), an amount equal to the sum of the following proportions of the total amounts expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the State plan—

"'(A) 75 per centum of so much of such expenditures as are for—

"'(i) services which are prescribed pursuant to subsection (a)(1) and are provided (in accordance with the next sentence) to applicants for or recipients of aid (except aid with respect to a dependent child) or assistance under the plan to help them attain or retain capability for self-support or self-care, or

"'(ii) other services, specified by the Secretary as likely to prevent or reduce dependency, so provided to such applicants or recipients, or

"'(iii) any of the services prescribed pursuant to subsection (e)(1), and of the services specified as provided in clause (ii), which the Secretary may specify as appropriate for individuals who, within such period or periods as the Secretary may prescribe, have been or are likely to become applicants for or recipients of aid (except aid with respect to a dependent child) or assistance under the plan, if such services are requested by such individuals and are provided to such individuals in accordance with the next sentence; plus

"'(B) 75 per centum of so much of such expenditures as are for—

"'(i) services which are furnished pursuant to paragraph (15)(A) of section 2002(a) and which are provided to any child or relative who is receiving aid with respect to a dependent child, or

"'(ii) any of the services described in paragraph (15)(A) of section 2002(a), which are provided to any child or relative who is applying for such aid or who, within such period or periods as the Secretary may prescribe, has been or is likely to become an applicant for or recipient of such aid; plus

"'(C) 75 per centum of so much of such expenditures as are for the training of personnel employed or preparing for employment by the State agency or by the local agency administering the plan in the political subdivision; plus

"'(D) 90 per centum of so much of such expenditures as are for—

"'(i) training, supervision, materials, and such other items as are authorized by the Secretary, in connection with a work and training program described in section 2009, and

"'(ii) other services (not included in clause (i)), specified by the Secretary, which are related to the purposes of such a program and are provided to individuals who are participants in such a program,

"'(iii) incentive payments to any such participants of not more than $20 per week, unless the Secretary determines (including a determination for purposes of paragraph (5)(B)) that payments in excess of such 90 percentum are required to give full effect to the purposes of such section 2009; and in this regard non-Federal contributions may be in cash or kind, fairly evaluated, including but not limited to plant, equipment, and services; plus

"'(E) one-half of the remainder of such expenditures;

"'(5) in the case of any State whose State plan approved under section 2002 does not meet the requirements of subsection (e)(1), an amount equal to the sum of the following proportions of the total amounts extended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the State plan—

"'(A) 75 per centum of so much of such expenditures as are for (i) services specified in paragraph (4)(B) which are furnished to the persons, and under the conditions, therein specified, and (ii) the training of the personnel specified in paragraph (4)(C) who will be utilized to provide the services specified in clause (i) of this subparagraph, plus

"'(B) 90 per centum of so much of such expenditures as are for the items and services referred to in paragraph (4)(D); plus

"'(C) one-half of the remainder of such expenditures;

"'(6) in the case of any State, an amount equal to the sum of—

"'(A) 75 per centum of the total amount expended under the State plan during such quarter as emergency assistance to needy families with children in the form of payments or care specified in paragraph (1) of section 2005(f), and

"'(B) 75 per centum of the total amount expended under the State plan during such quarter as emergency assistance to needy families with children in the form of services specified in paragraph (2) of section 2005(f).

"'(b)(1) The services referred to in paragraph (4) (except subparagraphs (D) and (E)) and paragraph (5) (except subparagraphs (B) and (C) of subsection (a) shall include only—

"'(A) services provided by the staff of the State agency, or of the local agency administering the State plan in the political subdivision: *Provided,* That no funds authorized

under this part shall be available for services defined as vocational rehabilitation services under the Vocational Rehabilitation Act (i) which are available to individuals in need of them under programs for their rehabilitation carried on under a State plan approved under such Act, or (ii) which the State agency or agencies administering or supervising the administration of the State plan approved under such Act are able and willing to provide if reimbursed for the cost thereof pursuant to agreement under subparagraph (B), if provided by such staff, and

"'(B) subject to limitations prescribed by the Secretary, services which in the judgment of the State agency cannot be as economically or as effectively provided by the staff of such State or local agency and are not otherwise reasonably available to individuals in need of them, and which are provided, pursuant to agreement with the State agency, by the State health authority or the State agency or agencies administering or supervising the administration of the State plan for vocational rehabilitation services approved under the Vocational Rehabilitation Act or by any other State agency which the Secretary may determine to be appropriate (whether provided by its staff or by contact with public (local) or nonprofit private agencies);

except that services described in clause (ii) of subparagraph (A) hereof may be provided only pursuant to agreement with such State agency or agencies administering or supervising the administration of the State plan for vocational rehabilitation services so approved and except that, to the extent specified by the Secretary, child-welfare services and family services may be provided from sources other than those referred to in subparagarphs (A) and (B).

"'(2) Subject to limitations prescribed by the Secretary, the services and items referred to in clauses (i) and (ii) of subparagraph (D) of subsection (a)(4) and subparagraph (B) of subsection (a)(5) may be furnished, pursuant to agreement entered into by the State or local agency administering the State plan, by employers, organizations, agencies, and institutions equipped to furnish such services and items.

"'(3) The number of individuals (specified in section 2005(b) (2) and (3)) with respect to whom payments described in such section 2005(b) are made for any month, who may be included as recipients of aid with respect to a dependent child for purposes of paragraph (1) or (2) may not exceed 10 per centum of the number of other recipients of such aid for such month.

"'(c) In determining the extent to which the amount expended for administration of the State plan was expended under paragraph (4) of subsection (a) or any of the subparagraphs thereof or under paragraph (5) of subsection (a) or any of the subparagraphs thereof, the State agency shall apply such methods and procedures as may be permitted by the Secretary.

"'(d)(1) Prior to the beginning of each quarter, the Secretary shall estimate the amount to which a State will be entitled under subsection (a) for such quarter, such estimates to be based on (A) a report filed by the State containing its estimate of the total sum to be expended in such quarter in accordance with the provisions of such subsection, and stating the amount appropriated or made available by the State and its political subdivision for such expenditures in such quarter, and if such amount is less than the State's proportionate share of the total sum of such estimated expenditures, the source or sources from which the difference is expected to be derived, and (B) such other investigation as the Secretary may find necessary.

"'(2) The Secretary shall then pay, in such installments as he may determine, to the State the amount so estimated, reduced or increased to the extent of any overpayment or underpayment which the Secretary determines was made under this section to such State for any prior quarter and with respect to which adjustment has not already been made under this subsection.

"'(3) The pro rata share to which the United States is equitably entitled, as determined by the Secretary, of the net amount recovered during any quarter by the State or any political subdivision thereof with respect to aid or assistance furnished under the State plan, but excluding any amount of such aid or assistance recovered from the estate of a deceased recipient which is not in excess of the amount expended by the State or any political subdivision thereof for the funeral expenses of the deceased, shall be considered an overpayment to be adjusted under this subsection.

"'(4) Upon the making of any estimate by the Secretary under this subsection, any appropriations available for payments under this section shall be deemed obligated.

"'(e)(1) In order for a State to qualify for payments under paragraph (4)(A) of subsection (a), the State plan approved under section 2002 must provide that the State agency shall make available to applicants for or recipients of aid (except aid with respect to a dependent child) under such State plan at least those services to help them attain or retain capability for self-support or self-care, which are prescribed by the Secretary.

"'(2) In the case of any State whose State plan included a provision meeting the requirements of paragraph (1), but with respect to which the Secretary finds, after reasonable notice and opportunity for hearing to the State agency, administering or supervising the administration of such plan, that—

"'(A) the provision has been so changed that it no longer complies with the requirements of paragraph (1), or

"'(B) in the administration of the plan there is a failure to comply substantially with such provision, the Secretary shall notify such State agency that further payments will not be made to the State under paragraph (4) of subsection (a) until he is satisfied that there will no longer be any such failure to comply. Until the Secretary is so satisfied further payments with respect to the administration of such State plan shall not be made under paragraph (4) of subsection (a) but shall instead be made under paragraph (5) of such subsection.

"'(f) Notwithstanding the preceding provisions of this section, the amount determined under such provisions for any State for any quarter which is attributable to expenditures with respect to individuals 65 years of age or older who are patients in institutions for mental diseases shall be paid only to the extent that the State makes a showing satisfactory to the Secretary that total expenditures in the State from Federal, State, and local resources for mental health services (including payments to or in behalf of individuals with mental health problems) under State and local public health and public welfare programs for such quarter exceed the average of the total expenditures in the State from such sources for such services under such programs for each quarter of the fiscal year ending June 30, 1965. For purposes of this subsection, expenditures for such services for any quarter, in the case of any State shall be determined on the basis of the latest data, satisfactory to the Secretary, available to him at the time of the determination under this subsection for such State for such quarter; and determinations so made shall be conclusive for purposes of this subsection.

"'OPERATION OF STATE PLANS

"'SEC. 2004. (a) If the Secretary, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of the State plan approved under part A of this title, finds—

"'(1) that the plan has been so changed that it no longer complies with the provisions of section 2002; or

"'(2) that in the administration of the plan there is a failure to comply substantially with any such provision; the Secretary shall notify such State agency that further payments under part A of this title will not be made to the State (or, in his discretion, that payments will be limited to categories under or parts of the State plan not affected by such failure), until the Secretary is satisfied that there will no longer be any such failure to comply. Until he is so satisfied he shall make no further payments to such State under this part (or shall limit payments to categories under or parts of the State plan not affected by such failure).

"'(b) No payment to which a State is otherwise entitled under this part shall be withheld by reason of any action taken pursuant to a State statute which requires that aid with respect to a dependent child be denied under the State plan approved under this part with respect to a child because of the conditions in the home in which the child resides if provision is otherwise made pursuant to a State statute for adequate care and assistance with respect to such child.

"'DEFINITIONS

"'SEC. 2005. For purposes of this part—

"'(a) The term "aid" (unless the context otherwise requires) means money payments to, or (if provided in or after the third month before the month in which the recipient makes application for aid) medical care in behalf of or any type of remedial care recognized under State law in behalf of—

"'(1) needy individuals who are 65 years of age or older,

"'(2) needy individuals who are blind,

"'(3) needy individuals who are 18 years of age or older and permanently and totally disabled,

"'(4) a dependent child or children, or

"'(5)(A) a needy relative with whom a dependent child is living and (B) the spouse of such relative if (i) such spouse is living with him, (ii) such relative is the child's parent, and (iii) such child is dependent child by reason of the physical or mental incapacity of a parent or pursuant to section 2007, except that, with respect to the individuals specified in paragraphs (1), (2), and (3), such term does not include—

"'(6) any such payments to or care in behalf of any individual who is an inmate of a public institution (except as a patient in a medical institution); or

"'(7) any such payments to or care in behalf of any individual who has not attained 65 years of age and who is a patient in an institution for tuberculosis or mental diseases.

"'(b) The term "aid" also includes payments which are not included within the meaning of such term under subsection (a), but which would be included except that they are made on behalf of—

"'(1) a needy individual specified in paragraph (1), (2), or (3) of subsection (a),

"'(2) a dependent child, or

"'(3) a relative and such relative's spouse, specified in paragraph (5) of subsection (a) to another individual who (as determined in accordance with standards prescribed by the Secretary) is interested in or concerned with the welfare of such needy individual, child, or relative or, in the case of a child or relative specified in paragraph (2) or (3), directly to a person furnishing food, living accommodations, or other goods, services, or items to or for such child or relative, but only with respect to a State whose State plan approved under section 2002 includes provision for—

"'(4) determination by the State agency that such needy individual (by reason of his physical or mental condition) or such relative has such inability to manage funds that making payments to such needy individual or such relative would be contrary to the welfare of such needy individual or of the dependent child and, therefore, it is necessary to provide such aid through payments described in this subsection;

"'(5) undertaking and continuing special efforts (A) to protect the welfare of such needy individual and to improve, to the extent possible, his capacity for self-care and to manage funds, and (B) to develop greater ability on the part of the relative to manage funds in such manner as to protect the welfare of the family;

"'(6) periodic review by such State agency of the determination under paragraph (4) to ascertain whether conditions justifying such determination still exist, with provision for termination of such payments if they do not and for seeking judicial appointment of a guardian or other legal representative, as described in section 1111, if and when it appears that in the case of such needy individual such action will best serve the interests of such individual or in the case of aid with respect to a dependent child, the need for such aid is continuing, or is likely to continue, beyond a period specified by the Secretary; and

"'(7) opportunity for a fair hearing before the State agency on the determination referred to in paragraph (4) for any individual with respect to whom it is made.

"'(c) The terms "medical assistance for the aged" and "assistance" (unless the context otherwise requires) means payment of part or all of the cost of care and services (if provided in or after the third month before the month in which the recipient makes application for assistance) for individuals who are sixty-five years of age or older and who are not recipients of aid (except, for any month, for recipients of aid who are admitted to or discharged from a medical institution during such month) but whose income and resources are insufficient to meet all of such costs of any medical care or remedial care recognized under State law; except that such term does not include any such payments with respect to care or services for any individual who is an inmate of a public institution (except as a patient in a medical institution).

"'(d) The term "dependent child" means a needy child (1) who has been deprived of parental support or care by reason of the death, continued absence from the home, or physical or mental incapacity of a parent, and who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, aunt, first cousin, nephew, or niece, in a place of residence maintained by one or more of such relatives as his or their own home, and (2) who is (A) under the age of eighteen or (B) under the age of twenty-one and (as determined by the State in accordance with standards prescribed by the Secretary) a student regularly attending a school, college, or university, or regularly attending a course of vocational or technical training designed to fit him for gainful employment.

"'(e) The term "family services" means services to a family or any member thereof for the purpose of preserving, rehabilitating, reuniting, or strengthening the family, including family planning services, and such other services as will assist members of a family to attain or retain capability for the maximum self-support and personal independence.

"'(f) The term "emergency assistance to needy families with children" means any of the following, furnished for a period not in excess of 120 days in any 12-month period, in the case of a needy child under the age of 21 who is (or, within such period as may be specified by the Secretary, has been) living with any of the relatives specified in subsection (d)(1) in a place of residence maintained by one or more of such relatives as his or their own home, but only where such child is without available resources and the payments, care, or services involved are necessary to avoid destitution of such child or relative or to provide suitable living arrangements in the home in which such child is living—

"'(1) money payments, payments in kind, or such other payments as the Secretary may specify with respect to, or medical care or any other type of remedial care recognized under State law on behalf of, such child or any such relative (including the relative's spouse), and

"'(2) such services as may be specified by the Secretary;

but only with respect to a State whose State plan approved under section 2002 includes provision for such assistance.

"'(g) The term "aid with respect to a dependent child" means aid (as defined in subsections (a) and (b)) when the payments referred to therein are made to, or on behalf of, the individuals specified in paragraphs (4) and (5) of subsection (a).

"'(h) The term "relative with whom any dependent child is living" means the individual who is one of the relatives specified in subsection (d)(1) and with whom such child is living (within the meaning of such subsection) in a place of residence maintained by such individual (himself or together with any one or more of the other relatives so specified) as his (or their) own home.

"'USE OF PAYMENTS FOR BENEFIT OF CHILD

"'SEC. 2006. The provisions of section 406 are incorporated into this section and with appropriate redesignation of cross-references apply to this part.

"'DEPENDENT CHILDREN OF UNEMPLOYED FATHERS

"'SEC. 2007. The provisions of section 407 are incorporated into this section and with appropriate redesignation of cross-references apply to this part.

"'FEDERAL PAYMENTS FOR FOSTER HOME CARE OF DEPENDENT CHILDREN

"'SEC. 2008. The provisions of section 408 are incorporated into this section and with appropriate redesignation of cross-references apply to this part.

"'COMMUNITY WORK AND TRAINING PROGRAMS

"'SEC. 2009. The provisions of section 409 are incorporated into this section and with appropriate redesignation of cross-references apply to this part.

"'PART B—CHILD-WELFARE SERVICES

"'SEC. 2050. For the purpose of this part, the provisions of part B of title IV are applicable.'"

(b) The amendments made by subsection (a) of this section shall apply with respect to periods after December 31, 1967.

(c) No payment may be made to any State under title I, X, XIV, or XVI or part A of title IV for any period for which such State receives payments under part A of title XX or any period thereafter if the Secretary of Health, Education, and Welfare, pursuant to section 2002(b) of such Act, has approved a plan of the State which fulfills the requirements of section 2002(a) of such Act.

(d) Notwithstanding the provisions of—

(1) section 2003(a)(4)(B),

(2) section 2003(a)(4)(C) insofar as the personnel specified therein are or will be utilized to provide the services specified in section 2003(a)(4)(B),

(3) section 2003(a)(5)(A),

(4) section 2003(a)(4)(D),

(5) section 2003(a)(5)(B),

(as added to the Social Security Act by subsection (a) of this section) the percentage rate specified therein in the case of any State shall be 85 per centum (rather than 75 per centum) with respect to expenditures for the services specified therein made prior to July 1, 1969 under the plan approved under section 2002 of the Social Security Act.

SHORT TITLE

SEC. 237. This part may be cited as the "Family and Child Assistance and Services Program Act of 1967".

CONFORMING AMENDMENTS FOR PART 3 AND PART 4

SEC. 238. (a) Section 228(d)(1) of the Social Security Act is amended by striking out "IV," and by inserting after "XVI," the following: "or part A of title IV, or part A of title XX,".

On the following lines on page 173: 3, 6, 12, 16, 19, strike out "IV" and insert in lieu thereof "IV, or part A of title XX".

On the following lines on page 173: 9, 23, strike out "IV" and insert in lieu thereof "IV, and part A of title XX".

On the following lines on page 174: 2, 7, 13, 21, 24, strike out "IV" and insert in lieu thereof "IV, and part A of title XX".

On the following lines on page 174: 4, 17, strike out "IV" and insert in lieu thereof "IV, or part A of title XX".

On page 173, insert the following between lines 23 and 24: "(B) by striking out 'and 1903' each place it appears in subsection (a) and by inserting in lieu thereof '1903, and 2003'."

On page 173, line 24, strike out "(B)" and insert in lieu thereof "(C)".

On page 174, line 1, strike out "(C)" and insert in lieu thereof "(D)".

On page 174, line 3, strike out "(D)" and insert in lieu thereof "(E)".

On page 174, line 5, strike out "(7)" and insert in lieu thereof "(7)(A)".

On page 174, insert between lines 7 and 8 the following: "(B) by striking out 'and 1603(a)', and by inserting in lieu thereof the following: '1603(a), and 2003(a)'."

On page 174, line 11, strike out "(e)(1)" and insert in lieu thereof "(e)(1)(A)".

On page 174, insert the following between lines 13 and 14:

"Section 1843(b) of such Act is further amended by inserting 'or' after paragraph (2), and by inserting after such paragraph (2) the following new paragraph:

"'(3) individuals receiving money payments under part A of title XX;'."

On page 174, between lines 21 and 22 insert the following:

"(C) by striking out 'or XIX' and by inserting in lieu thereof the following: 'XIX, or XX'."

On page 175, line 2, strike out "IV" and insert in lieu thereof "IV, or part A of title XX".

On page 175, strike out lines 3 through 5 and insert the following:

"(3) Section 1902(b)(2) of such Act is amended by striking out 'section 406(a)(2), be a dependent child under title IV; or' and by inserting in lieu thereof 'section 406(a)(2) or, if the State has a plan approved under part A of title XX, section 2005(d)(2), be a dependent child under part A of title IV or part A of title XX, as the case may be; or'."

On page 175, strike out lines 12 through 14 and insert in lieu thereof the following:

"(6) Section 1905(a)(ii) of such Act is amended—

"(A) by inserting after '406(b)(1)' the following: '406(b)(1) or, if the State has a plan approved under title XX, section 2005(d)(1)';

"(B) by inserting after '406(a)(2)' the following: '406(a)(2) or, if the State has a plan approved under title XX, section 2005(d)(2)';

"(C) by striking out 'IV' and inserting

in lieu thereof the following: 'part A of title IV or part A of title XX, as the case may be'."

On page 175, insert the following between lines 14 and 15:

"Section 121(b) of the Social Security Amendments of 1965 is amended by striking out 'or XVI' and inserting in lieu thereof 'XVI, or part A of XX'."

On page 119, strike out lines 1 through 10 and insert the following:

"(d) In determining the need of individuals claiming aid or assistance under a State plan approved under titles I, IV, X, XIV, XVI, or XX of the Social Security Act which provides for the determination of such need under the provisions of such titles as amended by this section, the State shall apply such provisions notwithstanding any provisions of law (other than such Act) requiring the State to disregard earned income of such individuals in determining need under such State plans."

On page 134, line 24, strike out "part A of title IV of this Act" and insert in lieu thereof the following: "Under part A of title IV of this Act or for aid with respect to a dependent child under a plan approved under part A of title XX of this Act".

On page 135, line 8, insert after "Act" the following: "or section 2002 of this Act".

On page 135, line 9, strike out "403(a)(3)(B) of this Act" and insert the following: "403(a)(3)(B) or section 2003(a)(4)(D) or section 2003(a)(5)(B) of this Act, as may be appropriate".

On page 141, strike out lines 23 and 24 and insert in lieu thereof the following: "assistance, other than medical assistance to the aged, under a State plan approved under title I, X, XIV, XVI, or part A of title IV, or part A of title XX, if—".

On page 142, line 18, strike out "or 1603(a)" and insert in lieu thereof "1603(a), or 2003(a)".

On page 147, strike out lines 20 and 21, and insert in lieu thereof the following: "State approved under titles I, X, XIV, and XVI, and part A of title IV, and part A of title XX,"

On page 148, strike out lines 20 through 22 and insert in lieu thereof the following: "the State approved under titles I, X, XIV, XVI, and part A of title IV, and part A of title XX, and (ii) payments under section 523 and section 422,"

On page 150, line 15, strike out "or XVI" and insert in lieu thereof "XVI, or XX".

On page 150, line 18, strike out "and XVI" and insert in lieu thereof "XVI, and XX".

On page 159, line 22, strike out "IV" and insert in lieu thereof "IV, or part A of title XX".

On page 176, strike out "IV" and insert in lieu thereof "IV, and under part A of title XX".

On page 178, strike out lines 15 through 17 and insert in lieu thereof the following: "part A of title IV or part A of title XX, on account of family planning services and services and items referred to in section 403(a)(3)(B) or section 2003(a)(4)(D) or section 2003(a)(5)(B), as may be appropriate, with respect to any fiscal year—".

On page 179, line 20, strike out "the rate" and insert in lieu thereof the following: "and notwithstanding section 2003(a)(4)(B) and (D) and section 2003(a)(5)(A) and (B), the rate".

On page 180, line 5, strike out "402" and insert in lieu thereof "2002".

On page 180, line 7, strike out "402(a)(7)" and insert in lieu thereof "2002(a)(13)".

On page 180, line 10, strike out "402(a)(8)" and insert in lieu thereof "2002(a)(14)".

On page 161, strike out lines 2 through 4 and insert in lieu thereof: "year ending June 30, 1969, $125,000,000 for the fiscal year ending June 30, 1969, $160,000,000 for the fiscal year ending June 30, 1970, $185,000,000 for the fiscal year ending June 30, 1971, and $210,000,000 for each fiscal year ending thereafter."

On page 162, line 3, strike out "title" and insert in lieu thereof "title, or the State plan approved under part A of title XX".

On page 170, line 11 strike out "402(a)(3)" and insert in lieu thereof "402(a)(3) or section 2002(a)(3) (after the State's plan under part A of title XX has been approved)".

On page 170, line 20, strike out "402(a)(15)" and insert in lieu thereof "402(a)(12) or 2002(a)(15)(A) (after the State's plan under part A of title XX has been approved)".

On page 175, line 15, strike out "4" and insert in lieu thereof "5".

ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Mr. MUNDT. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Oklahoma [Mr. HARRIS] be added as a cosponsor of the joint resolution (S.J. Res. 64) to establish a Commission on Balanced Economic Development.

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

ADDITIONAL COSPONSORS OF AMENDMENTS

Mr. BYRD of West Virginia. Mr. President, on behalf of the junior Senator from Wisconsin [Mr. NELSON], I ask unanimous consent that at the next printing of amendment No. 402, intended to be proposed by Mr. NELSON to Senate bill 1125, the name of the Senator from Oklahoma [Mr. HARRIS] be added as a cosponsor.

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

Mr. BYRD of West Virginia. Mr. President, on behalf of the junior Senator from Oklahoma [Mr. HARRIS], I ask unanimous consent that, at the next printing of amendments Nos. 400 and 401, intended to be proposed by Mr. HARRIS to H.R. 12080, the names of the Senator from Minnesota [Mr. MONDALE], the Senator from Oregon [Mr. HATFIELD], the Senator from Massachusetts [Mr. BROOKE], and the Senator from Wisconsin [Mr. NELSON] be added as cosponsors.

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

NOTICE OF HEARINGS ON NOMINATIONS TO DISTRICT OF COLUMBIA COUNCIL

Mr. BIBLE. Mr. President, on behalf of the Committee on the District of Columbia, I desire to give notice that public hearings have been scheduled for Friday, October 20, 1967, at 10 a.m., in room 1202, New Senate Office Building, on the following nominations:

John Walter Hechinger, of the District of Columbia, to be Chairman of the District of Columbia Council for the term expiring February 1, 1969.

Walter E. Fauntroy, of the District of Columbia, to be Vice Chairman of the District of Columbia Council for the term expiring February 1, 1969.

To be members of the District of Columbia Council for the terms indicated:

Terms expiring February 1, 1968: Margaret A. Haywood, of the District of Columbia; J. C. Turner, of the District of Columbia; and Joseph P. Yeldell, of the District of Columbia.

Term expiring February 1, 1969: John A. Nevius, of the District of Columbia.

Terms expiring February 1, 1970: Stanley J. Anderson, of the District of Columbia; William S. Thompson, of the District of Columbia; and Polly Shackleton, of the District of Columbia.

At the indicated time and place, persons interested in the above nominations may make such representations as may be pertinent.

STATE DEPARTMENT'S BERATING OF CRITICS UNBECOMING AND ILL ADVISED

Mr. PEARSON. Mr. President, in the morning newspapers appear articles concerning two top State Department officials berating Vietnam critics.

If we are to maintain the right of dissent, I assume it should apply to those who dissent from the dissenters.

Without doubt, the President has been under heavy attack. Without doubt, he does not like it. And without doubt, he has ordered the State Department to hit back.

What goes does this do? Does it serve the public good? Does it promote national unity? Do the troops in the field fight or do better? Does this not encourage Hanoi?

One would expect the administration to argue its cause—actually, one of the great problems involved in Vietnam may be that the administration has never made its case. But speeches by Mr. Rostow at the University of Kansas and by Mr. Katzenbach at Fairfield University in Connecticut, to my mind, serve no good purpose.

To characterize the dissent against Vietnam as a new Henry Wallace movement, as a new isolationism, as a position of foreign policy irresponsibility, or as liberals looking for a scapegoat because they cannot have an instant Great Society—as did Mr. Rostow—subtracts from rather than adds to the quality of legitimate debate on one of the greatest issues that face this country.

To characterize the dissent against Vietnam as existing because liberals find no easy alternatives, to claim that Vietnam is a logical and similar extension of Korea—as did Mr. Katzenbach—adds nothing to the intelligence of the American people or to the public understanding.

Mr. President, I have generally supported the administration position on Vietnam. To be sure, much of the dissent is without value. For the administration now to contribute more of the same is perhaps a matter of political expediency, but it will not add to the understanding of the people, or to the unity of the Nation, or to the explanation of our commitment in blood or treasury.

ORDER OF BUSINESS

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

The PRESIDING OFFICER (Mr.

BARTLETT in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

THE AMERICAN CHINA POLICY STATEMENT BY DEAN RUSK

Mr. CLARK. Mr. President, in the Philadelphia Inquirer of this morning, under the heading "Washington Background," there was published a most perceptive column entitled "Rusk's China Dogma Is Just an Old Rerun," which was written by Joseph C. Goulden of the Inquirer Washington bureau.

Mr. Goulden is a fresh face in the Washington press corps, a young man of keen perception and a fine background. His comment is critical of Mr. Rusk, but I believe it is worthy of careful consideration by readers of the CONGRESSIONAL RECORD.

Mr. President, I have great affection for the Secretary of State as a human being and the greatest sympathy and admiration for him. However, I find myself quite unable to approve of his recent statements with respect to Communist China and the threat it poses to freedom in Southeast Asia or elsewhere.

Mr. President, I ask unanimous consent to have printed in the RECORD the article to which I have referred which was written by Joseph C. Goulden.

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

WASHINGTON BACKGROUND: RUSK'S CHINA DOGMA IS JUST AN OLD RERUN

(By Joseph C. Goulden)

WASHINGTON.—The time has come for Dean Rusk to be marched to the barn and flailed with a birch rod until his stinging back signals his brain that new ideas are needed about dealing with the Chinese.

We are told we should be relieved now that the Secretary of State has finally avowed openly that our main purpose in Vietnam is to hold a billion Chinese at bay once they have nuclear arms.

We are assured that Rusk makes clear the stakes in Southeast Asia, and that further discussion is divisive, worthless and even harmful.

Nonsense. Rusk's statement must be read as a confession of failure of U.S. policy towards China under four Presidents and over 17 years.

Basically, nations hire diplomats to keep them out of war—and war is to the profession of statesmanship as a grounded boat is to a navigator.

All Rusk can tell us is that we can anticipate frightful amounts of Chinese trouble over the next decade, that we must be resolute, etc., and that the Asian nations "must brace themselves, get themselves set . . ."

One must ask, in anger as well as in pained frustration, why this has come to pass: Why the U.S., in almost two decades, has been unable to lure or scare the Chinese into peaceful coexistence; why our "relations" are at such a sorry depth that even the admission that nuclear war is possible is greeted as an important new turn of policy.

Assuredly, Dean Rusk doesn't deserve all the blame—but in this man we find focused the beginning, the presence, and the predicted future of American China policy.

In essence, this policy is that China doesn't exist. And Dean Rusk, as Assistant Secretary of State for Far Eastern Affairs, helped write it. On May 18, 1951, he said:

"We do not recognize the authorities in Peking for what they pretend to be. The Peking regime may be a colonial Russian government—a Slavic Manchukuo on a larger scale. It does not pass the first test. It is not Chinese."

Dogma should not be equated with truth—but the Rusk dogma survived after he left Washington during the Eisenhower Administration, and was still intact when he returned in 1961.

Which brings us to why Rusk deserves a birching rather than a sympathetic pat on the back for making a grossly inaccurate assessment of Peking—an error comparable to a prediction that Cecil Moore will be the next president of Philadelphia's Union League.

In December 1963, Roger Hilsman, the State Department's ranking official for Asian affairs, had the audacity to make a speech urging junking of the hidebound Rusk dogma (although he didn't phrase it that directly).

Hilsman suggested appealing to the "second echelon" Chinese leaders, who were dissatisfied then as now with the "rigid, primitive, and doctrinaire" policies of the Mao Tse-tung generation.

Hilsman said the U.S. should remain firm, but also "lay the groundwork for the kind of flexibility" that would take advantage of the passing of Mao.

Within a month Roger Hilsman was out of the Government—by his own choice, he avows, because of discontent over the bombing-solves-everything approach to the Vietnam war.

But Dean Rusk is bragging around town that he fired Hilsman because "he talked too much at Georgetown cocktail parties."

Hilsman's friends tell different stories from either of these. They say Hilsman's "sin" was that he questioned the inevitability of Rusk's dogma.

The troubling factor about all this is that Rusk is in a position to make his prophecy a self-fulfilling one.

VIETNAM—TONE OF CURRENT DEBATE ENCOURAGES ENEMY

Mr. STENNIS. Mr. President, an editorial in the Washington Sunday Star of October 15 has a message of particular importance at this time.

The editorial writer pointed out that the moment Ho Chi Minh and his lieutenants become convinced that the administration opposition in next year's election is dedicated to a peace-for-any-price policy in Vietnam, they cannot logically do anything other than to wait for the outcome of the election and hope for the best.

The current debate on the war which suggests that the United States walk out on its commitments encourages the enemy.

There is a time and place for dissent. The right of free debate is an American tradition that we must preserve.

But the tone of the present debate is such that it no doubt misleads the enemy into believing that if they hold out long enough, they can wear us down and bleed us and South Vietnam into submission.

Whether we should be in Vietnam is not now a proper subject for debate. We passed that milestone when we responded to fire upon the American flag carried by an American soldier.

Never before in the history of this Nation have we stopped in the middle of a war to debate whether or not we should be, or whether or not we should see it through.

Prolonged discussions that suggest we go back on solemn commitments which we made as a nation have the effect of undermining the entire war effort that is, at best, a very difficult situation.

Mr. President, I ask unanimous consent that there be printed in the RECORD the editorial which appeared in the Washington Star of October 15, 1967.

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

VIETNAM AND THE REPUBLICAN STRATEGY

There is nothing surprising, distressing or improper about the fact that a major national debate is taking place over the administration's conduct of the Vietnam war.

There's nothing new, either, in the notion that the political leaders of the nation are answerable to the people and their elected representatives in time of war. The present debate, which has mounted in fury in direct proportion to United States involvement in the war, has its historical precedent in the Mexican War, the Civil War, the Spanish-American War and the Korean war. Only the two World Wars, with their total involvement of national effort, produced virtually total acquiescence.

The debate thus far has been drawn solely along the lines of personal conviction. In Congress, party politics have been conspicuously absent. The administration's chief defender in the Senate is the leader of the opposition party, Senator Dirksen. The loudest and most persistent critic is the Democratic chairman of the Foreign Relations Committee, Senator Fulbright. And the administration's official defense, now being presented with refreshing aggressiveness by Secretary of State Dean Rusk, also has been kept free from the petty confines of partisan politics.

But while it is the unquestioned right, if not the obligation, of every individual to search his mind and own conscience in order to determine what stand he should take on this nation's involvement in South Vietnam, it is not the duty nor the right of any political party to do so. Yet there have been increasing signs in recent weeks that the Republican party, as it moves toward the presidential election of 1968, is being tempted to make opposition to the administration's conduct of the war a matter of party policy and a major issue in the political debate to come.

Some of the leading Republican candidates, seeking out areas of vulnerability in the administration and in their opponents within the party, have abandoned previous positions to take up anti-war positions. Senator Percy calls for a greater emphasis on negotiations and less reliance on military achievement. Governor Romney proclaims that his earlier pro-administration stand was in error; that he was, in fact, brainwashed by the administration. Senator Morton, the former GOP national chairman, in an effort to protect Romney's image from a fearful beating, makes the remarkable assertion that President Johnson was himself brainwashed into submission by his generals and admirals. There are published reports that Rockefeller and Nixon are moving toward an anti-administration stand. There are rumors that Reagan may, before convention-time, join them there. Unattributed intelligence from the inner counsels of the Republican party report a move to bounce Senator Dirksen as head

of the platform committee because of his unswerving support of administration policy.

The temptation for the Republican party to make political hay out of Vietnam is undoubtedly strong. But any such move would be divisive, dishonest and highly dangerous.

It has often been pointed out that any show of dissent from official policy by any prominent individual is damaging, to some extent, to the quest for peace in Southeast Asia. And it is quite true that such displays of indecision and confusion of purpose must inevitably encourage Hanoi in the hope that, if they can only hang on long enough, American determination will crumble and American troops will be withdrawn.

There is, however, an enormous difference between individual expressions of doubt and concern, and the adoption of an official, anti-war stand by a major political party. It is quite safe to assume that Ho Chi Minh is politically sophisticated enough to understand the difference between the convoluted soul-searching of a William Fulbright and the fixed, calculated, positive assertion of a party platform plank.

What would be the effect on the leadership in Hanoi and in the National Liberation Front if an official anti-war stand were adopted by the Republican party?

The moment that Ho and his lieutenants become convinced that the administration's opposition in next year's election is dedicated to a peace at any price policy in Vietnam, they cannot logically do anything other than to wait for the outcome of the election and hope for best.

If, on the other hand, Hanoi knows that the opposition candidate is dedicated to seeing the United States commitment through—or even if the attitude of the opposition party is uncertain—then the situation is reversed. Then, there would be considerable pressure on Ho to negotiate within the next 13 months, while the President still faces the election. It could be another four years before Johnson or his successor in office is again so strongly motivated to accept a compromise.

A decision by the Republican party to strike at the opposition's Vietnam policy will insure the continuation of the war for another year at least. It will divide the nation further in an area where dangerous division already exists. It will, in fact, be a cruel deception.

No Republican candidate, regardless of his campaign statements or the platform on which he runs, will in our opinion, actually be able to bring the Vietnam war to a quick end if he is elected. It is all very well to talk about negotiations; to negotiate is something else again. The unfortunate fact of the matter is that neither Hanoi nor the Viet Cong have, to this moment, shown any interest whatsoever in negotiating an end to the conflict, despite constant official and unofficial, public and private offers by the administration to stop shooting and start talking.

That leaves only one sure, quick way out of Vietnam for any future administration; Simply to pack up and leave. It is inconceivable that any President, faced with the realities of responsibility, would finally decide that it is in the national interest to scrap our treaty obligations and destroy our international credibility in one easy step. The President in 1969—regardless of what his name or party may be—most assuredly will be holding out for negotiations and an honorable peace before United States troops are withdrawn from Vietnam.

The Republican party must resist the temptation to play upon the nation's unformulated worries and dissatisfactions in the hope of a victory at the polls. There are, after all, legitimate and honest issues on which Lyndon Johnson can be attacked, and possibly defeated.

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.

PRESIDENT JOHNSON'S TRIBUTE TO THE AMERICAN COOPERATIVE

Mr. McGOVERN. Mr. President, the cooperative has been and continues to be a very vital part of the American social and economic fabric.

Although many of us are used to associating the name "cooperative" with farm and rural problems, President Johnson has recently pointed out that the co-op is now also closely associated with cities as well as farms, with health and medicine as well as with feed and cattle.

In addressing the National Co-op Conference on October 4, the President described the cooperative as representing "American initiative at its most creative—groups of people joining together for a common goal, combining their labor to bring themselves a better life."

It is fitting that President Johnson should comment on the growth and importance of the cooperative effort in the United States. Under the President's party cooperatives have flourished throughout the country. Under the Democratic Party, farmers in the 1930's were protected from total economic collapse through price supports, and encouraged to join cooperatives, and under the Johnson administration the poor and disinherited of the cities are receiving new motivation to engage in community action to lift themselves out of poverty.

I am very pleased that again, as so often in recent days, the President has focused the eyes of the American people on some of the less spectacular, but no less important, accomplishments and milestones in American life.

I ask consent to insert in the RECORD the text of remarks by the President at the National Co-op Conference on October 4.

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

[From the office of the White House Press Secretary, Oct. 4, 1967]

TEXT OF REMARKS BY THE PRESIDENT AT THE NATIONAL CO-OP CONFERENCE

More than 100 years ago, a visitor to our young Nation commented on what he considered a remarkable American trait:

"The Americans make associations," wrote Tocqueville, "to give entertainments, to found seminaries, to build inns, to construct churches, to diffuse books, to send missionaries . . . Wherever at the head of some new undertaking you see the government in France, or a man of rank in England, in the United States you will be sure to find an association."

Today, those associations have pervaded every facet of American life. Some of the best of them are called cooperatives, and they represent much of what is best about America.

They represent American initiative at its most creative—groups of people joining together for a common goal, combining their labor to bring themselves a better life.

They represent a deep belief in the potential of America as a land where no man need go hungry, or be driven off his land, or lack of medical care.

In the past three years alone, 133 cooperative credit unions have been organized by low-income families in depressed rural areas and city slums.

These credit unions are offering fair rates of interest. They are teaching people how to save, and are helping them take the first steps toward financial independence and responsibility.

In Clarksdale, Mississippi, for example, a young mother came to the credit union with a problem. She had bought a stove and had agreed to pay $17 a month for it—one-third of her income. Credit union officers showed her that she was paying 35 percent interest. The credit union loaned her the money to pay for the stove, and now she is making payments she can afford—at 12 percent interest.

Small farmers are banding together in cooperatives to market their crops, to get fair credit, and to buy supplies.

Near Sunset, Louisiana, a co-op was formed to market sweet potatoes. Year before last, the average net income was $2,300. Last season, the co-op got the farmer $900 more for his potatoes. That $900 pulled him across the poverty threshold into a more affluent American society.

These cooperatives are holding open the door of economic opportunity to the family farmer. They are making it possible for him to stay on the farm, rather than be forced to migrate to a distant and alien city.

In eastern Ohio, 120 farm families were ready to call it quits. Their hills were covered with brush—no fit pasture for livestock. As a last-ditch effort, they organized a co-op, borrowed money, bought two bulldozers, a heavy disk, and a seeder, and they seeded the land.

Now these families will be able to stick it out. They are on their way, I believe to a satisfying and rewarding life in rural America.

Cooperatives in cities are assuring more Americans proper medical attention. Members of the Seattle health co-op prepay their doctors, so they aren't reluctant to consult them early and often. As a result of this preventive medicine, co-op members spend less than half the number of days in the hospital as other Seattle residents.

Cooperatives are instilling a sense of belonging, of proprietorship, of responsibility in our citizens. During the riots in Detroit, two racially integrated housing cooperatives in the center of the burden area were patrolled by co-op members. Not a windowpane was shattered, not a building burned.

I am proud to participate with you in celebrating Co-op Month, 1967. Cooperatives play a vital part in building a better America.

"The highest and best form of efficiency," as Woodrow Wilson said, "is the spontaneous cooperation of a free people."

DEAN RUSK ON VIETNAM

Mr. INOUYE. Mr. President, few Secretaries of State have made such direct and forthright replies to their critics as did Secretary Rusk in his press conference last week.

His statement on Vietnam was articulate, clear, forceful, and based on compelling logic.

He placed the Vietnam conflict in the broader context of a world struggle.

He reminded his critics that this is not

the first Communist war of liberation the United States has opposed.

He recalled that the United States—and almost the entire Senate—made a solemn international treaty commitment which obligates it to help South Vietnam resist aggression.

And he suggested that South Vietnam might not exist today had the American commitment not taken place.

To Secretary Rusk's words I might add the words of a recent article in the Washington Star.

We ought not to forget what happened in Korea in the early 1950's.

We must not forget that the same voices shouting "pullout" today were crying "warmonger" in those days.

Had the United States followed that course, there would be no South Korea today.

History has a way of proving those right who sense that a threat to a free nation 10,000 miles away may one day become a threat to the United States itself.

When our country was separated by oceans from its allies and its enemies, there was room for a benevolent kind of isolationism. Today we cannot afford not to be committed around the world.

The Vietnam conflict is costly. So was the war in Korea. So was the war against the Nazis and the Japanese. So was the American Revolution.

The only question which should be posed is: Were we right in getting into those wars? Are we right today in Vietnam? I am satisfied that we are, and that future events will prove it beyond any shadow of doubt.

I am proud that we have a standup Secretary of State who is not afraid of his critics and who defends his President's policies with such vigor.

I ask unanimous consent that an article entitled "Rusk's Explicit Reply to Critics," written by Gould Lincoln, and published in the Washington Evening Star of October 14, 1967, be printed in the RECORD.

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

[From the Washington Star, Oct. 14, 1967]

RUSK'S EXPLICIT REPLY TO CRITICS

(By Gould Lincoln)

"And sometimes it gets tough; and sometimes we are tested and we find out what kind of people we are."

In these three phrases, in almost nut-like brevity, Secretary of State Dean Dusk stated the situation which the American people face in living up to this country's commitment in South Vietnam, and its commitments to our SEATO allies in Southeast Asia and the Pacific. Rusk was speaking at an almost hour-long press conference, in which he dealt with all the questions raised by the opponents of the conduct of the war and those whose main concern is to get out of Vietnam and end the war at any price.

When the history of this era is written in the not too distant future, the stature of the Secretary of State, committed to the honor and security of the United States, will loom large, and even larger in comparison to those whose criticisms and actions have encouraged serious divisions among the American people.

Rusk stated in clear and understandable terms that the security of the United States is involved, as well as the security of the people of South Vietnam and the millions of people in Southeast Asia in other countries not now controlled by the Communist Chinese. They have been threatened and are threatened by Red China's efforts to launch so-called "wars of liberation" within their borders. The United States, as he pointed out, is a "Pacific" nation as well an "Atlantic" nation, with Hawaii and Alaska, numbered among our fifty states. States which stretch far into Pacific waters, and are separated from the U.S. mainland.

Rusk revealed in their entirety the efforts of President Johnson and of the State Department to bring about peace in Vietnam; the efforts to obtain from Hanoi any assurance that it would agree to peace talks. He was caustic in his references to congressional critics of the administration's conduct of the war. He pointed out that virtually none of these gentlemen are advocating immediate withdrawal of our military forces without some kind of peace talks and agreement with Hanoi and the Viet Cong.

"The debate in which we are now involved (with these congressional critics)," said Rusk, "is essentially a debate about detail—this or that military move, this or that diplomatic step, this or that formulation of what is in fact a common middle position. If that be true, precision is important. People at least should make it clear whether they are arguing with Washington or with Hanoi."

Rusk said he was encouraged about prospects of peace in Vietnam. He was asked why. "There are many things," he replied. "Some reporter in Saigon invented the word 'stalemate.' Our military authorities do not believe there is a stalemate. Ambassador Bunker doesn't believe there is a stalemate." Rusk enumerated; defections from the Viet Cong doubling this year over last, and their recruitment falling off by half; improvement in the South Vietnam military forces; and our military forces and our allies getting on with the job. There is no standstill, he argued.

Discussing the demands that we halt the bombing of North Vietnam, Rusk said he had talked with a group of private citizens recently. "I said; 'All right, if we stop the bombing and Hanoi does not respond, will you then change your view?' They said, 'No, of course not.'" He might have asked these people with justice: "Whose side are you on any way?"

Rusk's belief that there is no "stalemate," and that the progress of the war in Vietnam is favorable to the United States and its allies, is solidly supported by Hanson W. Baldwin, Pulitzer prize-winning military editor of the New York Times, writing in the current issue of The Reporter. Baldwin's criticism of the conduct of the war is that it could have progressed to a greater degree if there had been less delay in widening the list of bombing targets in North Vietnam. He writes:

"It is clear, or ought to be, from any summary of the war situation that the ultimate outcome of the war in Vietnam does not have to be defeat. In 1950–51 exactly the same derogatory phrases now being applied to South Vietnam were tagged to South Korea. The South Koreans would not fight; they had corrupt and political generals; Sygman Rhee was an Oriental dictator and an American puppet. It has taken fifteen years and there are still U.S. troops in South Korea, but all these sour predictions have been proved false."

THE PROBLEM OF RIOTS

Mr. HART. Mr. President, as I stated before, the pending antiriot legislation making it unlawful to use interstate travel facilities to go somewhere to incite racial violence offers no solution to the problem of rioting in this country.

Individuals, whether they come from outside the State or from the community in which the violence erupts, do not and cannot cause riots. Conditions cause riots. Our task, then, is to eliminate the conditions of poverty, inequality, discrimination and abuse which lie at the core of the problem. It will do no good to keep attacking the surface while ignoring the causes which lie festering underneath.

Recent editorials in three Michigan daily newspapers, the Detroit News, the Pontiac Press and the Grand Rapids Press, clearly show the inability of this bill to prevent or even to curb rioting. The issues raised in these editorials are worth considering. Therefore, I ask unanimous consent that they be printed in the RECORD.

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

[From the Detroit News, July 21, 1967]

ANTIRIOT BILL SEEKS SCAPEGOATS: IT'S NO SOLUTION

If frustrated ghetto Negroes can vent their rage by insensate mob action, why shouldn't frustrated congressmen vent theirs by insensate legislative action?

Well, maybe more should be expected of congressmen than of mobs. But that appears to be a somewhat tattered notion. Then how about the next best reason, to wit: There's no point in it.

Maybe that's a forlorn notion to raise with congressmen, too.

But the fact remains that the antiriot bill which thundered through the House of Representatives 347 to 70 is the legislative equivalent of confronting a charging rhino with a peashooter.

There will always be those who seek to console themselves with the belief that these ghetto riots are primarily the work of "outside agitators." Stokely Carmichael is the favorite bogeyman, though no one has yet suggested how he managed to incite Newark Negroes to riot from New England, where he happened to be at the time.

Carmichael is a very trying, a very annoying man. He is also called a dangerous man, in that his calls to Negroes to "defend themselves against white aggression" are increasingly couched in violent terms, and add to the state of mind which can flare into riot.

But Carmichael will not be curbed by this riot bill, unless the meaning of its terms are badly twisted in the courts. "Incitement to riot" and similar terms have a very precise legal meaning, and well that they do; otherwise those in authority could use them to quash legitimate dissent or complaint.

If Carmichael or someone like him can be caught saying "Let's go down and burn out that place," antiriot laws will get him. Every state already has such laws. But he appears to know better.

And if he does not, if he disappears from the face of the earth tomorrow and with him a thousand like him, we would still have riots from time to time and place to place because the causes run deeper. If agitators can be prevented from crossing state lines (which is doubtful), the conditions which breed disorder would also breed some homegrown agitators to lead it. Agitators succeed where there's something to be agitated about.

No thoughtful person suggests that remedies for these conditions are easy or quick, or lie wholly in massive outlays of dollars. It may even be that they don't exist, though that grim conclusion would signal that our free society has failed.

But after the dreadful, necessary work of quelling these riots is done, we must surely

find more plausible reasons for them than scapegoat "agitators," and more useful cures than symbolic hangings of Stokely Carmichael effigies.

[From the Pontiac (Mich.) Press, [Sept. 1, 1967]

ANTIRIOT LAW NOT ANSWER TO RIOTS

"If anybody thinks that Detroit wouldn't have happened if we had had an antiriot bill, he just landed from the moon."

This was the reaction of Michigan's Democratic Sen. PHILIP A. HART to pending antiriot legislation.

Michigan's Republican Sen. ROBERT P. GRIFFIN concurred: "Any impression that this is going to actually stop riots would be a misleading impression."

We heartily agree with the senators from Michigan.

The Senate Judiciary Committee is holding hearings on the House-approved bill which would make it a federal crime to cross a state line with intent to incite a riot.

It is ridiculous to assume such action to make inciting a riot illegal will have any effect in preventing further outbreaks of violence around the Country. This is like saying that because there's a law, no one is going to break it. Michigan and other states already have antiriot laws to begin with.

Congress is wasting its time thinking of more ways to slap hands at a time when it should be attacking the conditions which breed riot and civil disorder.

The only effective antiriot legislation is that which will spur action at local levels to eradicate the sores of blight and poverty. The term "action" is the key ingredient.

This was brought home in Pontiac, when, after a night of civil disorder, a spokesman for potentially militant Negroes listed as one of their major grievances the lack of action to relocate people living in the Crystal Beach Housing Project.

Civil rights groups in Pontiac have been requesting action to clean up this slum project for years. Fortunately, the City had the foresight last February to appoint a citizens' committee to study local conditions and recommend methods to combat housing problems.

But all the study and legislative action in the world is useless unless it breeds action. Now, action appears imminent to relocate people from the Crystal Beach project.

Our City officials are one step ahead of Congress in antiriot action.

[From the Grand Rapids Press, July 21, 1967]

IT'S A STATE PROBLEM

Encouraged by passage of the law to end the nationwide rail strike, sponsors of a House-passed bill to make it unlawful to use interstate travel facilities for the purpose of going somewhere to incite racial violence are pushing harder than ever for their measure.

In the Senate, which will consider the bill now, Senator Everett Dirksen observes, "I think the patience of both the country and the Congress is running out." Dirksen was referring, of course, to the outbreak of racial violence in Newark, N.J.

However, Atty. Gen. Ramsey Clark and Gov. Richard Hughes of New Jersey agree there is no evidence that the Newark riots were triggered by outside agitators. In their view, the instigators of Newark's disturbances would be outside the proposed legislation.

"The real cause of the Newark riots," agreed Clark and Hughes in a mutual statement, "is the explosive frustration and impatience of those who suffer from slum housing, unemployment, inadequate education, insufficient training programs which would create equality of opportunity, and all the other deprivations so characteristic of the ghetto."

Critics of the proposed legislation, including the attorney general, say the language of the antiriot bill is so vague it will invite endless litigation. The bill would make it a crime punishable with up to a five-year prison sentence to travel in interstate commerce to facilitate, encourage or incite a violent civil disturbance.

But how far do "facilitate" and "encourage" really reach?

Each of the states has laws to prevent and control riots, and most of these laws are clearer and more enforceable than the federal legislation which hangs speech and motive on the thread of interstate commerce.

As the bill's critics have emphasized, even if enacted into law, the legislation would have minimal effect on urban riots. In his wide-ranging study of the sources of violence in cities of the North, Dr. Joseph Spiegel of Brandeis University contends that the cities blaming "outsiders" for racial unrest, "are, in truth, simply unwilling to admit or to do anything about their basic social ailments that lead to riots."

In the course of congressional debate it has become clear that the bill the House has passed is aimed at one man, Stokely Carmichael, spokesman and former head of the Student Nonviolent Coordinating Committee. But suppose the bill does pass and become law; that Carmichael is arrested, and that the law is then challenged as unconstitutional and thrown out by the Supreme Court for its infringement on free speech. The attorney general already has cited that as a likelihood. If that happens, Carmichael will then become the liberated martyr, even in the view of those who never had contemplated rioting.

Most state laws are capable of dealing adequately with the riot instigators, whether they're Carmichael or anyone else. What is needed is the courage to enforce the valid state laws already on the books and the will to proceed with long-range cures for social illnesses.

MEETING OF GEORGIA ADVISORY COUNCIL OF SMALL BUSINESS ADMINISTRATION

Mr. TALMADGE. Mr. President, the Small Business Administration's Georgia Advisory Council held a productive meeting last Friday, October 13, at Stuckey's Carriage Inn, on Georgia's famed Jekyll Island.

Some of Georgia's leading businessmen and bankers were in attendance at the council's semiannual session. SBA was represented by its southeastern area administrator, Wiley S. Messick; the Atlanta regional director, John P. Latimer; and the Atlanta regional office's chief of financial assistance division, Robert Newman.

Harold S. Hammond, president of the Manufacturers National Bank at Newnan, Ga., who serves as Georgia's Advisory Council chairman, and William T. Maddox, president of the National City Bank, Rome, Ga., were active participants in panel discussions involving SBA's programs including the new lease guarantee program and the economic opportunity loan programs.

SBA State advisory councils are composed of individuals whose knowledge of and interest in the problems of small business enable them to make a substantial contribution in resolving the problems of the State's small business community. Members are appointed for 2-year terms by Robert C. Moot, SBA's able Administrator. Members include the owners of independent small businesses, bankers, and representatives from fields relating to small business such as educators, labor leaders, representatives of news media, chambers of commerce, and others.

Distinguished Georgians at the SBA council meeting included: E. D. Bigner, president of Fabrics, Inc. of Brunswick; Al J. Braxton, audit manager of Arthur Anderson & Co., Atlanta; Moses Coleman, president of the Coleman Co., Vidalia; John H. Davis, president of the Farmers Bank of Tifton, Tifton; Bev Henry Howard, Jr., president of the Howard Printing Co., Columbus; Robert H. Lassetter, small business coordinator of Lockheed Georgia Co., Marietta; Robert C. Martin, manager of the Kohlmeyer & Co., Columbus; and Mrs. Helen G. Serfling, a certified public accountant of Decatur.

DISTINGUISHED RECORD OF 164TH INFANTRY REGIMENT

Mr. YOUNG of North Dakota. Mr. President, North Dakotans are very proud of the long and distinguished record established by the 164th Infantry Regiment on many battlefields extending from the Philippine Islands in the Spanish American War, through France in World War I, and in the South Pacific during World War II. After World War II, although not fighting as a unit, its members also fought gallantly in Korea. This North Dakota National Guard unit established one of the greatest battle records of any military unit in World War II. It was the first U.S. Army unit to take the offensive during that war. This action took place on Guadalcanal.

One of the greatest casualties of the reorganization of the Armed Forces of the United States has been the abolishment of some military units which carried brilliant and proud records of service in many campaigns. This was such a unit. While these units may have been abolished, certainly their accomplishments will live on in the annals of our history.

The 164th Infantry Association is composed of former members of the 164th Infantry Regiment, not only from North Dakota, but from all over the United States. One of the most appreciated and treasured recognitions that has ever come to me was when the 164th Infantry Association made me an honorary member.

Mr. President, a very appropriate editorial about North Dakota's 164th Infantry, entitled "What Men Those Boys Were," was published in the Bismarck Tribune of October 16. I ask unanimous consent that it be printed in the RECORD.

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

WHAT MEN THOSE BOYS WERE

"Jap Troops, Warships Launch Major Assault on Guadalcanal Base," read the banner headline in The Bismarck Tribune of Oct. 15, 1942.

By that time, the renewed battle there had been going on for two days, and many boys from Bismarck and other North Dakota communities were in the thick of it; but their folks back home couldn't know that.

Some time passed before anyone knew even that Army troops had joined in the Guadalcanal action, reinforcing the marines who had stormed ashore earlier and held onto prized Henderson airstrip with bulldog determination.

The men of North Dakota's 164th Infantry, reinforced in federal service by men from all over the country, waded ashore and got their baptism of fire that first night. The next day they moved into the Henderson field defensive perimeter and one of the bravest chapters in American military annals was started.

Later, the marines said they were so astounded at the way the 164th fought that they would be proud to claim it as part of the corps.

The soldiers from North Dakota, with their own high esprit de corps, returned the compliment. Marines, they felt, were good enough to be part of the 164th.

It wasn't quite accurate to say, as The Tribune did Friday, that the 164th was the first American army unit to go into battle in World War II. Others had beat them to that honor—but by fighting defensive actions.

Their distinction was to be the first American army unit to take offensive action in that war by helping to clear the Japanese out of Guadalcanal Island and start the long drive back to the Philippines and, eventually Japan.

Security was tight in those days. But eventually little facts, put together, led to the presumption that the 164th was on Guadalcanal.

Casualties, tardily reported, eventually made the presumption positive. The first to be reported was that of Lt. Frank G. Welch, a Bismarck boy who was an officer in Dickinson's company of the 164th. Then, one by one, came others, and eventually the list of those who died on that steaming jungle island was rich with the names of boys from North Dakota.

The 164th Infantry, North Dakota National Guard, is no more. A guard reorganization did away with it after decades of service including in the Philippines during the Spanish-American War and in France during World War I.

But the record of its service lives on, and no chapter in that record, or in any other military journal, can be brighter with bravery and victory than that which the 164th wrote on Guadalcanal. Twenty-five years later, the boys of 1942 are plump, balding, middle-aged men; but what men those boys—plucked from the high schools and the farms and the towns—were!

THE ABUSE OF CIVIL RIGHTS

Mr. TALMADGE. Mr. President, nowadays we see all manner of actions perpetrated in the name of so-called civil disobedience or civil rights, or under the would-be protective cloak of the first amendment.

As a matter of fact, to some people's way of thinking, running into the streets, throwing Molotov cocktails, and destroying property are deemed ways to exercise freedom of expression or to petition the Government for a regress of grievances.

The illegal extremes to which these rights have been carried was very appropriately described in a tongue-in-cheek editorial published in the Wall Street Journal of October 16.

The editorial speaks for itself, and I believe accurately. I invite the attention of the Senate to it and ask unanimous consent that it be printed in the RECORD.

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

A PRECEDENT

The Supreme Court has agreed to review a lower court ruling that draft-card burning is a "symbolic act" protected as freedom of expression under the First Amendment. Should the ruling be upheld, it could prove precedent-setting. In fact, we can imagine:

JUDGE. John Doe, under charges filed July 17, 1987, you are accused of detonating dynamite to blow the right arm off the Statue of Liberty. Do you have anything to say for yourself?

DEFENDANT. I was exercising my sacred right of dissent.

JUDGE. Well, this seems a little extreme to me.

DEFENDANT. But I couldn't get anyone to pay attention to me any other way. Even after I picketed in Washington for 10 months, appeared on every national TV network, met with everyone in the Department of State and had three conferences with the President, they just wouldn't do as I say.

JUDGE. Even so, it just doesn't seem to me you you should go around dynamiting things.

DEFENDANT. Freedom of Expression. Draft Card Ruling. First Amendment. Symbolic Act!

JUDGE. Er, Ah . . . case dismissed. Next case; Richard Roe, you are accused of arson in connection with the fire that destroyed the White House.

PREVIEWS OF TV PROGRAMS

Mr. NELSON. Mr. President, the Chairman of the Federal Communications Commission had occasion recently to endorse publicly the position of Jack Gould, the distinguished television critic of the New York Times, regarding a provocative policy: making available to his readers his assessment of television programs before they are broadcast. The occasion for Mr. Gould's experiment was the premiere program in the new and widely acclaimed "Bell Telephone Hour" series—"The Many Faces of Romeo and Juliet," on September 22.

Because such a procedure might contribute substantially to the size of audiences for programs of quality, this commendable experiment is worthy of extended study. I therefore ask unanimous consent to have printed at this point in the RECORD both Mr. Gould's advance review and the report in a subsequent issue of the New York Times of Chairman Hyde's support of the television critic's position.

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

[From the New York Times, Sept. 22, 1967]

TV: A SOOTHING "ROMEO AND JULIET" COLLAGE OPENS "BELL HOUR" SEASON ON NBC TONIGHT

(By Jack Gould)

A soothing visual and aural collage of "Romeo and Juliet" in different artistic forms—stage readings, symphony compositions, opera, ballet and Broadway musical—will be the season's first "Bell Telephone Hour," to be presented over the network of the National Broadcasting Company tonight.

Many a viewer might eagerly settle for Claire Bloom alone as a radiant Juliet in a conventional stage version; her words have the wings of poetry and she exquisitely captures the poignancy of thwarted love in Verona. But that is not the form of "The Many Faces of Romeo and Juliet," and what will be offered this evening is nonetheless of interest on its own terms, a brisk illustration of how a classical theme can inspire contrasting craftsmen over many years.

The American Telephone and Telegraph Company, which last year adopted the attractive notion of bunching all commercials at a program's end to avoid intrusion in the continuity of the entertainment content, is trying this morning an older experiment that thus far has come to naught: allowing a critic to appraise a program before it goes on the air.

At the initiative of A.T.&T. this reviewer was invited to see a run-through of "The Many Faces of Romeo and Juliet" at a television screening at the utility's headquarters, 195 Broadway, on Wednesday with the express understanding that there would be no limitations on what subsequently might be written.

"The Many Faces of Romeo and Juliet" was not the first instance of a TV showing for advance reviewing. Many years ago the comedy "Harvey" was shown under such circumstances; Channel 13 tried the technique for almost a season and Channel 5 followed the procedure with isolated documentaries.

As someone else wrote earlier, the play is what matters, so the controversial intricacies of previewing can be momentarily deferred. "The Many Faces of Romeo and Juliet" to some extent reflects A.T.&T.'s traditional hopes that the "Bell Telephone Hour" can simultaneously appeal to a multiplicity of tastes, but in this instance a unifying theme takes the curse off such a fragmented format.

Miss Bloom and Jason Robards, who showed streaks of graying hair and a middle-aged rigidity that might contradict the popular image of Romeo, open the hour with a concert-style reading of the balcony scene to the background accompaniment of Berlioz's "Roméo et Juliet" Symphony and Tchaikovsky's "Romeo and Juliet Fantasy" Overture. The luminous face of Miss Bloom, with her subtle mastery of beguiling facial expressions, imparts enormous charm to Juliet's heart-rending soliloquies. In agonizingly brief close-ups she is captivating in her enduring youthfulness and understanding.

But her brief words turn out to be a bridge into the appearance of Erik Bruhn and Carla Fracci dancing with tender grace to the balcony scene to Prokoflev's "Romeo and Juliet" Scene 1. Thereafter Anna Moffo and Sandor Konya of the Metropolitan Opera sing the same scene in an excerpt from the Gounod opera. The closing sequence offers Carol Lawrence and Larry Kert in a repeat of their starring roles in "West Side Story," giving a modern version of the parting of lovers amid the environment of a tenement street. Against the preceding background of the other segments, Leonard Bernstein's "Tonight" acquires a haunting pertinency.

"The Many Faces of Romeo and Juliet," which was produced by Dan Lounsbery and directed by Clark Jones under the aegis of Henry Jaffe Enterprises, cannot be fairly divided into separate parts; it is the hour as a whole to which the viewer must surrender in restful and relaxed release from the noisy background of so much of today's TV.

Whatever a viewer's thoughts that one artistic concept in its entirety might have an edge over a compression of different formats, the "Telephone Hour" reflects a cultural approach of touching loveliness in compressing the program's various forms.

The reward is not so much a truly rounded production as an inventive suggestion of an enveloping mood that casts its own spell. The composite interpretation made its central point: that cross-fertilization of the arts goes on forever.

Apropos the experiment of reporting on programs the morning before their presentation, the American Broadcasting Company,

the Columbia Broadcasting System and N.B.C., where one key executive made an authorized exception in the case of "The Bell Telephone Hour," reiterated yesterday their overall disapproval of such an arrangement.

The position of A.T. & T. is that a cultural undertaking needs the benefit of aroused audience curiosity if viewers are to tune in in the first place and be apprised of what not to miss. To know what to look for, the company says, could be a significant contribution to the long-range elevation of television.

The networks have a practical argument in rebuttal. A preview makes sense where reasonable judgment suggests the ensuing attention will be beneficial, but this does not diminish the larger risk. Critics for newspapers, press associations and weekly news magazines may turn thumbs down and thereby effect the size of the tune-in, a matter of overriding importance to sponsors eager to catch the mass audience.

Moreover, the networks argue, they lack the technical facilities to give TV critics across the country an equal opportunity to see shows for advance review, and the arrangement could also be an obstacle to last-minute changes or program pre-emptions. But basically the roadblock to advance reviewing is dollars and cents. The networks do not feel that they can have one policy for qualitative efforts and another for the potboilers in TV's schedule.

As a minimum journalistic service to readers, there is no gainsaying that advance reviews of TV shows, as in the instance of Broadway plays and books, would be helpful and constructive, but access to hits and not to flops clearly holds formidable perils, not to mention the massive expansion of personnel that would be required by both broadcasters and newspapers alike.

Presumably the day will come, if A.T. & T. is satisfied with its innovation and exerts an influence on other major corporate concerns. But last night the prospect of advance reviewing appeared as dark as ever.

The magnitude of TV makes critics of millions of set owners and separates the medium from Broadway, where a handful of aisle sitters can exert a life or death judgment. The superficial assumption that all media can be handled in the same manner is not substantiated in actual application.

The A.T. & T. experiment provided accommodations for a review by a single critic in an otherwise unoccupied room. The program was not projected on a misleading large screen with booming sound—it was shown on a conventional color TV receiver.

The restless viewer had the option of moving about without the hazard of disturbing others watching the show. The commercial announcements were included, a condition that does not always prevail under industry prescreening. Extraneous disturbances, if any, were less marked than might reasonably occur in a normal home, and the chairs were eminently comfortable.

[From the New York Times, Sept. 23, 1967]

TV CRITIC PREVIEWS ENDORSED BY FCC

The chairman of the Federal Communications Commission endorsed yesterday as a guide to public viewing the practice of allowing critics to write reviews of television programs prior to their broadcast.

The chairman, Rosel H. Hyde, commented on the practice at a news conference following his address to broadcasters at the year's opening luncheon of the International Radio and Television Society at the Waldorf-Astoria Hotel.

His reference was to an experiment introduced earlier this week by the American Telephone and Telegraph Company that allowed TV critics to review in advance "The Many Faces of Romeo and Juliet." The program was televised last night on the National Broadcasting Company's "Bell Telephone Hour." Reviews of the program appeared prior to the telecast in yesterday's editions of The New York Times, The Washington Post and The Chicago Tribune.

The networks, despite the one exception, earlier reiterated their over-all disapproval of such an arrangement. They claimed the practice would limit their flexibility and asserted that the risk of unfavorable reviews would be too great.

SUPPORT EXPRESSED FOR JOB CORPS

Mr. MONDALE. Mr. President, as a Senator from Minnesota, and as one who has had the opportunity and privilege of working closely on many programs of social importance with a longtime representative of Minnesota—the Honorable HUBERT H. HUMPHREY, Vice President of the United States—I invite to the attention of Senators several items which are relevant to our discussion of the Economic Opportunity Amendments of 1967.

These items include a series of letters received by the Vice President from a group of corporate executives who heartily endorse the Job Corps effort. Also included is a letter concerning the Job Corps program sent by Vice President HUMPHREY to the editor of the Minneapolis Tribune.

Mr. President, these letters represent excellent testimony to the widespread support which exists for the continuation of the Job Corps. I believe that Senators and other readers of the RECORD will find them both interesting and informative. I ask unanimous consent that they be printed in the RECORD.

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

ANN & HOPE,
Cumberland, R.I., August 7, 1967.

Hon. HUBERT HUMPHREY,
Vice President of the United States,
The Capitol,
Washington, D.C.

DEAR MR. VICE PRESIDENT: I had the privilege of attending the meeting of the Mass Merchandising Research Foundation and the American Retail Federation with the Office of Economic Opportunity on July 26, 1967, and on the same day meeting with you and listening to your address concerning the Job Corps.

I learned a great deal that day. I must admit that previously I had many misconceptions regarding the Job Corps. I now know that the newspaper and magazine reports on the Job Corps I had previously read were not entirely accurate and, I am afraid, in some cases were deliberately misleading. Mr. Kelly, the Director of the Job Corps and his staff, and particularly the impressive young people who represented the membership of the Job Corps at this meeting helped me to see the Job Corps in an entirely new light. As a result, my feelings toward the Job Corps, previously rather luke warm, have completely changed. Now, individually, and as a member of the Mass Merchandising Research Foundation, I heartily endorse the Job Corps program. I sincerely believe that the Job Corps is a vital ingredient in the overall program to make useful and productive citizens of our disenfranchised Americans.

Again, may I express my personal appreciation to you for giving us of your valuable time and for your most inspiring message.

Respectfully yours,

JULIUS BLUM,
General Manager.

MAMMOTH MART, INC.,
Brockton, Mass., August 2, 1967.

Hon. HUBERT HUMPHREY,
Vice President of the United States,
Washington, D.C.

MY DEAR MR. VICE PRESIDENT: It was indeed a moving and thrilling experience for me to meet with you and Mr. Kelly in Washington on the 26th of this month, and may I thank you for the time that you gave to our retailing group.

I am sure that I share the views of all who were present when I say that we are in full support of the Job Corps Program, and in particular, we at Mammoth Mart will do our utmost to see that the program succeeds. Our employment roster runs in the neighborhood of 2,000 people and with the assistance of Mr. Kelly and Mr. Abe L. Marks, we will do whatever we can.

Once again, may I thank you for your time, as well as the memento of my visit to the office of the Vice President of the United States.

Sincerely,

MAX COFFMAN, *President,*
Chairman of the Board.

JAMESWAY CORP.,
New York, N.Y., August 8, 1967.

The VICE PRESIDENT OF THE UNITED STATES,
Washington, D.C.

MY DEAR MR. VICE PRESIDENT: As a representative of my Corporation, a chain of discount department stores, I was privileged to visit with you on Wednesday, July 26, 1967. This visit was with the Mass Merchandising Research Foundation Group concerning the Job Corps.

On behalf of myself and our organization, you can be certain that we fully support the efforts of the Office of Economic Opportunity in relation to the Job Corps. I shall personally be happy to participate in a program designed to help place graduates of the Job Corps Centers in our industry.

Permit me again to express my thanks for your taking the time from your busy schedule to meet with our Group.

Respectfully yours,

HERBERT FISHER,
President.

[From the Minneapolis Star, Aug. 22, 1967]

HUMPHREY ON JOB CORPS

To the EDITOR:

The Minneapolis Star article of July 31 outlines the arduous process of "reach out" necessary to locate the hard core poverty girl. These are the disadvantaged, suspicious, rejected youth in whom must be engendered the motivation to help themselves by volunteering for the Job Corps. Their recruitment is not easy. But the situation is definitely improving.

The Women in Community Service (WICS) have pioneered a most difficult field of social endeavor. There is reason for them and all Americans who would serve our disadvantaged youth to be heartened. The Job Corps dropout rate is down: from 33 per cent who dropped out within 30 days in 1966 to 21 per cent in 1967. The dropout rate for girls who stayed less than 30 days is only 11 per cent in 1967. Job Corps youth are showing higher educational gains: 38 per cent completed senior and advanced training in 1966; 51 per cent in 1967. The WICS in following up the girls they recruit, have provided guidelines to improve Job Corps operation: permissiveness is out; a commitment executed by parents and youth for a 180-day stay at a center has been instituted to alleviate the initial homesick dropout lass.

The cost of $7,000 a full year at a Job Corps center compares favorably with the costs at a university like Harvard. These university costs stand over $10,000 when the contributions from endowment and alumni gifts are prorated per student for the 9-month aca-

demic year. Further, the Job Corps cost includes clothing; travel; pay and allowances for an enrollee's family; and the sometimes extensive medical and dental care these poverty youth require.

The struggles so graphically related in the Star are the growing pains of a new venture to provide in Job Corps centers what is probably a last chance for America's disadvantaged youth.

The Jobs Corps mission to recruit, train, and find employment for America's neglected youth will never be easy, but it is moving forward. The Job Corps centers are now successfully helping over 41,000 hard core poverty youth in 123 centers for men and women across the nation. The volunteer assistance of WICS in recruiting disadvantaged girls for the Women's Centers is appreciated.

WICS, representing 27,000,000 women across the country, not only screen and recruit, but also utilize community resources for girls who do not qualify or are unable to take the step to leave home. Because of the direct involvement of thousands of women in this work, communities all over the country are much more aware of the need to do something about young women in poverty. As leaders in their towns and cities, WICS have increased the awareness of others to this need and have sought to work out alternate solutions at the community level.

Every young woman contacted by the WICS benefits in some measure from their concern and interest.

HUBERT H. HUMPHREY,
Vice-President.

WASHINGTON, D.C.

RABBI ABRAHAM J. FELDMAN

Mr. RIBICOFF. Mr. President, one of the leading rabbis of the Nation, Rabbi Abraham J. Feldman, of Temple Beth Israel, West Hartford, Conn., has just announced his forthcoming retirement. Rabbi Feldman is a deeply religious man, a great spiritual and community leader. No worthwhile cause is beyond his active commitment. Not only his congregation, but the entire Connecticut community wishes him well in the years ahead. While he has earned his retirement, I know that he will always remain active for the good of mankind.

Personally, I wish Rabbi and Mrs. Feldman good health and happiness in the years ahead.

I ask unanimous consent that an editorial from the Hartford Times of October 16, 1967, and from the Hartford Courant of October 17, 1967, be inserted in the RECORD at this point.

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

[From the Hartford Times, Oct. 16, 1967]

RABBI FELDMAN RETIRES

Rabbi Abraham J. Feldman works simultaneously at enough careers to keep a roomful of ordinary men busy full-time.

He is an editor, a teacher at two institutions of higher learning, chaplain of four organizations, a counsellor and lecturer, and a prolific author. He startled the congregation of Temple Beth Israel at a Yom Kippur service by announcing his decision to retire as its spiritual leader. "I've never had a day off," he said. "I want to observe the Sabbath as a member of the congregation."

Rabbi Feldman will of course continue to be—as he has always been—a stirrer of the pot in which things are cooking. He has been involved either immediately or more remotely in most of the progressive changes in the Greater Hartford community during his 43 years at Temple Beth Israel. His counsel is frequently sought and always valued by men and women on whom civic responsibility rests. His influence extends far beyond Connecticut, for his scholarship is widely recognized.

We wish Rabbi Feldman many happy and fruitful years. But retirement? Nonsense!

[From the Hartford Courant, Oct. 17, 1967]

RABBI FELDMAN PLANS FOR HIS RETIREMENT

It hardly seems as if retirement were the word for what Rabbi Abraham Feldman has in mind. True, he has told his congregation at Temple Beth Israel that he would like to lay down the administrative duties he has borne there so notably for 43 years. And since in nearly four and a half decades he has never had a day off from them one way or another, one can understand that he will feel something of a load lifted from his shoulders when he steps down.

But retirement? Hardly. The Hartford community, Jewish and non-Jewish, knows there is too much dedication and vitality in the man for him to hide himself off somewhere and fold his hands in repose, however much it may be owing to him. Nor does the prospect that Rabbi Feldman has outlined for himself sound the least bit like retirement. He plans to continue preaching, lecturing, counseling. He has books to write. He still is a member of the board of every Jewish organization in Hartford. The Connecticut Jewish Ledger will still want its editor to continue in the post. He may step down from the pulpit, but he will also remain very helpful and actively in the community's midst.

Obviously the congregation at Temple Beth Israel is going to miss him acutely. In nearly a half century as its spiritual leader, Rabbi Feldman has witnessed the growth of the congregation from 225 to 1,500 member families. He has brought honor and distinction not only to himself but to the congregation for the outstanding role he has played both locally and in national Jewish life. He may rightfully observe that the intensification of religious and Jewish loyalties here has been most meaningful in his time. Thus the congregation of Temple Beth Israel may experience moments of melancholy at the thought of his relinquishing his longheld duties. But they, and the whole community of which he has been so wise, faithful and helpful a part, can take comfort in the fact he will not be far off when his counsel and effort are needed in the future. So, with cheerful as well as grateful hearts, Hartford may wish Rabbi Feldman joy in his richly-earned . . . u-h-h, what was that word again? Oh yes, retirement.

INSURANCE COMPANIES HELP IN GHETTO REHABILITATION

Mr. MORSE. Mr. President, the insurance giants of this country have offered America a most unusual tithe—the investment of $1 billion in housing located in the urban slums of our land. I ask permission to have inserted in the RECORD this editorial from the Salt Lake Tribune which addresses itself to the full meaning of this deeply patriotic decision.

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

[From the Salt Lake Tribune, Sept. 17, 1967]

INSURANCE COMPANY HELP IS A WELCOME ALLY

Decision by some of the country's 348 life insurance companies to pool one billion dollars of investment funds for use in ghetto rehabilitation illustrates again that government and private enterprise need not be deadly enemies. It particularly supplies moral support for the administration's most controversial antipoverty project, the 1967 rent supplement bill.

This is not the first time private business has operated alone or in partnership with federal and local government in solving public problems. It is one of the largest such joint undertakings in terms of funds dedicated to the task, however, and as such could signal a new U.S. trend in community awareness.

As reinforcement riding to rescue stricken rent supplements, the insurance company proposal should be doubly welcomed by President Johnson. The administration asked Congress this session for 40 million dollars to finance rent subsidies next fiscal year and the House of Representatives buried the item. Resurrection in the Senate was the last hope and things looked bleak until the insurance company plan appeared.

Although the one billion dollars is reportedly banked for other types of slum improvement and job-producing industrial loans, much is initially marked for projects creating federally-supplemented rental units. The rent subsidy has been attacked as an intrusion into the traditional home rental field. Except for welfare cases, taxpayers have never before been expected to help pay someone else's rent.

But, the insurance company offer accepts the rent supplement concept adding weight to support already given by the National Association of Real Estate Boards.

In going beyond mere acceptance of the proposition that American cities have problems requiring ambitious solutions, the insurance companies are offering to put their money up as well. The billion dollar contribution will neither obviate federal housing expenditures nor alleviate all ghetto conditions calling for Uncle Sam's aid. It will augment federal public housing funds, allowing them to stretch farther. As for other demands, there are currently two 10-year programs being advanced on Capitol Hill by urban congressmen, civil rights, labor and religious groups with price tags ranging from 185 to 300 billion dollars.

Obviously, appeals for funds to battle inadequate education, unemployment, poor health, crime and slum living will continue. It is at least heartening to see more of the private capital sector enlisting against the allies of civil unrest and disorder.

ONLY SENIOR STUDENTS SHOULD BE TAUGHT DRUG THERAPY

Mr. NELSON. Mr. President, a few days ago I received a letter from an eminent physician in Milwaukee, Dr. Adolph L. Natenshon, who has corroborated several points made during the course of the investigation into prescription drug prices by the Senate Monopoly Subcommittee.

Dr. Natenshon, who has been in active practice for 28 years and has engaged in clinical investigation of new drugs for leading manufacturers, stated that when a student becomes a junior or senior in medical school, he has forgotten practically all he learned in his sophomore year about pharmacology, prescription writing, and materia medica.

As the result, the drug company detail man becomes the largest single source of knowledge for the doctor regarding therapy and drugs.

Dr. Natenshon makes the point that continuing education for the doctor is of utmost necessity. According to his statement:

It is practically impossible for any physician to keep up with new drugs which have been appearing on the market at the rate of at least one new drug a day for the last ten years.

He suggests that the pharmaceutical manufacturers could contribute to a spe-

cial fund to be used for special courses in therapeutics, prescription writing, and modern therapy.

Although I feel that a much greater effort would be needed, I think that Dr. Natenshon's statement should be called to the attention of the Senate. I ask unanimous consent to have Dr. Natenshon's article, which appeared in the April 1961 New Medical Materia, entitled "Only Senior Students Should Be Taught Drug Therapy," inserted in the RECORD at this time.

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

ONLY SENIOR STUDENTS SHOULD BE TAUGHT DRUG THERAPY

(By Adolph L. Natenshon, M.D.)

In many medical schools today, students are taught pharmacology, prescription writing, and materia medica in the sophomore or second year. The result is that when they come in contact with actual patients in their junior and senior years—when they have occasion to use the information in a practical way—they have virtually forgotten it.

During internship and residency, drug therapy and prescription writing do not constitute too great a problem, because usually the young doctors go along with the drugs that are being used by the attending physicians.

However, when the new men go out into practice, whether as specialists or as general practitioners, the majority cannot write a simple prescription—and they are at a loss to treat such simple matters as nausea, vomiting, diarrhea, and many other common conditions which they did not have to contend with in hospital work. These common conditions make up a great part of the practice of any physician, involving patients seen either in the office or in the home.

As a result, much of what the doctor learns about therapy and drugs he must learn from the detail man.

At present, we are all very much interested in medical education and in the great need for scientists. We realize that most schools are going into the red, and require additional funds to operate. This problem can be solved rather easily. Pharmaceutical manufacturers could contribute to a special fund—to be used to hire physicians to teach courses in therapeutics, prescription writing, and modern therapy to senior students in all medical schools. These teachers should be physicians who are in actual practice, and are familiar with modern drug therapy.

THEY'D KNOW HOW TO WRITE

The result would be that, when the students went into practice, they would know how to write prescriptions. They would understand drugs, know when to use them, and would practice a much higher type of medicine.

This would be of great benefit to pharmaceutical manufacturers, as the doctors would make more use of drugs. It would save the manufacturers a great deal of money in the promotion and sale of new drugs, and there would be less incorrect usage of drugs. Moreover, it would help the general public, which would be receiving a much improved type of treatment and medical care.

The idea of manufacturer-financed courses could even be carried a step farther, into the field of postgraduate education. Short courses in modern drug therapy could be given at medical meetings, especially those attended by general practitioners.

In this manner, a physician could brush up on his drug therapy, and keep abreast of all of the new drug preparations. He would carry away with him from these meetings a great deal of practical knowledge about pharmaceuticals and pharmacology which he could use in his own practice.

At present, it is almost impossible for any physician to keep up with the new drugs which have been appearing on the market at the rate of at least one new drug a day for the last ten years. Moreover, the quantity of medical literature is so abundant that no busy physician can read more than a small portion of it, and in most cases he has to resort to abstracted material.

UNFAIR CRITICISM OF SECRETARY RUSK

Mr. McGEE. Mr. President, the enraged cries we have heard accusing Secretary Rusk of raising the "yellow peril" question in his news conference last Thursday do no service to Rusk, to our Nation's policies, to the truth or, for that matter, to those who counter the Secretary with such verbal abuse.

Secretary Rusk used no such words as "yellow peril" in his news conference. What he did do, however, was point out that it is Asia and the vast human resources it contains which is at stake today in Vietnam. These, he said, are worth fighting for. To a very real extent, our willingness to fight for them has made a considerable difference already, as has been eloquently testified to by Lee Kwan Yey, the Prime Minister of Singapore, by whose presence we are today graced.

The Wall Street Journal commented today upon what it called the "name-calling peril" which has arisen in the days following Secretary Rusk's news conference, observing:

> The peril the Secretary rightly or wrongly sees in Maoist China is essentially the same threat to American security posed by Hitler Germany or Stalinist Russia. Yellowness doesn't have anything inherent to do with it, and incidentally, Redness doesn't either.

Denying the peril, as Crosby Noyes wrote in last evening's Washington Star, "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." The column of William S. White in this morning's Washington Post adds:

> Every colored nation which is under the gun in Southeast Asia—not to mention white Australia and New Zealand—very clearly sees a very real Red Chinese, and not a "yellow" peril to its safety.

Mr. President, I ask unanimous consent that the Wall Street Journal editorial and the columns by Mr. Noyes and Mr. White be printed in the RECORD.

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

[From the Wall Street Journal, Oct. 18, 1967]

THE NAME-CALLING PERIL

"The Yellow Peril," snorts James Reston in response to Secretary of State Rusk. It's too bad the remark pretty much typifies the rebuttals to Mr. Rusk's argument that America fights in Vietnam to enhance its own security against an eventual threat from Communist China. For there are intelligent things to say on both sides of that proposition.

The peril the Secretary rightly or wrongly sees in Maoist China is essentially the same threat to American security posed by Hitler Germany or Stalinist Russia. Yellowness doesn't have anything inherent to do with it, and incidentally, Redness doesn't either.

The peril arises when any great nation—yellow or purple, Communist dictatorship or Druid theocracy—has convinced itself that it cannot tolerate the international status quo, and that it can rearrange matters to its own satisfaction through force. The peril is that such a state, unless it is disabused of the incendiary notion that force will succeed, will sooner or later precipitate a global war the U.S. will be unable to ignore.

Secretary Rusk's argument is that even though mainland China has no troops in South Vietnam, its ardor for expanding its ideology through insurgency would be damped somewhat by U.S. success there and would be encouraged dangerously by U.S. failure there. Other intended victims of Communist insurgency, moreover, will take or lose heart depending on the outcome of such insurgency in Vietnam. The issue has been put with enviable precision by J. R. Wiggins, editor of the Washington Post:

"The world is watching Vietnam to see if the rulers of one country, state sovereignty or territory, at an endurable risk and a bearable price, can impose a government and system of their choice on a neighboring people by inciting internal subversion, supporting indigenous insurrection, engaging in infiltration and intervening and invading as necessary. . . . The United States has intervened to make the price unbearable and the risk not endurable."

This line of reasoning can be opposed without resort to ridicule. Some experts on Asia, for instance, quite rationally argue that despite China's ranting about world revolution, its actual aims are limited and pose no threat to U.S. security even in the long run. But China's actual actions in foreign affairs can be called cautious only in comparison with its belligerent propaganda. Its actions in Korea, Tibet and India were hardly restrained by the standards of peaceful states. As it develops its nuclear arsenal, its leaders will probably feel in much better position to match deeds with words.

A more persuasive line of rebuttal, we think, would stress the limits not of China's intentions but of its capabilities. The recent capture and killing of Che Guevara provides one dramatic piece of evidence that exporting "wars of liberation" is after all not an easy task.

Insurgent war could be easily exported to South Vietnam because the Communists had captured the indigenous national sentiment during and just after World War II, because they had actually occupied the land during the war against the French and thus could leave behind arms and priceless trained cadre, because in South Vietnam an anti-Communist government had to be cut from whole cloth.

So how does it serve U.S. security to oppose Communist insurgency on this particular battlefield, the last spot on the globe where communism still rides the waves of World War II? By repairing to a more favorable line, would not it have been possible to check China's ideological expansionism with far less drain on world-wide arrangements for American security? Even today we must weigh the cost of the war; success in one theater is worth only so much.

That is the most persuasive rebuttal to Secretary Rusk we can think of, but it hardly leaves us without doubt. It is easier to cite the disadvantages of drawing a line in Vietnam than to defend the alternate choice of Thailand, India or the Philippines. And if the U.S. could have withdrawn from Vietnam without fatal cost in 1954 or 1963, by now its commitment is so unmistakable that the most graceful withdrawal could well strike a psychological blow that would make the next battlefield still more untenable.

The ambiguity of arguments on both sides of the security issue, one starts to sense, is

why the Administration delayed so long in stressing it, and also why its critics now respond mostly with name-calling and other emotionalisms. Each side sees a different set of contingencies, but neither feels confident it can convince anyone the set it sees is the more likely one.

Yet there is no certainty this side of the grave, and someone must decide. The issue is an inconclusive one of probability, but that is no excuse for avoiding the relevant arguments.

The Administration has finally done its part to center the argument where it belongs, on national security. Its opponents will start to do their part when they concede that while Secretary Rusk's fears over that security may be mistaken, they are neither foolish nor fanciful.

[From the Washington Evening Star, Oct. 17, 1967]

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 1950's. 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.

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 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.

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 threat 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.

[From the Washington Post, Oct. 18, 1967]

INDONESIA SEEN AS DIVIDEND ON STRONG POLICY IN VIETNAM

(By William S. White)

Indonesia, which only yesterday lay open to the shadow of Asian communism, has now effectively broken all relations with Red China.

Thus sealed beyond doubt is a counter-victory for the anti-Communist world so immense—since Indonesia is the sixth largest nation on this globe—as to be all but comparable to the tragic loss to that world of mainland China a generation ago.

This historic overturn, moreover, could not conceivably have been possible had not the United States persisted through three presidential administrations with its pledge not to let the cornerstone of Southeast Asia fall to Communist aggression in Vietnam.

Determined resistance in Vietnam demonstrably shored up those forces which have at last expelled the Chinese shadow from Indonesia. American weakness in Vietnam would, in equally undeniable truth, have strangled the anti-Communist counter-revolution in Indonesia.

But who can hear of Indonesia now amid the shrill clamors of a bitter minority which seeks at any cost to discredit that policy in Vietnam? The peaceniks, the soft-liners, have other things to speak of. And they have men, as well as policies, to destroy.

Secretary of State Dean Rusk recently tried to explain that a Chinese colossus publicly pledged to Asianwide and even worldwide aggression is a fearful fact of life which America really cannot ignore. And what is the consequence of this brazen effort to answer the endless attacks on the peacenik minority?

The reply is the most savage of the sneer-smear techniques, the huckster-slogans, yet hurled by men whose "right to dissent" is being so cruelly suppressed that even the draft-dodgers they encourage are sometimes actually arrested for attempting physically to obstruct the induction of other young men willing to fight for their country.

The new line is that Rusk, in exercising his elementary duty to explain the policy considerations of the Government, is raising the shabby banner of a "Yellow Peril" in Asia. This is sneer and smear, indeed. For, of course, the term "Yellow Peril" was disreputable a lifetime ago. The term was not remotely used by Rusk in the first place, nor is it remotely relevant to his case.

By innuendo, this man who under cruel beating from the left is attempting to save colored people in Asia from invasion and murder is himself made into an anti-yellow racist.

It does not matter to the peaceniks that every colored nation which is under the gun in Southeast Asia—not to mention white Australia and New Zealand—very clearly sees a very real Red Chinese, and not a "yellow," peril to its safety. It does not matter that Australia and New Zealand even now are thus increasing their troop commitments to Vietnam. It does not matter that the distinctly left-wing, and not right-wing, and undeniably dark, and not light, Prime Minister of Singapore is even now in Washington to testify that the Red Peril is Red indeed and present indeed.

No, it is not a Yellow Peril here; but it is something else. It is yellow journalism at its yellowest. It is to treat a somber exposition of world realities by the honorable official charged to conduct a foreign policy with a form of verbal abuse that lies on the intellectual level of a television commercial for mouth-wash.

CAMP FOGARTY

Mr. PELL. Mr. President, recently it was my honor to be present at a ceremony renaming a Rhode Island Seabee base in honor of Rhode Island's distinguished late Congressman, John E. Fogarty. The naming of a Seabee camp in honor of Congressman Fogarty is particularly appropriate, as he was Rhode Island's best known and best loved Seabee.

Mr. President, while on the subject of the Seabees, I would like to point out that this year marks the 25th anniversary of the Seabees. Rhode Island takes particular pride in being the home State of this remarkable part of our military establishment. The Seabees have been active in every military engagement in which the United States has been involved since their creation in the Second World War. They are now actively involved in the present Vietnam conflict, where not only are they engaged in their traditional role of large building projects and supporting the Marines, but are also operating in small 14-man Seabee teams that work as completely independent units. As anyone who knows the Seabees would expect, this new development has been highly successful.

All in all, these Seabees are carrying on in the "can do" philosophy that is the Seabees motto and giving validity to the famous World War II Seabee expression, "The difficult we do immediately, the impossible takes a little longer."

Mr. President, I ask unanimous consent for permission to insert two excellent recent articles, one on Camp Fogarty and one on the Seabees, from the Providence Journal into the RECORD.

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

[From the Providence (R.I.) Journal]

NAME BECOMES CAMP FOGARTY

The Sun Valley military training area on Route 2 in East Greenwich was renamed

Camp Fogarty yesterday in honor of the late Congressman John E. Fogarty.

More than 1,000 persons, including military and civilian officials, were present as Mrs. John E. Fogarty, the congressman's widow, unveiled a bronze plaque mounted in his memory on a 38-ton granite rock.

Rep. Robert L. F. Sikes, D-Fla. the principal speaker, and Rear Adm. Alexander C. Husband, USN, commander of the Naval Facilities Engineering Command in Washington, D.C., assisted Mrs. Fogarty in the ceremonies.

In his speech, Mr. Sikes said it is fitting this year, the Seabees' 25th anniversary, that a Seabee installation be named in honor of the member of "Rhode Island's best known and best liked Seabee veteran." Mr. Fogarty was a Seabee in World War II.

Admiral Husband, who represented the Secretary of the Navy, paid a brief tribute to the late congressman and ended by saying: "John E. Fogarty, we salute you."

Capt. John D. Burkey, commanding officer of the Construction Battalion Center at Davisville, said "it is most fitting that this new, enlarged military training area should be called Camp Fogarty in memory of the former Seabee who helped make it possible."

Others who spoke in tribute were Senators John O. Pastore and Claiborne Pell and Representatives Fernand J. St Germain and Robert O. Tiernan. Lt. Gov. Joseph H. O'Donnell Jr., representing Governor Chafee, also spoke.

The granite boulder rests in the center of a 50-foot circular area with light colored paving bricks and a two-foot red brick wall around it. The bricks were donated and laid by Local 1 of the Bricklayers and Masons Union. Mr. Fogarty always was proud of his start as bricklayer when a young man.

The memorial also includes a flagpole constructed by the Davisville Seabees, which flies a flag that has flown over the Capitol in Washington. Planters, containing native Rhode Island trees, line the entrance to the memorial. One of them has the name Guam, where the late congressman served with the Fifth Naval Construction Brigade.

At the ceremonies with Mrs. Fogarty was her daughter, Mary Louise. Other members of the family present were Dr. T. Francis Fogarty, Raymond Fogarty, William Fogarty and Charles Fogarty, the late congressman's brothers, and Miss Margaret A. Fogarty, his sister.

Among other officials present were U.S. Rep. Michael J. Kirwan, D-Ohio; Rear Adm. Frederick E. Janney, USN, of the office of the Chief of Naval Operations, and Maj. Gen. Leonard B. Holland, state adjutant general.

[From the Providence (R.I.) Sunday Journal, Sept. 3, 1967]

AFTER 25 YEARS, IT'S STILL "CAN DO!"

(By Rudolph Hempe)

For 25 years, Seabees have been clearing, digging, planning, building and fighting—and they show no signs of tiring. What the aging and experienced can doers did on South Pacific Islands during World War II is being done now by their young and skilled successors in Vietnam.

And when the World War II and Vietnam Seabee veterans gather next Friday through Sunday for a Silver Anniversary reunion at Davisville, the inevitable exchange of war tales will no doubt have a marked similarity, many with only dates and places changed. For the Seabee today, despite the vast changes in peace and war over the last 25 years, is basically the same as his predecessor: a man with a rifle in one hand and a hammer in the other.

The Seabees were born in World War II out of desperate need. Before the war, the American military largely employed civilian workers under contract to build its bases outside the continental United States, especially on American-held Pacific islands.

But the ease with which the Japanese captured the islands pointed up the fact that civilian construction workers were not able to, nor could they be made to, defend the works they built. American military experts foresaw a long war characterized by extensive, specialized construction in dangerous combat areas. The need for construction workers in military units was apparent.

Shortly after Pearl Harbor, the first contingent of 250 Seabees (whose name was derived subsequently from C.B. for Construction Battalion) was ordered trained. It wasn't long before whole-scale recruitment was underway.

There were "no brightly colored posters, no inspiring fanfares or magnetic slogans" to entice men to joint the Seabees, recalled one naval historian. Instead there was the almost certain promise of miserable climates, near-impossible projects and deadlines, and lots of hard work for low pay.

But they signed up: a sprinkling of young men but the vast majority experienced construction workers, some even with grandchildren.

The average age of Seabees in World War II was 35 and a popular Marine quip in the South Seas was "Don't insult a Seabee He's probably some Marine's father."

Small Seabee training camps mushroomed throughout the country and Rhode Island entered the picture in early 1942 when construction started on Camp Endicott. Camp Thomas, better known in those days as an Advance Base Depot, was constructed adjacent to it. The sites of both camps are now encompassed into what is known today as the Davisville Naval Construction Battalion Center.

Most of the first Seabees went into war areas with only a passing knowledge of how to use the small arms they carried. As a result, the Seabees came to rely heavily on protection provided by Marines, since the latter were usually first ashore, followed by Seabees on their equipment.

A firm bond grew between the two services. When a Seabee unit ordered supplies, often the order would be 10 percent in excess—for the Marines. The Seabees were thankful for the protection and the Marines were grateful for the roads, hospitals and galleys that made their miserable job a little easier.

The World War II Seabee was pictured as a grizzled, muscled, cigar-chomping miracle worker who could out-work any 10 men and out-curse an equal number of Marines. Nowhere in historical accounts, official or otherwise, is he pictured as an heroic soldier. He wasn't intended to be. In fact even Seabee veterans who are prone to amplify their deeds during the war, will not attempt to attribute any great measure of military proficiency to themselves.

"They sure used up a helluva lot of ammunition but I doubt they ever hit anything," commented one Pacific observer.

But when it came to building, no one would deny them credit. Within days after an initial assault, a South Seas island could be transformed into a strategic airfield. In many instances Seabees moved tons of crushed coral for surfacing runways while several hundreds yards away, Marines were fighting the enemy. Often while constructing facilities, Seabees would see enemy planes bomb and strafe their projects, destroying in minutes that which they built in hours.

Seabees also lent authenticity to the countless tales of American ingenuity that evolved out of the war. They showed how oil drums could be fashioned into everything from drainage pipes and shower facilities to washing machines and roofing material. While no official naval historians mention it, other observers recorded that the versatile oil drum also provided material for the essential components of some rather sophisticated stills.

Other stories are of how Seabees fashioned electrical condensers from the foil of cigarette packs, electrical insulators from beer bottles (empty of course) and radiators from ammunition boxes.

Perhaps most impressed, and at the same time perturbed, by Seabee ingenuity were new arrivals in war areas who paid goodly sums for "authentic" native grass skirts and jewelry and for Japanese battle souvenirs "just captured at the other end of the island"—when a close look would reveal some impressive Seabee manufacturing techniques.

In the postwar years, the Seabee force declined to about 2,000. The smaller camps were closed but the facility at Davisville, plus a few others, hung on.

The Korean War reversed the decline rate even though only one unit, an Amphibious Construction Battalion, saw action in the conflict.

After Korea, the Seabees grew slowly but it took a difficult and serious involvement in Vietnam to spur the real growth—a 600 per cent increase in force in the last two years to a total of 22,000 men.

Instead of small camps all over the country, the Seabees now have three training areas; Port Hueneme, California; Gulfport, Mississippi, and Davisville, which is the largest. Gulfport operates under the Atlantic Command, located at Davisville.

As in World War II, the increase in manpower needed for Vietnam prompted military officials to recruit pre-skilled men whenever possible. High ratings were offered to men with well-established civilian skills.

But the noticeable difference between today's Seabees and those of 25 years ago is the age. The majority entering Seabee ranks are about draft age and while the younger enlistees have perhaps less experience in construction than their World War II predecessors, the average Seabee has a higher achievement in education.

Another big change is the military proficiency of today's Seabees. Unhampered by the overnight emergency needs of World War II, Seabees today have more time for military training not only at Davisville and Sun Valley in East Greenwich but with the Marines as well.

Their equipment is the most modern available in construction work and there are even a surprising number who claim the food is good.

Their mission in Vietnam is essentially the same as it was in the South Pacific—support the Marines and build.

Near Danang, whole cities have sprung from the sand. Depots, airstrips, hospitals, water towers, electrical systems and other projects are on their list of accomplishments.

As in World War II, Seabees have had their casualties—one of them earning the Medal of Honor for his action.

And while battalions of Seabees (about 800 men in each battalion) are tackling the big jobs, small units, called Seabee teams, are performing the necessary small ones in Vietnamese hamlets and villages.

In fact, the Seabee teams are exemplary of the diversification now becoming apparent within the Seabee force.

Each team consists of 14 handpicked men including one officer. Team members have differing skills but are trained as a unit which is completely self-contained.

The teams are sent to outlying areas of Vietnam or Thailand to help unskilled and uneducated villagers to help themselves. If a village needs a well, the team builds it. At the same time, villagers are instructed in the procedure in the hope they will be able to help themselves next time. Instruction is given on simple hand tools rather than heavy machinery since there is no chance of a small village having use of a bulldozer.

In another kind of diversification, Construction Battalion 201, also at Davisville, specializes in Antarctic operations.

Each year the unit is deployed to the frozen

continent to aid and support the continuing U.S. scientific effort there. To accomplish the difficult construction projects in the hostile terrain, the men are specially trained. While most of them spend the so-called Antarctic summer on the Ice when weather permits outdoor construction, a detachment usually "winters over" as well. Through the efforts of the unit, the earth's last frontier is finally being made more comfortable with the construction of modern buildings and utilities. But essentially the jobs that were done when the Seabees first made their mark in the Pacific are still being done today. And as far as most members are concerned, Seabees will be around for tomorrow's jobs as well—as long as they can say with pride and honesty, as they have for the first 25 years, "We do the difficult immediately. The impossible takes a little longer."

JOHN A. MAHAN, STAMFORD, CONN., PRINCIPAL, WRITES ON PROBLEMS OF EDUCATION

Mr. RIBICOFF. Mr. President, I recently received a very impressive paper on some basic problems of education from a constituent, Mr. John A. Mahan, assistant principal at Rogers Elementary and Junior High School in Stamford, Conn.

Mr. Rogers has also taught in schools in "disadvantaged areas" for 11 years and he is vitally concerned with the manner in which educational skills are taught. His paper, "Reflections on Possible Approaches to Learning Problems of Children," is imaginative and stimulating. It deserves widespread attention, and I therefore ask unanimous consent that it be printed in the RECORD at this point.

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

REFLECTIONS ON POSSIBLE APPROACHES TO LEARNING PROBLEMS OF CHILDREN

(By John A. Mahan, February 14, 1967)

Educators nowadays speak frequently of educating the "whole child." However, this concept has been honored mainly in the breach. At several periods in the history of man, we have been much closer to the ideal—for example: in Ancient Greece, and Europe of the Renaissance. The age of the specialist is upon us, and we have a swarm of therapists and examiners scrutinizing the child. All too often, unfortunately, these people see the child solely in terms of their own discipline. Each of these disciplines can make a valuable contribution to the growth of a child with learning problems. However, it requires a broader view of the child and the basis of his problems to fit these aids into a program which might have a better chance of success.

Yet, oddly enough, despite the increasing numbers of highly skilled specialists, the classroom teacher encounters a depressingly large number of children who are achieving at a low level. Though we may make searching psychological evaluations and employ the efforts of remedial teachers, counselors, social workers, including psychiatric and psychological help, we still encounter children of normal intelligence who keep falling further behind each year in achievement in the basic skills. It is even more disheartening to scan a permanent record card and observe the steady drop in I.Q. score of a bright child—often as much as twenty to thirty points from Grade 2 to Grade 8. Why?

Several possibilities may exist. Are the schools failing the child? Are we dealing with a different type of child? Or can it be that we fail to recognize some of the problems which hinder learning? I feel that the latter alternative is the most likely and the one most responsive to improvement. It is often said that educational practice lags twenty-five years behind research and experimentation. Despite the vast improvement in mass communication, one comes to feel that the gap grows ever wider rather than smaller. Some of the information in these pages is already known, in some cases, for many years.

Let's look at what seems to be standard practice in most schools when a child is noticeably in difficulty in school. Usually a psychological evaluation is made, using various test instruments, and incorporating observations from his teachers. The resulting diagnosis gives a sharp and detailed picture of a troubled child. The weak point in current practice is the paucity of recommendations for coping with the problems enumerated.

Sometimes the recommendations seem inappropriate to the problem. Remedial helps, psychotherapy and counseling by social workers all have their place. But, too often they are recommended almost automatically. It seems almost as if the phrase "emotional block" has captured us so completely that we feel that all learning problems can be solved by psychiatric measures. In many cases, prolonged help of this type results in no appreciable benefit to the child. In the meantime, identifiable physical problems have gone unidentified and uncorrected. Let us, then, consider briefly several types of approach to recognizing and helping such children.

A. DEVELOPMENTAL STATUS OR READINESS

First, and possibly of paramount importance is the developmental status of the child. We wouldn't "send a boy to do a man's job", but we frequently impose tasks on children which are beyond their capacity. Furthermore, in our school entrance and placement policies, it would appear that we assume that all children entering school are at approximately the same level of development. Any parent, or anyone who deals with small children knows that this is not so. It is now generally accepted, for instance, that upon entering Kindergarten, boys are usually six months behind girls in development. Yet we make no provision for this difference in establishing school entry date.

Furthermore, each child develops according to his own timetable! We can intervene successfully only to a limited extent. Some children may need two, or even three, years of Kindergarten before being ready for Grade I, in spite of the fact that they may have a very high I.Q. This very concept of "readiness" is one which we bandy about a good deal, but in practice we do little to provide for it in the school set-up. Several school systems such as Cheshire, Conn., Visalia, Cal., Jefferson City, Mo., and Rutland, Vt., are making use of the research information bearing on this issue. Children entering Kindergarten are screened and grouped according to developmental, rather than chronological age. This has worked out very well. The Kindergarten teachers find it much easier to work with a class in which the behavioral level is more homogeneous, and the children themselves respond better with their own developmental age group. Such a program can be established with little expense.

Closely allied with this developmental attitude is a concern for the safe-guarding and improvement of a child's visual skills. Much more could be said on this topic alone. The author's experience has convinced him that many of the problems of children with learning difficulties are directly traceable to unresolved visual problems. In this simple statement there is a hard kernel of very bitter truth. Most visual examinations are at best, inadequate, while the Snellen eye-test used in schools is a snare and a delusion. A child may have what we describe as 20/20 vision—that is, he can see the letters on a chart 20 feet away, which he should see. But he does not read at 20 feet—he reads at no more than 20 inches and this is the area wherein the child often experiences trouble. A child with 20/20 vision at 20 feet, may have 20/40 or even 20/80 effective vision when he is working at a visual distance of less than 2 feet. The tragedy is that a routine eye examination often does not search out this area. An examination which does not go further than the 20/20 finding is valueless to such a child.

There are still subtler complications involving vision. In some instances children when tested show the proper visual acuity at near and far distances but can only focus for a short period of time on near materials. After 15 or 20 minutes they are unable to concentrate on the reading material. They become restless and fidgety. Parents, teachers and counselors describe them as lazy and unmotivated, when actually the child is blameless. Of quite another sort is the visual problems besetting the child who seems to have no biological reference point establishing left and right in his mind. He constantly gets his directionality mixed up. Games like "Simon Says" confuse him. He is forever reading things backwards, even seeing single letters reversed. Thus "b" is read as "d", or even "p". He reads *was* for *saw*, *no* for *on*. In arithmetic he is often scolded for "carelessness". When he reads numbers, 34 becomes 43. When he copies from the board or from his book he reverses—481 becomes 184.

Routine visual examinations will do little for the problems we have described. Fortunately there is a growing awareness of the contribution of such research centers as the Gesell Institute of Child Development in New Haven, Conn., the Optometric Center in New York City, and the Optometric Extension Group in Oklahoma. They give us a clearer insight into the visual problems of children as they affect the development of their minds and bodies, and as they affect their performance in school.

B. NEUROLOGICAL ORGANIZATION

A child's neuorological organization also can markedly affect his scholastic achievement. The problem of dyslexia belongs in this category. Sometimes it is called mixed dominance, or mixed laterality. While some children with this problem learn to read well and acquire language skills, many of them experience such difficulty as almost to appear retarded. Yet when tested with an individual I.Q. test, not dependent on reading, they prove to have normal, and sometimes superior intelligence.

The Sept. 27, 1962 issue of The New Yorker describes such a case in detail. The remedy described was *intensive remedial work in phonics* based on techniques evolved by Dr. Orton, Anna Gillingham and also Romalda Spaulding. This must be done on an individual basis for a period of 2 or 3 years. However, a relatively new approach worked out by Glenn Doman and Carl Delacato, when followed faithfully, can achieve results in a much shorter period of time. Their work originally began with brain-damaged children. In the course of this work they saw astonishing growth in the areas of language and reading. When these techniques were applied to children with reading problems, the same remarkable results were achieved, with children with mixed dominance. The Doman-Delacato techniques for improving reading ability are based on the premise that the stages of development are sequential. If anyone of them is skipped, the child's neurological organization will be adversely affected. Many skills and abilities will not emerge when they should, and to the level that they should. While some people may find it possible to disagree with the theoretical bases of this approach, it is very difficult indeed to dismiss the results they have achieved with children who have failed previously, time after time, in breaking the reading barrier.

One point of the Doman-Delacato method,

it appears to the author, has a special but almost unnoticed significance in the effort to aid the disadvantaged child. A key principle in the D-D system is that the young child must be given the freedom to move, to crawl, to creep and eventually to walk. In the crowded slum environment this is seldom possible. There is limited opportunity for such mobility, on top of much visual auditory and vocal deprivation. Before these children even reach kindergarten, they are already neurologically disadvantaged, as well as culturally, and the human deficit increases with each year of schooling. Applications of the Doman-Delacato principles and their approach to learning through the sequential steps of motor learning and neurological organization seem worth a serious trial to see what can be done. The techniques do not require elaborate equipment and so much could be done to assist these children at comparatively little expense per child. Surely, if children can be helped who have severe brain damage, then it seems that there is hope for those whom we describe as disadvantaged.

C. THE ROLE OF STRESS

There is still another problem confronting today's child and we pay far too little attention to it. It is the *stress* which we are placing on youngsters. Today there is an increasing emphasis on academic achievement beginning even in the very early years of school. Often, bright youngsters are pushed beyond their limits. Is it any wonder that they fall apart in junior or senior high school? It is said of the mule that he simply will not budge if he has been overloaded. A "good" child has no such helpful instinct and he will literally expend his resources completely in the effort to succeed.

An indication of the emphasis on early achievement is the current debate on whether or not children should be taught to read before they start going to school. The representatives of each point of view have marshalled their arguments well, and each presents a logical case. The author feels that the real question at issue is the child's readiness. Dr. Doman advocates early reading, but he also stresses the precautions which should be taken. No child, for example, should be confronted with a visual task for which he is neurologically not ready. Hence, all the materials are large in scale. Even the simple books, when this stage is reached, should be written in letters at least one-half inch high. Thus the element of visual stress will not place an undue burden on the child.

The work of Dr. Hans Kélye on stress is well known, and educators could profit much by what he has to say. The organism adversely affected by stress, *whatever the source*, reacts in a wide variety of ways. One of the conditions he describes is the "just plain sick syndrome", in which the patient cannot localize his complaint but just feels terrible. Many times doctors dismiss it as hypochondria, or refer the patient for psychotherapy. Isn't it like so many of our "school phobia" cases with the nausea, headaches, nervousness, fatigue, etc.? Dr. Kelye's approach to the problem is based on restoring an adequate adaptive capacity to the body, rather than the approach through psychiatry and counselling which we in education seem to favor. It involves a sound nutritional regimen, and restoring the delicate balance which should be maintained in the endocrine system. It is truly astonishing to see the effect that this approach, when followed faithfully, can have on children with learning problems.

Research shows, among other things, that children with certain thyroid dysfunctions cannot relate two or more ideas simultaneously. This, naturally, has an adverse effect on their performance in arithmetic computation and problem solving. It even has effects in such prosaic activities as carrying out a double or triple command. These children simply disintegrate into confusion in such situations. When the proper level of thyroid activity is restored, remarkable changes take place. The author has personally encountered several such instances in his work with children.

An interesting corollary of this work is the research done by Patricia Carrigan at the University of Michigan. It has given rise to what may be called the chemical theory of reading disability. In the reading clinic at the University children were encountered who seemed to resist the very best efforts at remedial instruction. Further screening was done, and auditory, visual, and even psychological problems were eliminated as factors. Then some rather subtle blood chemistry was done. These children seemed to have a high incidence of disturbed acetylcholine-cholinesterase balance on the one hand, or low production of these substances on the other. Acetylcholine seems essential if the synopses of the nerve cells are to establish new connections as they acquire a new learned response. The cholinesterase is necessary if the synopses are to release and become ready for acquisition of new learning. By use of appropriate metabolic stimulants and depressants, these children were enabled to make a start at overcoming their reading deficiencies. To the author, this seems to be an area of research which should be followed up vigorously, for it gets down to the fundamental bases of learning itself, and offers a breakthrough to particular problems which have baffled educators.

Besides the difficulties we have already mentioned, children who are reacting to stress show rigidity in posture, in movement, and in visual performance. They have literally tightened up to such a degree that the flexibility we associate with youth, is nearly gone. Pearl Rosborough of Belmont, Mass., in her study of some twenty remedial reading students, noted that not one could do a single front sit-up. The work of Kephart, Getman and others starts from physical activity, even play activities, and has an impact on the intellectual performance of the slow learner. It is imperative that the physical education program incorporate some of these activities, especially in the primary grades. The work of Jean Young of Pontiac, Michigan is noteworthy. She screens each child to determine where his difficulties are, and then builds a program adapted to the individual's needs. This program seems worthy of wider adoption. It takes into account the child's developmental status, and the wide variance in the physical potential of children, even though they be of the same age. However, the purpose of this discussion is not to treat each area exhaustively, but to indicate promising areas for exploration.

From the past several topics, we see again and again the influence of body on mind. The old Latin adage "Mens sana in corpore sano" (a sound mind in a sound body) seems truer than ever. Since the advent of Freud, we have attributed such primacy to the mind that, almost instinctively, we seek a psychological solution to children's problems in learning. The author respectfully submits that educators should thoroughly explore all these other avenues, which are primarily physical, before we subject a child to psychotherapy. It is evident that we are ignoring many techniques which are valuable, because we have forgotten that man is a psychophysical unit. While it is true that the mind can influence the body, the corollary is also true—the body can influence the mind.

D. THE ROLE OF NUTRITION

A few years ago the author came upon a most interesting book, "Body, Mind and Sugar", by Dr. Abrahamson and Pezet. Since then in various popular magazine articles and in medical journals, there has been growing discussion of hypoglycemia and relative hypoglycemia. If what we read is true, these conditions often pass unrecognized. Yet the symptoms can be severe enough to command attention. Doctors have reported that even the milder "relative hypoglycemia" can have the manifestations of many other illnesses, including mental illnesses and neuroses. The descriptions of what happens to memory, the ability to concentrate, and the ability to think clearly make an educator stop for some long thoughts.

What is the cause of low blood sugar, and what does one do about it. The condition seems to involve the inability of the body to maintain an adequate level of sugar in the bloodstream, for the oxidation of this sugar by the body is the source of our energy. To correct it, surprisingly, one does not consume more pure sugar. This only compounds the problem. The answer, seems to lie in observing a high protein diet, very little carbohydrate, and plenty of vegetables and fruit.

Now, think for a moment, of the diet of the typical teenager. Then just try to imagine the diet of the ghetto child. Home Economics teachers have surveyed the dietary habits of their pupils. Even in junior high school, only a few eat an adequate breakfast. The consumption of carbonated beverages, pastry, cakes, candy and other sweets will produce effects not only on the body, but also on the mind.

In Time magazine for April 22, 1966, the Joseph P. Kennedy Foundation reported the results of their study on the relationship between retardation and malnutrition. They point out that there are many kinds of malnutrition, but one that seems to have prolonged effects is a severe protein deficiency. Even if treated, a slower rate of mental development is observed in such children. Also observed in laboratory animals was the interference with the growth of myelin sheaths around nerve fibres. This brain damage cannot be fully repaired by normal feeding in later life. In this connection we might note the insistence of many obstetricians that expectant mothers stay within certain weight limits.

One would feel rather hopeless at this point, but much can be done if the advice of competent experts in nutrition is followed. We know fairly well what makes us sick, but we have rather scanty knowledge of what keeps us well. We might do well to give greater heed to experts in this field for the sake of happier, healthier and brighter children.

E. CONCLUSION AND PERSONAL COMMENTS

No teacher who is interested in his work lacks for descriptions and analyses of the problems he faces. I know. I worked for eleven years in a "deprived area" school. I looked constantly for answers to the question, "Why can't my kids read as they should?" I read all the textbooks. I found the diagnostic and descriptive sections marvelous. The practical solutions somehow didn't turn out the way they were supposed to. I tried the suggested procedures. Sometimes a slight gain would be achieved after much effort, only to evaporate after the summer vacation. I felt inadequate until I found that other teachers experienced the same thing.

Do these conditions afflict only children of the ghetto? From some of my previous comments one might erroneously gather this impression. To set the record straight, let me say that learning problems can affect a child from any economic level, even if he possesses an average or superior intelligence, and even though his home offer a warm and stimulating emotional climate. Poor neurological organization, to take only one factor by way of example, is found not only in the slums, but can occur even in the children of fam-

ilies who have every advantage. My own personal concern for the "culturally disadvantaged" causes me to speak of them with particular emphasis. But whether the child be rich or poor, it is a tragic waste of human potential to see these academic (but not intellectual) cripples.

If I were given the task to go ahead and work out a program for the "reality-bound child", to use Dr. Ilg's term, my first reaction would be one of fright. But I would make the effort anyhow. If I could establish my own conditions, my first request would be for time. Time to study the Doman-Delacato techniques, possibly as an intern in their training program. Then time to study the findings of the bio-chemical approach to reading difficulties. I have had much personal experience with the Gesell Institute. (My five children have had visual surveys there) and I have taken their workshop in developmental evaluation. I would definitely want any program in which I might be involved to have the benefit of the insight of these remarkable people.

What specific items would I incorporate into a remedial program? As a minimum, I would want to see the following:

a. A complete visual evaluation from the developmental point of view.

b. An evaluation of the child's developmental status.

c. An evaluation of his neurological organization.

d. Ideally, I would want a thorough physical evaluation, one which would consider possible endocrine dysfunctions.

In practice, however, I realize the difficulty of achieving this goal.

What methods of instruction would we use? Ah—there's the rub! What has been written so far has been a sketch or outline of some new procedures. They would have to be new, and almost of necessity a departure from the traditional methods which have failed so often. Even our so-called "special education" classes do little that is genuinely special or unique. Most of them essentially try to impart traditional materials in a watered-down way. It doesn't fool the children for a minute, and it doesn't really answer their needs. There is no existing manual of methods which one can pick up and apply at once. This may be an advantage, for we will be forced, as teachers, to really look at our children, analyze their problems and help them to solve them. "Education" comes from a fine old Latin word meaning to "lead out." The teacher serves as a guide, as a helper, but not as a source of ready-made answers. Rote learnings will not provide enough equipment for these children in their struggle with life.

The children of our "ghettoes" come to school with a variety of deficits and a poor self-image. Academic failure seems only to increase the deficits, and to impair still further the self-image. In my own limited experience, I have been able to point some children on the way to a greater measure of success. I would like to see the same opportunities offered to all children with learning problems. It seems worth the effort to me.

What I envision might be called a unitary approach to the child with problems. I know it might be statistically better to set up control groups, and study one or the other aspect of these approaches in isolation or in combination. The only trouble is that I would be deeply concerned about the control group kids. An unscientific attitude, it is true, but somehow I can't be cold-blooded about children with problems.

Why have I written all this? Mostly because of my conviction that this may lead to more effective help for children. I have been looking for answers to these problems for many years. In sum, I guess, what I am trying to find out now is whether anyone else is convinced enough to take such a program from the area of dreams to a concrete experimental situation.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 43. An act for the relief of Mi Soon Oh;

S. 63. An act for the relief of Dr. Enrique Alberto Rojas-Vila;

S. 64. An act for the relief of Dr. Luis Osvaldo Martinez-Farinas;

S. 221. An act for the relief of Dr. Armando Perez Simon;

S. 440. An act for the relief of Dr. Julio Alejandro Solano;

S. 733. An act for the relief of Sabiene Elizabeth DeVore;

S. 741. An act for the relief of Rumiko Samanski;

S. 821. An act for the relief of Dr. Julio Domingo Hernandez;

S. 975. An act for the relief of Mitsuo Blomstrom;

S. 1021. An act for the relief of Antonio Luis Navarro;

S. 1106. An act for the relief of Dr. David Castaneda;

S. 1110. An act for the relief of Dr. Manuel Alpendre Seisdedos;

S. 1197. An act for the relief of Dr. Lucio Arsenio Travieso y Perez;

S. 1269. An act for the relief of Dr. Gonzalo G. Rodriguez;

S. 1279. An act for the relief of Dr. Francisco Montes;

S. 1280. An act for the relief of Dr. Alfredo Pereira;

S. 1458. An act for the relief of Lee Duk Hee;

S. 1471. An act for the relief of Dr. Hugo Gonzalez;

S. 1482. An act for the relief of Dr. Ernesto Nestor Prieto;

S. 1525. An act for the relief of Dr. Mario R. Garcini;

S. 1557. An act for the relief of Dr. Carlos E. Garciga;

S. 1647. An act for the relief of Dr. Maria del Carmen Trabadelo de Arias;

S. 1678. An act for the relief of American Petrofina Co. of Texas, a Delaware corporation, and James W. Harris;

S. 1709. An act for the relief of Dr. Antonio Martin Ruiz del Castillo;

S. 1748. An act for the relief of Dr. Ramiro de la Riva Dominguez; and

S. 1938. An act for the relief of Dr. Orlando Hipolito Maytin.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 159. An act to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes;

H.R. 2275. An act for the relief of Dr. Ricardo Vallejo Samala;

H.R. 4985. An act for the relief of Mrs. Antonia Subias Val;

H.R. 7325. An act to authorize the Secretary of the Interior to exchange certain Federal lands for certain lands owned by Mr. Robert S. Latham, Albany, Oreg.;

H.R. 7427. An act for the relief of Maria Kolometroutsis; and

H.R. 11131. An act to incorporate the Paralyzed Veterans of America.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 159. An act to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Commerce.

H.R. 2275. An act for the relief of Dr. Ricardo Vallejo Samala;

H.R. 4985. An act for the relief of Mrs. Antonia Subias Val;

H.R. 7427. An act for the relief of Maria Kolometroutsis; and

H.R. 11131. An act to incorporate the Paralyzed Veterans of America; to the Committee on the Judiciary.

H.R. 7325. An act to authorize the Secretary of the Interior to exchange certain Federal lands for certain lands owned by Mr. Robert S. Latham, Albany, Oreg.; to the Committee on Interior and Insular Affairs.

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

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 motion was agreed to, and the Senate resumed 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 OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Mr. President, it is proper that the pending bill, which attempts to breathe life into the moribund Subversive Activities Control Board, should be considered by the Senate during the Halloween season. This agency is a part of that debris of the witch hunts of the 1950's, the so-called period of McCarthyism, that still lingers with us. It is a part of that era in which a number of practices were adopted which seemed necessary for the national security, but which would have shocked our forefathers.

When the Constitution was first proclaimed, there was an uproar from liberty-loving Americans who had won the Revolutionary War. They forced down the throats of the reactionaries of that period the first 10 amendments to the Constitution. They made the adoption of these amendments a condition for the ratification of our Constitution. Throughout the years, we have affectionately termed those first 10 amendments to our Constitution the Bill of Rights.

So it is for us today to fight for the preservation of these rights. I believe it would be well for the people of the United States, our fellow citizens, to re-

read those first 10 amendments. I am certain that those lunatic fringe extremists, rightwing splinter groups such as the so-called Liberty Lobby, the Manion Forum, and the John Birch Society—or "Birchsaps" or "Sons of Birches," as our colleague the senior Senator from California, the assistant minority leader, has termed them—have never read or would like to forget those first 10 amendments.

Many of the nefarious laws of the McCarthy era were subsequently declared unconstitutional by the Supreme Court of the United States. I maintain that, from the standpoint of civil liberties, historians of the future will credit the Supreme Court of the United States with playing a major role in the preservation of our traditional concepts of individual liberty.

We have recovered somewhat from that era, which we would like to forget, of pointless suspicion, fear, character assassination, and ruined careers. The Subversive Activities Control Board, unfortunately, is still with us.

In order to circumvent the rulings of the Supreme Court which virtually nullified the powers of the Board, the pending legislative proposal would eliminate the power of the Board to require registration by the members of organizations of which it disapproves. However, it would continue the oppressive power of the Board to label voluntary associations of American citizens as "Communist action" or "Communist front" organizations. In short, this bill gives the five members of the Subversive Activities Control Board the power to smear any American organization. Furthermore, once it has attached an ugly label to a group it dislikes, the Board could require it to use that label in its communications with the public, whether by mail or by electronic broadcast. This comes very close to empowering a government agency in a democracy which has functioned largely through freedom of association to determine, in its own discretion, which associations may exist and which may not exist.

Mr. President, in the 17 years since its creation, the Subversive Activities Control Board has served no useful purpose and has not made a single contribution to the welfare or safety of the Nation. In fact, in the past 2 years it has not held a meeting. There are no cases pending before it. Apart from the five board members, only 13 employees remain. Their average salary is one of the highest in the entire Federal bureaucracy. These employees do nothing today but send messages to one another and expend energy once or twice a month to draw their salaries. This year this boondoggle is costing taxpayers more than $330,000—all completely wasted. The continued expenditure of taxpayers' money for this absurd boondoggle is unconscionable at a time when we are looking for ways to save taxpayers' money.

Mr. President, what is the urgency in attempting to revive this virtually dead agency? Are the youth of America imperiled? According to the party's own admission and the best estimates from reliable sources, there are only 500 members of the American Communist Party between the ages of 17 and 30—approximately 1 out of every 200,000.

Furthermore, according to J. Edgar Hoover, who should know, the Communist Party in the United States has lost 90 percent of its membership since reaching its numerical peak strength 23 years ago. The FBI report is that there were 80,000 Communists in the United States in 1944. The Soviet Red Army was crushing Hitler's "supermen" in Europe, and in America there was tolerance for home-grown Communists. At present, the FBI estimates the numerical strength of the Communist Party has nosedived and is between 8,000 and 10,000. In that total of 8,000 or 10,000, Mr. President, are included those FBI agents who have infiltrated in huge numbers and are masquerading as Communists. Even the ragtag secretary of the ragtag little party that may have 8,000 to 10,000 members says the Communist Party in the United States totals 10,000. That may be a boast on his part. He would not be minimizing the number.

At most, there is one Communist in the United States for every 21,000 non-Communists, the odds in favor of free institution being 21,000 to 1.

Last Sunday, more than 80,000 people crowded in the Cleveland stadium to watch the Cleveland Browns win a professional football game.

I am very sorry I was not there, because when I am in Cleveland I always attend the Cleveland Browns football games.

Now, taking FBI Director J. Edgar Hoover's calculations—and I believe them—then all of three people in that entire crowd of 80,000 might be Communists. Do we need new legislation now to suppress those three out of 80,000 in our entire country? Should we be afraid that those few will harm the rest of us? Furthermore, we have on our side the brains and brawn of the city and State police, the FBI, the Army, Air Force, and Navy—never forgetting the Marines. Do we need the five men on the Subversive Activities Control Board and some 13 employees feeding at the public trough to the extent of $26,000 each per year for each Board member, and each employee drawing down an average salary of approximately $11,000 or more a year, to gallop to our aid? If it is claimed that we no longer are the land of the free, let us at least be the home of the brave.

In that connection, when I hear hysterical talk about Communists in the Protestant clergy, on the faculties of our universities, in the State Department, and even infiltrating PTA's and other neighborhood groups, I am reminded of a little couplet:

> Last night I saw upon the stair
> A little man who was not there.
> He was not there again today,
> Oh, how I wish he would go away.

Mr. President, our true shield against communism lies in the solid commonsense of citizens and in their loyalty to free institutions. That shield has kept America secure and free for more than 191 years; and it is just as strong and free now as it ever was.

Fascists—such as that group of colonels and generals who overthrew the constitutional regime in Greece, or the Fascists who have taken over in the Argentine Republic—and Communists, and others who seek to crush by force those who disagree with their opinions, are doing an evil. That was the method of the czars of Russia, the Bourbons of France, and of Adolf Hitler of Germany. They failed miserably. No one can exterminate ideas with clubs: they only scatter them. Combat wrong opinions with right opinions; combat fallacies with facts. There is no need to import into our country and to impose on a free people the techniques of communism, fascism, and other forms of totalitarianism, as we would be doing if the pending bill were agreed to.

Those supporting this proposed amendment claim that it would put the original Subversive Activities Control Act in line with recent Supreme Court decisions. This, of course, is facetious, for the powers of the Subversive Activities Control Board would remain unrestricted and vague. It is a blatant attempt to revise the SACB and give it even greater power. It bears the taint of McCarthyism and it gives a politically appointed Board the right to freely smear, libel, and slander any group or organization of Americans.

When the SACB was created in 1950, it was a bad idea. That was my opinion then; that is my opinion now. Nothing has happened to change my opinion. Instead, the evidence clearly and convincingly shows an effort to introduce totalitarian uniformity into political thinking. The existence of the Board continues to be a challenge to the basic principles of the democratic way of life of our Republic.

In 1950, when President Truman vetoed the McCarran-Walter Act which created this bureaucratic monstrosity, he said in his veto message:

> The provisions of the act are not merely ineffective and unworkable; they represent a clear and present danger to our institutions.

His warning has been validated in numerous Supreme Court decisions which have all but nullified the effectiveness of the legislation.

In that same message President Truman simply and concisely articulated the essence of freedom of speech in our society when he wrote:

> We can and we will prevent espionage, sabotage, or other actions endangering our national security. But we would betray our finest traditions if we attempted, as this bill would attempt, to curb the simple expression of opinion. This we should never do, no matter how distasteful the opinion may be to the vast majority of our people. The course proposed by this bill would delight the Communists, for it would make a mockery of the Bill of Rights and of our claim to stand for freedom in the world.
>
> And what kind of effect would these provisions have on the normal expression of political views? Obviously, if this law were on the statute books, the part of prudence would be to avoid saying anything that might be construed by someone as not deviating sufficiently from the current Communist propaganda line. And since no one could be sure in advance what views were safe to express, the inevitable tendency would be to express no views on controversial subjects.
>
> The result could only be to reduce the vigor and strength of our political life—an outcome that the Communists would happily welcome, but that free men should

abhor. . . . We need not fear the expression of ideas—we do need to fear their suppression.

I have joined with the distinguished Senator from Wisconsin [Mr. PROXMIRE] in introducing legislation which would abolish the SACB. This bill, S. 2146, is now pending before the Committee on the Judiciary. It would transfer to the Justice Department all Board activities and it would authorize the Attorney General to designate an independent officer or agency within the Department to handle these activities. Frankly, in my view, that is the legislative proposal we should be considering. May I commend the distinguished Senator from Wisconsin [Mr. PROXMIRE] on his leadership in making the public aware of this attempt to perpetuate and strengthen the SACB and in the effort to recommit the pending bill.

Mr. President, no hearings were held by the Committee on the Judiciary on this legislative proposal. The committee report contains no explanation of the bill's provisions, no section-by-section analysis, and no explanation of the changes that it would make in existing law. Neither the Justice Department nor any other executive agency was asked for its opinion of the bill. Any legislative proposal to strengthen or perpetuate the outmoded, un-American Subversive Activities Control Board should be the subject of thorough hearings before being brought before the Senate for debate and vote.

Mr. President, if the same energy that is being put behind the proposed amendment were devoted to the enactment of the administration's programs to alleviate poverty, to promote civil rights, and to provide for a better standard of living for all our citizens—instead of wasting our time arguing on this proposal—this country would be better served.

Communism feeds upon the tragic conditions of poverty, injustice, ignorance, and disease. The future safety of this country against the aggressions of communism lies with a patriotic, constructive, informed citizenry that holds to the idea that the best insurance against communism is the American family that is well housed, well fed, and with a reasonable prospect of security for the future.

Involuntary unemployment, as we well know, is a great moral wrong, and it should not be tolerated in a country like this. We should be spending our time in trying to overcome that problem.

The future safety of this country depends on citizens and leaders who realize that hunger, poverty, unemployment pave the way to communism. Those who have appropriated the issue of communism to serve their political ends are poor reeds to lean on in a fight against communism. These are the men who will be found continually voting on the side of the powerful special interests. They can always be depended upon to vote against all measures to make life better for more people and to insulate them against communism—protection against dependency in old age, unemployment, and occupational hazards, protection for their life savings, decent housing, medical care at a price they can afford to pay, farm programs based on the knowledge that a healthy agriculture is potent insurance against communism, the blessings of electricity on the farm, the right of labor to bargain for a fair share of the wealth it helps to create and the extension of educational opportunity.

Mr. President, I have spoken briefly on the sort of legislative proposals that have done so much good in the past. We should think about and work on amendments to such proposals at the present time, rather than waste time discussing a bill such as the pending legislative proposal.

Mr. President, let us at all times manifest the pioneering spirit of free and courageous men and women intent on maintaining our way of life and adhering to those sacred guarantees in our Constitution. Let us reaffirm the ideals and principles that have made our Nation the hope of the world. As one who despises Communists, communism, and Communist methods, I join with other Senators in urging that this scarecrow agency, the Subversive Activities Control Board, be discarded along with all vestiges of totalitarianism in our society. I strongly urge that the pending bill be recommitted.

DEPARTMENT OF TRANSPORTATION APPROPRIATIONS, 1968—CONFERENCE REPORT

Mr. STENNIS. Mr. President, I submit a report of 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. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of October 17, 1967, pp. 29030–29031, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. STENNIS. Mr. President, I had notified the ranking minority member of the committee, the Senator from New Hampshire [Mr. COTTON], that the report would be taken up at 1 o'clock. He is detained on another official matter, from which he cannot excuse himself this time, I am advised that he has no objection to proceeding with the report. I know, also, that he has no strong exception to any of the action that resulted from the conference report.

Mr. President, in resolving the differences in H.R. 11456, the Department of Transportation appropriation bill for 1968, the conferees arrived at a total of $1,582 million. This is $139.4 million under 1967, $136.7 million under the 1968 estimates, and $69.5 million under the Senate version of the bill. It is $51.7 million over the House bill.

It might be helpful for the information of Senators if I summarize briefly the principal changes from the Senate version of the bill.

The funds provided for the Coast Guard for the construction of the oceanographic vessel were deleted and the conference report refers to its postponement "pending a comprehensive review of oceanographic research programs throughout the Government." The Senate conferees did not recede one bit in their interest in oceanographic vessels for the Coast Guard. However, there is a program of comprehensive review that we believe will be of value, and we receded for the time being.

The conferees on the part of the Senate were able to retain in conference approximately $36 million over the House bill of urgently needed funds for the Federal Aviation Agency for ensuring aviation safety by provision of additional manpower and electronic and other equipment. It is significant to note, too, that in the statement of the managers on the part of the House are included these words:

> The conferees are in agreement that the Congress should maintain a continuing surveillance over aviation safety and call on the Department of Transportation to present comprehensive plans for the continued maintenance of aviation safety standards.

The Senate conferees consider this a very grave matter, indeed, and believe that the bill does not carry enough funds for the urgent and demanding needs of aviation safety. The subcommittee intends to pursue this further and to urge early consideration of this matter. We will do that, of course, through channels; and the House is interested in the matter, also.

The funds for the grants-in-aid for airports for 1968 were compromised at $70 million, a split between the House and Senate versions, which were $65 million and $75 million, respectively.

In conclusion, the House conferees rejected the $2 million provided in the Senate version of the bill for the auto-on-train program.

Mr. President, the remainder of the picture is that the House has adopted the conference report. One matter—an item pertaining to the State of Montana, was rejected by the House on a rollcall vote on the floor. I understand that the Senator from Montana [Mr. MANSFIELD] will address himself to that subject. The Senator from Florida [Mr. HOLLAND] has some questions. I yield to the Senator from Montana so that he may make a statement at this time.

The PRESIDING OFFICER. Would it not be appropriate to proceed to the approval of the conference report and then to consideration of the proposed amendment?

Mr. STENNIS. I have no objection. I believe we can call on matters as we see fit. I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, over the past months, Senator METCALF, Congressmen OLSEN and BATTIN, and I have been attempting to assist the people of Libby, Mont., in improving the airport facilities in that community.

The present Libby airport is federally owned and under the jurisdiction of the

U.S. Forest Service. The field is 2,700 feet in length with a sod-and-rock surface. At the northeast end of the field, there is a fence which amounts to an obstruction, and on the southwest end of the field is a large growth of pine and fir trees which comprise a considerable obstruction.

The construction of Libby Dam now in progress near Libby, at a cost of some $377 million, has brought about a considerable amount of heavy use of this antiquated airport by aircraft not normally suited for this type field. A number of twin-engine aircraft owned by the Federal Government and by the various construction companies involved with the dam are now utilizing this field which does not meet minimum Federal Aviation Agency standards. This is a hazardous procedure.

In February of this year, correspondence was received from Brig. Gen. H. G. Woodbury, Jr., Office of Chief of Engineers, U.S. Army, in which he stated that:

The air strip was originally located to serve light single-engine aircraft used by the Forest Service for fire patrol. It also served satisfactorily for local owners of light planes and was accepted as the Libby Airport.

As such it has been used by contractors' airplanes and airplanes under contract to the U.S. Army Corps of Engineers as weather and ground conditions permitted. However, the length and surfacing of the runway, approach zones, and angle of approach are not adequate for twin-engine aircraft. Federal Aviation Agency representatives advise that the air strip does not conform to minimum Federal Aviation Agency standards for airports to serve small aircraft operating under visual flight rules. Because of adjacent terrain and developments, the air strip cannot be reoriented to meet the minimum standards. The Forest Service has requested the Federal Aviation Agency to place information in the Airmen's Guide to the effect that the Libby air strip is not recommended for use by airplanes with a gross wheel load over 12,500 pounds.

With the start of Libby Project, larger planes have been using the airstrip in increasing numbers. This has created serious safety problems as the runway has deteriorated rapidly under increased use by heavier airplanes. The original limited capability of the facility is thus further aggravated by maintenance problems. In addition to these restrictions on the air strip, operations are severely limited by ground fog many days of the year.

The policy of the Corps of Engineers requires that any airstrips generally available to the public which are constructed with project funds must conform to minimum Federal Aviation Agency standards. Since any rehabilitation of the existing airstrip would still not meet the minimum standards, the Corps of Engineers cannot participate in such a venture.

Other more suitable sites for an airport exist in the vicinity of Libby Dam. Such sites are located on Forest Service lands. If the Forest Service will make lands available for an airport that will meet Federal Aviation Agency standards and Lincoln County and the City of Libby agree to the site, the Corps of Engineers will participate in such a project under the Federal Airport Act. The Division and District Engineers have been instructed to meet with representatives of the Forest Service and local interests with a view toward developing such a project.

Following this, the Montana Aeronautics Commission, in cooperation with the town of Libby and Lincoln County, took action to form a joint city-county airport board.

A request for aid was submitted to the Federal Aviation Administration during April, and sometime later, approval for aid in the amount of some 53.2 percent of construction costs of the airport was made.

The Corps of Engineers has available under its appropriation for Libby Dam $132,000 for construction of an airfield required to service Government-owned and contractor aircraft.

A survey was financed by the town of Libby and the State of Montana to determine the cost of an adequate airfield for Libby. It was originally estimated that $270,000 would be required. The Corps of Engineers later advised the State of Montana that, in their opinion, an additional $65,000 would be needed for a total cost estimate of $335,547. The Federal Aviation Administration is prepared to assist to the extent of $177,940, the Corps of Engineers is prepared to contribute $132,300, and the State of Montana has guaranteed an additional $32,000 as needed to insure completion of this airport.

I would point out, Mr. President, that the town of Libby is a community of some 2,800 people, located in the northwest corner of Montana in a mountainous area. It is 90 miles from Kalispell, the nearest community of any size. Air transportation to this town is vitally essential during the next few years while the dam is under construction, as well as to serve the Forest Service and the surrounding area in future years.

The need for the airport is now. Unopened bids are on hand at this time which will allow immediate initiation of construction, and all interested parties are willing to proceed with this very important project.

In the opinion of the Corps of Engineers, there was a doubt as to whether they had authority under the current law to proceed in this arrangement without additional language being enacted into law. With this in mind, and at the request of the Corps of Engineers, Senator METCALF and I proposed that the following language be added to the transportation appropriations bill for fiscal year 1968:

Provided, That funds appropriated for the Libby Dam and Reservoir project in Montana may be used in the construction of an aircraft landing strip at Kelley Flats, Montana, in participation with local interests and other Federal agencies in a manner deemed appropriate by the Chief of Engineers.

This language would not have required the expenditure of any additional funds. The purpose was to permit construction of Libby Airport to proceed as soon as possible utilizing funds from the Corps of Army Engineers—who, I might add, are the principal users of the airport—the Federal Aviation Administration, which is the proper agency to enhance airport facilities throughout the Nation, and the local authorities who have been demonstrating their willingness to cooperate.

This airport is needed; it is vital to the construction of Libby Dam; it will replace a substandard, unsafe airport now being used, and in the long run will be economical.

If the Corps of Engineers proceeds to construct an airstrip, other than the proposed Kelley Flats project, at the cost of over $132,000, for using during dam construction, this airstrip will be abandoned in less than 7 years. There will be no residual value to the community, to the State, or to the Nation. I submit that this is false economy.

In view of the circumstances in connection with the vote in the House on yesterday, I am asking the chairman of the Senate conferees to recede from the Senate position on this matter. We will proceed at a later date to act in such a manner as to assure Libby an airport for the future.

Mr. President, I have just been provided with a statement expressing the views of the Chief of Engineers regarding this matter. I ask unanimous consent that it be included at this point in the RECORD.

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

PROJECT DESCRIPTION

Libby Dam and Reservoir, a multiple-purpose project planned on the Kootenai River in northwestern Montana, is a key element of the comprehensive plan for development of the Columbia River Basin in the interest of flood control, power generation, recreation and related water uses. The estimated cost of this development is $377,000,000 with a benefit-cost ratio 1.6 to 1. The construction schedule is scheduled to meet the requirements of the Canada-United States Columbia River Treaty which requires full storage operations within seven years after start of the construction.

The transportation net in the Kootenai River and Fisher River Valleys is marginal at best. The only air facility of value in the area is located at Kalispel, Montana, which is connected to Libby by nearly 100 miles of secondary roads over mountainous terrain. The nearest city served by scheduled airlines is Spokane, Washington, which is approximately 150 miles by a secondary road network.

At all large isolated projects of this type, the Corps of Engineers usually constructs temporary, unsurfaced, minimal air strips in the vicinity of the Dam site to assist management control, expedite survey and inspection operations and for limited supply depot operations. These strips are without lights and control facilities and are not operational in bad weather and do not contain the air management safety repair facilities of FAA type airfields. Such a landing strip at Libby project would cost $132,300.

The Government can justify such an expenditure on the basis of savings of transportation to the Government employees and contractors on the project. This expenditure would provide the minimal strip which could be enlarged by participation with FAA and the Libby-Lincoln County Airport Board to provide a larger landing field built to FAA specification in the vicinity of Kelley Flats. The larger landing field will result in additional direct savings to the Federal Government and will provide a permanent airport instead of one which will be abandoned in 7 to 10 years. The larger field will not cost the Corps of Engineers any more money than will be spent without the Kelley Flats FAA Project. The current estimate cost of the larger landing field is $335,550; FAA would contribute 0.53% of the bid amount which based on this estimate is $177,940; the Corps of Engineers participation would be $132,300 leaving $25,000, to be supplied by Libby-Lincoln County Board. The Montana Aeronautics Commission has agreed to furnish up to

$32,000 and their funds will be available in February 1968.

Many specific benefits will accrue to the Government.

1. Maintenance of the strip will be responsibility of local interests.

2. Government will receive free use of facility for life of project—100 years.

3. The increased airstrip capacity will provide a local facility capable of:

(a) Landing supply aircraft with equipment, maintenance goods and large volumes of critical supplies.

(b) Providing a facility from which dependable scheduled air service can be provided thereby greatly reducing the charter costs and ground transportation costs for the 100 contractors and the Government agencies involved. This service alone would pay for the project.

(c) Providing a reliable air medical evacuation facility which will reduce contractor insurance costs and Government costs.

(d) Providing a basic helicopter and small aircraft center with maintenance facilities for the project area which will greatly reduce costs of air rental services presently provided from Spokane and Kalispell.

These basic cost reduction features will reduce direct Government costs well in excess of the $310,000 FAA and Corps of Engineers estimated costs. In addition, each of the 100 contractors will be able to reduce his bid costs on Government contracts because of the reduced air freight costs, air lease costs, insurance costs, ground transportation costs, maintenance parts inventory costs, and improved management time.

There is no need to elaborate on the host of service enterprises, subcontractors, salesmen, transporters, equipment installations, testing and maintenance personnel and secondary industries which will use this facility during the construction phase and after the project is completed. The return to the Government in taxes will pay for this airfield development many times during the 100-year life of the project.

It is poor economy not to provide this authority for the Corps of Engineers to participate in the Kelley Flats Airport Project.

Mr. STENNIS. Mr. President, I yield to the Senator from Florida.

The PRESIDING OFFICER (Mr. BARTLETT in the chair). The Senator from Florida is recognized.

Mr. HOLLAND. I thank the Senator from Mississippi, and I congratulate him, first, for having retained so much of the program voted by the Senate for aviation safety. I agree with the Senator that that is a matter of critical importance to the Nation.

Mr. STENNIS. I thank the Senator. It was a team effort that kept the money.

Mr. HOLLAND. My comments, however, will be relative to the auto-on-train project, which was eliminated by the conference.

The House report considered the item for the high-speed ground transportation research and development and specifically denied $3,511,000 for the auto-on-train project. The report stated:

The committee fails to understand why the Federal Government should finance a project of this nature during the period of high Federal deficit.

I believe Mr. W. Thomas Rice, president of the Seaboard Coast Line Railroad, in his testimony before the Senate Department of Transportation Subcommittee on Appropriations, and which appears on page 646 of the hearing record, very clearly points up the reason why the railroad could not undertake such a project. The Office of High-Speed Ground Transportation in May 1966, had made the first contact with the railroad, at which time the Department advised that it was interested in contracting with a railroad company to perform such a demonstration project, and further advised that its analysis indicated that such service between the northeastern area of our country and Florida offered the greatest potential. Since the initial contact, the railroad has been working very closely with the Department of Transportation to develop feasibility studies which to date are most favorable.

I quote from Mr. Rice's testimony:

The next question is why don't we do it ourselves, why don't we put up this money and try this train as an experiment. I will tell you why.

We merged two railroads the first of July, the Seaboard and the Coastline. Putting these two railroads together in the next 5 years according to the engineers' estimate we are going to spend $66 million in fixed facilities to make two railroads into one by putting up the connecting tracks, the yards, and what-have-you to operate.

"We will save money, yes, over a period of time but it will take a tremendous cash outlay to start with. Our long-term debt now is $401 million. Our fixed charges per year are $19.6 million. Our new equipment purchases this year, Mr. Chairman, and you will be interested in this, is better than $80 million. We are getting 2,150 boxcars between now and the end of the year. We have already gotten 600 covered hoppers. We have already gotten 16 locomotives. We just don't have gambling money. That is the very plain fact. You can't take the gross risk money and go to the horseraces with it. That is the reason we can't do this job. We think it has a reasonable chance of success but it would not be fair to the freight shipper needing the equipment he needs, and I hope continues to need, that we experiment in passenger service when we need to spend this money. And by the way, I must say in buying this equipment we don't have the necessary capital to make the downpayment on it.

We are going into 100 percent financing or leasing it. I can't recommend that we take any money and gamble with it when we have to go into 100 percent financing of freight equipment to meet the needs of the public.

I think that was an excellent statement by Mr. Rice as to why the railroads could not undertake this themselves and why they were glad to go along on the initiative of the Federal Government in trying out this project.

As the Senator knows, the Senate committee and the Senate restored $2 million for the project which, unfortunately, was deleted in conference, although I understand that the Senate conferees fought very hard for retention of the $2 million.

Now, the estimated total cost of the project is $7.4 million, and I understand that the Department of Transportation has either committed or obligated some $3,884,000 previously appropriated. Thus, the additional funds requested for fiscal year 1968 would have completed the appropriations necessary for this project.

Of the committed or obligated funds previously authorized, some $2 million are already spend and nonrecoverable, and if the project is abandoned, this total amount will be lost. On the other hand, if it was the intent of the conference only to defer the project, it is possible that all but $800,000 will be recovered after the project is completed.

In order to clarify the record, I ask the distinguished Senator from Mississippi [Mr. STENNIS] if I correctly understand that the conferees merely deleted the appropriation for the auto-on-train project in view of the present difficult budgetary situation and the attitude of the other body, and that consideration may be given to the inclusion of these funds in future appropriations, either supplemental or regular.

I shall ask that question first and then later I shall ask another question.

Mr. STENNIS. The Senator's question has to do with whether there are any restrictions?

Mr. HOLLAND. Whether there is any abandonment of the project.

Mr. STENNIS. There is no abandonment of the project as far as the Senate committee is concerned. The matter would be open to consideration for inclusion in future bills. We could not bind any future committee or Congress in any way. We did not learn any new facts about it that would cause us to change our minds about the project.

Mr. HOLLAND. I thank the Senator. That confirms my understanding.

My second question is: Do I correctly understand that there is no restriction placed upon the Department of Transportation as to the expenditure of these funds previously committed or obligated; that is, out of the appropriation made last year?

Mr. STENNIS. I refer to the amount, which the Senator has already stated, in round numbers of about $2 million spent from previously appropriated funds, and something in the neighborhood of $1.8 million that is not actually spent yet, although there may have been negotiations that more or less commit the funds. There is that much money in the pipeline, as that word is used.

No; we did not put any restriction on expenditures of previously appropriated funds. In fairness, it should be said that the Department will have to make a judgment, in my opinion, as to whether it is wise to spend that $1.8 million, in view of what happened here.

I think Congress should require them to make that judgment. I do not want to lessen that responsibility; but, there is no restriction.

Mr. HOLLAND. I thank the Senator. I agree with him on his statement. The purpose of my colloquy was to bring out the points that have already been brought out by the questions and answers of the chairman, and further to accentuate the point that the whole program is based upon the initiative taken by the Federal Government in the effort to try out a program for the longer lines, in this instance, one from Washington to Jacksonville, as contrasted with the other program financed by the bill for the more heavily populated areas between Washington and New York, and between New York and Boston. I would not want it to appear at all as though this matter had been initiated by the railroad companies but, instead, that this is truly a Federal experiment in what it regards as worthwhile experimentation.

I thank the Senator from Mississippi for his kindness.

Mr. STENNIS. I thank the Senator. I yield now to the Senator from Flor-

ida [Mr. SMATHERS], who is interested in this matter and concerned about it.

Mr. SMATHERS. I merely wish to associate myself with the remarks of my senior colleague in that which he has said, and particularly his concern about the future of this particular program. I, like him and others, think that this is a very meritorious program and hope there will be time to reactivate it in the future.

Mr. STENNIS. I thank the Senator.

Now, the Senator from Colorado [Mr. ALLOTT] wishes me to yield to him. He is interested in this bill. He has made a real contribution to putting it together, and I am glad to yield to him at this time.

Mr. ALLOTT. I thank the Senator for yielding to me. My interest in this matter is essentially the same as that of the two Senators from Florida who have spoken to it. I think that what we want to be assured of is that while the conference report states, "and deletes all funds for the auto-on-train program," it does not say anything beyond that. I would assume, then, it means whatever unobligated funds they might have on hand may be spent under the authority which has been given to the Department of Transportation in previous situations.

I think the Senator has expressed himself on that, that the Department of Transportation should take and make a decision with respect to what they are going to do in view of the exclusion of the funds in the bill. Is that the Senator's position?

Mr. STENNIS. That is my idea about it. Those are my sentiments. I thank the Senator.

Mr. ALLOTT. I thank the Senator very much because, particularly in the testimony, which the Senator from Florida [Mr. HOLLAND] read from, of the president of one of the lines, there has lately—very lately—been some interest by outside people in perhaps contributing to this particular program. It might be possible that with what money is left or unobligated, we might be able to advance the program quite a way, when we consider the passenger train abandonments caused by the actions of the Post Office Department.

I think it is very important for Congress to look at this particular transportation situation with a great deal of concern.

Again I thank the Senator from Mississippi for yielding to me.

Mr. STENNIS. I thank the Senator from Colorado.

Mr. HOLLAND. Mr. President, will the Senator from Mississippi yield further?

Mr. STENNIS. I am happy to yield.

Mr. HOLLAND. I want to thank the Senator from Colorado for his interest. I wish to emphasize the fact that the distance between Washington and Jacksonville was chosen, as I understand it, by the Federal Government as being the proper place for trying out this experiment, because Washington is a sort of funnel through which people can bring their cars from the entire Northeast, and Jacksonville is the gateway in Florida and is a sort of funnel into which cars can be delivered and then distributed as people may wish to drive into any part of the State of Florida, or into the nearby areas of Georgia or Alabama.

If this proves to be successful, it should open the door to similar programs along similar mileage lines. I think, for instance, of mileage from St. Louis, Mo., to Denver, Colo., or from Chicago, Ill., to Denver, where the population is not dense, as it is along the Atlantic seaboard from Washington to Boston, but where the distances are great and still people would want to take their automobiles along with them so that they could enjoy their sightseeing more, and to which they can look forward.

I thank the Senator for yielding to me.

Mr. STENNIS. I thank the Senator from Florida for his very fine declarations on this matter.

Now I am happy to yield to the Senator from Washington [Mr. MAGNUSON], who is a member of the subcommittee, and a very valuable one, too, and who has worked hard on this bill and on preceding legislation.

Mr. MAGNUSON. I thank the Senator for yielding to me. I shall be brief.

First of all, I suggest to the Senate, particularly for the RECORD, that this has been a difficult bill because the Department of Transportation is a new Department and it is therefore hard to evaluate and make comparisons.

I think the conference report came out with the best possible solution to some of the problems—and there are many evolving problems in the Department. There were some items the Senate would like to have had in the bill, but a conference is a conference—it is a compromise. When we talk about whether we should delete, postpone, or cut something out, it becomes a matter of policy. Sometimes, when the money is not given in an appropriation, the tendency is to say, "Well, Congress did not want it."

Sometimes that is not true at all. It is merely that it was postponed or temporarily stated, "Let it wait. This is something which can wait."

Among those in which I was deeply interested, of course, was the construction of an oceanographic vessel. I see in the report that it stated they sought a postponement of it, in effect, pending comprehensive review of research programs throughout the Government.

I want the RECORD to show that there is a review program. Congress passed the bill which created the President's Commission on Marine Science, Engineering, and Resources. I am a member of it, as is the Senator from New Hampshire [Mr. COTTON]. They are making this review and expect to make a report to Congress no later than next April or thereabouts. We would have to take a comprehensive look at what we are going to do in this long-neglected field of oceanography. We are hopeful and rather sure that the report will recommend more oceanographic vessels. It takes a long time to build such a vessel, particularly when it is a custom-built job such as an oceanographic vessel is. We are hopeful—the Senator from Mississippi, myself, and the rest of us—that we might get started now and then it would be ready when the report would recommend it.

However, I want to ask the Senator from Mississippi now, I assume the conference actually to mean what it said, that this is a postponement; is that not correct?

Mr. STENNIS. Yes. I do not think there is any doubt what the sentiments of House and Senate conferees are for an oceanographic vessel. I think there will possibly be one or more of them for the Coast Guard; but there is a survey, as the Senator has said, in progress, and as I have stated, while the Senator from Washington was coming into the Chamber, we did not abandon our position there—that one was needed for the Coast Guard. Further, as the Senator says, the science of oceanography has long been neglected. Time has run out, and I hope we will push forward on it.

Mr. MAGNUSON. I thank the Senator from Mississippi.

Mr. STENNIS. Mr. President, I yield now to the Senator from New Hampshire [Mr. COTTON] who is a member of the conference and the ranking minority member on the bill in its preparation.

Mr. COTTON. Mr. President, I thank the distinguished Senator, my chairman of the subcommittee.

Mr. President, I have very little to add. The conferees on the part of the Senate were faithful in doing the best they could to present the viewpoint of the Senate.

Personally, I happen to be, from the beginning, one who believed and wanted to see the auto-on-train project continued without unnecessary delay, and brought to a final consummation. Very naturally I was one who, with the other conferees, made an earnest and honest effort—and I assure the Senate it was an earnest effort—to secure that result. In the case of the Senator from New Hampshire, he is particularly embarrassed about that situation, because we did retain funds, although we did not retain all of the funds by any manner of means, for the continued development of the northeast corridor.

I want to assure Senators, I want to assure my distinguished and beloved friend from Florida [Mr. HOLLAND], and all those interested that, as far as this Senator was concerned, he was not for one moment selling out the Florida route in order to save a northeast route.

Mr. HOLLAND. Mr. President, will the Senator yield to me for one moment?

Mr. COTTON. I yield.

Mr. HOLLAND. I just want to express my deep appreciation to the Senator from New Hampshire and to say to him that I gladly and enthusiastically supported the program for the speeding of transportation by rail from here to New York and from New York to Boston. I realize that that program relates to a completely different problem, because the populations are very great, but we certainly want to do everything we can to promote visitation to Florida, Georgia, Alabama, and other places for our friends who could drive their cars to Washington, put them on trains here and then, riding to Jacksonville, drive to such points as they may be interested in.

We appreciate the Senator's continued

support of that program, and will welcome his people whenever they come. As a matter of fact, we have gained a good many of them as permanent residents, and we wish we had more.

Mr. COTTON. I thank the distinguished Senator. I will add that this development, if it is successful—and I think it will be successful—means as much to my people as it does to the constituents of the distinguished Senator from Florida. I sometimes think, in the early winter and spring, when they go back and forth and stop to see me, that two-thirds of the population of my State go to Florida for the winter. They want to go. They want to take their cars and their families.

I am confident, for one, that this is not an abandonment of the program. There is an amount of approximately $1.9 million left over from unexpended funds to continue the program. The ultimate result, I am confident, will be that it will be finished, and then the Treasury will receive back a very substantial part of the approximate $1 million-plus of this expenditure when the railways take it over.

This is possibly a slight slowing up, but I am confident, as one member of the committee, I assure the distinguished Senator from Florida, the program is not being abandoned.

We saved everything we could in the conference. The Senator from Mississippi [Mr. STENNIS] is greatly to be commended for the battle he made for air safety, one of the most vital areas in this country today. I think it is second to none in importance. We were able, largely through the able leadership of the chairman of the subcommittee, the Senator from Mississippi [Mr. STENNIS], to save a very substantial portion, almost all, of those funds.

I feel that this is a satisfactory conference committee report. I am thoroughly satisfied with it, with one or two slight exceptions, such as the one I have discussed; and I hope the Senate will confirm it.

Mr. STENNIS. I thank the Senator very much.

Mr. President, I think that concludes the consideration of the matter now before the Senate, and I hope the Senate will adopt the report.

Mr. PELL. Mr. President, in connection with the Department of Transportation appropriation conference report which is before us today, I should like to call attention to an excellent editorial in the New York Times of Friday, October 13, entitled "New Vista for Transportation."

This editorial cites the valuable work being done by the Department in the field of high speed ground transportation, particularly as this work suggests alternatives to dangerous congestion in the airlanes and on many of our highways. And the editorial expresses regret at the final appropriation of $11.7 million for this program, as compared with the administration's request of $18.6 million and the Senate figure of $16.6 million. We only secured as much as we did because of the fine work of the Senate conferees, and here I extend my particular thanks to my senior colleague [Mr. PASTORE].

Of primary concern is the cut of nearly 40 percent in the $8 million requested for research and development in new modes of high-speed ground transportation. The blow was softened slightly by the conferees' allowance of $1.5 million for research and development in tracked air-cushioned vehicles. But the reduction in the balance of the research and development budget by nearly $3 million, I am advised, will curtail substantially work which had been contemplated in studying new kinds of propulsion systems, and curtail prematurely the range of possibilities which ought to be considered in planning efficient transportation systems of the future. What seems like a valid and necessary economy today may thus at some future date turn out to be a considerable diseconomy. For this reason, I would simply express the hope that this item may be given renewed consideration in supplemental appropriations, or as soon as the limitations imposed by the situation in Vietnam have been removed.

Finally, with regard to the proposed auto-train project which was disallowed by the conferees, I should like to make the point that the Senate has already expressed itself, in principle, in support of this project, by its 71-to-1 vote on October 5 to pass the Senate version of H.R. 11456, the bill before us today. The Senate Appropriations Committee's report of September 28 on that bill contained the following statement:

> The Committee recommends restoration of $2 million of the $3,511,000 reduction proposed in the House bill for the auto-train project. It is believed that the amount recommended, together with funds previously appropriated, will permit, on a limited basis, further developemnt of this service and utilization of information and plans already obtained through prior Federal expenditures.

This prior Senate action should provide a helpful indication of congressional intent to the Office of High Speed Ground Transportation, which can proceed to make the most of the work it has already done on this project, even though it has been denied the additional financing contemplated by the Senate. Specifically, I am advised that the Office of High Speed Ground Transportation can proceed to negotiate for the private construction and operation of the auto-train on a basis that will assure the Federal Government reimbursement for the investment it has already made in design and development of the project. I fully support this cooperative effort and hope that it comes to early fruition.

The PRESIDING OFFICER. The question is on adoption of the conference report.

The report was agreed to.

Mr. STENNIS. Mr. President, we have another matter that is now coming up, an item that was rejected by the House.

The PRESIDING OFFICER. The clerk will state Senate amendment No. 13.

The assistant legislative clerk read Senate amendment No. 13 as follows:

> 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.

Mr. STENNIS. Mr. President, the Senate conferees are sorry this matter did not prevail. The House conferees agreed to the item, but it was rejected on the floor of the House yesterday afternoon by a rollcall vote.

The Senator from Montana [Mr. MANSFIELD] has already expressed himself on this matter, and does not choose to pursue it further now. The conferees on the part of the Senate therefore suggest and hope that the Senate will recede from its amendment.

Mr. President, I move that the Senate recede from its amendment No. 13.

The PRESIDING OFFICER. The question is on the motion to recede from amendment No. 13.

The motion to recede was agreed to.

Mr. STENNIS. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point a tabulation on this bill reflecting the amounts appropriated for fiscal year 1967, the budget estimates for each item for fiscal year 1968, the amounts agreed to in the House, the amounts agreed to in the Senate, and the final conference figure.

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

SUMMARY OF THE BILL, H.R. 11456

Item	Appropriation, 1967	Budget estimate, 1968	Version of bill: House	Version of bill: Senate	Conference action
TITLE I—OFFICE OF THE SECRETARY					
Salaries and expenses	[1] ($2,483,000)	$8,300,000	$6,985,100	$7,800,000	$7,400,000
Transportation research	3,000,000	[2] 8,100,000	5,950,000	6,200,000	5,950,000
Total, title I	3,000,000	16,400,000	12,935,100	14,000,000	13,350,000
TITLE II—COAST GUARD					
Operating expenses	326,434,000	368,972,000	339,992,500	344,429,500	342,651,000
Acquisition, construction, and improvements	[3] 103,000,000	107,014,000	107,014,000	121,514,000	107,014,000
Reserve training	24,497,000	(4)	24,300,000	24,300,000	24,300,000
Retired pay	44,750,000	48,260,000	48,000,000	48,000,000	45,000,000
Total, title II	498,681,000	524,246,000	519,306,500	538,243,500	521,965,000

See footnotes at end of table.

SUMMARY OF THE BILL, H.R. 11456—Continued

Item	Appropriation, 1967	Budget estimate, 1968	Version of bill: House	Version of bill: Senate	Conference action
TITLE III—FEDERAL AVIATION ADMINISTRATION					
Operations	$577,000,000	[5] $605,400,000	$593,326,000	$618,400,000	$605,400,000
Facilities and equipment	28,000,000	[6] 28,400,000	30,000,000	65,400,000	54,000,000
Research and development	28,500,000	27,500,000	27,000,000	27,000,000	27,000,000
Operation and maintenance, Washington National Airport	3,821,500			3,971,000	
Operation and maintenance, Dulles International Airport	4,705,000			4,529,000	
Operation and maintenance, National Capital Airports		8,500,000	8,500,000		8,500,000
Construction, National Capital Airports		160,000	160,000		160,000
Construction, Dulles International Airport				160,000	
Grants-in-aid for airports:					
Fiscal year 1968	66,000,000				
Fiscal year 1969		75,000,000	65,000,000	75,000,000	70,000,000
Civil supersonic aircraft development	280,000,000	198,000,000	142,375,000	142,375,000	142,375,000
Total, title III	988,026,500	942,960,000	866,361,000	936,835,000	907,435,000
TITLE IV—FEDERAL HIGHWAY ADMINISTRATION					
Limitation on general expenses	(57,782,000)	(7)	(59,833,000)	(60,000,000)	(59,927,000)
Repayable advances to highway trust fund	65,000,000				
Federal-aid highways (trust fund)	(3,968,400,000	(3,773,000,000)	(3,770,778,000)	(3,770,945,000)	(3,770,572,000)
Highway beautification	80,000,000	(7)	1,200,000	1,200,000	1,200,000
Traffic and highway safety	10,000,000	(7)	21,034,000	21,034,000	21,034,000
Operating expenses:					
By appropriation		34,565,000			
By transfers		(65,875,000)			
Limitation on administrative expenses, National Highway Safety Bureau	(2,000,000)				
State and community highway safety (liquidation of contract authority)	10,000,000	100,000,000	20,000,000	40,000,000	25,000,000
Motor carrier safety	[1] (1,555,000)	(7)	1,670,000	1,780,000	1,780,000
Highway safety	210,000				
Forest highways (liquidation of contract authorization)	32,000,000	33,000,000	32,000,000	32,000,000	32,000,000
Public lands highways (liquidation of contract authorization)	12,400,000	10,000,000	9,000,000	9,000,000	9,000,000
Inter-American Highway		7,000,000	5,000,000	5,000,000	5,000,000
Chamizal Memorial Highway		8,000,000	4,000,000	4,000,000	4,000,000
Alaskan assistance			4,000,000	8,000,000	5,000,000
Repair and reconstruction of highways		15,097,772	15,097,772	15,097,772	15,097,772
General provision, sec. 401 limitation			(20,000,000)		
Total, title IV (general funds)	209,610,000	207,662,772	113,001,772	137,111,772	119,111,772
Highway trust fund	(3,968,400,000)	(3,773,000,000)	(3,770,778,000)	(3,770,945,000)	(3,770,872,000)
TITLE V—FEDERAL RAILROAD ADMINISTRATION					
Salaries and expenses		4,150,000			
Salaries and expenses, Office of the Administrator	[1] (60,000)	(8)	680,000	680,000	680,000
Bureau of Railroad Safety	[1] (834,500)	(8)	3,414,000	3,414,000	3,414,000
High-speed ground transportation research and development	22,000,000	[9] 18,600,000	10,300,000	16,632,000	11,750,000
Railroad research		300,000	200,000	200,000	200,000
Total, title V	22,000,000	23,050,000	14,594,000	20,926,000	16,044,000
TITLE VI—OTHER ACTIVITIES					
St. Lawrence Seaway Development Corporation					
Limitation on administrative expenses	(515,000)	(515,000)	(514,000)	(514,000)	(514,000)
National Transportation Safety Board					
Salaries and expenses	[1] (3,589,000)	4,300,000	4,000,000	4,291,000	4,000,000
Total, title VI		4,300,000	4,000,000	4,291,000	4,000,000
Grand total, all titles:					
General fund	1,721,317,500	1,718,618,772	1,530,198,372	1,651,407,272	1,581,905,772
Highway trust fund	(3,968,400,000)	(3,773,000,000)	(3,770,778,000)	(3,770,945,000)	(3,770,872,000)

[1] Funding for activities transferred to the Department in 1967.
[2] 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.
[3] Excludes $1,245,000 transferred from Corps of Engineers in connection with alteration of bridges.
[4] Estimate of $24,535,000 carried under "Operating expenses."
[5] Original estimate increased $7,000,000 (S. Doc. 50).
[6] Original estimate decreased $7,000,000 (S. Doc. 50).
[7] Estimates carried under "Operating expenses."
[8] Estimates carried under "Salaries and expenses, Federal Railroad Administration."
[9] Excludes $2,300,000 for transportation information planning which is transferred to "Office of Secretary, transportation research."

INTEREST RATES

Mr. WILLIAMS of Delaware. Mr. President, on August 16, 1960, the Senator from Tennessee [Mr. GORE] made this statement:

I swear Rip Van Winkle could have gone to sleep during any time in this century past and upon awakening could readily have determined which party was in control merely by asking "How high are the interest rates?"

I noticed in today's Wall Street Journal an article calling attention to the fact that interest rates today have reached the highest level since the 1870's. I refer to three articles, extracts of which I will have placed in the RECORD.

The first headline reads:

Carolina P&L Bonds' Yield Believed Highest For Grade Since 1870s.

But 6.375% Return on $40 Million Issue Is Not Expected To Bring Buyers Running on Reoffering.

The article reads:

A $40-million block of Carolina Power & Light Co. 30-year bonds awarded at competitive bidding yesterday was to be publicly reoffered at yield considered the highest for comparably rated securities since the 1870's.

Nevertheless bond-market analysts forecast a "slow" procession of potential customers to the issue.

In another column we find the headline:

New York City Sells $119,140,000 of Bonds At 4.9121¢ Net Cost the Highest Since 1932.

I ask unanimous consent that an excerpt from 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:

[From the Wall Street Journal, Oct. 18, 1967]

TAX EXEMPTS: NEW YORK CITY SELLS $119,140,000 OF BONDS AT 4.9121 PERCENT NET COST, THE HIGHEST SINCE 1932

NEW YORK.—New York City accepted its highest annual net interest cost since 1932 in awarding $119,140,000 various purpose bonds to a group led by First National City Bank.

The group bid 100.005 for 4.90% and 5% coupons, setting an annual net interest cost of 4.9121%, highest since 1932 when the city paid 5½%, close to the current 5% limit set by the city.

Mr. WILLIAMS of Delaware. Another article comments on the high yield of Government bond issues and in the headline states:

High Yield Is Resisted By Investors in Hopes of Still Further Rise. Secondary Market in Corporates Is Described as "Almost Nil"—Treasury Prices Decline Again.

I ask unanimous consent that excerpts from this article be printed in the RECORD at this point.

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

[From the Wall Street Journal, Oct. 18, 1967]

BOND MARKETS: HIGH YIELD IS RESISTED BY INVESTORS IN HOPES OF STILL FURTHER RISE—SECONDARY MARKET IN CORPORATES IS DESCRIBED AS "ALMOST NIL"—TREASURY PRICES DECLINE AGAIN

NEW YORK.—Investors generally resisted the lure of the highest yields in nearly 100 years offered by yesterday's major new competitive corporate issue, apparently hoping that today's fresh offerings will carry even juicier rates.

The 6.375% yield set by underwriters on Carolina Power & Light Co.'s $40 million of double-A bonds far surpassed the previous 6.20% record level on comparable securities.

The 6.20% yield first reached in late August, was described by market specialists as the highest for a similar bond since the Reconstruction era.

* * * * *

"Lack of investor confidence and the poor performance of the corporate market" caused dealers in long-term U.S. Government securities once again to mark down prices to record lows, specialists said.

Losses in that sector ranged from 2–32 to 22–32 point on some dealer sheets. Among the Treasury issues marking the steepest declines were the key-indicator 4¼% bonds at 1987–92 which closed off 20–32 point at 84 8–32 bid, 84 24–32 asked. Yield at the latter price was 5.37%.

Mr. WILLIAMS of Delaware. I would like to read just two paragraphs from the article:

"Lack of investor confidence and the poor performance of the corporate market" caused dealers in long-term U.S. Government securities once again to mark down prices to record lows, specialists said.

Losses in that sector ranged from 2–32 to 22–32 point on some dealer sheets. Among the Treasury issues marking the steepest declines were the key-indicator 4¼% bonds at 1987–92, which closed off 20–32 point at 84 8–32 bid, 84 24–32 asked. Yield at the latter price was 5.37%.

Mr. President, I cannot help but wonder what Rip Van Winkle would think if he woke up today and found that interest rates today were the highest that they have been since 1870, and how he would reconcile that with the fact that the man now in the White House, just a few years ago, used to make almost daily in this Senate Chamber speeches bewailing what at that time he referred to as alarmingly high interest rates. Interest rates at that time averaged about 4¼ percent, or approximately 50 percent lower than they are today. I wonder if the President has forgotten his earlier speeches. I most respectfully suggest that he and many Senators on the other side of the aisle go back and refresh their memories on some of the great speeches they made in the 1950's about the alarming trend of high interest rates, which, I repeat, were at that time 50 percent lower than they are today.

A $90 MILLION BULB FOR LAST YEAR'S CHRISTMAS TREE

Mr. WILLIAMS of Delaware. Mr. President, in the closing days of the session last year Congress enacted H.R. 13103, the so-called Christmas tree bill.

In opposing that bill I called attention to one section which legalized and extended to June 30, 1967, a most glaring loophole. Ironically the Treasury Department, which had first denounced this proposal as an unwarranted multimillion-dollar tax loophole, later reversed its position and endorsed the bill with this provision intact.

This particular loophole was referred to as the tax-exempt swap arrangement for securities, real estate, and so forth.

Upon my request the Treasury Department has furnished a report showing the revenue loss that resulted from this proposal's being included as a part of the so-called Christmas tree bill. The Treasury Department's report shows that as the result of this legislation $420 million in securities were exchanged on a tax-free basis and that if the transferors had not had the benefit of this loophole, which gave them special tax exemption, the tax collected would have been about $90 million.

This was a $90 million bulb on last year's Christmas tree bill.

At this point I ask unanimous consent to have printed in the RECORD a letter dated June 16, 1967, signed by Mr. John A. Dudley, Associate Director of the Securities Exchange Commission, which includes a list of the exchange funds that received this tax-exempt treatment by virtue of the passage of H.R. 13103.

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

SECURITIES AND EXCHANGE COMMISSION,
Washington, D.C., June 16, 1967.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: We have now received and compiled the information you requested with respect to exchange funds which are tax-exempt by virtue of the passage of H.R. 13103. This information is presented in the enclosed table.

You will note that the registration statements of 11 of the 23 "swap" funds either did not become effective or were, or are to be, withdrawn. Of the remaining 12, 7 have not yet exchanged their shares for deposited securities. Under the provisions of H.R. 13103, the exchange must be completed by June 30, 1967. The experience of the other funds indicates that withdrawal of securities may substantially reduce the value of such deposits before the exchanges are consummated.

If you have any further questions with respect to this information, please do not hesitate to call on me.

Sincerely yours,

JOHN A. DUDLEY,
Associate Director.

(Enclosure.)

File No.	Name of fund	Effective date	Solicitation closed		Exchange completed	
			Date	Value of deposits	Date	Value of portfolio
2-25781	Diversified Life Fund, Inc.	(1)	(1)	(1)	(1)	(1)
2-25862	Exchange Growth-Income Fund, Inc.	(2)	(2)	(2)	(2)	(2)
2-25276	Exeter Second Fund, Inc.	Nov. 4, 1966	Feb. 3, 1967	$46,536,472	Mar. 8, 1967	$37,330,000
2-25710	Exeter Third Fund, Inc.	Feb. 6, 1967	Apr. 30, 1967	71,772,409	----------	(3)
2-25856	Federated Dual-Exchange Fund, Inc.	Apr. 19, 1967	Apr. 30, 1967	53,525,395	----------	(3)
2-25299	Fiduciary Exchange Fund, Inc.	Dec. 1, 1966	Feb. 15, 1967	76,984,971	Mar. 17, 1967	66,997,174
2-25268	5th Empire Fund, Inc.	Nov. 4, 1966	Feb. 7, 1967	23,573,659	Mar. 17, 1967	15,470,277
2-25688	Fifth Presidential Fund, Inc.	Dec. 28, 1967	Apr. 30, 1967	22,882,466	----------	(3)
2-24332	Fourth Empire Fund, Inc.	Mar. 10, 1966	Aug. 19, 1966	30,610,012	Mar. 30, 1967	21,931,466
2-24003	Independence Hall Exchange and Growth Fund, Inc.	(2)	(2)	(2)	(2)	(2)
2-22613	Industries Exchange Fund, Inc.	Nov. 9, 1966	Apr. 28, 1967	21,811,436	----------	(3)
2-25836	Institutional Exchange Fund, Inc.	(4)	(4)	(4)	(4)	(4)
2-24690	Life Stock Exchange Fund, Inc.	(4)	(4)	(4)	(4)	(4)
2-25258	Putman Exchange Fund, Inc.	(5)	(5)	(5)	(5)	(5)
2-25869	Scudder Dual-Purpose Exchange Fund, Inc.	(6)	(6)	(6)	(6)	(6)
2-25870	Scudder Duo-Vest Exchange Fund, Inc.	Apr. 19, 1967	May 24, 1967	51,871,956	----------	(3)
2-24584	The Second Federal Street Fund, Inc.	May 11, 1966	Nov. 15, 1966	82,622,416	Dec. 19, 1966	56,985,475
2-25838	Second Fiduciary Exchange Fund, Inc.	Feb. 14, 1967	May 1, 1967	116,367,419	----------	(3)
2-25857	Seventh Empire Fund, Inc.	(2)	(2)	(2)	(2)	(2)
2-25748	Sixth Empire Fund, Inc.	Feb. 9, 1967	Apr. 30, 1967	37,260,795	----------	(3)
2-25858	Sixth Presidential Fund, Inc.	(2)	(2)	(2)	(2)	(2)
2-25839	Third Fiduciary Exchange Fund, Inc.	(7)	(7)	(7)	(7)	(7)
2-24353	Third Presidential Fund, Inc.	(8)	(8)	(8)	(8)	(8)

[1] Became effective but did not solicit and will withdraw.
[2] Registered but did not become effective.
[3] Exchange not yet completed.
[4] Effective but will withdraw.
[5] Changed from an exchange fund to a conventional open-end fund.
[6] Withdrew registration.
[7] Withdrew its registration statement.
[8] Withdrew· merged into 4th Empire Fund.

Mr. WILLIAMS of Delaware. I also ask unanimous consent to have printed in the RECORD my letter of June 21, 1967, and the Treasury Department's reply thereto of September 21, confirming that the total value of the tax-free exchanges was approximately $420 million and that this tax-free exchange resulted in a special tax saving of $90 million.

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

U.S. SENATE,
Washington, D.C., June 21, 1967.

Mr. STANLEY S. SURREY,
Assistant Secretary of the Treasury,
Treasury Department,
Washington, D.C.

DEAR MR. SURREY: Under date of June 16, 1967, I received a report from Mr. John A. Dudley, Associate Director, Securities and Exchange Commission, with respect to the exchange funds which are tax-exempt by virtue of the passage of H.R. 13103. A copy of this report was forwarded to you.

In this connection will you please advise me the amount of the estimated loss in revenue to the United States Government as the result of this action. I would appreciate your including in this report an estimate of any additional loss that will result from additional securities being placed in these funds prior to the June 30, 1967, deadline.

Yours sincerely,

JOHN J. WILLIAMS.

TREASURY DEPARTMENT,
Washington, D.C., September 21, 1967.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR WILLIAMS: You have asked for information as to the estimated loss in revenue to the United States Government due to the organization of exchange funds which are tax exempt by virtue of the passage of H.R. 13103.

The report you received from the Securities and Exchange Commission indicates that 12 funds were completed after the effective date of the legislation. Final data which we have obtained from the Commission indicates that the total amount of transfers made tax free by the enactment of H.R. 13103 is approximately $420,000,000.

Statistics with respect to swap funds formed in the past indicate that the average cost of securities to the transferor is approximately 10 to 15 percent of value and it would appear that the average transferor would pay a capital gains tax at or close to the 25 percent maximum rate. Based on these assumptions, it could be said that if the transferors had made taxable exchanges, the tax due would have been about $90 million. Since there is no way to estimate how many of these securities would have been sold in taxable transactions in the absence of the swap alternative, it is impossible to say how much of this amount should be considered a revenue loss.

Thank you for your continuing interest in this important subject.

Sincerely yours,

STANLEY S. SURREY,
Assistant Secretary.

Mr. WILLIAMS of Delaware. Mr. President, perhaps the Johnson administration and those Members of the Congress who supported this tax-free bonanza can reconcile their decisions with the more recent proposal to increase taxes by 10 percent.

ORDER OF BUSINESS

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent to speak on another subject, without regard to the question of germaneness.

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

OUR VIETNAM INVOLVEMENT—THE GREAT AMERICAN TRAGEDY

Mr. YOUNG of Ohio. Mr. President, from this morning's press reports, it is obvious that Secretary of State Rusk is now on the defensive regarding our tragic involvement in Vietnam. When Secretary Rusk and others who advocate our aggression in Vietnam defend our involvement in this civil insurrection and the sending in of hundreds of thousands of our soldiers and marines, they first make reference to alleged commitments made by Presidents Eisenhower and Kennedy to justify our intervention.

Those claims are readily demolished. The so-called commitment made by President Eisenhower was very "iffy," indeed. Here is what he stated, in 1957, in a letter to the president of South Vietnam:

I am instructing the American Ambassador * * * to examine with you * * * how an intelligent program of American aid * * * can serve to assist Vietnam in its present hour of trial. The purpose of this offer is to assist the Government of Vietnam in developing and maintaining a strong, viable state capable of resisting attempted subversion or aggression through military means. * * * The U.S. Government hopes that such aid, combined with your own continuing efforts, will contribute effectively toward an independent Vietnam endowed with a strong government.

Then, regarding the claim that the late great President John F. Kennedy committed us to save the Saigon regime, even a cursory look at the statements of our late President refutes that claim. Here is what he said on September 3, 1963, shortly before his assassination:

I don't think that unless a greater effort is made by the government to win popular support that the war can be won out there. In the final analysis, it is their war. They are the ones who have to win it or lose it. We can help them, we can give them equipment, we can send our men there as advisers, but they have to win it—the people of Viet Nam—against the Communists. We are prepared to continue to assist them, but I don't think that the war can be won unless the people support the effort, and, in my opinion, in the last two months the government has gotten out of touch with the people.

Then, on another occasion, our late great President John F. Kennedy said:

Transforming Vietnam into a Western redoubt is ridiculous.

This administration has made President Kennedy's "their" war into "our" war, despite the fact that President Johnson, in Akron, Ohio, in 1964, said:

We are not about to send American boys nine or ten thousand miles away from home to do what Asian boys ought to be doing for themselves.

Now, Mr. President, I read today that they are proposing to send 45,000 more American youngsters to fight an American war in Vietnam. Secretary of State Rusk could hardly have the effrontery to say that President Johnson made a commitment that we should gallop to the aid of South Vietnam under the present regime in Saigon. When they do not refer to the very "iffy" commitments made by President Eisenhower and President Kennedy to justify our involvement in the civil war in Vietnam, Secretary Rusk and other administration officials fall back on our so-called obligation under the SEATO Treaty.

Let us consider article IV of the SEATO Treaty. The text of article IV is as follows:

1. Each Party recognizes that aggression by means of armed attack in the treaty area against any of the Parties or against any State or territory which the Parties by unanimous agreement may hereafter designate, would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes. Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations.

2. If, in the opinion of any of the Parties, the inviolability or the integrity of the territory or the sovereignty or political independence of any Party in the treaty area or of any other State or territory to which the provisions of paragraph 1 of this Article from time to time apply is threatened in any way other than by armed attack or is affected or threatened by any fact or situation which might endanger the peace of the area, the Parties shall consult immediately in order to agree on the measures which should be taken for the common defense.

3. It is understood that no action on the territory of any State designated by unanimous agreement under paragraph 1 of this Article or on any territory so designated shall be taken except at the invitation or with the consent of the government concerned.

Secretary of State Rusk has stated:

It is this fundamental SEATO obligation that has from the outset guided our actions in South Vietnam. . . . If the United States determines that an armed attack has occured against any nation to whom the protection of the treaty applies, then it is obligated to "act to meet the common danger" without regard to the views or actions of any other treaty member.

However, the architect of the SEATO Treaty, the late Secretary of State John Foster Dulles, in trying to assuage congressional fears about the degree of commitment that the United States was making in the SEATO Treaty, said in 1955:

If there is a revolutionary movement in Vietnam or Thailand, we (SEATO nations) would consult together as to what to do about it, because if there were a subversive movement that was in fact propagated by communism, it would be a very grave threat to us. But we have no undertaking to put it down; all we have is an undertaking to consult what to do about it.

The SEATO Treaty was agreed to by eight nations. Of these nations, the United Kingdom, Pakistan, and France have taken the sound position that there is no treaty obligation whatever involving their countries to send in combat soldiers to fight against the Vietcong in South Vietnam. They have definitely taken the position that there is no cause nor basis for them to assail North Vietnam with their armed forces.

De Gaulle is definitely hostile to the United States in our unilateral intervention in Vietnam. The party in power in Great Britain, the Labor Party, is opposed to our involvement. The United Kingdom, like France, has refused to

send in even one combat soldier or one bomber to join us in fighting in Vietnam.

Likewise, the President of Pakistan has denounced our intervention in Vietnam in as vehement terms as President de Gaulle in France, and in as vehement terms as some leaders of the Labor Party in the United Kingdom. Pakistan with a large standing army and a large and powerful air force has not sent in one soldier nor one plane to assist in our aggression in Vietnam.

After President Johnson had given President Marcos of the Philippine Republic $150 million in additional foreign aid, in addition to that abundance of foreign aid theretofore granted to the Philippine Republic, and after President Marcos had his hot hands on an additional $150 million of American taxpayers' money, he then reluctantly agreed to send in 2,000 noncombat engineers. Not one combat soldier from the Philippine Republic and not one plane from its fine air force was committed to combat in Vietnam. President Johnson met with refusal and was rebuffed in all his efforts to secure combat aid from the Philippines. The noncombat engineers were transported by American ships and planes and have been clothed, equipped, paid, fed, and maintained by the United States at all times. Those noncombat engineers are the same sort of mercenaries as were the Hessians who fought with the Redcoats against the colonists in the American Revolution.

That leaves three other members of SEATO: Thailand, Australia, and New Zealand. We have poured billions of dollars of taxpayers' money into Thailand. We have built a great naval base south of Bangkok and we have established airbases throughout Thailand. The construction of our air and naval bases in Thailand is of a permanent character. I saw them when I visited in Southeast Asia, and I was in various places in Thailand at our airbases. Our planes have been using bases in Thailand for offensive operations in Vietnam for considerably more than 2 years. However, to date the Armed Forces of Thailand have not participated at all in fighting with us in Vietnam, nor has the Thai Navy of some 70 vessels participated at all in connection with the operations with our 1st and 7th Fleets off the coast of Vietnam.

At the present time, unfortunately, we Americans, in this insane policy of fighting in a land war in Southeast Asia, have committed our 1st and 7th Fleets, which comprises more than one-third of the entire U.S. Navy. We have committed approximately 42 percent of the air power of the United States in combat in Southeast Asia. We have committed more than one-third of our combat-ready soldiers and marines.

Despite strong opposition at home about 6,300 Australian servicemen have been serving in South Vietnam; and 376 men of the Armed Forces of New Zealand also have been landed there. Of course, additional grants of money have been made by President Johnson to both Australia and New Zealand.

Newspapers yesterday report that New Zealand will increase its contingent by 170 infantrymen and Australia by 1,700. Even at that, these are mere token forces hardly identifiable among the more than 500,000 young Americans now fighting in Vietnam.

These facts suffice to show that there is no truth and no validity to the claim made by Secretary Rusk. Furthermore, no official of any of the governments which signed the SEATO Treaty, other than Secretary Rusk—not one top official of the other seven countries—has claimed that there is any aggression against South Vietnam calling for members of the SEATO Treaty to report to the Security Council of the United Nations. Not one signatory to this treaty has communicated with the other parties to the treaty that they should consult on measures which should be taken for the defense of South Vietnam. Of course, as Senators are aware, Secretary of State Dean Rusk did not pull this argument out of his hat until we had been involved in Vietnam for more than 2 years. Apparently, it was an afterthought on his part that we had a commitment as a signatory to the SEATO Treaty.

It is interesting to note that the last sentence of section 1 of article IV states:

> Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations.

In a publication issued by the Department of State in March 1966, entitled "The Legality of U.S. Participation in the Defense of Vietnam," the claim is made that our Government fulfilled this obligation in August 1964, when we asked the Council to consider the situation created by North Vietnamese attacks on the U.S. destroyers in the Gulf of Tonkin; twice again, in February 1965, when the United States sent additional reports to the Security Council on the conflict in Vietnam and on the additional measures taken by the United States in the collective defense of South Vietnam; and in January 1966, when we formally submitted the Vietnam question to the Security Council for its consideration.

It is interesting to note that we did not take any step toward reporting our action in Vietnam to the Security Council until August 1964—after we had already committed many thousands of men and billions of dollars of equipment to the prosecution of the war in Vietnam. Apparently, it took officials of the State Department a long time to determine that we were in Vietnam because of the SEATO Treaty. In fact, it appears that this justification was made after it was finally realized that all the other timeworn excuses and loophole-ridden justifications claimed by officials of the executive department of our Government would not hold water.

Secretary of State Rusk has stated that he finds "no significant body of American opinion which would have us withdraw from Vietnam and abandon Southeast Asia to the fate which Asian Communists have planned for it." To begin with, the Secretary assumes that by withdrawing from Vietnam, we would be abandoning Southeast Asia to communism. Secretary Rusk disregards completely the fact that the war in Vietnam is a civil war which has been raging since 1940. There can be no argument about that.

When I was in Vietnam, General Westmoreland told me that the bulk of the VC were born and reared in South Vietnam. His second in command, Gen. Richard Stillwell, echoed that statement. General Stillwell stated to me that 80 percent of the Vietcong fighting us in the Mekong Delta, in the southern part of Vietnam, were born and raised in the Mekong Delta.

To that I responded, "Well, we're involved in a civil war, then."

He said, "Well, it's a civil insurrection."

Secretary Rusk ignores the fact that this is a nationalist movement as well as a Communist movement—more nationalist than it is Communist. Vietnam is a small agrarian country. The ignorant peasants feel they know what freedom from colonial oppression is. They wish to breathe the air of liberty. They had been under the yoke of French colonialism for many, many years. They are liberty-seeking. It is questionable, indeed, whether many of these ignorant peasants are in fact Communists.

Apparently, Secretary Rusk cannot comprehend that we are fighting Vietnamese nationalism, which, far from opening the door to Communist Chinese conquest, really offers the best hope of erecting political and cultural barriers to such conquest.

The Vietnamese for years have feared the Chinese colossus to their north. Monuments commemorating victories of the past over Chinese aggression are evident throughout Vietnam. Ho Chi Minh himself was a prisoner in a Chinese dungeon in 1944.

Mr. President, talking about Ho Chi Minh, it is impossible to believe that he is a tool or could possibly be a mere tool or puppet of Mao Tse-tung, or of the Chinese Communists, for he himself was a prisoner in a Chinese dungeon for more than a year near the end of World War II.

The Secretary has created a scarecrow of invalid premises to frighten Americans into accepting his loophole-ridden justifications for our intervention in this civil war.

Just recently the Secretary—despite his disclaimers to the contrary—raised the specter of the yellow peril, menacing Americans and other peoples of the world. Let us consider this matter for a moment. Here is the nation of Communist China with perhaps 750 million people. It can maintain and does maintain a huge land army. It has no surface navy whatsoever, except some junks. It is true China has a nuclear capacity, but it will be a number of years before China will be able to fire any warheads at anyone. It has a very small and obsolescent air force, no surface navy whatsoever, and an antiquated and small submarine fleet far inferior to the fine air force and fine navy of Australia or of Japan, and far inferior to the air force and navy of the Republic of the Philippines.

Therefore, it is fantastic for Secretary Rusk to claim that there is a danger that Red China will go on a journey of

conquest and that Saigon is an outpost defending Seattle or San Francisco.

Secretary Rusk's impassioned defense of his Vietnam policy evades the real issue facing us today. This is the urgency of stopping the bombing of north Vietnam and recognizing the Vietcong as a legitimate party to negotiations toward a cease-fire and an armistice. The unpleasant fact is that Secretary Rusk's policy, after nearly 3 years, has proven to be a dismal and tragic failure. Escalation has neither intimidated the Vietcong nor reduced their forces. On the contrary, these have tripled during the period of escalation. More young Americans are now being killed each week than were lost in the 3 years preceding the bombing of north Vietnam and the stepped-up ground warfare in the south that ensued.

The priceless lives of some 900 youngsters from communities throughout Ohio have been lost in combat. They have been listed as deaths due to combat by our Department of Defense. In addition thousands have been wounded and hundreds have died of hepatitis, plague, and other jungle diseases, or have been killed in a manner that the Department of Defense, to try to minimize our tremendous losses, terms accidents and incidents. Any veteran of a war, such as the present Presiding Officer (Mr. CLARK in the chair) and many Members of Senate, knows that those are in reality combat deaths.

It is a fact that in other States of the Nation equal suffering has been inflicted in every county and community.

Secretary of State Rusk alleges—and this is a false allegation—that we are saving Southeast Asia from communism. Why is it then that Asiatic nations such as Japan, Indonesia, and India have urged that we unconditionally cease the bombing of north Vietnam and then proceed toward ending this war? Practically all Asians outside of our client states and puppets have urged the same course of action.

It is becoming more and more obvious that it is not the so-called Chinese menace that has led the administration to this vast escalation of the war in Vietnam. Rather, it is the fact that the administration now must find some excuse, some objective, some scarecrow, that will seem dangerous enough to Americans to justify the commitment of more than 600,000 American soldiers and marines in Vietnam and Thailand, vast armadas of our ships and warplanes, and the expenditure of more than $2.5 billion every month in this civil war in a small nation 10,000 miles distant from our shores which is of no strategic or economic importance to the defense of the United States. It is not now and it never will be.

Mr. President, this is a particularly sad day for Americans, for we read in the newspapers today that only 41 miles from Saigon, our Armed Forces were engaged in a bitter, all-day battle with the Vietcong in regimental strength. Bear in mind, no members whatever of the South Vietnamese forces were engaged in that terrible battle—not one of them was there. They are busy furnishing so-called laundresses for American soldiers. They are busy selling American rations of cigarettes on the black market. They are indulging in graft and deserting from their armed forces—75,000 deserted during the first 10 months of this year. Those are the South Vietnamese forces—the so-called friendly forces. They are friendly forces, all right. They are friendly to everyone, including the Vietcong. They do not do any fighting.

Unfortunately, we read today that 58 Americans were killed and more than 61 wounded in this battle, fought almost within the suburbs of Saigon, only a little further distant from Saigon than Lorain, Ohio, is distant from my hometown of Cleveland.

Among the killed, I read with sorrow, were Maj. Don W. Holleder, former West Point football great, and Lt. Col. Terry Allen, Jr., whose father commanded the 1st Division in Tunisia and Sicily in World War II.

Those men were killed in combat just 40 miles from where the flamboyant Ky holds forth in Saigon.

From optimistic statements emanating from the White House, State Department, and Defense Department, Americans have reason to believe that this area so close to Saigon had been pacified and was under the complete control of American forces. The fact is that this fighting raged in a thick jungle on the edge of war zone D, the Vietcong's main base camp area only 40 miles above Saigon.

Mr. President, this was not sporadic guerrilla warfare but a pitched battle with Vietcong forces of regiment strength, reportedly 2,500 men. It was the biggest ground action since the siege of Conthien last month, and the bloodiest fighting in the area near Saigon for many, many months. This is further evidence of the fact that the escalation of the ground war in Vietnam has failed to disperse the Vietcong. The fact is that the Vietcong today control more hamlets and villages than they did 2 or 3 years ago, before our huge buildup of men and supplies.

As significant proof of the statement I have just made, about 2 years ago in Newsweek, Time magazine, and in the daily newspapers, we would see colored charts of the areas of South Vietnam which, it was claimed, were being held securely by the "friendly" forces of South Vietnam and by the Americans, and those areas being held by the Communists. It is significant that the Defense Department does not now permit the printing of such charts. They have not appeared in newspapers or weekly magazines for a long time.

This morning it was announced that we will be sending 45,000 more American soldiers to fight in the jungles and swamps in Vietnam. This, in addition to the more than 500,000 ground forces we have already committed to this civil war which we have made into an American air and ground war.

By this time it is crystal clear to most thoughtful Americans—and it should be crystal clear to Secretary of State Rusk and other administration officials—that if they are really intent on a military victory in Vietnam, it is going to require the participation of more than a million American soldiers and marines.

If they are going to continue seeking to destroy a nation and to kill off thousands and thousands of civilian men, women, and children, in addition to the 150,000 civilians we have already killed and maimed with our artillery and napalm bombing, then those in power in the Defense Department and the administration should tell the truth to the American people. They should tell them that it is going to require the participation of more than 1 million American soldiers and marines.

Let us hope that the Secretary of State comes to his senses before we become even further committed to such a tragic course of action.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CLARK in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TYDINGS. 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. TYDINGS. Mr. President, I think it goes without saying that every Member of this body vigorously opposes communism and supports every measure necessary to preserve the freedom of this great Republic.

For that very reason, I oppose Senate consideration of the pending bill, S. 2171, until hearings have been held upon it, and before an adequate and informative report has been prepared by the Judiciary Committee, which is responsible for it.

At the very least, I think the people of this country are entitled to a hearing on important legislation. The very nature of the work of this deliberative body demands it. It is impossible for every Senator to know every line or every facet of the 25,000 or more pieces of legislation introduced in every Congress.

Mr. President, I think that hearings and an adequate report are vital and essential for an intelligent, comprehensive Senate consideration of the bill, for at least the following four basic reasons:

First, we should not be considering on the floor of the Senate any legislation vitally affecting our national security without knowing exactly what the legislation is about and without hearings to ascertain the views of experts on national security and the threat of communism.

We should not be considering any such national security legislation without the testimony of the appropriate Government agencies responsible for the protection of the internal security of this Nation and other legal experts as to how

the bill will actually work and how it might be improved.

I think the Senate is entitled to have the testimony of the responsible chiefs of the investigative agencies charged with the internal security of this country clearly on the record, with the pros and cons, before we make a judgment on the bill.

I have the greatest respect for the author of this bill and for those who have spoken in favor of it, but, with all deference to them, they are not charged with the responsibility of the internal security of this country. They are not intelligence agents. They do not have the day-to-day responsibility for investigation or prosecution of espionage. They do not know the problems that confront the Internal Security Division of the Department of Justice.

From the beginning, it has seemed extremely strange to me why the sponsors of this legislation are afraid to have public hearings, why they are afraid to permit the responsible officers of the investigative agencies of this country to testify, why it is they bend over backward to prevent the Attorney General of the United States from testifying, why it is that they are absolutely adament in their refusal to agree to any type of public hearing on the merits or demerits of this legislation.

Could it be, Mr. President, that the demerits brought out by the testimony in open hearing might indicate that there is no valid security reason for this legislation? Could it be that the only reason for the adoption of the legislation is to keep a few political appointees in $26,000-a-year jobs?

I think the American people are entitled to know the answers. If this is a genuine internal security measure, as its principal sponsor says it is and protests it is, then why is he afraid to have the principal officers of the United States responsible for internal security testify? Why is he afraid to hold this bill up to the light of day? Why is it that he tried to suspend the rules of the U.S. Senate to consider the bill as part of an appropriations measure. Fortunately, his motion did not prevail. I think that any objective citizen who will study the record of debate on this matter and the history of this legislation, could not help but come to the conclusion that there is more to this than meets the eye.

Second, this bill was hastily drafted, and, as introduced and considered by the Judiciary Committee, contained at least technical defects, and in my view—and I am not on the subcommittee responsible for it—a massive loophole, about which I will have more to say later, which will allow some of the most dangerous Communist front organizations and action groups to escape any coverage under this legislation.

Of course, Mr. President, this is what happens when hastily drafted legislation is rushed through without any type of public hearing, without any type of study, without any type of scholarly examination. There are major loopholes, and there are possibilities of more.

Third, very serious questions have been raised about the qualifications of the most recent appointee to the 5-man Subversive Activities Control Board. Mr. Simon McHugh's principal qualification for the post seems to be that he married one of the secretaries of the President of the United States. Well, this $26,000-a-year job is not a bad job, particularly when the board has not examined a single case in the past year—and, indeed, has had little to do in the past 20 months. Indeed, they do nothing except sit, at taxpayers' expense, and expend $300,000 a year, day after day, week after week, month after month.

In light of the controversy about Mr. McHugh, the new Board member, I think the people of the United States are entitled to know what qualifications, if any, the members of the Subversive Activities Control Board possess other than friendship with influential people.

Fourth, this hastily drafted, unstudied bill deals with the most difficult questions of constitutional law, including citizens' rights under our own first 10 amendments and the rights of all citizens to protect themselves against internal subversion, the Communist variety or any other.

As you know, Mr. President, last week I joined with six other Senators in opposing the senior Senator from Illinois' request for suspension of the Senate rules to consider S. 2171 as an amendment to an appropriation bill. I did so because I agreed with the arguments propounded by that same Senator from Illinois only last January against suspending the rules to consider amending rule 22 of the United States Senate, the cloture rule. In January of this year Senator DIRKSEN said:

> If we are going to protect the Republic against wild schemes and fantasies and favorite legislative brainchildren, the thing to do is protect our rules.

I could not agree with the Senator more, and I think this argument is just as cogent in October as it was in January. It is just as cogent when the Senator from Illinois is on the other side of the argument as it was when we were on the same side of the argument. What Senator DIRKSEN said in January about suspending the rules of the Senate is equally true now about dispensing with hearings and an adequate report on this bill, S. 2171, the pending business of the U.S. Senate.

If ever there was a time when any legislation should have thoughtful hearings and a clear, thorough, precise report, it is on a bill affecting the national security of the citizenry of the United States. S. 2171 purports to be such a bill.

This bill deals directly with the major threat to the internal security of the United States in this century, the Communist conspiracy.

The bill would substantially alter and amend the basic law designed against that menace—the Subversive Activities Control Act of 1950. The proposal before the Senate purports to provide the legal tools needed to combat the Communist conspiracy, without infringing upon the constitutional rights of loyal Americans.

This bill deals with one of the most complex and controversial areas of the law of this Republic. President Truman vetoed the original act which S. 2171 would amend. Congress overrode that veto. Fifteen years of nearly constant litigation over the meaning and the constitutionality of that act's provisions followed. Court decisions have struck down major portions of that act because of their unconstitutionality. Still other parts of the act are even now being tested in court.

In short, Mr. President, S. 2171 amends one of the most significant, difficult, controversial, and critical areas of our law—the legal control of internal subversion in this country. Yet S. 2171 has never had an hour's or even a minute's hearing before any committee of the Senate, nor does the committee report upon it indicate the slightest notion of what that bill purports to do, what it provides, how it works, or even how it will change the existing law.

Mr. President, as I indicated last week, I shall oppose voting on this bill until hearings have been held upon it, and until an adequate report has been made upon it. It is a general and salutary practice in the Senate that every report on every important or controversial bill considered by the Senate shall contain an explanation of the bill, a section-by-section analysis and explanation of its provisions, together with an exact statement of how the bill would change the terminology of the existing law.

This practice exists for very sound reasons, and should be suspended only in the rarest of cases. The practice of writing complete and informative reports exists, first of all, to enable a Senator to understand what it is he is called upon to vote about, in general what the bill provides, its background, the need for it, an analysis of its sections, and a line-by-line statement of the changes the bill would make in the language of the existing law.

Each part of the report tells a Senator an essential part of what he needs to know about that bill, in order to cast an intelligent vote, in order to determine what the merits and demerits of a bill are, whether it should be amended to better serve the public interest, and whether it should be adopted or rejected.

Secondly, the report provides a basis for public understanding and legal interpretation of the provisions of the bill. When difficult questions of legal interpretations arise in court cases involving congressional legislation—and, indeed, this bill, by the very history and nature of the act it attempts to amend, will, if enacted, obviously be such legislation—the committee report on the bill provides a prime and essential part of the legislative history which is supposed to guide the courts in deciding what Congress meant when the words of an act are unclear, or are capable of more than one interpretation.

Indeed, Mr. President, there are many times, in committee deliberations and the markup of controversial pieces of legislation, when Senators taking opposing viewpoints on the committee will be able to agree on an amendment to or a deletion from the bill only because they have agreed on the language of the report. In some instances, the language

of the report is debated as vigorously and strongly in a committee meeting or markup as the language of the bill itself.

There is a reason for that. Members of Congress realize that when a question arises before a court on the interpretation of an act, the report which is on the desk of the Senator when the bill is considered is indicative of the legislative intent, and is a binding part of the legislative history, together with the debate on the floors of Congress itself. In the absence of adequate legislative history, the court is free—in fact, it is forced—to guess what Congress meant, and to put the court's own interpretation on difficult areas of the law.

So Senate practice and sound legislative technique require a comprehensive report on every significant piece of legislation which this body adopts.

The Senator from Illinois [Mr. DIRKSEN], the author of the bill under consideration, S. 2171, seems to agree that the report on the bill is inadequate. At least last Wednesday, when S. 2171 became the pending business of the Senate in its own right, Senator DIRKSEN inserted at page 28533 of the CONGRESSIONAL RECORD, October 11, 1967, a brief explanation of this 263-line, 11-page bill, in order, quoting his own words, "that Members of the Senate may have more detailed information on the contents of the measure."

That statement has now been reprinted as a separate document. On the cover of that document appear the words "Printed for the Use of the Committee on the Judiciary." But that document did not exist when the Committee on the Judiciary, of which I am a member, reported S. 2171 to the Senate, nor had I ever seen it—nor, to my knowledge, had any of my fellow committee members seen it, other than the Senator from Illinois—until it appeared on our desks in the Senate yesterday.

This piece of paper is entitled "Section-by-Section Analysis of S. 2171, a Bill To Amend the Subversive Activities Control Act of 1950 so as To Accord With Certain Decisions of the Courts." Counting that title as five lines, this so-called section-by-section analysis of the bill contains 74 lines. S. 2171 contains 263 lines. So this document provides only one line of explanation, including its five-line title, for every three and a half lines of the text of the bill.

Mr. President, we are not kidding anyone. This is not a comprehensive section-by-section analysis of the bill within the meaning, the need, and the tradition of section-by-section analyses in the Senate.

Obviously drafted in haste, printed nearly 2 months after S. 2171 was reported to the Senate, this document hardly deserves the title of section-by-section analysis, and certainly by no stretch of the imagination can it be considered a substitute for an adequate report on the bill.

I question the title that the section-by-section analysis has. It says: "A Bill To Amend the Subversive Activities Control Act of 1950, so as To Accord With Certain Decisions of the Courts." I wonder, if all the facts were brought before the view of the citizens of the United States and if we have full and open hearings in the course of which we permit those who might criticize the proposal to testify, whether the bill might not, as presently drafted, be reclassified as "a bill to permit the continuation of certain high-paid political appointees being compensated under an act entitled the Subversive Activities Control Act of 1950."

I think the citizens of the United States are entitled to the facts which will enable them to reach a fair and an informed judgment on this bill.

And I think we, as Senators of the United States, are entitled to that same information.

Neither the so-called section-by-section analysis nor the original "report" on S. 2171 provides a satisfactory explanation of the bill either in form or in substance. Neither this analysis nor the original "report" includes a statement of the literal changes the bill would make in existing law.

In substance, the new "section-by-section analysis," like the original "report," adds little understanding to the otherwise total obscurity which now surrounds the provisions of S. 2171, in the absence of any hearings or an adequate report.

By producing this so-called summary of the bill's provisions at this the 12th hour, the bill's author has explicitly acknowledged the inadequacy of the original report on the bill. Unfortunately, the summary, too, is wholly uninformative as to what the bill actually provides.

Mr. President, what urgency is there about this bill? What is the acute national crisis after 20 months of SACB dormancy? What grave, imperative revelation justifies doing without hearings and without an adequate report on this bill?

Is the Federal Bureau of Investigation about to stop its activities in the area of internal security? Is the Central Intelligence Agency about to close its doors? Are any of the various Federal investigative agencies about to close shop? Is the Internal Security Division of the Department of Justice about to go out of business?

The Subversive Activities Control Board has rarely met for 20 months. The Attorney General has referred no case to it in more than a year. It has been paralyzed for 15 years before that by lawsuits questioning the constitutionality of some of the provisions S. 2171 now seeks to cure.

If S. 2171 is so urgent now that the Senate must vote on it without even knowing what it provides, why was the bill not proposed last year or 2 years ago when the Supreme Court first held unconstitutional that part of the Board's activities that the pending bill was supposed to concern? Why was it not proposed then?

I think the people of the United States are entitled to hearings to bring out facts as to why it was not proposed. I think that the appointees to this board ought to be investigated. I think we ought to clear up once and for all whether we have a genuine "Subversive Activities Control Board," or whether it is just a nice, comfortable political pork barrel. And I think that the people of the United States are entitled to have hearings and to have the facts brought out.

In this great country, we generally can make a proper judgment when the facts reach the citizenry. And I am satisfied that we can make the proper judgment in this matter when the facts reach the citizenry.

Why the tremendous resistance, why the reluctance, why the complete obstinacy toward holding any public hearings on this matter, or even permitting the Attorney General of the United States to testify? Why is it that the sponsors are afraid to hold this matter up to the light of day? What is it that they want to keep hidden or unrevealed from the American people?

I think we are entitled to have public hearings. After 17 years, there is no special emergency today, other than the continuation of the $26,000-a-year sinecures which requires that the Senate act blindly, without hearings, and without a report on the bill.

It has been suggested that we will break faith with our men in Vietnam if we do not blindly approve the bill without knowing what it provides or even what job, if any, it is supposed to do. I say we do not break faith with our men in Vietnam by insisting upon our own basic, essential rules for the orderly and reasonable consideration of legislation, especially legislation dealing with our national security. I say we do not break faith with our men in Vietnam if we follow the historic rules of the Senate in dealing with important and significant pieces of proposed legislation.

But, Mr. President, we do break faith with our men in Vietnam if we carelessly, blindly, and unnecessarily dispense with the orderly processes of our liberty, which those men are fighting to protect—and I include among the orderly processes of our liberty the rules and practices of the Senate in the consideration of the Nation's laws.

I say we betray our fighting men if we substitute panic and political pressure for proper procedure, we betray them if we substitute needless expediency for time-honored, tested, and proved legislative procedure—procedure designed not to obstruct a bill's consideration or to prevent its passage, but designed rather to make certain that every bill passed, to the best of our ability, does what it is supposed to do, does it in the best way possible, and contains no time bombs or pitfalls to shatter our liberties.

What are we asking? We are asking that the bill be sent back to the Committee on the Judiciary, to enable the committee to hold at least 2 days of hearings and afford the Attorney General of the United States and perhaps four or five witnesses who have criticized the bill to testify. Then we are willing to have the bill reported to the Senate at a time certain and to have the Senate vote on the bill at a time certain. There is nothing obstructive about that.

We are merely asking for an opportunity to have the people of the United States become informed about exactly what the bill provides. If the sponsor has the votes, why is he afraid to have a

public hearing on the bill, when he can have a vote in the Senate at a time certain?

I oppose the consideration of the bill by the Senate without hearings or an adequate report, not because I am against its provisions, for neither I nor practically any other Senator can know, with the puny record which is before us, what the bill specifically provides. I oppose a vote on this bill now because the procedure which has been followed—no hearings, an unintelligible report, and the suggested blind acceptance of its provisions—is as destructive of our system of liberty as any conspiracy needs to be to erode the foundations of our freedom. That is why I favor sending this bill back to committee for a designated, reasonably short period of time, to hold hearings and to draft an adequate, informative report on it.

What is the danger in holding hearings? Is there some part or provision of this bill which cannot bear the light of day? After 17 years of paralysis and 20 months of total inaction by the Subversive Activities Control Board, has the Communist menace become so acute in the last few days that we must act blindly this week rather than reasonably next month on this bill?

As I indicated, I am perfectly willing to agree to a binding consent agreement to limit debate on the bill once it is reported back to the Senate, and to agree on a specific date for that report, if the Senator from Illinois [Mr. DIRKSEN] is willing to hold hearings on the bill so that we can find out what it is all about, how it might be improved, and whether it can do the job that is claimed for it.

I believe that the Senate rules and practices for considering important legislation have a vital purpose in our Republic which should not be lightly overthrown. I see no reason to dispense with hearings or an adequate report in the case of this bill. In fact, in the case of this bill, in light of the importance of the subject, I believe such a hearing and such a report are absolutely vital.

Hearings on this bill, although not specifically required by the Senate rules, are an essential part of the legislative process recommended by practice, experience, the necessity for guidelines to the courts, and good commonsense.

We have had no expression whatever—other than a so-called mysterious letter, which has not yet been made public—of the views of the Department of Justice on this bill, even though the Justice Department will have primary responsibility for enforcing the bill. We do not even have any record of the views of members or staff of the Subversive Activities Control Board about the bill. We have no record at all on this bill.

At this point, Mr. President, let us lay to rest the assertion, made by those who favor passing this bill without hearings, that the testimony before the Appropriations Committee on this year's Subversive Activities Control Board budget provides a basis for enacting this bill. Those hearings were not on this bill, S. 2171, but were conducted as a part of the normal appropriations process and, also, in response to Senate Joint Resolution 145, which asked the Appropriations Committee to determine, in light of the controversial appointment of Mr. Simon McHugh to the Subversive Activities Control Board, whether:

First, the current and prospective volume of business of the Board warrants the continued exercise of its powers, and the continued performance of its functions and duties, by a separate agency of Government; and whether

Second, the powers, duties, functions, and property of the Board should be transferred to another agency of the Government in the interest of efficiency and economy in the conduct of Government operations.

Senate Joint Resolution 145, passed on July 25, 1967, is completely separate and apart from S. 2171, which was not introduced until two days later, on July 27 of this year. It was passed in response to the controversy about the continued usefulness of the Subversive Control Board in light of the appointment to it of an apparently completely unqualified person.

The hearings in question of the Committee on Appropriations are reprinted as part of the Senate hearings on State, Justice, Commerce, the judiciary, and related agencies appropriations, H.R. 10345, 90th Congress, first session, fiscal year 1968, on pages 1021 to 1071.

Two points about these hearings of the Committee on Appropriations suffice to answer the assertion that those hearings provide a basis for considering S. 2171.

First, the bill was not even before the Committee on Appropriations for consideration during those hearings and is barely mentioned by anyone during those hearings.

Second, those hearings not only were not available to the Committee on the Judiciary during its brief consideration of S. 2171, they were not even conducted until August 15, the very morning the Committee on the Judiciary took up and reported S. 2171 to the Senate, and were in fact going on simultaneously with the action of the Committee on the Judiciary.

Furthermore, the report of the Committee on Appropriations on the State, Justice, Commerce, the judiciary, and related agencies appropriation bill not only did not endorse S. 2171, it did not even specifically mention it.

Mr. President, we have had no hearings on this bill, and we have no adequate report on it. We have, in fact, no record at all. Until we have such a record, I must continue to oppose a Senate vote on this bill.

My insistence on adequate consideration of this bill is not based solely on the belief, which I firmly hold, that every significant bill should be thoroughly considered in hearings and thoroughly explained in a report. My insistence in this case is also based on the fact that even a passing acquaintance with the Subversive Activities Control Act of 1950, which created the original Subversive Activities Control Board, and which S. 2171 would amend, and even a brief inspection of S. 2171 without the benefit of any hearings, shows that S. 2171 contains a massive loophole through which some of the most dedicated and dangerous Communists operating in the United States today and Communist-action organizations and Communist fronts will escape the exposure this amendment is supposed to provide.

It is common knowledge that the world Communist movement has, in the last decade, fragmented into at least two major ideological camps, the Soviet and the Chinese. Moscow, and the Communist Party throughout the world whose allegiance it commands, has somewhat tempered its belligerence toward the Western nations, while Peking has continued to pursue, in fact, to intensify the militantly hostile Stalinist line of world armed revolution.

Every informed high school senior knows that there is a vast difference between the operation of the world Communist group dominated by the Chinese and the world Communist group dominated by the Soviets. Indeed, their belligerence toward each other has been so pronounced it has come to national and international attention, particularly in the last several years.

I do not disagree with the commentators who note that, as toward our security, the divergence in Soviet and Chinese Communist doctrine is only a question of how they will prevail over our system rather than whether they should try. I believe we must continue to guard ourselves against attack from without and subversion from within by both the Soviet and the Chinese Communist Parties and programs.

But the fact is inescapable that whereas 15 years ago we may have faced only one Communist threat—the Stalinist Soviet—we now face at least two separate and distinct Communist threats which are at ideological war both with us and with one another. The ideological, strategic, and tactical split in the Communist world has split Communist Parties throughout the world into Soviet and Maoist camps, each pursuing a different approach and neither taking orders from the other. The split is so deep that the Soviet Union and the Chinese exchange not only verbal condemnation of one another, but also bullets at one another across the Chinese-Soviet border.

And that is precisely the Achilles' heel, one massive loophole, one fatal defect, in S. 2171 that even the most cursory hearing on the bill would have uncovered. If this bill is passed in its present form, it would apply only to Communists, Communist-action groups, and Communist fronts which take their direction from the Soviet Union. It will not apply to the more militant, more virulent, and I believe far more dangerous, Communist, Communist-action groups, and Communist fronts which take their lead from China, not from Moscow.

This glaring defect in S. 2171 arises from the fact that it simply amends the Subversive Activities Control Act of 1950, which, by its terms and by interpretation by the Subversive Activities Control Board and the Supreme Court, applies only to Communist groups, fronts, and individuals which are in the Moscow orbit, not to the groups, fronts, and individuals which take their direction from the Chinese Communist Party.

The 1950 act is thoroughly permeated with the theory that the internal Communist threat is directed by, and only by,

the Soviet Union. This theory finds expression in many parts of the act, but especially in section 2, the congressional findings section, and section 13, the section detailing the proceedings of the Subversive Activities Control Board. As a result, the 1950 act authorizes the Subversive Activities Control Board to proceed in cases dealing with Moscow-oriented Communists, Communist-action organizations, and Communist-front organizations. But it is powerless to deal with Chinese-oriented Communists, Communist-action organizations, and Communist-front organizations. This is the position taken by the Subversive Activities Control Board itself, by the Supreme Court, and by the Department of Justice as recently as last Monday, October 9, in argument before the Supreme Court in the case of United States of America against Eugene Rovel, a case questioning the constitutionality of still another part of the Subversive Activities Control Act.

Lest there be any doubt that the 1950 act, which S. 2171 would amend, is restricted to dealing with the Communists, Communist-action agencies, and Communist-front organizations substantially influenced, dominated or controlled by China, I shall quote from the Supreme Court case of *Communist Party of the United States* v. *Subversive Activities Control Board*, 367 U.S. 1, 1961, the case which upheld the power of the Subversive Activities Control Board to hold the Moscow-oriented Communist Party of the United States to be a Communist-action organization required to register under the Subversive Activities Control Act. In that case, on page 112 and 113, the Court said:

> Under § 3 (3) of the Act, an organization may not be found to be a Communist-action organization unless it is shown to be, first, "substantially directed, dominated, or controlled by the foreign government or foreign organization controlling the world Communist movement referred to in section 2 . . ." The only operative function of § 2 in this respect is to designate what Congress meant by "world Communist movement," "the foreign government," etc. The characteristics of the movement and the source of its control are not to be established by the Attorney General in proceedings before the Board, nor may they be disproved. But this is because they are merely defining terms whose truth, as such, is irrelevant to the issues in such proceedings. They are referents which identify "the foreign government" to which § 3(3) adverts. *The Board construing the statute, concluded that that foreign government was the Soviet Union. We affirm that construction. The statute, then, defines a Communist-action organization in terms of substantial direction, domination, or control by the Soviet Union.*

That interpretation of the act by the Subversive Activities Control Board, by the Supreme Court, and by the Justice Department is the law of the land today and would not be changed one iota by S. 2171.

To show what this defect in S. 2171 means, we need look no further than this morning's paper. The Washington Post, on page 22 of its October 18 edition, reports that Hanoi has announced the formation of a group called the South Vietnam People's Committee for Solidarity with the American People," whose purpose it is to unite and coordinate with the American people in demanding that the U.S. Government put an end to its aggressive war in Vietnam.

Mr. President, I assume that most of us would at least suspect or reasonably believe that this new South Vietnam People's Committee for Solidarity with the American People is a Communist-front organization. I do not believe that takes a great deal of acumen.

Yet, unless it could be proven that that organization is substantially directed, dominated or controlled by the Soviet Union, rather than by China, or is at least substantially directed, dominated, or controlled by another organization which itself is substantially directed, dominated or controlled by the Soviet Union, rather than by China, this new South Vietnam People's Committee for Solidarity with the American People could open an office across the street from the Capitol Building and could not be touched by the Subversive Activities Control Board.

So let no one be deluded that S. 2171 protects the United States from whatever threat Communist-inspired internal subversion poses to us. S. 2171 is, at best, a half-way measure which does not even reach those individuals and organizations which probably pose the greatest Communist threat to the United States—the Stalinist, virulent, violent, Chinese-oriented Communists, Communist-action agencies, and Communist-front organizations.

At least, Secretary of State Rusk seemed to feel so in his press conference last week. I refer to his fears of Communist China rather than of the Soviet Union.

Senate bill 2171, now before the Senate, does not even cover Communists, Communist-action organizations, or Communist-front organizations which are influenced by the Chinese Communist Party.

This is just one example of what happens when we do not follow proper legislative procedures in developing what a bill does, what it should do, and what it does not do. I do not know how many other loopholes an examination of the proposal would turn up, but my point is: Why the great resistance to a recommittal for a specific purpose, for a specific period of time, with directions for hearings, with a specific number of witnesses, including the Attorney General of the United States, with agreement to report back to the Senate on a date certain after the hearings for a vote at a time certain?

What possible result other than to benefit the people of this country could accrue from the proper legislative procedures which we request?

Here we are arguing on the floor of the Senate about whether this potently defective bill—covering only Soviet oriented Communists, Communist-action organizations, and Communist-front organizations, with no reference to or coverage of Chinese Communists or their organizations—should be passed without hearings or an adequate report.

Mr. President, I can only say that if the Communist conspiracy which has given rise to S. 2171 is organized in as haphazard a fashion as is our consideration of this slapdash bill, we have less to be worried about than I thought. I believe we do our national security a grave disservice in proceeding without hearings or adequate consideration of this bill.

If we are to be stampeded in the name of "anticommunism" into enacting a bill without adequate committee consideration, let it at least be a bill not so transparently defective as S. 2171, which does not even cover the agents and organizations of at least half or more of the world Communist movement.

Mr. President, I could and am prepared to speak for a much longer period on my concerns about the bill. I could, for example, renew my questioning of the Board's newest member whose principal qualification seems to be that he recently married one of the President's former secretaries. I could start questioning the qualifications of each of the other members, on the number of hours they have spent actually working while they were being paid $26,000 a year of the taxpayers' money.

I could discourse at much greater length on the need to update the 1950 act to make it workable in light of the radically changed circumstances in the Communist world and developments in our own domestic law. If we need a board to determine which organizations and individuals in America are subversive, let us make sure that we give that Board authority which will stand up in court. The constitutional defects in the original Subversive Activities Control Act, which this bill seeks to amend, led to 17 years of paralysis and defeat for the Board, because the defects prevented the act from ever being effective.

If we need a board of political appointees to expose subversion in the United States, then let us at least make certain that that Board has an opportunity to examine all areas of the internal security problem in the United States, those related to the extreme right as well as to the extreme left, those related to groups who advocate riot, assassination, and murder of public officials in the United States in our great cities, and others. If we are going to advocate a system of "exposure," then let us do it right and properly.

The constitutional defects in the original Subversive Activities Act, which the bill seeks to amend, I think have been pointed out sufficiently by the Federal courts of the United States at least to warrant, if we are going to amend the act, a detailed review on these various constitutional fallibilities in an effort to correct them.

Rather than blindly enacting a band-aid intended to cure some of these fatal defects in the 1950 act, I think it is only good commonsense to advocate that we should, instead, enact a thoughtful, thorough, timely, and effective bill which would cover all areas of internal security problems.

How do we know, without hearings or a comprehensive report on this bill, that it will not just aggravate the legal prob-

lems the Board faces? All we really do know about S. 2171 is that it can do, at best, half a job, not touching those who are probably, at present at least, potentially our most serious enemies—namely, those Communists, Communist-action organizations, and Communist-dominated groups oriented to or controlled by the Chinese Communist empire.

I am not going to speak at greater length this afternoon about these problems, because I hope what I and other Senators have put on the record makes clear the need to send this bill back to committee for thorough hearings and a comprehensive report. I have no wish to block a Senate vote on S. 2171 by extended debate. I do hope, however, that the points made here may convince Senators that the only wise vote on S. 2171 at this time is a vote to recommit it for proper and appropriate consideration in the Judiciary Committee of the U.S. Senate.

Mr. MANSFIELD. Mr. President, I would hope most sincerely that the patriotism of any Member of this body who happens to question the pending proposal, who has doubts about it, or who may vote and even argue against it would in no way be impugned or attached. I hope also that no Member will be colored or criticized or condemned for his action either for or against the pending measure.

I agree completely with the distinguished Senator from Maryland that opposition in any form to this measure does not mean that faith with our men in Vietnam has been broken. And I would hope that we would consider this proposal before us not on the basis of emotion, which can be charged quite easily, and sometimes have disastrous consequences—and I can speak on that personally—but on the basis of the merits—on the facts and practicalities as they exist at the moment.

A board exists—although it is barely operative—whose members are being paid, and will continue to be paid for the rest of this fiscal year, an annual rate of $26,000 or so. Now we can either do something through legislation to give these Board members something to do or we can, by our action of doing nothing, allow them to continue to draw their $26,000-a-year salaries without doing anything to earn them. It is just as simple as that, and every Member of this body knows it. We can permit them to do something to justify the salaries they are receiving, or allow them to go on as they are, getting $26,000-plus a year for doing nothing, or we can attempt to abolish the Board entirely.

Those are our choices and we ought to face up to this situation. I would hope that there would not be too much talk about lengthy debate or long-drawn educational discussions, because the issue is pretty clear and to the point. It should be faced up to regardless of how we feel on this particular proposal.

So I repeat, I simply think the Senate should be permitted to face up to the issue presented by the proposal now before us. S. 2171 amends the Subversive Activities Control Act of 1950 and in my opinion, poses no monumental policy decision. It does make an attempt to implement the Senate's decision of last week when it voted to appropriate funds for the Subversive Activities Control Board.

Last week the Senate refused to delete from the State-Justice appropriation bill the funds for this Board. By retaining these funds in that bill, the Senate refused to back an effort to abolish the board this year.

As I understand it, the Supreme Court has ruled certain provisions of the original McCarran-Walter Act unconstitutional, and the present bill simply attempts to modify the Board's jurisdiction to comply with the Supreme Court's decisions and thus enable the Board to function. The Department of Justice, however, still must initiate any proceedings against any organization believed to be subversive.

There is no guarantee that the present bill, the Dirksen bill, will prove the effectiveness of the Board. But the Senate's decision last week demonstrates clearly that the Senate wishes the funds appropriated. This measure represents an effort to make certain that the funds will be expended in an appropriate manner. Without this legislation, the Board would exist with a stated congressional purpose, but without the license to function in furtherance of that purpose. Such a posture is, in my opinion, untenable.

It is true that the Board has lapsed into inaction. The recent decisions of the Supreme Court rendered unconstitutional the provisions of the 1950 law requiring individual registration of subversive organizations. This bill, as I understand it, does not attempt to overturn or interfere with those decisions.

It does, however, spell out the jurisdiction of the Board in accordance with those decisions, enabling the Board to hold hearings—which it cannot do now—to determine whether an organization, in reality, is bent on the destruction of our democratic processes.

Proceedings before the Board will be initiated upon the petition of the Attorney General, when he has reason to believe that an organization is so marked. The bill assures due process of law, including an open hearing before any final determination can be made. I believe that in the event action is to be taken against any organization, these due process safeguards should and must be afforded.

I am fully appreciative of the fact that the demands on this Board have diminished in recent years. I think that this speaks well for the vitality of our form of government and the diminished threat of communism internally in our country. However, since the Board does exist, and Congress has, as recently as last week, decided that it should not be abolished, S. 2171 makes a good deal of sense in updating the present jurisdiction of the Board.

There have been attempts, over the past several days, to reach an agreement to recommit the bill—and I have participated in those attempts—to the Committee on the Judiciary for a brief period of time, in order to hold hearings on this matter. However, these efforts have not been fruitful. In view of this, I would hope that the Senate now would be permitted to face up to the issue, and resolve it one way or another as soon as possible. If a motion is to be made to recommit, or to do otherwise, let it be made and disposed of by the Senate. If amendments are to be offered, let them be proposed and disposed of by the Senate. The issue, I think, is clear enough in each Senator's mind. I hope that the Senate will be permitted to work its will on this bill as early as possible. Whatever the Senate's decision is, I am prepared to accept it.

I now yield to the senior Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, the distinguished majority leader always speaks with great clarity and incisiveness, and leaves no doubt as to where he stands.

But is it not true that the big question is the question as to whether or not this bill would do anything, whether it would work, whether in fact, if we pass the bill, the Attorney General would or could take any action?

We have the word of the distinguished junior Senator from New York [Mr. KENNEDY], a former Attorney General, who worked with this law during the time he was Attorney General——

Mr. MANSFIELD. And an excellent one.

Mr. PROXMIRE. And an excellent one, a man of great judgment, who said on the Senate floor yesterday that if he were Attorney General now he could not use the power that S. 2171 would provide. Senator KENNEDY made the case against S. 2171 effectively and persuasively. The former Attorney General presented three specific constitutional objections which would prohibit the enforcement of this legislation and would consequently still leave the Board with nothing to do.

In addition to the respected judgment of the distinguished Senator from New York [Mr. KENNEDY], we have the word of several outstanding deans and professors of law schools in this country, who have stated authoritatively that S. 2171 has serious constitutional defects.

The question I would like to pose to the distinguished majority leader is this: In view of the fact that we have not had a single witness testify on this bill, that we have no statement whatsoever from the Attorney General, that we have a report which simply says, in effect, "Here it is, the Judiciary Committee approves it but makes no analysis," would it not be logical for the Senate to recommit the bill to the Committee on the Judiciary, with the understanding, as the majority leader has stated so well, that they hold hearings for a brief period and then report the bill back for a decision by the Senate, but a decision with our eyes open?

Mr. MANSFIELD. Mr President, I believe the Senator's point has great validity. I am sure that he knows my position. I would vote against a motion to recommit, but I would not fight it. If the Senate decided that that was the best way to handle the matter, it would be

fine with me; I would be more than happy to go along.

If I correctly read the collective mind of the Senate, however, it appears that there is not much hope that such a motion would carry; but I anticipate that one might well be made. Indeed, I hope one will be made, just to find out definitively what the sentiment of the Senate is.

If any Senators wish to offer amendments to strengthen the pending proposal, that action would be perfectly in order; or if some Senator wishes to move to abolish the Board altogether, that would be in order also. The basic point I am getting to is not the constitutional aspects of the question before us. I, frankly, am not qualified to discuss the constitutional aspects of a bill of this nature, because I do not feel that I have the requisite legal training. What we are confronted with is an issue based on action taken in this body over the past several days. Money has been appropriated in the State, Justice, Commerce appropriation bill. The same amount, I believe, was provided by both Houses.

If something is not done to give the Subversive Activities Control Board some additional powers, authorities, and responsibilities, it will mean, in effect, that for the remainder of this fiscal year the Board members and their staffs will be drawing salaries but will be doing very little in return.

I just do not like the idea of any Government agency such as this Board, with members drawing salaries in excess of $26,000 a year simply marking time, participating in "make work" projects—perhaps not even going to the office more than once or twice a month—and collecting their salaries. Because they will be paid. This Board has been set up under the law: the McCarran-Walter Act of 1950. So we have a choice: Either remove the impediments preventing its action, or face the possibility that for the remainder of this fiscal year there will be a board doing next to nothing and at the same time drawing a handsome salary. That prospect makes no sense at all.

Mr. PROXMIRE. I say to the distinguished majority leader that there is no indication, in my view, on the basis of the testimony of the former Attorney General of the United States and the opinions of outstanding experts, the only ones who have given us opinions on this bill, the deans of law schools and so forth, that the enactment of the measure would do anything to improve the situation.

Even if we do pass the bill, we will still most probably be faced with a Subversive Activities Control Board with nothing to do.

Because unless the Attorney General initiates cases before the Board, the Board will remain expensively idle, costing the American taxpayers another $300,000 a year at least.

It is true that the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], has a letter from the Attorney General. He has not told us what is in the letter. We have no way of knowing what is in the letter. We cannot read his mind, and we cannot read the mind of the Attorney General. Under the circumstances, since we do not know what is in the letter, it seems to me that we are in a position of having to do our best to develop the issues and develop the record on the floor of the Senate.

The distinguished majority leader believes that our chances of having the bill recommitted are not good. That seems to me to reaffirm the necessity of further consideration of a bill of this significance. The constitutional experts say the bill goes right to the heart of fundamental civil liberties questions. It is an important measure in terms of internal security. Under the circumstances, it would seem that we do have a perfect right—not only the right but the duty—to do our best to develop a thorough, comprehensive record on the floor of the Senate. The floor of the Senate should not be the place to do it; we ought to be before the appropriate tribunal, which is the Committee on the Judiciary, but we cannot do that unless the bill is before the committee.

Mr. MANSFIELD. Mr. President, may I say to the Senator from Wisconsin—and it is common knowledge—that this is the third different occasion I know of when he himself has taken the floor of the Senate to expound on this subject and to make his views known. The first time was some weeks ago, when the bill was called up briefly and was then set aside. The second time was last week, during the consideration of the State, Justice, Commerce, and Judiciary appropriation bill. The third occasion is this week. In addition, the Senator appeared before the Subcommittee on Appropriations and made a very effective argument in favor of his position. He knows, of course, that other witnesses were present, representing the Board itself. One was John Mahan, of Helena, Mont., Chairman of the Board. Another was Assistant Attorney General Yeagley, who I thought represented the Attorney General, although about that the Senator from Wisconsin has raised some questions.

Also, as a result of that hearing, which was held—at least in part—as a consequence of the resolution submitted by the distinguished Senator from Delaware [Mr. WILLIAMS], the committee made four recommendations. It is true that they did not mention S. 2171, but they did mention, if I recall correctly, strengthened or new legislation among the four proposals advanced.

So it appears to me that aside from the constitutional ground, as to which I do not feel I am qualified to comment, this proposal has been ventilated quite thoroughly, and I might say that the chief ventilator is the Senator from Wisconsin, with whom I am now holding a colloquy, because of his initial interest, his continuing interest, and his expertise in this particular subject.

Mr. PROXMIRE. The action of the Senate in rejecting the Williams amendment to the State, Justice, Commerce appropriation bill, thereby approving $295,000 for the Board, was action which, on the basis of the best information I could get, was pretty much forced.

As the Senator knows, when I appeared before the State, Justice, and Commerce Subcommittee, I indicated that I would like to knock out all the funds for the Board but that, on the basis of advice I had received, it was something that could not be done because the authorizing legislation was on the books. The commissioners were duly appointed and had been approved by the Senate and were occupying offices. There was an obligation to pay these salaries.

I was advised that in times past when Congress had tried to abolish agencies in the days of the New Deal and during World War II, it had been unsuccessful because the appropriations had been made for the agencies and the salaries had to be paid anyway.

I was perhaps misinformed. However, the Senator from Arkansas [Mr. MCCLELLAN] told me that the thing to do was to press for the outright abolition of the agency by means of a bill. I introduced a bill that is pending before the committee, and it has not had any hearings.

Mr. MANSFIELD. The Senator is correct in his interpretation of the salaries as they are applicable to officials of permanent agencies. But again, we get back to the basic, practical fact. The Board is in operation; at least, it is supposed to be. Its five members are doing little or nothing. If, in some way, they do not get additional authority and responsibility, they will keep on doing little or nothing and drawing $26,000 a year-plus in salary.

We should either give the Board something to do or abolish it. And if we do not want to give the Board something to do, then I would say, "Let us abolish it and do away with it." But we cannot abolish it now, because we have continued the funds for this fiscal year.

It is a simple question, as I see it, apart from the constitutional aspects. It is a case of either fish or cut bait. Give the Board something to do. Make them earn their money, or get rid of the agency and the jobs in that agency.

Mr. PROXMIRE. The distinguished Senator from Montana has indicated that he would oppose referring the bill back to committee for brief hearings. Would the Senator consider a possible amendment to the bill?

A number of people—the former Attorney General of the United States, the present junior Senator from New York [Mr. KENNEDY], law school deans, and others—have raised the question that this will not work, that there exist serious constitutional defects which the Dirksen bill will not overcome so as to enable the Attorney General to bring an action before the Board.

Will the Senator consider an amendment which would permit the Dirksen bill to be passed and provide that, in the event the Attorney General is not able to act under the bill, and does not bring any cases before the Subversive Activities Control Board within the next 12 months, in that event the Board would be abolished, and the idle Board, which under those circumstances would have gone almost 3 years with nothing to do, would cease to exist?

Mr. MANSFIELD. I would give consideration to any amendment offered by the

distinguished Senator from Wisconsin. As to whether I could approve such an amendment, I, of course, would be unable to say at this time. Nor do I think the Senator would expect me to, because we have to study these matters and determine their full ramifications. However, the proposal sounds as if it has possibilities.

If the Senator should offer such an amendment, I can assure him, as far as I am concerned—and I would assume the Senate as a whole would feel the same way—the amendment would receive every possible consideration. It would be one way of trying to arrive at a better position than we find ourselves in at the present time.

What worries me is that these people should have something to do in the meantime. They are being given their salaries.

Another thing that worries me, as I tried to indicate in the beginning of my remarks—and cannot emphasize enough—is that unfair connotations and criticisms and the like will be placed against some of those who are opposed to this legislation, those who raise questions about it.

That is something that I do not like and I do not approve. Everyone who is interested in this subject, regardless of what side he takes, is, in my opinion, a patriot of the highest order. The Senator who does what he thinks best in accord with his conscience, his understanding of the Constitution, and his responsibilities as a Senator, really demonstrates the highest degree of patriotism. So, these factors all enter into my thinking.

Mr. PROXMIRE. I do think, on the basis of my own experience, as one who has taken a public position vehemently against the continuation of the Board under the present circumstances, that I should make my position known.

I can tell the Senator from Montana the reaction of the people in the State that elected Joe McCarthy and reelected him to the U.S. Senate.

I was at the Packers-Viking football game last Sunday and shook hands with 3,000 or 4,000 people. I spoke to many people. They all support my position. They are conservative people. They are most anti-Communist. However, they are emphatic in their feeling that this is a wasteful Board, constituting a waste of money and an extravagance that they would like to do away with.

The people know that the amount of money involved is very modest with relation to the entire budget. However, they realize that it is a very real example of how Washington can save money.

Mr. MANSFIELD. They are against it because the word is out that these members are doing nothing and drawing handsome salaries.

It is as simple as that.

Mr. PROXMIRE. It is my position that the Dirksen proposal will not correct the situation. Valued opinions of respected constitutional experts and an excellent former Attorney General of the United States, the Senator from New York [Mr. KENNEDY], emphasize that S. 2171 will not do the job.

Mr. MANSFIELD. I think we should wait until the distinguished minority leader explains his position. I imagine he will be subjected to some pretty sharp questioning. The Senate should then be able to find out what his proposal specifically encompasses, what it offers in the way of increased responsibilities for the Board, and how it would affect the Albertson case and other matters which are of extreme importance in the consideration of the bill. In purpose and design, the proposal certainly is meritorious in seeking to establish a viable, operative Board. I support that objective whole heartedly.

I thank the distinguished Senator from Wisconsin for his courtesy, and for raising the pertinent questions which he did.

Mr. President, I yield the floor.

THE SECURITY COUNCIL SHOULD SEEK A PEACEFUL END TO THE WAR IN VIETNAM

Mr. PELL. Mr. President, I rise to support the ideas that have been advanced by the singularly wise senior Senator from Montana, our distinguished majority leader; ideas supported by so many of my colleagues, urging that the Security Council take the initiative to try to seek a peaceful end to the war in Vietnam.

While there is no guarantee that the results would be successful, I believe the American national interest would greatly benefit by having us attempt to secure United Nations action.

Actually, I have urged this course of action for 2 years and particularly emphasized in a speech in Providence on November 8, 1965, that:

> To do so effectively we would have to agree, whether we liked it or not, to abide by the results of the United Nations collective judgment.

I reaffirm this view once again in strong support of the senior Senator from Montana and congratulate him on the initiatives he has taken in this regard.

FIFTH DELOS SYMPOSIUM—STRATEGY FOR DEVELOPMENT

Mr. PELL. Mr. President, I recently had the very great privilege of attending and participating in the Fifth Delos Symposium, which brought together for a week of stimulating conferences an unusual group of scholars and public figures representing many different nationalities and professions. The conferences were held on board the motor vessel *Semiramis*, which stopped at several historic points in Greece and the Aegean Sea, including the island of Delos, offering us an opportunity to contemplate the historic origins of Western civilization.

This year's symposion, like the four which preceded it, was staged under the guiding genius of the celebrated Greek planner and urban scientist, Dr. Constantinos Doxiadis. And as in the preceding symposions, the general theme centered on the problems and challenges presented by the gargantuan spread of our urban environment.

The special theme for this year's discussions was "Strategy for Development," and one of the main conclusions reached was that while we have many admirable planning efforts in many different parts of the world, they are all inhibited by a distressing lack of scientific method, data and research. We noted enormous growth in GNP and corporate activity in the industrialized nations, but only a pittance of resources devoted to the systematic development of urban life. We recommended that there should be an annual pledge on the part of the technologically developed nations of 1 percent of GNP for world development. And we recognized the need for organizing resources and efforts to attack urban problems in a comprehensive and systematic way, according to the interdisciplinary concept of Ekistics, the science of human settlements.

Four years ago, following the conclusion of Delos I, I made a statement in the CONGRESSIONAL RECORD calling attention to that meeting and to the remarkable "Declaration of Delos," which was signed by the participants at that first meeting. Some of the words of that first declaration have a most prophetic ring to them, particularly when recalled against the background of events in some of our cities during recent months:

> What is not realized is that the failure to adapt human settlements to dynamic change may soon outstrip even disease and starvation as the gravest risk, short of war, facing the human species. A universal feature of the worldwide revolution is the movement of people into urban settlements at an ever faster rate. World population increases by 2 percent a year, urban population by over 4 percent . . . It is already evident that wrong projections of urban development produce inexcusable waste. The absence of any forecasts leads to chaos in the cities, to the undermining of civic order and the destruction of precious and diverse historic traditions. Thus the need for rational and dynamic planning of human settlements both now and in the foreseeable future is inherent in the urban situation today.

This year's symposion also produced a summary statement which I hope may prove to have as many valuable insights as the declaration issued by the first symposion in 1963. I ask unanimous consent to have printed in the RECORD at this point the "Final Report of the Fifth Delos Symposion," and a list of those who participated in this year's conference.

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

DELOS 5: STRATEGY FOR HUMAN SETTLEMENTS—FINAL REPORT

1. In July, 1963, the first Delos Symposion was held, bringing together men and women from many different disciplines, nations and cultures to discuss the future of human settlements. Since that time, seminars, meetings for research and a steadily increasing participation by younger experts and students have been added to the yearly symposion. In July, 1967, it was announced that the experimental venture would be turned into a permanent programme.

2. The Fifth Symposion, held between July 22 and July 29, was once again drawn from a varied group of professions and nationalities. It drew on earlier symposia in which different aspects of urbanization—density, transport, regional systems—had been dis-

cussed, and attempted to bring them into a coherent Strategy for Human Settlements. A number of conclusions emerged as a result of these exchanges and the following paragraphs give, as is customary at the close of each symposion, a brief summary of the major points of agreement.

3. Until very recently, governments, scholars, economists and experts have, on the whole, neglected the importance or urbanization in national development. It is a result of development. It is often a burden on development. But it has yet to be made into an instrument of better development. It is this instrumental quality of urban growth that has not been sufficiently stressed. Transport and power, industrialization, capital formation, education are seen as major priorities. Agriculture has received a measure of attention. But the growth of the urban sector has tended to be seen as a consequence of other changes and to be left to look after itself.

4. Yet the urban sector is, by all odds, the most dynamic area of change. The number of people in cities grows twice as quickly as the population in metropolitan areas, three times as fast. Round each dynamic city, there is a widening gravitational field of economic and social forces which profoundly affect the patterns of living, even in what are supposedly still rural areas. And these changes presage the completion of the urban revolution in which most countries, by next century, will be predominantly urban and the more developed among them will have between 80 and 90 per cent of their people living in urban areas.

5. The consequences of the urban explosion might have continued to be ignored were it not for one increasingly obvious fact. The new urban environment, coming chaotically to life, is being challenged for better or worse in the developed countries but approaches a condition of crisis and revolution in many developing lands. The symptoms of breakdown are well known. Traffic patterns inhibit mobility. Pollution threatens the ecological environment. A host of problems spring from the highly uneven distribution of urban densities—at the centre, crowding of land and people, overloading, urban blight, rural migration into the most run-down areas; on the fringes, sprawl eating up the countryside, adding intolerably to the hours of commuting and limiting man's access to the natural world. All these facets on the urban problem have become better known and analysed over the last five years. Their appearance all round the world suggests a common response to similar pressures. In fact, the only real difference is that the developed nations command a modernized system of industry and agriculture which, if they so wished, could provide the resources needed to cope with the urban crisis. Elsewhere, the rise of the big city precedes full industrialization and its attractions may be impeding agriculture by a premature withdrawal of manpower or other resources. In this sense, faulty patterns of urbanization may be a factor in the world's growing shortage of food.

6. These pressures and changes are not self-correcting. On the contrary, they have all the makings of a downward spiral of disintegration. It follows that unless governments are prepared to insert a coherent strategy for urban development into their policies for national growth, they and their people will face a more and more dangerous and unworkable situation as the rising tide of population, both inside and outside the city, doubles and trebles over the next four or five decades.

7. A strategy for the development of human settlements thus lies at the core of successful general development. The symposion discussed various aspects of such a strategy, both in its theoretical form and its practical application. It was agreed that successful strategies are in theory likely to contain a number of elements which, together, make up a coherent and self-reinforcing system. At the beginning lies the delineation of the present situation (which itself can only be fully understood in relation to past trends and decisions). This situation is then projected into the future by the study, analysis and extrapolation of present trends. The process clarifies the consequences of present tendencies and, given the unsatisfactory nature of current urban development, convinces present opinion of imminent crisis unless changes are introduced. At this point, planning can introduce ideal concepts—not how the city will be but how it could and should be. Thus a vision of successful change becomes part of the present reality the basis for analysis and examination from which the planner derives authentic and realisable alternatives. Community acceptance turns them into actual, concrete changes. Successful change in turn becomes a new reality from which public reactions can be gauged and further extrapolations carried out. The whole dynamic process thus proceeds from the revelation of an unsatisfactory reality to the insertion of a practicable idea to the convincing of decision-makers (both leaders and community) to the realization of the project and to a new round of judgment, analysis, extrapolation and normative targets. In this process, realism provides the analysis, the cost-benefit ratios, the constraints which continue over time. But courage and vision are also needed "to invent the future" and to stay with the task of building it into reality.

8. At the level of concrete application, certain general principles also emerged. The vital point in starting a development strategy for cities is precisely to get it started. The process can begin at any number of points—pinpointing a specific problem, proposing a concrete plan. It can be started by any number of agencies, public or private, but the first need is always to set the process in motion. Another point is that targets, though specific, should be flexible enough to be changed in the course of implementation by a continuous process of trial and error. From this flows the need for a maximum public involvement and education through all possible media in the tasks of realizing and correcting the general strategy. This process in turn demands leadership sufficiently trained in the concept of urban development to give dynamic direction to public thinking. It also requires experts alert to all the opportunities of new technology. Political realities must be carefully assessed and the critical question asked whether the needed instruments of regional and local government are available. The scale of the task demands that every kind of agency—public and private—should be encouraged to exercise leadership with its corollary that all forces of investment—public and private—be drawn into the operation.

9. When the point of devising detailed strategies is reached, it must be said that the very variety of urban situations dictates as wide a variety of urban plans. Nevertheless, a number of concrete points emerged in the course of the discussions. At the primary level of the citizen and his family, the evidence suggests that in both developed and developing lands, more can often be done for poorer citizens by improving their social and educational environment than by simply rehousing them without regard for supporting services. For instance, in cities in the developing world where rural migration far exceeds any conceivable budget for housing, the best and quickest method of settling the new arrivals may be to set aside special settler—or "squatter"—locations, provide plots, lay out streets, lay on water and drainage, leave space for public use and services, link the area with the wider city and provide the settlers with the means, financial or otherwise, of building their own homes. This policy has the added advantage of simplifying the task of later redevelopment and it does not prejudice the issue whether or not the provision of urban housing is an expensive consumer item beyond the purse of poorer countries or a useful stimulant to dynamic growth. But the point was underlined that houses built with local materials can provide employment, mobilize local savings for home ownership, stimulate a wide range of subsidiary industries and do so without undue strain on the balance of payments.

10. At the level of the whole city, there was general agreement that the ultimate aim of strategy is to give citizens, within a context of recognizable social and physical order, access to the widest possible range of free choice, including the freedom to be consulted about their choices. This ideal implies mobility since choices cannot be indulged in if they are inaccessible, and this in concrete terms implies a transport system which ends the present combination of marooning for some and congestion for many, and uses all the means of movement, from the footpath to all forms of transport at the higher speeds, to give citizens access and time to enjoy the range of unimpeded choice which is the chief magnet drawing them to urban life.

11. But planning cannot encompass only the city. The fact that the great urban centers exercise their attraction over very large areas means that successful planning can only take place over the whole "field of force" surrounding the core city. For example, the Paris region, which will rise from 8 to 15 million citizens by the year 2000, might draw most of the growth of France into itself in wider and wider concentric rings if counterpoles of urbanism were not planned in other parts of the country, and its own growth encouraged to follow two specific lines of expansion through the basin of the Seine. The whole of the South East England is the planning region necessary to contain London's growth by providing alternative metropolitan areas. The Detroit Plan calls for an urban system which includes a second urban center at Lake Huron. An effective way of slowing down the Gadarene movement of peoples to the cities in developing lands could lie in building up a system of intermediate towns from which agriculture can still be practised but in which industry, educational institutions or other prestigious activities give people, short of the capital city, the kind of urban stimulus and opportunity they universally and irresistably desire. Comparative studies of these possibilities are not, however, available and the United Nations Social Commission has made no report as yet on its two year old proposal to initiate such a programme.

12. This delay is a reminder that all forms of urban strategy still operate under the severe disadvantage of a general lack of scientific method, data and research—a fact which also inhibits private citizens and institutions from evaluating the proposals put to them by governments or planners and contributing their own ideas to the process of inventing and building the urban future. The need has to be underlined for more research institutes in the urban field, more university programmes, more exchanges and experimentation on a national and international basis, more coordination of separate activities. And the institutions involved can in turn take on the task of expanding in a systematic way the lamentably small cadre of men and women trained in the ekistic skills of creative urbanism.

13. The emergence of people with sufficient knowledge and vision to give urban leadership will also largely determine the degree to which sufficient resources are made available for urban development. In the developed world, resources in themselves are not scarce. The combined Gross National Product of the wealthy powers is close to the $2,500,000 million mark. The United

States, Britain and Western Europe alone grow by not less than $60,000 million dollars a year (a figure equivalent to the entire Gross National Product of Latin America or twice that of Africa or India). In such countries the existing and expanding apparatus of wealth and technology is so great that within the time span needed to generate and deploy savings, build plant and train labour, a decision to undertake a project triggers the creation of the resources necessary to complete it. The difficulty lies in mobilising the vision and decision needed to allocate a larger share of these resources to the urban sector. What is needed is in fact an unleashing of the national imagination on a scale that compares with the effort and expenditure undertaken in national defence or the competition of the space race. Only then will citizens of developed societies be ready to dedicate to urban development the devices of modern technology, the public programming and public and private cooperation in investment which have emerged over the last decade as indispensable instruments for tasks of high national importance.

14. But this affluence is rarely to be found in the developing world. The entire annual inflow of public and private capital into Latin America, the entire annual investment of the World Bank and all the regional banks in developing lands are no more than the year's domestic and foreign investment of over a billion dollars made by a few large American corporations. Moreover, very little of this money has been devoted so far to urban development. Thus where the need is most radical, the means are least available and no amount of local saving can catch up speedily on an urban explosion which has outstripped its industrial and agricultural base.

15. At this point, the citizens of the rich countries confront a fundamental political and moral issue. Inside their cities, wealthier citizens can through taxation and investment pass on some of their surplus to the poorer neighborhoods. Inside the country, poorer regions can be helped in the same way. The moral obligations of citizenship and the political and administrative structures for such a transfer at least exists, even though they are not recognised and used on a sufficient scale. But in the world at large between wealthy nations and developing nations both the instruments and the obligations are largely lacking. Economic links are a fact. Instant communication is a fact. Supersonic flight may soon make all areas no more than two hours distant from each other. But brute physical proximity is not matched by moral neighborhood. Generosity and the sense of obligation all too often end at the frontier line. Until this changes, the transfers of wealth which are normal inside a community will not be made within the whole community of man. Given, therefore, the scale of the wealth of developed lands and the needs of the developing countries, the rich nations should fix their annual contribution to world development at the level of at least one per cent of Gross National Product—the percentage accepted in principle for the yearly transfer of financial resources at the United Nations Conference on Trade and Development in 1964.

16. At every level—in the city, in the region, in the nation, in the world at large among developed and developing peoples alike—the need is to bring the tasks and opportunities of the urban revolution to the center of public policy and private interest, to develop strategies of creative change and to mobilize the resources in capital and skills needed to turn man's dream of a better urban life into a daily reality. We can only repeat. For modern man the decision to act can be the means of creating and mobilizing the resources for action. Imagination, not resources, sets the limits of his activity. His survival in civic order and social peace depends therefore not only upon the realism of his plans and his vigor in pursuing them but also upon the courage with which he is ready to see visions and dream dreams.

PARTICIPANTS AT DELOS FIVE SYMPOSIUM

Mr. Charles Abrams, Mr. Preston Andrade, Mr. Edmund Bacon, Mr. David Bell, Mr. Francois Bloch-Laine', Professor Colin Buchanan, Mr. Emile Despres, Dr. Truman Douglass, Mr. Constantinos Doxiadis, Professor Louis Friedland.

Professor R. Buckminster Fuller, Mr. Roger Grégoire, Mr. Charles Haar, Dr. Edgar Harden, Mr. Harlan Hatcher, Mr. Felipe Herrera, Mr. M. Ionides, Lady Jackson (Barbara Ward), Mr. F. K. A. Jiagge, Dr. Reginald Lourie.

Professor Edward Mason, Sir Robert H. Matthew, Dr. Margaret Mead, Dr. Martin Meyerson, Mr. Jerome Monod, Mr. J. A. Munoz Rojas, Dean Peter Nash, Dr. Waldemar Nielsen, Mr. James F. Oates, Jr., Professor Hasan Ozbekhan.

Senator Claiborne Pell, Dean G. Holmes Perkins, Dr. James R. Perkins, Mr. John Robin, Representative James Scheuer, Mr. Don Shoemaker, Dr. Julius Stratton, Dr. Arnold Toynbee.

A NATIONAL POSSESSION

Mr. BARTLETT. Mr. President, recently this country lost a prized "national possession."

Woody Guthrie, a composer who wrote of America and against injustice, a singer who preferred to "sound like the ash cans of the early morning," died.

It was Clifton Fadiman who described Mr. Guthrie as "a national possession like Yellowstone and Yosemite." Secretary of the Interior Stewart L. Udall called him a "poet of the American landscape."

His many songs, bred from his travels across a broad, diverse land he loved but chided for injustices and shame, would supply the stuff of which eloquent memorials are made.

However, Mr. Guthrie, the enemy of pretense that he was, probably would have preferred a more simple goodby. I can think of no better memorial than the title of one of his songs: "So Long, It's Been Good to Know You."

I ask unanimous consent that Mr. Guthrie's obituary, as published in the New York Times, be printed in the RECORD.

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

Woody Guthrie, the American folk singer and composer, died yesterday at Creedmoor State Hospital, Queens, following a 13-year illness. He was 55 years old.

Mr. Guthrie, who wrote more than 1,000 songs that echoed the glory and travail of American life, had been bedridden for the last nine years with Huntington's chorea, a rare hereditary disease that attacks the nervous system.

Harold Leventhal, the singer's agent and friend, said that in his last years Mr. Guthrie had been virtually immobile, unable to speak, read or use his hands.

"In the last few years we discouraged visits by his hundreds of friends," Mr. Leventhal said. "However, he did recognize members of his immediate family."

RASPY-VOICED HUMANIST

During his final illness, Mr. Guthrie was treated at several hospitals, including Brooklyn State Hospital and Greystone State Hospital in New Jersey.

For Woodrow Wilson Guthrie, his songs, his guitar and his humanism were his life. He was a wispy, raspy-voiced musical spokesman for the downtrodden who used his scarred guitar to sing out against injustice and sham.

He also sang of the beauty of his homeland—a beauty seen from the open doorway of a red-balling freight train or from the degradation of the migrant camps and Hoovervilles of the Depression years.

A small, weather-worn man with bushy hair, he was as simple and homespun as his songs. His grammar was often atrocious. But his vision of America was bursting with image upon image of verdant soil, towering mountains and the essential goodness and character of its people.

OF HIGHWAYS AND SKYWAYS

At a concert a few years ago in Connecticut, Odetta, the folk singer, told her audience that if she were in charge of things, one of Mr. Guthrie's songs, "This Land Is Your Land," would be the "national anthem."

The song, one of the balladeer's best known shows Guthrie at his best:

"I roamed and rambled, and I followed my footsteps,
To the sparkling sands for her diamond deserts,
All around me a voice was sounding,
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.
This land is your land, this land is my land,
From California to the New York Island,
From the redwood forest to the Gulfstream waters,
This land was made for you and me."

But Mr. Guthrie also stirred controversy with topical songs that were born in his radicalism and his impatience—songs deploring the Dust Bowl and the lot of its refugees, songs crying out against the misuse of migrant workers and extolling the virtues of labor unions. He also wrote talking blues, ballads and children's songs.

NO PATIENCE WITH PESSIMISTS

"I hate a song that makes you think that you're not any good," he once said. "I hate a song that makes you think that you are born to lose. Bound to lose. No good to nobody. No good for nothing. Because you are either too old or too young or too fat or too slim or too ugly or too this or too that. Songs that run you down or songs that poke fun at you on account of your bad luck or your hard traveling.

"I am out to fight those kinds of songs to my very last breath of air and my last drop of blood."

Woody Guthrie was born on July 14, 1912, in the Dust Bowl town of Okemah, Okla. His father, Charles Guthrie, was a professional guitarist and prize-fighter who made his living at several trades.

The five Guthrie children—Roy, Clara, Woody, George and Mary Jo—were reared on the old songs and ballads sung to them by their mother, and on the Indian square dances and Negro blues shouted by their father.

As a boy, young Guthrie sold newspapers, sang and danced in the streets for pennies, and fought it out in gang brawls. His formal schooling ended in the 10th grade.

A SERIES OF HARDSHIPS

Life went sour for the Guthrie family in Okemah. Charles Guthrie's land trading business went bankrupt, two of the family's houses were destroyed by fire, another by a cyclone. Young Guthrie's sister Clara was killed in an oil stove explosion. His mother developed Huntington's chorea and later died in a state asylum.

At the age of 15, he hit the road for Houston, working at odd jobs and playing the harmonica in barber shops and pool halls.

He returned to Okemah, then joined his father in the Texas Panhandle town of Pampa, where an uncle taught him to play the guitar. For the next few years he made up his own songs to sing at rodeos and carnivals.

As the dust storms and the Depression pressed in on the Southwest, the balladeer left home again, heading for the West Coast by freight train, singing in saloons to eat. In California, he appeared regularly on radio and his social conscience aroused by what he had seen on the road, sang at union halls, gave support to striking farm laborers and wrote articles for the radical People's World.

From this exposure to America's social and economic ills came such songs as "So Long It's Been Good to Know You," "Hard Traveling" "Blowing Down This Old Dusty Road," "Union Maid," "Pastures of Plenty," "Pretty Boy Floyd" and 'Tom Joad."

A verse of "So Long It's Been Good to Know You," for example, graphically describes the dust storms:

"Well the dust storms came, it came like thunder
It dusted us over, it covered us under
It blocked out the traffic, it blocked out the sun.
And straight for home all the people did run."

His funds running low on the West Coast, Mr. Guthrie rambled to New York City, where he sang his songs in waterfront taverns and in hobo jungles; to the lost men on the Bowery, to the upper classes in Town Hall and to the workingmen in Madison Square Garden. He declined to sing in the Rainbow Room at Radio City Music Hall, however, because he said they wanted him to dress in a clown suit.

JOINED MERCHANT MARINE

Restless once again, he moved out once more for the South and the West. While in the Pacific Northwest, he composed 26 ballads for the Oregon Department of the Interior about Bonneville and Grand Coulee Dams, becoming a singing advocate of public power. His best-known songs of this period were "Roll on Columbia" and "Grand Coulee Dam."

Later, he joined Pete Seeger, Lee Hays, Millard Lampell and others in the Almanac Singers, a group that sang to unionists and to audiences of farm and factory workers across the country. During the early days of World War II, he toured Mexico with Mr. Seeger, making up songs supporting the Allied cause.

In 1943, he and his close friend, the late folk singer Cisco Houston, joined the merchant marine. Mr. Guthrie took part in three invasions and was twice on ships that were torpedoed. From the war years came songs like "Reuben James," "Round and Round Hitler's Grave" and "The Biggest Thing That Man Has Ever Done."

In 1943 he wrote "Bound For Glory," an odyssey of his life, a book that Orville Prescott, in The New York Times, said had "more triple-distilled essence of pure individual personality in it than any in years."

Following the war, he briefly renewed his association with the Almanac Singers and wrote a second book, "American Folksong," a collection of 30 songs and sketches. He was also associated for a time with Mr. Seeger and Mr. Hays in People's Song, which was described as a "new union of progressive songwriters."

AN INFLUENTIAL LIFE STYLE

Mr. Guthrie recorded many of his songs on the Stinson, Folkways and Victor labels, giving whole new generations who never had a chance to see him an opportunity to hear him. A result was that he had a profound influence on American folk singing, from the countless youngsters who sing out at Washington Square Park to such well-known performers as Bob Dylan, Tom Paxton, Logan English, Jack Elliott and Phil Ochs.

Realizing his voice did not sound "like dew dripping off the petals of the morning violet," Mr. Guthrie once said that "I had rather sound like the ashcans of the early morning, like the cab drivers cursing at one another, like the longshoremen yelling, like the cowhands whooping, and like the lone wolf barking."

Pete Seeger once described some of Mr. Guthrie's songs as being among those that "will probably last as long as people sing." And Clifton Fadiman, said the singer was "a national possession like Yellowstone and Yosemite, and part of the best stuff this country has to show the world."

Last year, when Secretary of the Interior Stewart L. Udall presented Mr. Guthrie with an award by the United States Government for his lifelong effort to make the American people "aware of their heritage and the land," he described him as a "poet of the American landscape."

TRUST FUND ESTABLISHED

In 1956, several of Mr. Guthrie's friends established the Guthrie Children's Trust Fund, to provide for the singer's children and to collect, publish and safeguard the rights and interests of his works.

The balladeer married twice, first in the early nineen-thirties the former Mary Esta Jennings, and then in 1945 the former Marjorie Mazia Greenblatt. Both marriages ended in divorce.

Surviving are two daughters of his first marriage. Mrs. Gwendolyn Lackey of Los Angeles, and Mrs. Sue Garvin of Whittier, Calif.; two sons and a daughter of his second marriage, Arlo, a folk singer, Joady and Nora Lee, all of New York; a sister, Mrs. Hulett Edgmon of Seminole, Okla., and a brother, George, of Long Beach, Calif.

A private funeral service will be held today. A family spokesman said Mr. Guthrie's body would be cremated and his ashes scattered in the waters off Coney Island, where he once lived. A memorial tribute is planned by his family and friends within the next two months.

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. BARTLETT. Mr. President, for several days I have been following the debate on S. 2171, a bill to amend the Subversive Activities Control Act of 1950. At this time, the discussion appears to be an apples-pears debate.

For example, in a very forceful statement made yesterday, the able senior Senator from South Dakota [Mr. MUNDT] asked a series of questions in support of immediate passage of S. 2171.

His final question was:

> 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?

The able senior Senator, a well-known and effective enemy of communism, answered his own question:

> 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.

The clear implication was that Senators associated with the senior Senator from Wisconsin [Mr. PROXMIRE] were opposed to legislative action in this area and did not appreciate the true threat of Communist activity on the homefront.

I hesitate to speak for other Senators, but as far as I am concerned the question was not to the point of the debate.

I will support a motion to recommit S. 2171 for hearings before the Senate Judiciary Committee, with instructions that the bill be reported back on a particular date. I will not oppose a request for a unanimous-consent agreement to set a day and time for voting.

I will support such a motion not because I am irrevocably against legislative action on this subject, not because I do not appreciate the true threat of Communist activity on the homefront, but because if we are to have a bill of this type I want an effective bill, a bill which accomplishes what is intended without compromising the civil liberties which communism seeks to eliminate.

Frankly, I do not know if S. 2171 is a good or bad bill or if it will accomplish what is intended without sacrificing civil liberties.

The 1½-page report and the brief section-by-section analysis shed little or no light on the complex questions raised by this bill regarding constitutional rights.

The Senate Judiciary Committee has not held open hearings on this measure. I, for one, would like to have the thinking of the Attorney General on this bill, both as to its constitutionality and as to its effectiveness.

For example, are the definitions of Communist-action and Communist-infiltrated groups precise enough to be constitutional? If they are not, any action the board would take would go back into the courts for another protracted period during which the board would once again be, for all intents and purposes, powerless to act.

Does the bill meet all the objections raised by the Supreme Court about protection from self-incrimination?

And, does the Attorney General feel that the bill as written would create a useful tool in the fight against communism?

These are questions which should and could be explored if hearings were held. Then when we are asked to vote on the bill, we would have a better idea if we were just passing window dressing or a substantial, constitutional measure.

In closing, Mr. President, I would like to take exception to the position that this legislation is an emergency measure. The Republic has survived a good many years without the benefit of any action by the Subversive Activities Control Board. It will survive a few more days or weeks while the Senate takes the time to give considered study to this legislation.

Mr. PROXMIRE. Mr. President, in the discussion of the bill offered by the distinguished Senator from Illinois, it has been the assumption on the part of many people, I believe, that this proposal would be supported wisely throughout the country, especially by the people in our society who have a conservative point of view politically. I indicated to the distinguished majority leader that the people

in Wisconsin, on the basis of my association with them—and I try to be in as close association as possible—do not have that feeling at all. They oppose the continuation of this idle, outdated Subversive Activities Control Board.

I might simply add to my colloquy with the Senator from Montana that I have found that when I go out to my State, people are mighty frank. They do not hesitate to tell me when they think I am doing something with which they disagree, and they are very emphatic about it, and occasionally a little abusive about it. So I believe if there had been any substantial sentiment against this position, I would know about it.

I should like to call to the attention of the Senate an opinion expressed in the current—the October—Nation's Business with respect to the Subversive Activities Control Board. Now, what is Nation's Business? The Nation's Business, published in Washington, D.C., is the official publication of the U.S. Chamber of Commerce. It is the national publication of organizations representing 4,750,000 companies and professional businessmen. I think it is both interesting and informative to read what Nation's Business, which speaks vigorously for the viewpoint of literally millions of American businessmen, says about the Subversive Activities Control Board. I should like to read a very brief excerpt from the October issue of the Nation's Business, on page 42, in the column "Trends: Right or Wrong."

After all, in its 17-year life it has never controlled a subversive. It never has accomplished anything at all.

This witch hunt had a fast start and a short life. The act of Congress establishing it was so full of fault, principally in its violations of the Constitution, that the board soon became inoperable.

Instead of resigning and going about some more productive sort of work the five board members and their successors for 17 years have been drawing their pay rather quietly and doing practically nothing for it.

Congress has appropriated an average of $300,000 a year to continue the farce, which so far has absorbed $5 million.

The article goes on to argue that in a country which has the biggest budget the world has ever seen, and faces the prospect of increased income taxes, one would think that one of the first things they would do would be to abolish a Subversive Activities Control Board which has done nothing.

As I have said, the foregoing statement is the point of view articulated by the principal publication of the U.S. Chamber of Commerce.

It would seem to me that this attitude so vigorously expressed by Nation's Business is something that Members of the Senate might want to ponder.

There seems to be an unfortunate tendency for us to return to the attitudes and ideas prevalent in the Senate in 1950 when my predecessor, Joe McCarthy, whose name was probably more widely known than the name of any other Senator of that day, was the dominant national voice on how the internal menace of communism should be repulsed.

I point out that any notion that there is a strong feeling that we must fight internal communism by this kind of board seems to have vanished. I think the American people, like the peoples of any country, have their strengths and weaknesses, but one very prominent characteristic of the American people is that we are pragmatic. The American people want results and we judge whether or not an agency is operating, whether a law is actually doing the job, and whether it gets results. If the law or agency gets results and we approve the objective, generally we support it. If the American people want an objective, a goal, or think something is worth seeking and the instrument designed to achieve that goal does not do the job, the American people generally oppose it. This makes sense to me.

As was stated in Nation's Business, this agency, in its 17-year life, has never controlled a subversive and it never has accomplished anything constructive. This is the issue on which most Americans who have any interest in this Board are assured: It is idle and it does nothing. In these circumstances it would seem that, if Congress is going to pass legislation affecting this dormant board, it should pass some legislation which Congress knows will work, which will do the job, and which will get results.

Mr. President, I submit on the basis of the record in the Senate, on the basis of no hearings, we do not know whether the pending legislation will work or not.

I think the majority leader was most fair when he said we should await an explanation from the distinguished minority leader to tell us how this law will work and tell us how this will solve the problem which the Albertson decision raised. As the majority leader said, there could then be whatever questioning Members of the Senate wished.

FISCAL ECONOMY IN TENNESSEE

Mr. PROXMIRE. Mr. President, I wish to call to the attention of the Senate a remarkable editorial which was published in the Wall Street Journal this morning and which discusses one of the most refreshing and astonishing Members of the U.S. Congress, a Member of the other body, Representative RICHARD HARMON FULTON, of Nashville, Tenn.

Mr. President, I have met Representative FULTON only once. He has done something which I think may shock some Members and disturb some Members, but I think it is a great contribution to economy and a most objective view of spending.

Representative FULTON has urged the Bureau of the Budget not to construct an annex to the Federal Courthouse in Nashville, Tenn., which is in his district. That request would cut an estimated $8 to $9 million and it apparently is in the budget and was about to be approved. Mr. FULTON, recognizing the need for economy at this time, wrote a letter to the Director of the Budget, Charles Schultze, and said:

Do not spend money in my district on this project because I feel under the present circumstances we should wait until the economic situation in the country is improved and until the country can afford it.

I agree that this was a most remarkable action by the distinguished Representative from Nashville, Tenn., and I am delighted to see that the Wall Street Journal has commended him for taking this step.

Mr. President, I ask unanimous consent to have printed in the RECORD the editorial which was published in the Wall Street Journal today entitled "Mr. FULTON's Fiscal Footnote."

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

MR. FULTON'S FISCAL FOOTNOTE

According to the biographical sketch in the Congressional Directory, Rep. Richard Harmon Fulton of Nashville, Tenn., a Democrat, was born in 1927; was graduated from the Nashville public schools; attended the University of Tennessee; served in the Navy 1945–46; served as a state senator; is a real estate broker, 32d degree Mason, Shriner and a Methodist; is married and the father of five children; was elected to the 88th Congress in 1962 and re-elected to the 89th and 90th.

Now however distinguished Mr. Fulton's past achievements may have been, surely they must seem pale in the light of his latest. For the gentleman from Tennessee has done two remarkable things.

First, he changed his mind which many legislators find it extremely awkward to do. Last month he wrote a letter to the General Services Administration urging it to get going on the building of an annex to the overcrowded Federal Courthouse in Nashville, to cost an estimated $8 million or $9 million. Now, after concluding that in the absence of Congressional action on a 10% tax surcharge this year there is now "only one recourse by which the budget deficit can be kept down," he has reconsidered.

Second, he then wrote another letter, this one addressed to the Hon. Charles L. Schultze, Budget Bureau director, in which he said: "In the interest of economy and the economic health of the nation, I request that . . . the funding of the Federal Courthouse Annex be withheld until such time as the budgetary picture becomes clearer, and the demands on the Federal dollar are reduced . . ."

Mr. Schultze's reaction to this communication seems to have been, understandably, an amazed silence. There is almost no precedent for a legislator asking that funds be withheld from public works—that sacred Congressional institution, the pork barrel—particularly when located in the middle of the legislator's home Congressional district.

Perhaps Mr. Fulton's sacrificial gesture in behalf of restraining Federal expenditures will not help to get him re-elected. But even if it goes down as a footnote to Congressional annals as "Fulton's Fiscal Folly" it certainly ought to make him remembered as the man who put the nation's economic health ahead of a courthouse annex.

TRIBUTE TO SENATOR McCARTHY FOR HIS BOOK "THE LIMITS OF POWER"

Mr. PROXMIRE. Mr. President, without question, one of the great figures in this Nation and in this body is the senior Senator from Minnesota, Senator EUGENE J. McCARTHY. Senator McCARTHY is a man of many and diverse talents. He is equally at home in the world of ideas and actions. He is an eloquent speaker, a wise

and witty man. In addition to this, Senator McCarthy is an author of real distinction and has recently authored a book entitled "The Limits of Power: America's Role in the World."

This book has been reviewed very favorably by the New York Times which points out that the book substantially increases our insight into very serious problems this Nation faces in the world. The book is written by a Senator who has served on the Committee on Foreign Relations for many years, a man who has demonstrated before the Nation his grasp of the complex foreign policy that faces the Nation and who has demonstrated his courage in speaking his mind.

Mr. President, I ask unanimous consent that the book review written by Charles Poore, which was published in the New York Times this morning, be printed in the Record.

There being no objection, the book review was ordered to be printed in the Record, as follows:

ONE MAN'S POLICING IS ANOTHER MAN'S LIBERATING

(By Charles Poore)

E. B. White once suggested that perhaps it would take a vicious menace from another planet to unite our divided and pugnacious world.

I remember Mr. White's paragraph trope from The New Yorker when I face each season's clamor of serious books on rugged world affairs. They want peace but they can't quite produce it. And with each author doing his thing, the lot presents fresh divisiveness and printed pugnacity. Chances are that no two—let alone no two dozen—eminent authorities wholly agree on what we must do to be saved.

Yet all books add something to what we should know. The useful ones honor clarity. Great stuff may lie buried in jabberwocky prose, but it's tough to unearth it there. A happy medium lies in "The Limits of Power: America's Role in the World," by Senator Eugene J. McCarthy, a Minnesota Democrat. Agree with him or not, he's clear, quick, and readable.

Adlai E. Stevenson was Mr. McCarthy's ideal. If this book has a personal mark, it's the mark he thinks Mr. Stevenson would have made on America's foreign policy—"had his ideas and attitudes been translated into political reality."

ADVISE MORE, CONSENT LESS

Take the hypothesis and let the credit for it go. Here are some of Mr. McCarthy's elemental conclusions: First, the United States should work zealously through the best international agencies. Second, our great armament exports and the C.I.A. could use more Capitol Hill supervision. Third, the Senate Foreign Affairs Committee—on which Mr. McCarthy serves—might well do more advising and less consenting.

These principles seem generally Stevensonian, with the last a possible exception. At any rate, finding the Senate Foreign Relations Committee as well as the President and the State Department breathing harder down his neck at the United Nations would perhaps occasionally have troubled even Mr. Stevenson's urbane mind.

Now we're off to the all-too-human races. With Mr. McCarthy as our expert guide, we rush from the Middle East to the South Pacific, from South America to India.

The book's flow takes unpredictable courses, too. Not everyone would expect the dissertation on marketing the Dominican Republic's sugar crop, and little about the Soviet missile lunge in Cuba that included Mr. Stevenson's most famous hour of political reality.

Mr. McCarthy is as troubled as any of us by the Vietnamese tragedy. He's against the war, but he's not about to join either the victory-at-any price or the peace-at-any-price logicians.

In Mr. McCarthy's rear-view mirroring, the changing perspectives time gives past problems stand out instructively. Retroactively, he's not against America's entry to the last two world wars. In those days, however, eloquent voices were raised against our mixing into fights they called irrelevantly distant. Perhaps it was Thomas Jefferson who set a pattern for way out yonder ventures when he made the Mediterranean safe for Americans by fighting the Barbary pirates.

"A nation," Mr. McCarthy says, "has prestige according to its merits. America's contribution to world civilization must be more than a continuous performance demonstration that we can police the planet."

The rub, this book suggests, is that one man's policing is another man's blow for liberty. But we don't want E. B. White's parable of another planet policing us, or even liberating us, to come true.

THIEU-KY PROGRESS IN PACIFICATION ESSENTIAL IN VIETNAM

Mr. PROXMIRE. Mr. President, regardless of a Senator's position on our Vietnam policy it should be clear that we are not going to achieve our objective of peaceful negotiations unless a far greater effort is put into the so-called other war—social reform, economic development, land reform, educational achievement, improvement of health.

It is in these areas where the greatest progress for constructive resolution of this guerrilla contest must develop.

This morning's New York Times points out that the Thieu-Ky government has made extensive promises in these areas and that Ambassador Bunker is pressing hard for these commitments to be kept.

If we are ever to have any hope of ending this tragic war, the South Vietnamese Government must move ahead in this slow, painful, unspectacular area. Ambassador Bunker deserves credit for insisting on it.

I ask unanimous consent that the New York Times editorial entitled, "Promises To Keep" be printed in the Record at this point.

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

PROMISES TO KEEP

The clearest thing about the Thieu-Ky regime in South Vietnam is the long list of commitments it has made to promote pacification, local security, social reform and economic development in that war-ravaged country. The pledges were made to the South Vietnamese people and to all of Saigon's war allies at the top-level conference at Honolulu, Manila and Guam. They were made again in the election campaign.

Now Ambassador Ellsworth Bunker is exercising pressure on the Saigon Government to make certain that these long-promised reforms are actually carried out. It is both appropriate and essential that this be done. The military effort, which is claiming a rising toll in American lives and resources, must fail unless the countryside can be pacified and public confidence established in the honesty and efficiency of the central Government.

These are tasks only Vietnamese can accomplish, and Saigon's performance to date has fallen far short of the generals' pledges. After a hard look at the situation in South Vietnam last summer, a Congressional watchdog committee reported:

"We are deeply concerned about the lack of meaningful progress and reform in the lagging and floundering pacification program; in dealing with the problem of refugees, inflation and land reform; in the conduct of the elections, and in the over-all administration with its entrenched and inefficient bureaucracy."

From the outset of American involvement the Washington-Saigon partnership has been based on mutual commitments. The United States has more than fulfilled its pledges. President-elect Thieu and Vice President-elect Ky have yet to do so.

HOW CONGRESS CAN CUT SPENDING RESPONSIBLY

Mr. PROXMIRE. Mr. President, when Congress is confronted with the need to reallocate or cut Federal spending, two alternative budget-paring mechanisms can be used. The traditional method is that of the meat ax; Congress cuts some specific amount from every spending request, and successful programs are slashed as much as less-productive projects. For example, poverty and education programs may be trimmed, but the need for these programs certainly does not diminish; short-term spending may be curtailed, yet the disastrous results from meat-ax reductions in these vital areas often means higher Government expenditures over the long run. In short, the meat-ax cure is worse than the illness.

The alternative to the meat ax is for Congress to establish a rational system of spending priorities. Budget requests can be ranked in terms of some payoff guidelines. When expenditures must be lowered, Congress can cut first the lower rated programs.

Tools for such a mechanism already exist. Many of them have been incorporated into the planning-programing-budgeting—PPB—system. Among these tools, cost-benefit analysis is perhaps the key instrument. In cost-benefit studies, total costs of a project are judged against the total benefits the project can provide, and the result is the present value of the proposal. If total costs exceed total benefits, the present value is negative; if total benefits surpass total costs, present value is positive.

Within cost-benefit analysis, all factors are discounted by a constant interest rate. The lower the interest rate utilized in such evaluations, the smaller the expected benefits needed. As the discount rate rises, there must be significantly greater returns in order to justify the project.

All investors—whether public or private—employ cost-benefit techniques in deciding where to employ funds. However, a major gap exists between the discount rate used for Government projects and the discount rate applied in the private sector. According to witnesses in recent Joint Economic Committee hearings on PPB systems, the private sector

rate begins at around 10 percent and may be as high as 15 to 20 percent. But the Government rate for most long-range spending programs is around the 3-percent level, and depends upon the coupon rate at the date of issue of long-term Government bonds.

The witnesses emphasized that Government preferably should use the private-sector rate as the most relevant standard; but, in any case, that no discount rate below current Government security yields—around the 5-percent level—should be utilized.

In order to achieve a rational budget allocations system, projects should be evaluated against the possible alternative use of the same funds in the private sector. Justification of low-return public-works-type projects leads to transfer of resources from the private to the public sector, and creates inflationary pressures and lower economic growth.

Mr. President, Congress must utilize realistic decisionmaking tools. The meat ax must be dropped. Alternative discount rates must be used in cost-benefit analysis, and it is imperative that Congress encourage and employ these mechanisms if the goal of economy in Government is to be accomplished.

THE PRESIDENT'S BUDGET COMMISSION ISSUES GOOD REPORT

Mr. PROXMIRE. Mr. President, this morning the President's Commission on Budget Concepts released its report containing recommendations directed toward creation of a truly modern and progressive budget presentation for the Federal Government. The report is a culmination of the work of these 16 distinguished Americans appointed to the Commission by the President last March to carry out the "thorough and objective review of budget concepts" which the President had announced in a budget message last January. The Commission assembled a very able staff headed by Mr. Robert P. Mayo, staff director, and Wilfred Lewis, Jr., director of research.

The Commission deserves the commendation of this Congress and everyone interested in improving the formulation of budget policies by the Federal Government. This outstanding report should contribute for years to come to improving the budget document and toward improving congressional and public understanding of this vital document.

As Chairman of the Joint Economic Committee, I view the appearance of this report with a special interest because of the committee's longstanding interest in improving the budget document as one step in a larger program of improving the whole process of formulating Federal fiscal policy so as to promote increased effectiveness, efficiency, and economy in Government as well as to balance fiscal policies with the needs of our ever-changing and dynamic economy. The bold and ably formulated improvements suggested by the Commission deserve early and serious consideration with implementation as soon as practicable. I intend to take up with the members of the Joint Economic Committee the desirability of the committee promptly holding hearings on this report as well as on the question of what further improvements in the budget document, as well as in the whole budget process, would most contribute to improved efficiency and effectiveness of fiscal policy and Government administration.

Though I commend most highly the Commission for its work, I feel duty-bound to point out that this is but one step toward the improvements in budgeting procedures and practices which are so vitally needed. In fact, the Commission itself recognizes this fact. One illustration of the further steps needed can be drawn from the work of the Joint Economic Committee. The Subcommittee on Economic Statistics, of which I had the honor of being chairman, recommended in 1963 that—

> The budget for each year should be presented in the context of a broader, longer run set of budgetary projections. These projections should probably cover a 5-year period.

The President's Commission, while recommending making estimates which extend further into the future, suggested that this objective would best be served by encouraging private research organizations or a commission to make such long-term studies from time to time outside the regular budget processes. In a word, they did not recommend including such longer run budget projections as an integral part of the budget document and the budgeting process. In view of the longer run, multiyear character of most programs, it is clear that the President and the Congress must take a longer term look at budget programs if we wish to achieve effective control over the budget and to promote efficiency, economy, and maximum effectiveness in the execution of budget policies and programs.

I have had prepared a summary of the recommendations made by the President's Commission, together with two exhibits summarizing how they would influence the budget presentation. I ask unanimous consent that these documents be printed at this point in the RECORD.

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

RECOMMENDATIONS MADE BY THE PRESIDENT'S COMMISSION

1. The Commission's most important recommendation is that a unified summary budget statement be used to replace the present three or more competing concepts that are both confusing to the public and the Congress and deficient in certain essential characteristics.

2. The budget should be thought of as part of a broad financial plan, which incudes—in addition to budget appropriations, receipts, expenditures, and net lending—the means of financing the budget deficit (or use of a surplus) and information about borrowing and loan programs of the Government and its agencies.

3. More prominence should be given in the budget presentation to the actions requested of the Congress, including appropriations as well as revenue or other actions of a fiscal policy character.

4. Flowing from the definition of a budget as a basic part of a comprehensive financial plan, the budget should include all programs of the Federal Government and its agencies.

5. With respect to timing, the Commission recommends that budget expenditures and receipts be reported on an accural basis instead of the present cash basis.

6. A distinction between loans and other expenditures within the budget (and the calculation of the expenditure account surplus or deficit which excludes loans) is significant because of the fiscal policy aspects of the budget through its direct impact on employment and incomes.

7. Separate identification of the subsidies involved in Federal direct loan programs should be added to existing budget information to help promote the more efficient use of public resources.

8. Federal insurance or guarantee of private loans should continue to be reflected outside the budget totals, since they initially represent neither Federal expenditures nor Federal borrowing.

9. Sale by the Government of "participation certificates" in loans which it continues to own should be treated as a means of financing the deficit (or as an element in the disposition of the surplus) rather than as a deduction from expenditures in the derivation of the deficit.

10. The budget summary should include a "means of financing" section based on the budget deficit or surplus.

11. Those receipts of the Government other than taxes which are enterprise or market-oriented should be treated as offsets to expenditures to which they are related.

12. Communication of budget information to the Congress and the public should be (1) more frequent by providing within-year revisions of January estimates, (2) more detailed in terms of breaking down aggregate budget figures into quarterly or semi-annual units, and (3) more comprehensive by making estimates which extend further into the future.

13. The Commission strongly recommends *against* a "capital budget" which would provide separate financing of capital or investment expenditures on the one hand and current or operating expenditures on the other.

REPORT OF THE PRESIDENT'S COMMISSION ON BUDGET CONCEPTS

RECOMMENDED SUMMARY OF THE PRESIDENT'S BUDGET AND FINANCIAL PLAN

I. Budget appropriations:
- Proposed action by the Congress.
- Not requiring action by the Congress.
- Total appropriations.

II. Budget receipts, expenditures, and lending:
- Receipt-expenditure account:
  - Receipts.
  - Expenditures (excluding net lending).
    - Expenditure account surplus or deficit.
- Plus: Loan account:
  - Loan disbursements.
  - Loan repayments.
    - Net lending.
- Equals: Total budget:
  - Receipts.
  - Expenditures and net lending.
    - Budget surplus or deficit.

III. Means of financing:
- Borrowing from the public.
- Reduction of cash balances, etc.
- Total budget financing.

IV. Outstanding Federal securities and Federal loans, end of year:
- Federal securities:
  - Gross amount outstanding.
  - Held by the public.
- Federal credit programs:
  - Direct loans outstanding.
  - Guaranteed and insured loans outstanding.

TABLE 8.—HISTORICAL COMPARISON OF FOUR CONCEPTS OF BUDGET TOTALS, 1957–1968

[Fiscal years. In billions of dollars]

	1957	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	1968
Administrative budget:												
Receipts	70.6	68.6	67.9	77.8	77.7	81.4	86.7	89.5	93.1	104.7	117.0	126.9
Expenditures	69.0	71.4	80.3	76.5	81.5	87.8	92.8	97.7	96.5	107.0	126.7	135.0
Surplus (+) or deficit (−)	+1.6	−2.8	−12.4	+1.2	−3.9	−6.4	−8.3	−8.2	−3.4	−2.3	−9.7	−8.1
Receipts from and payments to the public (consolidated cash budget):												
Receipts	82.1	81.9	81.7	95.1	97.2	101.9	109.8	115.5	119.7	134.5	154.7	168.1
Payments	80.0	83.5	94.8	94.3	99.5	107.7	113.8	120.3	122.4	137.8	160.9	172.4
Surplus (+) or deficit (−)	+2.1	−1.6	−13.1	+.8	−2.3	−5.8	−4.0	−4.8	−2.7	−3.3	−6.2	−4.3
Federal sector of national income accounts (NIA budget):												
Receipts	80.7	77.9	85.4	94.8	95.3	104.2	110.2	115.5	120.6	132.6	149.8	167.1
Expenditures	76.0	83.1	90.9	91.3	98.0	106.4	111.4	116.9	118.3	132.3	153.6	169.2
Surplus (+) or deficit (−)	+4.7	−5.1	−5.5	+3.5	−2.7	−2.1	−1.2	−1.4	+2.3	+.3	−3.8	−2.1
Commission's recommended budget:												
Receipt-expenditure account:												
Receipts	80.1	77.5	84.6	94.0	94.3	100.2	109.1	114.5	118.9	131.1	147.7	165.2
Expenditures	77.4	82.8	91.6	91.0	98.3	107.0	113.6	118.4	119.0	135.7	155.5	171.1
Expenditure account surplus (+) or deficit (−)	+2.7	−5.3	−7.0	+3.0	−4.0	−4.7	−4.5	−4.0	−.1	−4.6	−7.8	−5.9
Net lending	1.3	1.5	2.8	1.9	1.2	2.1	−.2	.2	1.8	3.8	5.2	4.4
Total budget:												
Receipts	80.1	77.5	84.6	94.0	94.3	103.2	109.1	114.5	118.9	131.1	147.7	165.2
Expenditures	78.7	84.3	94.3	92.9	99.5	110.1	113.4	118.7	120.8	139.5	160.6	175.5
Surplus (+) or deficit (−)	+1.4	−6.8	−9.7	+1.1	−5.2	−6.9	−4.2	−4.2	−1.9	−8.4	−12.9	−10.3

THE AMERICAN LABOR MOVEMENT STRONGLY ENDORSES SENATE RATIFICATION OF FORCED LABOR CONVENTION

Mr. PROXMIRE. Mr. President, the Forced Labor Convention which was adopted by the International Labor Organization at the strong initiative of the American labor movement has the full and enthusiastic backing of the AFL–CIO.

At the hearings before Senator DODD's subcommittee last March, the legislative director of the AFL–CIO, Andrew J. Biemiller, made an especially strong case for Senate ratification of the Human Rights Convention on Forced Labor.

Because I am still mystified by the Foreign Relations Committee's decision not to report favorably the Convention on Forced Labor, and because I believe that Mr. Biemiller states very persuasively the case for Senate ratification of the Forced Labor Convention, I ask unanimous consent that his testimony before the ad hoc Subcommittee on Human Rights be included at this point in the RECORD:

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

STATEMENT OF ANDREW J. BIEMILLER, DIRECTOR, DEPARTMENT OF LEGISLATION, AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS

Mr. Chairman, my name is Andrew J. Biemiller. I am Director of the Department of Legislation of the AFL–CIO.

The AFL–CIO is extremely pleased to have this opportunity to testify before this subcommittee. It is our firm conviction that hearings—and appropriate Senate action—on these conventions are long overdue.

Because of the time limit, Mr. Chairman, as well as the large list of other witnesses scheduled to appear before this subcommittee, the AFL–CIO's testimony will deal specifically with our support for ratification of the Convention on the Abolition of Forced Labor.

This is the Convention adopted by the International Labor Organization in Geneva, on June 25, 1957.

It requires ratifying states to suppress and not to make use of any form of forced or compulsory labor for certain specific purposes: namely, as a means of political coercion or education or as a punishment for holding or expressing particular social, economic, or political views; as a means of mobilizing labor for purposes of economic development; as a means of labor discipline; as punishment for having participated in strikes; or as a means of racial, social, national, or religious discrimination. Ratifying states are required to take effective measures to secure immediate and complete abolition of these proscribed uses of force or compulsory labor.

Organized labor's strong support for this Convention is based on its desire to protect and advance the freedom of labor both at home and abroad. It was, in fact, the American Federation of Labor—in 1947—that first requested the United Nations in conjunction with the ILO to conduct an investigation of forced labor wherever it may exist in the world.

It took two years of persuasion before the AFL accomplished its goal. In February 1949, despite the opposition of Russia and her satellites, the UN Economic and Social Council voted to request the ILO to make such an investigation.

An Ad Hoc UN–ILO committee was established to study the nature and extent of the forced labor problem, resulting in a report being issued in 1953 that found a systematic program of forced labor in all of the Soviet-controlled countries.

As a part of its report, the committee recommended: ". . . wherever necessary, international action be taken, either by framing new conventions or by amending existing conventions, so that they may be applicable to the position regarding forced labor conditions found to exist among the workers of fully self-governing countries."

On December 15, 1955, a second factual document was issued. The Secretary-General of the United Nations and the Director-General of the ILO reported to the Economic and Social Council of the UN on the use of widespread forced labor in Red China. This same report cornfimed the 1953 findings regarding forced labor in the Soviet Union, Bulgaria, Czechoslovakia, Hungary, and Rumania.

Early in 1956, as the result of effective American leadership, the ILO established an Independent Committee to analyze material on forced labor received by the ILO and to submit conclusions to the governing body.

The Independent Committee issued its report shortly thereafter. It was this report that urged the ILO to adopt a new international instrument prohibiting the forced labor found to exist in a number of self-governing countries. It should be pointed out that an ILO Convention of 1930 imposed restrictions on forced labor in non-self-governing countries.

Although the United States, starting with the request of the AFL, had been largely responsible for the studies leading up to the ILO committee's proposal, it became apparent—in late 1955—that our State Department was not anxious to have the ILO adopt a forced labor convention.

When the ILO prepared to implement its findings by sending questionnaires among its member governments prior to proposing a new instrument or convention, the United States government refused to cooperate. Unlike the Soviet Union, Yugoslavia, Hungary, and 41 other nations, our government failed to complete and return the questionnaire.

On April 25 and 27, 1956, the State Department's reasoning—or lack of reasoning—for this action became a matter of public record during hearings before the Subcommittee on Labor of the Senate Labor and Public Welfare Committee.

These hearings were conducted on S.J. Res. 117, introduced by our present Vice President, calling upon the United States to "exercise leadership in the International Labor Organization to develop and adopt an international convention which will effectively outlaw forced labor for political and economic purposes."

During the hearings a letter from the State Department to Senator Lister Hill was placed in the record. Basically, Secretary Dulles took the position that adoption of an ILO convention would not be an effective way of prohibiting forced labor since there would be no adequate enforcement machinery.

Instead, the State Department called for an ILO declaration to be coupled with continued efforts to expose and publicize forced labor practices wherever they exist.

In the letter written to Senator Hill by Assistant Secretary Robert C. Hill, the State Department attempted to support its position by poining out: "It is interesting to note . . . that the U.S.S.R. has embraced the idea of a convention and has called upon

the International Labor Organization to 'adopt as broad and radical an instrument as is possible.' Endorsement of the convention form by the U.S.S.R. is indicative of what might be expected from the adoption of this (convention) form of action."

Testifying during the same 1956 hearings was AFL-CIO International Representative George P. Delaney. Mr. Delaney, who is now Special Assistant to the Secretary of State and Coordinator of International Affairs, correctly predicted that a majority of the participants at the June, 1957 ILO conference would support the adoption of the convention.

He told the subcommittee: "The failure of the United States Government vigorously to support the adoption of a convention on forced labor would place this nation in a position that would be ludicrous if its consequences were not so grave . . .

"I think that I can reasonably state that the overwhelming majority—in fact, all of the workers of the conference—except those who are controlled by governments—will certainly support the adoption of a convention. And I think I can say, with possibly the exception of the United States employer, that that will be true of the participants from the employer side of the International Labor Organization.

"The employer and worker representatives of the free nations of the world will consider anything less than vigorous leadership by the United States as an incomprehensible abandonment of its principles."

On June 25, 1957, the Convention on the Abolition of Forced Labor was adopted by the ILO. As of January 1, 1967, 75 states have become parties to the convention. It is interesting to note that despite the prediction of the State Department in 1956, the Soviet Union has ratified the two other conventions being considered by this committee, but has refused to ratify the forced labor convention.

Unfortunately, neither has the United States. It was not until 1963 that the three conventions being considered by this subcommittee were submitted to the Senate. In asking for the Senate's constitutional consent to ratify, President Kennedy clearly stated the paramount issue when he declared: "The United States cannot afford to renounce responsibility for support of the very fundamentals which distinguish our concept of government from all forms of tyranny."

It is now two decades since the AFL first called for an investigation of forced labor and one decade since the ILO convention was adopted. Surely, it is time—at long last—for the Senate to give its advise and consent to this convention.

Legal and moral arguments strongly support this conclusion. As Ambassador Goldberg testified before this subcommittee on February 23, there is ample legal precedent for ratification. The moral reasons are just as compelling.

Our nation is now a party to two international human rights agreements. We ratified a convention on slavery during the administration of President Herbert Hoover and we ratified an agreement on the nationality of women during the administration of President Franklin D. Roosevelt.

Further, there is nothing in the forced labor convention that does not coincide with the fundamental rights guaranteed under our Constitution. There is nothing in this convention that will alter the balance between the jurisdiction of the federal government and the jurisdiction of the states. There is nothing in this convention that is not already covered by federal constitutional protections. Finally, from a legal standpoint, approval of this convention would require no implementing legislation.

Ambassador Goldberg clearly spelled out the provisions of the convention dealing with labor strikes and labor discipline. We are in complete agreement with his explanation. As he testified, "The convention would have no application to criminal sanctions for violations of court orders—such as those commonly issued under the National Labor Relations Act. Nor would it cast any doubt on punishments for illegal activities; for example, assaults, in connection with a strike. Nor, finally, would the convention apply to sanctions imposed for having participated in an illegal strike or for other illegal activities."

It is, of course, just as clear that forced labor cannot be imposed in this country as a result of strikes or other labor activities that are legal.

The moral arguments supporting ratification of this convention are well known by members of the subcommittee. As the chairman pointed out in his opening statement on February 23, "We have made giant strides in our own country over the past decades in eliminating the inequities inherited from the past."

Ratification of this convention by our nation would emphasize—to the world—our commitment to the realization of human rights not only at home, but also abroad. For too long, the United States has supported the charter of the United Nations and its human rights principles without agreeing to give these principles real meaning and force.

Until our government ratifies this convention, the United States will continue to abdicate its moral leadership on an issue that goes to the heart of the struggle between democracy and communism. Our inaction refuses to recognize the effect this lack of leadership has on the uncommitted countries of the world just as it refuses to recognize the millions of persons still denied human dignity in the slave-labor camps that continue to exist behind the Iron Curtain and elsewhere.

WATERGATE COMPLEX

Mr. MORSE. Mr. President, there is a controversy developing in the District of Columbia that interests many Senators. The controversy is referred to in an editorial which was published in the Washington Post on October 18 and an editorial which appeared the same day in the Washington Star.

This is a controversy that revolves around an attempt on the part of the Kennedy Center trustees to prevent the completion of the Watergate complex previously approved. A great many legal relationships have been established.

Mr. President, if the Kennedy Center trustees had their way, the matter would result in many litigious cases. I find not the slightest justification for the position that the Kennedy Center trustees have taken. Therefore, I wish to read into the RECORD a letter I wrote to Mr. Scrivener, the Chairman of the Board of Zoning Adjustments of the District of Columbia today:

OCTOBER 18, 1967.

Mr. SAMUEL SCRIVENER,
Chairman, Board of Zoning Adjustments,
Washington, D.C.

DEAR MR. SCRIVENER: As a member of the Senate District of Columbia Committee, I have followed with great concern the controversy that has developed between the Fine Arts Commission and the National Capital Planning Commission involving the Watergate Development Corporation.

In my opinion, the editorials in the Washington Post of October 13 and the Washington Star of October 13 are sound, both in their analysis and their conclusions that the attempt of the Kennedy Center trustees to force the Watergate Development Corporation to abandon the construction of the fourth major unit of its project is unsound and unjustified. To contend that building the fourth unit, as the Washington Post puts it, "a football field away from the Kennedy Center" would jeopardize the aesthetic values of the Kennedy Center, is absurd.

Basic legal rights have become vested in the Watergate Development Corporation in respect to completing the project, as originally designed and already approved by the appropriate government bureaus of the District of Columbia Government. For the National Capital Planning Commission or any other agency of the District of Columbia Government to attempt to reverse that approval with all the litigious issues that such a reversal would now stir up cannot be justified.

Therefore, I respectfully urge that the controversy be laid to rest once and for all by the National Capital Planning Commission denying the request of the Kennedy Center trustees in their attempt to prevent the completion of the Watergate Development Project, as originally planned and approved.

Yours respectfully,

WAYNE MORSE.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter I wrote today to the Honorable Walter Tobriner, president of the Board of Commissioners, on this same subject.

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

OCTOBER 18, 1967.

Hon. WALTER TOBRINER,
President, Board of Commissioners,
District of Columbia,
Washington, D.C.

DEAR COMMISSIONER TOBRINER: This morning, I have sent a hand-delivered letter, a copy of which is enclosed, to the Board of Zoning Adjustments in regard to the controversy over the attempt of the Kennedy Center trustees to prevent the building of the fourth unit of the Watergate Development Project.

I think the litigious controversy that would flow from the granting of the request of the Kennedy Center trustees would be very unfortunate and unjustified. I hope that such a mistake will not be committed.

With best wishes, always,

Cordially,

WAYNE MORSE.

RETIREMENT OF GEORGE A. ENGLAND, DIRECTOR, DISTRICT OF COLUMBIA DEPARTMENT OF MOTOR VEHICLES

Mr. MORSE. Mr. President, after more than 30 years of very distinguished service with the District of Columbia Government, Mr. George A. England, Director of the District of Columbia Department of Motor Vehicles, retired on August 31.

As a member of the Senate District of Columbia Committee, I worked very closely with Mr. England for many years on numerous District of Columbia problems. I know of very few public servants in the District of Columbia who brought more ability, integrity, initiative, and complete dedication to solving the problems of this city than did George England.

Mr. England's job as Director of the Department of Motor Vehicles was not

an easy one. There were always tremendous pressures placed on him by employees of other District of Columbia departments and the public for special consideration. I have never known George England to yield the public interest on any matter.

I know that this man of great integrity and ability is and will continue to be sorely missed. I sincerely hope that Mr. England's deserved retirement will be a happy and productive one.

I ask unanimous consent to have printed in the RECORD a news release issued by the Public Affairs Office of the District of Columbia Government of August 21, 1967, announcing Mr. England's retirement.

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

George A. England, Director of the District's Department of Motor Vehicles and a veteran of more than 30 years' service with the city government, will retire at the end of this month.

The post will be filled by William D. Heath, who is Executive Director of the Motor Vehicle Parking Agency.

Engineer Commissioner Robert E. Mathe, who announced the personnel changes today on behalf of the Board of Commissioners, said Mr. Heath will continue to supervise activities of the Parking Agency in his new job.

Mr. England, age 55, of 2416 Darrow Street, Silver Spring, who will retire August 31, is completing a career with the District Government that spans about 33 years. A native of Hyattsville and a lifelong resident of the Washington area, he started his District Government service in the Office of the Superintendent of Lorton Reformatory.

After several promotions in a number of jobs, Mr. England was named Special Assistant to the Engineer Commissioner in 1947. During the next 11 years, he served as Special Assistant to a total of five of the city's Engineer Commissioners.

In 1958, he moved up to head the newly established Department of Motor Vehicles.

In this post Mr. England has been associated with a broad range of highway safety programs, both local and national in scope. Included was service as President of the Eastern Conference of Motor Vehicle Administrators, and membership on the Executive Committee of the American Association of Motor Vehicle Administrators, the National Committee on Uniform Laws and Ordinances, and the Vehicle Equipment Safety Commission.

New programs adopted by his department include requirements for reflectorized license tags, the retesting for driver's permits at age 65, eye vision examinations for permit renewals, color permit photographs, lengthened hours of service at inspection stations, and adoption of a computer system to keep a tighter check on the city's 450,000 licensed motorists.

The city's new Director of Motor Vehicles, Mr. Heath, will begin his new duties September 1, 1967. The appointment to the GS-15 post initially is on a temporary, 6-month basis.

A native of Washington, Mr. Heath, also 55, accepted his first job with the District in 1928 with a field crew in the Highway Department.

In 1942, he took the post of Superintendent of a production cost accounting section with the Bureau of Public Roads on the Alaska Highway Project.

After World War II Army service, during which he received a battlefield commission with the Army Transportation Corps, Mr. Heath returned to work for the District's Highway Department. His career included supervision in 1947 of the Highway Department's work in the development of the Washington Metropolitan Area Transportation Study.

In 1958, after a 10-year stint as office engineer in the Highway Department, Mr. Heath was named to the post of Executive Director of the Parking Agency.

A registered professional engineer, he is a past president of the Washington Section of the Institute of Traffic Engineers, and currently is Vice President of the International Municipal Parking Congress.

His wife, Mrs. Lynn Heath, is a Special Assistant to the Director of the Highway Department. They reside at 1111 Army-Navy Drive, Arlington.

SALE OF BUREAU OF LAND MANAGEMENT TIMBER IN OREGON

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a letter dated September 11 from the Associate Director of Bureau of Land Management enclosing a sample of a letter sent to purchasers of BLM timber.

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

(See exhibit 1).

Mr. MORSE. Mr. President, this Bureau conducts a large timber sale business in Oregon. Its sale of timber exceeds 1 billion board feet a year with revenues approaching $50 million.

There is a great interest in the way this business is conducted. Therefore, I am pleased to call attention to the consultation procedure the Director of the Bureau of Land Management is using to keep people informed on pricing and sales policies.

In my opinion, Director Rasmussen's "open door" policy of explaining his agency's policies is a public interest course. On all the major issues he must meet—log exports, timber appraisals, allowable cuts, and grazing fees and use, he has made a responsible effort to keep the public informed. He has kept all of us in the Oregon delegation advised. In my view this is a wise and useful approach.

On my recent trips to Oregon a number of people had questions about the Bureau of Land Management's new timber appraisal system. Because of Mr. Rasmussen's earlier advice I could respond to those questions.

I hope that people concerned with public timber purchases in Oregon will take advantage of the invitation of the Bureau of Land Management when they have problems that call for consultation.

EXHIBIT 1

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF LAND MANAGEMENT,
Washington, D.C., September 11, 1967.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: During the past several months the Bureau of Land Management has moved ahead on several matters regarding timber sale and appraisal policies and procedures. It is our objective to keep all interested parties informed on these important matters. To this end, we are planning to distribute the enclosed letter to potential purchasers and other interested parties whose names are contained on BLM timber sale mailing lists of western Oregon. This copy is being furnished for your information.

Sincerely yours,

JOHN O. CROW,
Acting Director.

(Enclosure.)

A LETTER TO BUREAU OF LAND MANAGEMENT TIMBER PURCHASES AND INTERESTED MEMBERS OF INDUSTRY REGARDING PROGRESS AND PLANS FOR IMPLEMENTATION OF A UNIFORM APPRAISAL SYSTEM AND OTHER MATTERS

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF LAND MANAGEMENT,
Washington, D.C.

GENTLEMEN: In early April the Bureau of Land Management announced, jointly with the Forest Service, several proposed actions concerning timber sale and appraisal policies and procedures. You were made aware of these proposals through your various industry associations and meetings held by the Bureau. We wish to advise you of the progress which has been made.

The Bureau's interim timber appraisal system is in effect and it is reflected in September sales. Adjustments involve revised and updated appraisal data as well as a basic change in the appraisal formula. We are watching the results of these adjustments very closely and any problems which may develop will be evaluated as soon as they are apparent. The relation of bid prices to prices obtained using this interim system will be under constant scrutiny as one indicator of the appraisal adequacy.

The BLM and Forest Service have agreed on a plan for the development and testing of a uniform timber appraisal system. The objective of the system is to estimate fair market value for standing timber through an analytical appraisal method. Basically, both agencies use an analytical method now. Not all of the procedures for a uniform timber appraisal system have been worked out at this time. The sources of information needed to develop this plan and design the system will be many: operator's records, industry association records and publications, government publications, time studies, etc. Our development plan provides for continuous consultation with the industry which will be accomplished through a working committee of industry representatives. The committee will be expected to keep the industry fully informed.

We have joined with the Forest Service in conducting continuous profit studies. It is intended to obtain additional information in order to exercise informed judgment in estimating adequate profit opportunities for industry. This information is necessary for the uniform appraisal system development.

The long term development of a uniform timber measurement system is underway. The first part, a study of the adequacy of the existing log and tree measurement systems, is near completion. You may have been contacted by the Experiment Station as it conducted this study. The Bureau has completed a review of BLM cruising standards and procedures. We are vigorously moving ahead on the findings from the review.

There is little to report on bidding methods, except that a joint BLM-FS study is underway. We do not plan to take any action in this area until the study is completed which will be some time after January 1, 1968.

It is our intent to keep you fully informed on these matters and we will do our best to keep in touch when conditions warrant. You are encouraged to inform us of any questions or problems you may have in timber sale and appraisal policies and procedures.

Sincerely yours,

BOYD RASMUSSEN,
Director.

ALLOWABLE CUTS AND REPORT OF THE BUREAU OF LAND MANAGEMENT

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the first 14 pages of a report of the Oregon and California Lands Advisory Board on "Recommended Allowable Cut Policies for Managing BLM Forest Lands in Western Oregon," together with the cover letter dated August 29, 1967, from the Director of the Bureau of Land Management.

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

(See exhibit 1.)

Mr. MORSE. Mr. President, the entire report covers 79 pages with tables and graphs. The portion that I am having printed includes the "Transmittal of Report, Acknowledgment, Committee Assignment, How the Committee Functioned, and the Summary of Findings and Recommendations."

This is a report of signal interest with tremendous long term impacts on Oregon's No. 1 industry—timber.

The Advisory Board has undertaken a broad and constructive effort to give general advice and counsel to the Bureau of Land Management—advice it sought. This represents a high level of citizen interest and participation.

In mid-1965, as I recall, the question of revision of BLM's Oregon allowable cut came up. Assistant Secretary of the Interior Anderson and the then BLM Director, Charles Stoddard, advised me that this matter would be given most careful review. At that time, there was considerable concern among some people in Oregon whether the Forest Service had suppressed a plan which it was alleged could dramatically raise its allowable cut if put into effect. This was a subject I gave considerable attention to by placing all the pertinent facts in the RECORD.

Both the national forests and BLM lands are of importance to Oregon for they are forest and range lands of great multiple uses.

This concept of a careful policy review has the support of Oregon's true conservationists.

Now the Bureau of Land Management has the benefit of its Advisory Board's views. BLM Director Rasmussen has given this work his considerable understanding. I know Oregonians will be pleased by his assurance that he will "be studying the report closely in developing Bureau policy on allowable cut matters."

Since this study was undertaken, the BLM forests in Oregon were hit in August 1967 by a tremendous fire that destroyed over half a billion board feet of timber. Data is not available on the number of board feet destroyed in Oregon and elsewhere in the West by forest fires this year. One estimate I have seen is that over one-third of a million acres were ravaged.

A great deal of care and study is required, not only on allowable cuts, but also on the steps needed to protect the allowable cuts and the great water resources that are linked so closely to our western forests.

EXHIBIT 1

JULY 25, 1967.

To: Charles A. Sprague, Chairman, O. & C. Advisory Board.

From: Dawn Peseau, Chairman, O. & C. Advisory Board's Committee on Allowable Cut Policies.

Subject: Recommended Allowable Cut Policies for Managing BLM Forest Lands in Western Oregon.

Pursuant to your instructions, this Committee submits herewith its report containing findings and recommendations for managing BLM forest lands in Western Oregon in accordance with the dictates of the O. & C. Sustained Yield-Multiple Use Act of August 28, 1937.

It is recommended that the Board approve this report and that it be forwarded to advise the Director, Bureau of Land Management and the Secretary, Department of the Interior.

By the committee:

DAWN PESEAU, *Chairman.*
ERIC W. ALLEN, JR., *Vice Chairman.*
A. F. HARTUNG,
SIDNEY LEIKEN,
DAVID T. MASON,
RAY E. DOERNER,

BLM representative:

RODNEY O. FETY, *Cochairman.*

ACKNOWLEDGMENT

The O. & C. Advisory Board Committee on Allowable Cut Policies deeply appreciates the splendid cooperation and participation of the many people who gave freely of their time and talent in assisting the Committee in arriving at this report.

It believes this is a noteworthy example of people working together on a common problem to arrive at solutions which reflect the best interest of the community and the Nation, now and in the future.

COMMITTEE ASSIGNMENT

At the May 3, 1966 meeting of the O & C Advisory Board, a motion was made and carried that a Committee of the Board be appointed to advise on O & C allowable cut policy issues and influences in Western Oregon.

Chairman Charles A. Sprague appointed Mrs. Dawn Peseau, Chairman, Mr. Eric W. Allen, Jr., Vice-Chairman, and Messrs. A. F. Hartung, Darrell Jones, Joseph W. McCracken, and David T. Mason, members of a committee to study the matter and report on its findings. At the end of calendar year 1966, new appointments to the Advisory Board resulted in Mr. Ray E. Doerner replacing Mr. Darrell Jones, and Mr. Sidney Leiken replacing Mr. Joseph W. McCracken on the Committee. Messrs. Jones and McCracken, however, were invited to attend and participate in Committee meetings as an aid in the transition of membership and to bring expert knowledge and views to bear on allowable cut questions. Mr. Rodney O. Fety was designated as Co-Chairman by State Director James F. Doyle to represent BLM and attend all meetings of the Committee.

HOW THE COMMITTEE FUNCTIONED

Under the chairmanship of Mrs. Dawn Peseau, subject matter research seminars were held by the Commitee on September 8, 1966, October 28, 1966, November 18, 1966, December 16, 1966, January 20, 1967, February 17, 1967 and March 17, 1967. Executive sessions were held on April 28, 1967, May 24, 1967 and July 25, 1967.

Outstanding authorities participated in a series of research seminars. They were deliberately selected to represent cross-sectional viewpoints in specific subject matter fields and the public and private sectors; for example, representatives from solid wood and wood fiber manufacturing, forest laboratory and experiment station, universities, federal agencies, state forestry organizations, forestry consultants, and industrial associations.

The Committee received written statements (See Appendix 3), oral presentations (See Appendix 4), and considered a number of references (See Appendix 5).

Specific assignments for preparing portions of a first draft of this report were given to Committee members by the Chairman. This draft was reviewed by Committee members and revised into this final report.

In considering allowable cut policy aspects, the Committee kept in mind the objectives for administering the O & C lands stated in the O & C Sustained Yield-Multiple Use Act of August 28, 1937.

Special consideration was given by the Committee to the fact that, as the owner of the major portion of the marketable timber in the Pacific Northwest, the United States Government does materially affect the economy of the Pacific Northwest by its allowable cut policies.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

I. CLARIFIED GOALS AND OBJECTIVES

The BLM has been intensifying forest land management practices as the feasibility and financing permitted and at the urging of the industry and the public. The Committee has learned that there are many opportunities for more intensive forestry practices, well known to land managers. The BLM needs the greatest possible motivation to adopt intensive forest land management practices.

The Committee recommends that the goals and objectives of the O & C land management need to be restated and clarified. The BLM is encouraged to communicate the problems and potentialities of the O & C lands as widely as possible.

II. FOREST INVENTORY

Complete, accurate, and up-to-date information on the forest land area, site class, topography, timber types, volumes, mortality, stocking, and growth are necessary as a basis for sound management of the O & C lands. The Committee learned that forest inventories are from five to eight years old. A reinventory of one of the oldest master unit inventories is now nearing completion; others are planned to commence during fiscal year 1968. The allowable cut was increased in 1962 without benefit of new inventory data. A major windstorm, a flood, a fire, and a serious insect infestation have occurred in Western Oregon since the last inventories.

The Committee recommends that reinventories of each master unit be made as rapidly as possible and that no changes be made in the allowable cut for a master unit until a reinventory of it is complete.

III. USE OF ECONOMIC CRITERIA

A high level of wood output is beneficial to the industry, employment, and the economic life of the community. However, seeking it through long rotations may tend to result in investment of funds in timber growing stock to the detriment of other activities, such as recreation and water developments, when the total available funds are limited. The Committee understands that there may be opportunities to utilize existing investments in over mature growing stock to finance intensive timber growing practices that will raise the long-run timber output significantly. One of the promising investments is in faster and more certain regeneration. Others include precommercial thinning, fertilization, genetics and the like. The BLM should be alert to evaluate the effectiveness of the application of new research developments and consider them in relation to the cost of their application. This

will help assure that any increases in allowable cut made for these reasons are based on the practicality of attainment.

The need for a proper balance of investments in management intensification was obvious in the Committee discussions. Many more opportunities exist for increased allowable cuts by intensive management than there are funds to carry out these management efforts. Furthermore, some of the opportunities are much more favorable than others. The Committee is concerned that regular procedures be strengthened, and new ones established, for evaluating these public investment opportunities. This would serve to better guide Congress in making appropriations and guide the O & C counties in allocating the funds such as they have been directing for expenditure. It would also assist the O & C administration in carrying out the management activities by guiding them to the most promising opportunities first.

The Committee recommends that, aside from recreation, water, wildlife and other uses of the land, the BLM use economic criteria when determining the optimum amount of growing stock and other timber investments. Properly evaluated economic criteria will permit optimum wood yields, while placing reasonable limits on investments in growing stock and timber management activities in relation to the returns.

IV. OTHER FOREST LAND USES

Uses of the public lands for purposes other than timber production constitute a significant, increasing, and often beneficial segment of total demand on the public lands, including the O & C lands. This trend gives evidence of continuing. Providing for these uses, as well as for the increasing demands for timber, requires that the public land manager plan carefully in order to keep all reasonable options open insofar as possible. Land use programs must remain flexible.

The Committee recommends that a system of land classifications be developed and applied on the O & C lands to assure adequate provision for development and protection of other than commercial timber values and that such a system should not necessarily restrict the use to a single purpose, but provide for flexibility in the management for the various uses.

V. LONGER-RANGE BUDGETING

Additions to allowable cut now and in the long run often require dependable annual outlays. The present system of annual appropriations may not be certain enough to warrant those planned increases in allowable cut which are dependent upon continuing programs of intensive management.

The Committee recommends that a much improved long range system of planning, programming, appropriating, and allocating investment funds be developed. This system should begin at the local level to insure a realistic relationship between the need, the investment, and the local economy. The use of a portion of the O & C Land Grant Fund for these investment purposes is desirable and should be continued.

VI. STRONGER LOCAL PLANNING STAFF

Better procedures are needed at the State Office level of BLM for making decisions on factors used in allowable cut culculations and management planning. Several significant factors involve more than just technical forestry. Such things as kinds of products needed in future, evenflow of wood output, size of planning unit, and impact of and demand for other uses must be carefully evaluated as to their effect upon local communities and industries.

The Committee recommends that a stronger interdisciplinary planning staff drawing upon the skills of foresters, economists, sociologists, engineers, outdoor recreation specialists and others, be developed to evaluate alternatives as a basis for improved decision-making on allowable cut levels for the O & C lands.

VII. THINNING AND SALVAGE POLICIES

Two promising and desirable methods of increasing the currently available raw material are commercial thinnings and salvage of mortality. The Committee understands BLM proposes to offer about 140 million board feet of mortality salvage and thinnings during fiscal year 1968. It commends this start and hopes that this is to be a continuing and expanded program.

The Committee recommends that estimates of the total potential for thinning and mortality yields during the next ten years be refined, that the costs and returns, including employment and other benefits, of such a program be calculated, and that a proposed program to capture these opportunities be presented to the O & C Advisory Board.

VIII. ANNOUNCEMENT OF COMPLETE TIMBER SALE PROGRAM

The wise and intensive management of O & C lands for timber results in production of many kinds and sizes of trees from several methods of harvest. Some trees are harvested as green mature timber, others as mortality, salvageable culls or suppressed trees in thinnings. Still other trees, such as some hardwoods, are only occasionally marketable. The industry and employment dependent upon timber as raw material need to know what and how much wood is available, now and for several years into the future.

The Committee recommends that all the timber determined to be available for cutting be included in the allowable cut, but that it be announced by the species, kinds, sizes to be offered for sale during the planned cutting period. This will require a system of control to prevent substitution of one kind of timber for another in the actual cutting program.

IX. ROAD DEVELOPMENT

A well-planned system of roads is essential to effective timber growing and marketing and to full use of the forest for other purposes, such as recreation. Timber harvest has provided income to the BLM and to the O & C counties for financing the major part of road developments thus far. Further study is required as to the allocation of construction and maintenance costs for the differing uses of general traffic roads. More intensive timber practices require certain roads specifically for these purposes, such as thinning and salvage, and these roads should be designed for that purpose.

The Committee recommends that the completion of the main road system serving all the uses of O & C lands be carefully planned, and be coordinated with the road programs on adjacent lands; and that the minor roads needed for intensive timber management be built to the reasonable minimum standards justified for that purpose.

X. RESEARCH AND EXPERIMENTATION NEEDED

Although a great deal is already known about how to increase timber yields by more intensive management, still more remains to be learned or to be developed to the point of practical application. The Committee was also impressed with the need for better information about the effects on the local economy of changes in the output of timber or other uses of the O & C lands.

The Committee recommends that continued and increased support be given to the programs of research agencies and universities, and that the BLM should constantly apply promising new findings on a trial basis in order to determine their practicality for increasing timber production at reasonable cost. Furthermore, continued research and review of product objectives on the O & C lands should be conducted and program revisions made as warranted.

XI. ALLOWABLE CUT—A GENERAL STATEMENT

Great care must be taken to provide in perpetuity a productive O & C forest which is the base for much of our economy, as well as to satisfy the many other reasonable demands upon the limited forest land area. With respect to the allowable cut, it is easier to harvest timber than to grow it. Standing forests are an asset-in-being, but a newly harvested area is only potentially productive, one to four generations away from harvest.

The Committee recommends that land managers and foresters keep this ever in mind while applying technical formulae to the forest base to determine the allowable cut.

PROPOSED SALE OF AMERICAN SUPERSONIC BOMBERS TO PERU

Mr. MORSE. Mr. President, a few moments ago, I noted on the ticker that the State Department has decided to sell supersonic bombers to Peru, and to several other countries of South America.

I shall discuss this matter at some depth on another day in my capacity as chairman of the Subcommittee on Latin American Affairs, but I want to make these brief remarks about it now. Approval of this sale is but another evidence of the surrender of our State Department and the Johnson administration to international political blackmail. It cannot be explained on any other basis.

Ah, we said to Peru, which has a per capita income for the masses of its people of $170 per year, "Why, we will sell you the bombers because if we do not, you are about to consummate the purchase of supersonic bombers from France. And, do not forget, we will supply you with foreign aid, too."

That is just what I say it is: Pure international blackmail.

Mr. President, do you know what we should have said to Peru? We should have said, "Go on and buy your bombers from France, and get your economic aid from them, too, and save our American taxpayers all of the losses they would otherwise have to suffer."

Mr. President, the sale of these bombers to Peru demonstrates once again the shocking foreign policy of the United States in Latin America time and time again.

It is a continuation of the policy that, when the chips of freedom are down in Latin America, the United States of America can be counted on to walk out on freedom. This support of military oligarchs, military mandarins, who have exploited for decades the poor people of Latin America, is once again being repeated. And we want to know what is happening to the U.S. image in Latin America.

I have said in past speeches, and repeat on the floor of the Senate today, that we create more Communists in Latin America than any other force in the world does, through our military aid to the military oligarchies that control too many Latin American countries.

Will anybody in the Senate get up on his feet and tell me why we ought to be providing any Latin American country with supersonic bombers, or destroyers, or submarines, or mile after mile of our

largest tanks, or mile after mile of our heaviest field equipment? Let me hear him today or any other day. I challenge a Senator in this body to get up on the floor of the Senate to justify selling this kind of military equipment to any Latin American country, especially in competition with France.

There was a time when we feared that equipment might be sought in Russia and we felt that we did have to provide an alternative to Russian weapons.

But France—to hear the Pentagon and State Department talk, the United States is as afraid of French, British, and Swedish equipment in underdeveloped countries as it is afraid of Russian or Chinese equipment.

I cannot imagine how much closer we can get to international paranoia than to feel we must make planes available to Peru or Brazil because the alternative source is France.

I am in favor of certain military aid to Latin America. I am for military aid that will help keep down coups from the left and coups from the right. I am for supplying tear gas, rifles, pistols, small arms, the kind of military aid and equipment that is necessary to maintain internal order. How is internal order to be maintained with supersonic bombers that drop bombs? It is fantasy. How is internal order to be maintained with submarines or destroyers? Fantasy. More than that, it is deceit. It deceives the American taxpayer, which again the administration plays for a sucker. It seeks to maintain a military class so that the sons of the oligarchs will have military jobs and comprise the officer class of the Military Establishments in the military junta countries of Latin America.

Some years ago President Kennedy appointed me chairman of the American delegation to go to Peru for the inauguration of the President to whom it is now proposed to sell military aircraft and military fighter planes. I sat on the military review stand for about 3½ hours, along with the delegates and heads of the delegations of all the other countries of the world that attended the inauguration. I counted 40 or more Sherman tanks rumbling down that boulevard. I saw mile after mile of our military equipment rumble down that boulevard. I looked to see if what I had been told was true. I was warned in advance that I would not see a single Indian wearing an officer's uniform. Not only did I see that, but they were buck privates. I was also warned that I would see military generals in numbers out of all proportion. I saw them.

Well, this is not limited to Peru. The same thing is true in Argentina. The same thing is true in Brazil. The same thing is true in Ecuador. The same thing is true all through Latin America where the military rules in fact.

Of course, what that does is keep down political freedom. It victimizes the peasants, with their shocking, low standard of living. It victimizes them by making them easy prey to the vicious, lying propaganda of the Communists. They say, "You have nothing to lose by joining us." Do not forget that we are dealing with a peasantry. We are dealing with peons, a large percentage of whom—in most of the countries above 50 percent—are illiterate and ignorant.

The great vision of President Jack Kennedy was to export to them economic freedom and literacy. Let me say that if they can be made economically free and literate, they will develop their own system of political freedom. We cannot export it to them. They will never get it from the military oligarchs, for the record of military oligarchs is a record that supports not political freedom but political dictatorship.

I have worked in this field for many years in the Senate, and I am very proud of the record that my Subcommittee on Latin American Affairs of the Foreign Relations Committee has made. I have pleaded with the Senate year after year to eliminate from the foreign aid bill a large part of the millions of dollars that go into military aid. We have made some progress—not enough—only to have the House proceed to vote millions of dollars more than the Senate recommended. Then we get into conference and we have to compromise somewhere in between.

But this one is so wrong, this one is so completely unjustified, Mr. President, that I take these few moments again today on the floor of the Senate to warn the American people that the State Department is throwing away millions and millions of your dollars, not only wasting your money, but perpetuating a great wrong in Latin America by way of the type of military aid that we give to the military oligarchs.

I have been heard to say before that I not only am opposed to the materiel that we supply them. Does anyone think we are going to be paid back for these planes? Stop kidding yourselves.

It is remarkable, as the record shows, how small a percentage is ever paid back. The debt drags on, and after some years the military argue that what had been sold them before, or what had been given them before—much of our military aid to Latin America has been by gift—is now obsolete; they have to have new equipment. Then it is remarkable to see how debts can be forgotten or scaled down or adjusted.

Then the American taxpayer is stuck with it.

Mr. President, I shall not be a party now, as I have never been before, to fooling the American taxpayer or deceiving him. But we now learn that we are going to make fighters available under a so-called sales program. We will wait a long time to collect our money in payment.

We are going to pour in economic aid in addition, but chiefly on a government-to-government basis, instead of on a project-to-project basis. Starting with Peru, let us get ready for the lineup. If we do this for Peru, we shall have to do it for Brazil, Argentina, Chile, and the rest. It is a racket—just a racket. The American people ought to put a stop to it. The only way they can put a stop to it is to make perfectly clear to Members of Congress that if they continue to underwrite that kind of racket, they will be held to an accounting. I am very sorry to have to say that.

To the credit of the administration, I will say that we had a little preview of this plan the other day in the Commitee on Foreign Relations. The Assistant Secretary of State for Latin American Affairs discussed it with us and consulted with us. I highly approved of that. What surprises me is that, following that consultation, we now read on the news ticker that the administration plans to go through with the project.

If any Senator wants to know what took place in the consultation, a record was kept. It is not a public record, but it is available to any Member of the Senate who wishes to get it out of the safe of the Committee on Foreign Relations and read it. The record will show that the Assistant Secretary of State left the room with not the slightest doubt in his mind that he had run into a group of Senators who did not think the plan was a good idea.

I think there should be more consultation, but may I say that, of course, if the idea is just to have consultation as a matter of form, just to come up and raise the issue and listen to the objections, and then, within a few days thereafter—this was just a few days ago—go on and consummate the deal, irrespective of what Senators say when consulted, all I can do is sincerely advise my administration, "You are headed for more trouble." Further consultation and further consideration, including consultation with my committee, with a formal meeting with the Committee on Foreign Relations, would have been the proper way to do it.

Moreover, we are engaged in a companion military aid intervention program in Latin America; the administration will know what I mean when I say I am also opposed to sending a single American military man in military uniform—or in civilian uniform, for that matter, if the purpose would be the same with him in civilian clothes—to serve as a military adviser anywhere in Latin America.

That is the way new Vietnams start. That is the way the present Vietnam situation started, though Presidents Eisenhower and Kennedy both rejected the thought of making this an American war in Vietnam.

When representatives of this administration cite President Eisenhower and President Kennedy as following a course that justifies the present course in Vietnam, they are completely wrong. That is one of the contributions to the credibility gap, when they release that kind of propaganda; for those two Presidents made very clear that they were not about to send large military ground forces over to South Vietnam to engage in combat.

I happened to think—and told him so—that President Kennedy made a mistake in even sending over advisers; but I am also satisfied that he was on his way to reversing even that policy at the time of his assassination. I have stated my reasons for that belief heretofore in several speeches on the floor of the Senate, before the Committee on Foreign Relations, and from platforms all across America. I shall not repeat them this afternoon. I close this comment this afternoon merely by saying that I am sad-

dened by what the ticker story says. I think my Government is once again making a horrendous mistake in Latin America.

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. MORSE. Mr. President, if I may have the attention of the acting majority leader—for, although I see the majority leader is present, it is the acting majority leader whose attention I seek to attract—the Senator from Wisconsin [Mr. PROXMIRE] suggested that I not speak at any great length tonight on the pending business. I am willing to begin my speech at this point, but I say to the Presiding Officer that I join with him in his present countenance; I feel the same way. As the occupant of the Chair, he cannot speak but his smile speaks volumes.

I say now to my two leaders, the majority leader and the acting majority leader, that the Senator from Wisconsin [Mr. PROXMIRE] suggested that I speak until about 5 o'clock, and then finish my speech tomorrow. I did not have time to find out whether or not he had any understanding with the majority leader; I only wish to say I would be very happy to oblige him.

Mr. MANSFIELD. If the Senator will yield, whatever the Senator wishes to do in conjunction with the Senator from Wisconsin is perfectly acceptable.

Mr. MORSE. That is typical of the courtesy of the majority leader.

If the Senator from Montana feels that way, 15 minutes is not long; I would be perfectly willing to adjourn, and make my speech tomorrow.

Mr. MANSFIELD. Whatever the Senator wishes.

Mr. MORSE. Mr. President, I yield the floor.

MINER SHORTAGE IN APPALACHIA

Mr. BYRD of West Virginia. Mr. President, I recently noted in the Morgantown, W. Va., Dominion-News of October 14, 1967, an article headlined: "Serious Miner Shortage Develops in Appalachia."

The article points out how the increased long-term demand for soft coal has created a demand for skilled employees which is as yet unfilled.

This has created an astounding paradox—unemployed miners, along with mining jobs that go unfilled. The reasons, the article points out, are first, that the new jobs require vastly different skills than the older miners possess and, second, that new young persons who might ordinarily be called upon to fi'l these new jobs are, in increasing numbers, leaving the area for other employment opportunities.

I believe this subject is worthy of further study to determine how the needs of this industry and this area can be better met. I ask unanimous consent that the article to which I have referred be printed in the RECORD.

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

SERIOUS MINER SHORTAGE DEVELOPS IN APPALACHIA

(By Ben A. Franklin)

JENKINS, Ky.—A serious shortage of miners is developing in the remote, mountainous Appalachian coal fields, where years of chronic unemployment in the mines have left scars deeper than the pits themselves.

For a generation, a shortage of miners in the eastern bituminous coal fields has been regarded as inconceivable. Bituminous mine employment has declined from a World War II high of 600,000 to about 113,000 men.

Although the federal government has spent more than $6 billion in recent years to mitigate the impact of successive declines in coal employment, Appalachia has become synonomous with hard core, resistant poverty.

Now a boom in coal, stimulated by the huge, long-range fuel demands of the electric utility industry, is producing paradoxes. Chief among them is that the new jobs now being advertised in the mines—estimates range from 30,000 to 100,000 new mining jobs in the next few years—apparently will do little or nothing to reduce the existing army of the unemployed. Men who have been unemployed or semiemployed for 10 years are regarded by the mine operators as too old or too set in the ways of welfare, officials said.

The new jobs are for the young and for technicians.

The reason is mechanization, which has been a boom to coal operators in this region for the two decades they have been replacing pick and shovel miners with machines. The move to machines began in the late 1940's, after the United Mineworkers Union, under John L. Lewis, won a $25 a day wage and a 40-cent a ton royalty payment from the operators to finance the union's welfare and pension fund.

The fund was supposed to support all miners displaced by mechanization.

The welfare fund, however, has retreated from total protection. Only 70,000 miners are now drawing pensions. And the mechanization encouraged by the U.M.W.'s 1946 mechanization contract has finally brought a crisis in skills in which the union apparently is playing only a small role.

At a meeting of the mechanical mining committee of the American Mining Congress in Pittsburgh Thursday, Michael S. Widman, the U.M.W.'s director of research, angrily announced his resignation, effective immediately, from his own union's two-man national manpower training committee. He charged that the industry was making only scattered attempts to train new miners and to improve the image of the industry for recruiting purposes.

The dearth of young, educated and trainable men for mining in Appalachia is directly traceable to decades of unemployment and economic depression.

In the 1950's, 70,000 persons between the ages of 25 and 29 left the area. Of those remaining, many if not most apparently plan to leave.

Work in the mines is not a popular vocation among the young, even when the labor is done by machines, and the coal companies now acknowledge this. The average age of working miners has now reached 47, according to union and industry spokesmen.

The coal operators are trying to recruit young men in high schools and vocational schools, often signing them up before graduation with offers of high pay—the coal wage averages $146.57 a week—and sometimes "pirating" each other's trained employes.

A few new "minecraft" training schools are opening under joint industry-government sponsorship in Kentucky, West Virginia, Virginia and Pennsylvania, in communities where nearly every unemployed middle-age man has some mining experience.

One operator, the Eastern Associated Coal Company of Beckley, W. Va., broke ground last week at a miners' "New town," a subdivision of $12,000 houses which are to be financed and built by local homebuilders.

"Not a company town," said Ben Romeo, the company's personnel director in Pittsburgh, "that's out, that's taboo." But he added that the company "is stressing that here, a miner can have suburban living, and not live in the shadow of the tipple (an apparatus for loading coal cars). That is what today's miner wants." The homes will be individually owned, some under Farmers Home Administration loans, without down payment.

The mines need fewer machine operators who dig the coal than skilled craftsmen required to support the machines.

At the Pike No. 26 mine of the Beth-Elkhorn Corp., which produces high-grade metallurgical coal with the most modern equipment in the country, according to its officers, the entire production operation is geared to maintenance. The machines operate only two shifts a day. The third shift, from 4 p.m. to midnight, is given over to machine maintenance.

In the case of the continuous miner—a tract vehicle with revolving cutter heads and steel claws that stuff the broken coal into its loading conveyor—maintenance requires a knowledge of 440-volt electrical circuits, both alternating and direct current, hydraulics and the usual machinist's skills.

With 1.6 trillion tons of coal in reserve—an 800-year supply at projected rates of consumption—and now with 10, 20 and 30-year contracts to supply fuel to steam electric plants, the coal industry is concerned about its image as an employer and as a neighbor.

The biggest industry problem, however, is manpower, coal officials said. Samuel Pollack, a safety specialist with the United States Bureau of Mines, told the Pittsburgh Mining Man-Power conference Thursday, "I have three grandsons and I'm not sure I want them to go into the mining industry."

The question industry officials must ask themselves, he said, "is would you want your own kids to go into the mines?" He got no answer.

INDONESIA BREAKS RELATIONS WITH RED CHINA

Mr. BYRD of West Virginia. Mr. President, in today's Washington Post, there is published an article written by William S. White entitled "Indonesia Seen as Dividend on Strong Policy in Vietnam."

Mr. White states in part:

Indonesia, which only yesterday lay open to the shadow of Asian communism, has now effectively broken all relations with Red China.

Thus sealed beyond doubt is a counter-victory for the anti-Communist world so immense—since Indonesia is the sixth largest nation on this globe—as to be all but comparable to the tragic loss to that world of mainland China a generation ago.

Mr. White goes on to say:

This historic overturn, moreover, could not conceivably have been possible had not the United States persisted through three presidential administrations with its pledge not to let the cornerstone of Southeast Asia fall to Communist aggression in Vietnam.

Determined resistance in Vietnam demonstrably shored up those forces which have at last expelled the Chinese shadow from Indonesia. American weakness in Vietnam

would, in equally undeniable truth, have strangled the anti-Communist counter-revolution in Indonesia.

Mr. President, I ask unanimous consent to have printed in the RECORD this very pertinent article, published in the Washington Post for Wednesday, October 18, 1967.

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

INDONESIA SEEN AS DIVIDEND ON STRONG POLICY IN VIETNAM

Indonesia, which only yesterday lay open to the shadow of Asian communism, has now effectively broken all relations with Red China.

Thus sealed beyond doubt is a counter-victory for the anti-Communist world so immense—since Indonesia is the sixth largest nation on this globe—as to be all but comparable to the tragic loss to that world of mainland China a generation ago.

This historic overturn, moreover, could not conceivably have been possible had not the United States persisted through three presidential administrations with its pledge not to let the cornerstone of Southeast Asia fall to Communist aggression in Vietnam.

Determined resistance in Vietnam demonstrably shored up those forces which have at last expelled the Chinese shadow from Indonesia. American weakness in Vietnam would, in equally undeniable truth, have strangled the anti-Communist counter-revolution in Indonesia.

But who can hear of Indonesia now amid the shrill clamors of a bitter minority which seeks at any cost to discredit that policy in Vietnam? The peaceniks, the soft-liners, have other things to speak of. And they have men, as well as policies to destroy.

Secretary of State Dean Rusk recently tried to explain that a Chinese colossus publicly pledged to Asian-wide and even world-wide aggression is a fearful fact of life which America really cannot ignore. And what is the consequence of this brazen effort to answer the endless attacks of the peacenik minority?

The reply is the most savage of the sneer-smear techniques, the huckster-slogans, yet hurled by men whose "right to dissent" is being so cruelly suppressed that even the draft-dodgers they encourage are sometimes actually arrested for attempting physically to obstruct the induction of other young men willing to fight for their country.

The new line is that Rusk, in exercising his elementary duty to explain the policy considerations of the Government, is raising the shabby banner of a "Yellow Peril" in Asia. This is sneer and smear, indeed. For, of course, the term "Yellow Peril" was disreputable a lifetime ago. The term was not remotely used by Rusk in the first place, nor is it remotely relevant to his case.

By innuendo, this man who under cruel beating from the left is attempting to save colored peoples in Asia from invasion and murder is himself made into an anti-yellow racist.

It does not matter to the peaceniks that every colored nation which is under the gun in Southeast Asia—not to mention white Australia and New Zealand—very clearly sees a very real Red Chinese, and not a "yellow," peril to its safety. It does not matter that Australia and New Zealand even now are thus increasing their troop commitments to Vietnam. It does not matter that the distinctly left-wing, and not right-wing, and undeniably dark, and not light, Prime Minister of Singapore is even now in Washington to testify that the Red Peril is Red indeed and present indeed.

No, it is not a Yellow Peril here; but it is something else. It is yellow journalism at its yellowest. It is to treat a somber exposition of world realities by the honorable official charged to conduct a foreign policy with a form of verbal abuse that lies on the intellectual level of a television commercial for mouth-wash.

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.

ORDER FOR RECOGNITION OF SENATOR BYRD OF WEST VIRGINIA

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that immediately following the transaction of morning business on tomorrow, I be permitted to speak for 20 minutes.

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

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move that the Senate stand in adjournment until 12 noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 51 minutes p.m.) the Senate adjourned until tomorrow, Thursday, October 19, 1967, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate, October 18, 1967:

IN THE AIR FORCE

Lt. Gen. Richard L. Bohannon, FR19067 (major general, Regular Air Force, Medical), U.S. Air Force, to be placed on the retired list in the grade of lieutenant general under the provisions of section 8962, title 10 of the United States Code.

Maj. Gen. Kenneth E. Pletcher, FR19136, Regular Air Force, Medical, for appointment as Surgeon General of the Air Force in the grade of lieutenant general for the period beginning from December 1, 1967, and ending on April 30, 1970. This nomination is made under the provisions of section 8036, title 10 of the United States Code.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 18, 1967:

AMBASSADORS

George J. Feldman, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Luxembourg.

Harrison M. Symmes, of North Carolina, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Hashemite Kingdom of Jordan.

Hugh H. Smythe, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Malta.

L. Dean Brown, of Maryland, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Senegal, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to The Gambia.

UNITED NATIONS

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.

IN THE COAST GUARD

The nominations beginning William W. Peterman, to be lieutenant (jg.), and ending Marcus L. Lowe, to be lieutenant (jg.), which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on October 16, 1967.

HOUSE OF REPRESENTATIVES

WEDNESDAY, OCTOBER 18, 1967

The House met at 12 o'clock noon.

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

When you pray, say, Our Father.—Luke 11: 2.

Eternal God, our Father, who has set eternity in our souls, the spirit of love in our hearts, and a song of praise on our lips, in the quiet hush of this moment we bow at the altar of prayer.

We come at the call of our President to pray and to pray for the people of our land. Pour out Thy spirit upon us and join us together in greater loyalty to our Nation, in greater justice to our fellow man, and in greater faith in Thee. Keep us faithful in the defense of freedom, and with courage and confidence may we preserve and promote the blessings of liberty everywhere.

Enlighten the minds of our people that we may work together to remove inequalities, to reduce friction, to renounce prejudice, and by the strength of Thy spirit may we foster an increasing good will in the hearts of all. Help us to take the law into our hearts and not into our hands and to respect the rights of all men. In the Master's name we pray. 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 agrees to the amendment of the House to a joint resolution of the Senate of the following title:

S.J. Res. 112. Joint resolution extending the time for filing report of Commission on Urban Problems.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 1788) entitled "An act to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments," with an amendment in which concurrence of the House is requested.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 889) entitled "An act to designate the San Rafael Wilderness, Los Padres National Forest,